

**THE COUNCIL**

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*Minutes of the Proceedings for the*

**STATED MEETING**

*of*

Wednesday, September 14, 2016, 2:00 p.m.

The Public Advocate (Ms. James)

*Acting President Pro Tempore and Presiding Officer*

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent: Council Member Espinal.

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

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

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

### INVOCATION

The Invocation was delivered by Imam Souleimane Konate, Council of African Imams in America Inc., 23 East 115<sup>th</sup> Street, New York N.Y. 10029.

In the name of Allah, the most gracious, the most merciful,  
 oh Allah our God, by you we bend  
 and to you we direct ourselves and we ask;  
 and only you we wanted, we beg you for nothing but you, our Lord  
 and we appeal it to you by the greatness and the grand virtue;  
 there is no God but you, all one only absolute  
 we ask to bring peace, love and tranquility into our great city  
 and make the City of New York a place of security  
 and provide its leaders with many blessings  
 and protection, guidance and wisdom.  
 You alone we worship and you alone we ask for help for each and everything,  
 oh Lord of Abraham, Moses, Jesus and Mohammad,  
 Peace be upon them all oh Allah, Lord of power  
 to give the power, to whom to please  
 and who strives of power, from whom to please,  
 to induce with honor, whom to please  
 and to bring love home, to please in your empty hand is all good...  
 over all things to have the power.  
 Our prayers go to those who lost their families, the loved ones in 9/11;  
 may Allah provide them with comfort and hope. Amen.

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

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

Dabney Montgomery, 93, was a distinguished Tuskegee Airman, bodyguard to Dr. Martin Luther King, Jr., and a member of Manhattan Community Board 10. His work played an important role in helping the Civil Rights movement.

Tyreke Borel and Tiarah Poyau, were both murdered during this year's West Indian Day Parade *J'Ouvert* Festival. Tyreke, 17, was a student at Boys and Girls High School in Bedford-Stuyvesant. Tiarah, 22, was a graduate student in taxation at St. John's University.

With the commemoration of the 15<sup>th</sup> anniversary of the September 11<sup>th</sup> attacks, the Speaker (Council Member Mark-Viverito) asked everyone to remember all the lives that were lost that day.

**ADOPTION OF MINUTES**

Council Member Crowley moved that the Minutes of the Stated Meeting of September 14, 2016 be adopted as printed.

**LAND USE CALL-UPS**

M-438

By Council Member Koo:

**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 160247 PQQ shall be subject to Council review.**

Coupled on Call-Up Vote.

M-439

By Council Member Richards:

**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 160248 PQQ shall be subject to Council review.**

Coupled on Call-Up Vote.

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

**Affirmative** – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **50**.

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

## REPORTS OF THE STANDING COMMITTEES

### Report of the Committee on Contracts

Report for Int No 923-A

**Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the department of small business services to submit an annual report regarding the satisfaction of minority and women owned business enterprises goals by recipients of economic development benefits**

The Committee on Contracts, to which the annexed amended proposed local was referred on September 30, 2015 (Minutes, page 3564), respectfully

### REPORTS:

#### **I. INTRODUCTION**

On September 14, 2016, the Committee on Contracts (“the Committee”), chaired by Council Member Helen Rosenthal, will hold a second hearing on the following bills related to the City’s minority and women-owned business enterprises (M/WBE) program: Proposed Introduction (“Int.”) 923-A, introduced by Council Member Laurie Cumbo, A Local Law to amend the New York city charter, in relation to requiring the department of small business services to submit an annual report regarding the satisfaction of minority and women owned business enterprises goals by recipients of economic development benefits; Proposed Int. 976-A, introduced by The Public Advocate (Ms. James), A Local Law to amend the administrative code of the city of New York, in relation to requiring training for agency chief contracting officers and agency M/WBE officers and posting related information on the city’s website; Proposed Int. 981-B, introduced by Council Member Cumbo, A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an M/WBE advisory board; Proposed Int. 1005-A, introduced by Council Member Elizabeth Crowley, A Local Law to amend the administrative code of the city of New York, in relation to requiring agency minority and women-owned business enterprise utilization plans to be published online; Proposed Int. 1019-A, introduced by Council Member Rosenthal, A Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements related to M/WBE participation; and Proposed Int. 1020-A, also introduced by Council Member Rosenthal, A Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements and agency goals related to participation of minority and women owned business enterprises in procurements. The original versions of these bills, prior to later amendment, were first heard at the Committee’s December 14, 2015 hearing, held jointly with the Committee on Small Business and the Committee on Women’s Issues, on the implementation of the City’s M/WBE program. At that hearing, the Committees heard testimony from then-M/WBE program director Maya Wiley, the Mayor’s Office of Contracting Services (“MOCS”), the Department of Small Business Services (“SBS”), members of the New York State Legislature, representatives from the New York City Comptroller’s office, the Black Institute and other interested parties, including minority and women business owners. These bills were subsequently amended after the hearing.

#### **II. BACKGROUND**

##### **A. Local Law 129 of 2005**

In 2005, the City conducted a study that revealed significant demographic disparities among the business owners with whom the City contracts for purposes of receiving various goods and services. The study revealed that the City contracts with M/WBEs at drastically lower rates than businesses not owned by women

or minorities.<sup>1</sup> Further, the study examined the number of MWBEs that operate in the city compared to their rates of procurement of government contracts and found substantial underutilization.<sup>2</sup> The study revealed that M/WBEs were underutilized in the awarding of both prime contracts and subcontracts.<sup>3</sup> Accordingly, that same year, the Council passed Local Law 129 of 2005, which created the City's M/WBE program.<sup>4</sup> The purpose of the M/WBE program is to increase and expand city-contracting opportunities for M/WBEs.<sup>5</sup>

Local Law 129 set aspirational goals for City agencies to increase their contracting with MWBEs. These goals set target percentages for certain types of contracts<sup>6</sup>, but initially, the law only applied to contracts valued at \$1 million or less. Significantly, Local Law 129 created an M/WBE certification program<sup>7</sup>, which provides greater access to information about contracting opportunities through classes, networking events, targeted solicitations, and includes an online directory for certified businesses within the City that promotes M/WBE businesses to purchasers.<sup>8</sup>

After the program's creation, certified M/WBE firms had won more than \$3 billion dollars in City contracts by 2012.<sup>9</sup> Notwithstanding the successes of the M/WBE program under Local Law 129, amendments were later made to strengthen the program, which included further expanding the mechanisms and strategies the City could use to increase M/WBE procurement.<sup>10</sup>

### B. Local Law 1 of 2013

In 2013, the Council made efforts to improve Local Law 129 by passing Local Law 1 of 2013.<sup>11</sup> Local Law 1 made a number of significant changes to the city's M/WBE program, including: (i) removing the requirement that M/WBE goals only apply to contracts valued at one million dollars or less; (ii) the creation of "M/WBE stat," an accountability program that requires agency M/WBE officers to convene quarterly to discuss progress with reaching M/WBE goals; (iii) requiring M/WBE reports from MOCS on a quarterly basis instead of semi-annually (as was required under Local Law 129 of 2005); and (iv) overall, improving and increasing education and outreach regarding the MWBE program and city contracting.<sup>12</sup>

### C. Issues and Concerns Regarding the City's M/WBE Program

Despite the diversity of New York's City's business community, M/WBEs continue to struggle with respect to participation in public contracting. In Fiscal Year (FY) 2015, M/WBEs were awarded \$397 million

<sup>1</sup>*City of New York Disparity Study*. New York: Mason Tillman Associates (January 2005), available at <http://masonstillman.com/sites/masonstillman.com/files/attachments/1312%20City%20of%20New%20York%20Final%20REPORT%201-24-05.pdf>

<sup>2</sup> *Id.* at 10-4.

<sup>3</sup> *Id.*

<sup>4</sup> See Local Law 129 of 2005.

<sup>5</sup> To qualify for M/WBE certification, a firm must: (1) have been in operation for at least one year; (2) be at least 51 percent owned, operated and controlled by a woman or a member of a recognized minority group; and (3) be located within the five boroughs or, if located in any of the surrounding counties, derive 25 percent of its business from the City. See: <https://www1.nyc.gov/nycbusiness/description/minority-and-womenowned-business-enterprise-certification-program-mwbe> (last visited September 12, 2016).

<sup>6</sup> Pursuant to *City of Richmond v. J.A. Croson Company*, 488 U.S. 469 (1989), a United States Supreme Court case, a municipality may only create a race-based program if it demonstrates historical and societal discrimination against minority businesses. In compliance with this decision, the participation goals for this program were established as a result of a disparity study conducted by the City that examined the availability of M/WBEs as compared to their utilization in public contracting.

<sup>7</sup> Minority and Women-owned Business Enterprise (M/WBE) Certification Program *The Official Website of the City of New York* available at <https://www1.nyc.gov/nycbusiness/description/minority-and-womenowned-business-enterprise-certification-program-mwbe> (last visited September 12, 2016)

<sup>8</sup> *Id.*

<sup>9</sup> "Mayor Bloomberg Signs Legislation to Help Strengthen Minority and Women-Owned Business Enterprise Program." *The Official Website of the City of New York*. 07 Jan. 2013. <http://www1.nyc.gov/office-of-the-mayor/news/011-13/mayor-bloomberg-signs-legislation-help-strengthen-minority-women-owned-business-enterprise> (last visited September 12, 2016).

<sup>10</sup> See Local Law 1 of 2013.

<sup>11</sup> See Local Law 1 of 2013.

<sup>12</sup> *Id.*

in prime contracts (subject to the M/WBE program) and \$75 million in eligible subcontracts.<sup>13</sup> Thus, contracts with M/WBEs represented less than 4% of the City's total \$13.8 billion procurement budget for FY 2015.<sup>14</sup> During the first three quarters of FY 2016, 11% of applicable City prime contracts (valued at \$362.2 million) were awarded to M/WBEs.<sup>15</sup> As of March 31, 2016, the City has certified 4,421 businesses as M/WBEs.<sup>16</sup>

Based on continued underutilization, advocates and public officials have expressed a variety of concerns regarding the City's M/WBE program. These concerns include continued barriers specific to M/WBEs<sup>17</sup>, the City's failure to meet program participation goals<sup>18</sup>, and fraud and misuse of the M/WBE program.<sup>19</sup> The Black Institute's ("TBI") report, "Not Good Enough: The Myth of Good Faith and Bad Efforts," released in April 2015, illustrates challenges M/WBEs face when trying to contract with the City.<sup>20</sup> TBI suggests that the barriers M/WBEs experience include but are not limited to securing start-up capital,<sup>21</sup> racial and gender bias,<sup>22</sup> a difficult M/WBE certification process,<sup>23</sup> a lack of sufficient information tools for M/WBEs to compete for government contracts,<sup>24</sup> and delays<sup>25</sup> in payments from contracting agencies.<sup>26</sup> Further, the report raises the issue that among women, women of color seem to face these challenges on a larger scale than white women, who typically have more access to resources and startup capital than women of color.<sup>27</sup>

#### D. Efforts to Address Issues Involving M/WBE Program

In September of 2015, Mayor Bill de Blasio announced that New York City awarded over \$1.6 billion in contracts to M/WBEs in fiscal year 2015.<sup>28</sup> The Administration contends that it is working to achieve its goal of awarding \$16 billion in M/WBE contracts over a ten-year period.<sup>29</sup> However, the Administration has publically recognized the challenges the City has faced with increasing M/WBE procurement and contends that these challenges are a result of the restrictions in the State's General Municipal Law related to contracting with the "lowest responsible bidder."<sup>30</sup> At *City & State's* annual "On Diversity Conference," held on

<sup>13</sup> City of New York, *Minority and Women-Owned Enterprise (M/WBE) Program Annual Report for Fiscal Year 2015* (2016), available at <http://www1.nyc.gov/assets/mocs/downloads/pdf/MWBEReports/MWBE%20Annual%20Report%20FY%202015.pdf>

<sup>14</sup> This figure represents the total City contracting budget and therefore includes contracts not subject to the City's M/WBE program.

<sup>15</sup> City of New York, *Minority and Women-Owned Enterprise (M/WBE) Program Report for First Three Quarters of Fiscal Year 2016* (2016), <http://www1.nyc.gov/assets/mocs/downloads/pdf/FY16%20Q1-Q3%20LL1%20and%20LL129%20Compliance%20Report%20with%20Appendix.pdf>

<sup>16</sup> *Id.* at 4.

<sup>17</sup> The Black Institute, *Not Good Enough: The Myth of Good Faith and Bad* 32 (2015), available at [https://d3n8a8pro7vhnmx.cloudfront.net/theblackinstitute/pages/352/attachments/original/1428411258/TBI\\_MWBE\\_Report\\_040215\\_FIN\\_AL.pdf?1428411258](https://d3n8a8pro7vhnmx.cloudfront.net/theblackinstitute/pages/352/attachments/original/1428411258/TBI_MWBE_Report_040215_FIN_AL.pdf?1428411258) pg 32 (last visited December 1, 2015).

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at 1.

<sup>20</sup> Vance, Cyrus R. "Report of the Grand Jury of the Supreme Court State of New York First Judicial District Issued Pursuant to Criminal Procedure Law Section 190.85 Subdivision (1) (c)" (November 2014) available at <http://manhattanda.org/sites/default/files/MWBE%20Grand%20Jury%20Report.pdf>

<sup>21</sup> *See supra* note 17.

<sup>22</sup> *Id.* at 33.

<sup>23</sup> *Id.* at 34.

<sup>24</sup> *Id.* at 35.

<sup>25</sup> *Id.*

<sup>26</sup> It is important to note that although delays in payments do not only apply to M/WBEs, many M/WBEs are smaller companies, and as such, delays in payments have a larger impact on their ability to continue on with their daily business activities.

<sup>27</sup> *Id.* at 36.

<sup>28</sup> *Id.* at 37.

<sup>29</sup> De Blasio Administration Announces Over \$1.6 Billion in Minority and Women-Owned Business Enterprise." *The Official Website of the City of New York*. 28 Sept. 2015 available at <http://www1.nyc.gov/office-of-the-mayor/news/652-15/de-blasio-administration-over-1-6-billion-minority-women-owned-business> (Last visited December 1, 2015)

<sup>30</sup> *Id.*

<sup>30</sup> Pursuant to N.Y. General Municipal Law § 103: generally, "all contracts for public work involving an expenditure of more than [\$35,000] and all purchase contracts involving an expenditure of more than [\$20,000], shall be awarded . . . to the lowest responsible bidder furnishing the required security after advertisement for sealed bids . . . provided, however, that purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to article eight of the labor law) may be awarded on the basis of best value," as defined by the state finance law if permitted by local law. If the City had more discretion to determine who it would contract with, it would allow the City to award contracts to qualified M/WBEs more often. However, because of the lowest responsible bidder requirement, the City cannot award a contract to an M/WBE if it is not

September 24, 2015, Maya Wiley, former Director of the City's M/WBE initiative, explained that such legal barriers hamper the agencies' ability to meet their M/WBE procurement goals.<sup>31</sup>

In response to these issues, Mayor de Blasio announced in May 2015 that the Administration would push the State legislature to amend State law to permit the City to make necessary changes to its M/WBE program. The Mayor contends that such changes would increase M/WBE procurement and include raising thresholds for discretionary spending, expanding the use of 'best value' procurement<sup>32</sup>, and expanding the usage of M/WBE-related pre-qualified lists to all industries.<sup>33</sup>

In December 2015, Mayor de Blasio issued Executive Order 13, which established an M/WBE Advisory Committee.<sup>34</sup> The Advisory Committee was "tasked with providing a direct line to the M/WBE community, helping shape City policy regarding procurement and development projects, ensuring the integrity of the disparity study process and incorporating more firms into the City's M/WBE program."<sup>35</sup> The Committee included members of the New York State Legislature, the City Council, representatives from local chambers of commerce, and business owners.<sup>36</sup> Jonnel Doris was named the Mayor's Senior Advisor for the M/WBE Program in June 2016.<sup>37</sup>

### III. ANALYSIS OF LEGISLATION

#### Proposed Int. No. 923-A

Currently, the Economic Development Corporation ("EDC") is the entity under contract with the Department of Small Business Services ("SBS") to administer economic development benefits on behalf of the City. Section 1 of Proposed Int. No. 923-A would amend the New York City Charter to require EDC to annually assess and evaluate certain business entities to which it provided assistance (those entities receiving a loan, grant, or tax benefit in excess of \$150,000, or sale or lease of city-owned land for a project expected to be based on information provided by the applicant for the sale or lease to retain or create at least 25 jobs) to determine whether they met M/WBE goals, if any, pursuant to the contract. EDC would then submit the findings of these assessments to SBS by November 1 of each year (with the first report due November 1, 2017).

Proposed Int. No. 923-A would next require SBS to submit a report to the Mayor and the Speaker (by January 1 of each year, with the first report due January 30, 2018) containing, but not being limited to, the following information: (i) a list of all recipients of economic development benefits; (ii) the M/WBE contracting goals for these recipients; (iii) whether the recipient conducted a good faith effort to identify and utilize M/WBEs to achieve these goals; and (iv) if M/WBE contracting requirements were not met by a recipient, a description of the reasons why the goals were not met.

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the lowest bidder, even if awarding the contract to an M/WBE would achieve more equal distribution of economic opportunity in the City. See N.Y. GML § 103.

<sup>31</sup> Lentz, Jon. "Law Makers, Advocates Call for Legislation to Expand MWBE Contracting" *City&State* 24 Sept. 2015 available at <http://cityandstateny.com/articles/politics/new-york-city/lawmakers-advocates-call-for-legislation-to-expand-mwbe-contracting.html#.VIMzbtKrTcs> (last visited December 1, 2015).

<sup>32</sup> Pursuant to N.Y. State Finance Law § 163, "Best value" means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the executive law to be used in evaluation of offers for awarding of contracts for services.

<sup>33</sup> De Blasio Administration to Seek Amendments to State Law Help Increase Contracting to Minority and Women-Owned Businesses *The Official Website of the City of New York*. 15 May 2015 available at <http://www1.nyc.gov/office-of-the-mayor/news/315-15/de-blasio-administration-seek-amendments-state-law-help-increase-contracting-minority> (last visited December 1, 2015).

<sup>34</sup> The City of New York, Office of the Mayor, Executive Order #13 (December 15, 2015), available at [http://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2015/eo\\_13.pdf](http://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2015/eo_13.pdf)

<sup>35</sup> The City of New York, Office of the Mayor, "Mayor de Blasio and Counsel to the Mayor and M/WBE Director Maya Wiley Launch Advisory Council on Minority and Women-Owned Business Enterprises," (December 14, 2015), <http://www1.nyc.gov/office-of-the-mayor/news/934-15/mayor-de-blasio-counsel-the-mayor-m-wbe-director-maya-wiley-launch-advisory-council-on>

<sup>36</sup> *Id.*

<sup>37</sup> The City of New York, Office of the Mayor, "Mayor de Blasio Announces New Senior Advisor for Minority and Women-Owned Business Enterprise Program (June 15, 2016), <http://www1.nyc.gov/office-of-the-mayor/news/535-16/mayor-de-blasio-new-senior-advisor-minority-women-owned-business-enterprise>

Section 2 of Proposed Int. No. 923-A establishes that this legislation would take effect immediately upon enactment.

**Proposed Int. No. 976-A**

Pursuant to the New York City Administrative Code § 6-129, each agency has an agency chief contracting officer (“ACCO”) (who is responsible for organizing and supervising the agency’s procurement activity<sup>38</sup>) and an agency M/WBE officer (who is directly accountable to the agency head concerning the agency’s M/WBE contracting responsibilities<sup>39</sup>). Section 1 of Proposed Int. No. 976-A would amend the Administrative Code to require SBS, in consultation with the City’s Chief Procurement Officer, to conduct, coordinate, and facilitate mandatory trainings for ACCOs and M/WBE officers to assist them in pursuing the objective’s of the City’s MWBE law. Each ACCO and M/WBE officer would be required to undergo mandatory training on or before 90 days of being hired, and every two years after the first training. ACCOs and M/WBE officers that have already undergone this training within the prior two years after the effective date of this legislation would be deemed in compliance with the initial training requirement. The legislation would further require the City’s Chief Procurement Officer to report to the Speaker of the Council on an annual basis, and post on the City’s website, information regarding each agency’s compliance with these training requirements.

Next, Proposed Int. No. 976-A would require the City to include on its website a list of city agencies, with the contact information for all M/WBE officers and information about whether agency staff have been trained as required by this local law.

Section 2 of Proposed Int. No. 976-A provides that this legislation would take effect 120 days upon enactment.

**Proposed Int. No. 981-B**

The City’s M/WBE law, embodied in Administrative Code § 6-129, requires the Mayor to designate an individual to oversee the City’s M/WBE procurement.<sup>40</sup>

Section 1 of Proposed Int. No. 981-B would amend the Administrative Code to establish an advisory board to enhance procurement opportunities for M/WBEs. The board would consist of a Chair and at least 10 members, all of whom would be appointed by, and serve at the pleasure of, the Mayor. The board would be responsible for: 1) advising the Mayor on M/WBE issues and methods to increase M/WBE participation in City procurement; 2) providing information to firms owned by women and minority group members about programs and opportunities for M/WBEs in order to increase participation for M/WBEs in city contracting and encourage these firms to become certified as M/WBEs; and 3) educating relevant stakeholders and constituencies in order to support the City’s efforts to increase M/WBE opportunities through regulatory and legislative measures. Finally, Proposed Int. No. 981-B permits the Chair to direct the board to gather or disseminate information and convene meetings in order to improve information sharing about M/WBE issues and opportunities, and to develop and provide advice on increasing M/WBE contracting with the city.

Section 2 of Proposed Int. No. 981-B provides that this legislation would take effect immediately upon enactment.

**Proposed Int. No. 1005-A**

Currently, Administrative Code § 6-129(g) requires each agency that made more than \$5 million in procurements in the previous fiscal year to submit an agency utilization plan<sup>41</sup> for the following fiscal year to

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<sup>38</sup> NYC Admin Code § 6-129(c)(2).

<sup>39</sup> NYC Admin Code § 6-129(f).

<sup>40</sup> Admin Code § 6-129(c)(14); *see also* Admin Code § 6-129(f-h)(l-m).

<sup>41</sup> Each agency utilization plan must, at minimum, include:

- (a) the agency's participation goals for MBEs, WBEs and EBEs for the year, provided however, that when setting its goals, each agency shall consider the citywide goals, the size and nature of its own procurement portfolio (excluding contracts described

SBS.<sup>42</sup> Upon approval from SBS, the agency must then submit a copy of the utilization plan to the Speaker of the Council.<sup>43</sup>

Section 1 of Proposed Int. No. 1005-A would amend the Administrative Code to require the posting of a copy of each approved utilization plan on the City's website.

Section 2 of Proposed Int. No. 1005-A establishes that this requirement would take effect immediately upon enactment.

### **Proposed Int. No. 1019-A**

Section 6-129(l) of the Administrative Code requires the City's Chief Procurement Officer, in consultation with SBS, to submit quarterly compliance reports to the Speaker of the Council on the City's contracting with M/WBEs and EBEs.

Section 1 of Proposed Int. No. 1019-A would amend these reporting requirements by requiring information on the number and total dollar value of contracts awarded, disaggregated by (in addition to the existing requirements of industry classification and size of contract) (i) status as MBE, WBE, EBE or non-certified firm (further disaggregated by minority and gender group); and (iii) certification as both MBE and WBE. Section 1 would further amend the reporting requirements by establishing that this information be provided for contracts valued in the amount of following dollar ranges: at or below the micro-purchase limit<sup>44</sup>; above the micro-purchase limit but at or below the small purchase limit<sup>45</sup>; above the small purchase limit and at or below \$1 million; contracts valued between \$5 million and \$25 million, and contracts valued above \$25 million.

Section 2 of Proposed Int. No. 1019-A would remove the requirement that such information be reported only for contracts for which an agency set participation goals,<sup>46</sup> and would re-number other paragraphs.

Section 3 of Proposed Int. No. 1019-A would require that, at the time reports are submitted to the Council, the data that provides the basis for these reports be provided to the Council in a format that allows such data to be extracted.

Section 4 of Proposed Int. No. 1019-A establishes that these requirements would take effect immediately upon enactment.

### **Proposed Int. No. 1020-A**

Section 6-129 of the Administrative Code requires that prior to soliciting bids or proposals for contracts valued at over \$10 million dollars (other than contracts for capital projects valued at over \$25 million dollars and certain other contracts exempted under the section), an agency must submit the bid or proposal to the City Chief Procurement Officer for a determination whether it is practicable to divide the proposed contract into smaller contracts and whether doing so will enhance competition for such contracts among MBEs, WBEs and EBEs and other potential bidders or proposers. If the City Chief Procurement Officer determines that it is both practicable and advantageous (considering cost and other relevant factors) to divide such contracts into smaller

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in paragraph two of subdivision q of this section), and the availability of MBEs, WBEs and EBEs with the capacity to perform the specific types and scale of work for which the agency anticipates it will solicit procurements during the year;

- (b) an explanation for any agency goal that is different than the participation goal for the relevant group and industry classification as determined pursuant to subdivision d of this section;
- (c) a list of the names and titles of agency personnel responsible for implementation of the agency utilization plan;
- (d) methods and relevant activities proposed for achieving the agency's participation goals; and
- (e) any other information which the agency or the commissioner deems relevant or necessary.

See NYC Admin Code 6-129(g)(1).

<sup>42</sup> NYC Admin Code § 6-129(g).

<sup>43</sup> *Id.*

<sup>44</sup> The micro-purchase limit is \$25,000 for the purchase of goods and services, and \$35,000 for construction. 9 N.Y.C.R.R. §3-08(c)(1)(ii)

<sup>45</sup> The small purchase limit is \$100,000. 9 N.Y.C.R.R. §3-08(a)

<sup>46</sup> NYC Admin Code § 6-129(l)(1)(b).

contracts, then they must direct the agency to do so.<sup>47</sup> Section 6-129(l) requires reporting on all solicitations submitted to the City Chief Procurement Officer, including what determination was made.<sup>48</sup> Section 1 of Proposed Int. No. 1020-A would amend the existing law by requiring a detailed explanation of each determination to ensure clarity in understanding why the City's Chief Procurement Officer made the particular determination.

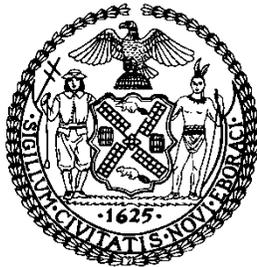
Currently, agency procurement plans are due by July 31st of each year, and agency utilization plans are due by April 1st.<sup>49</sup> However, there is potential value in having agencies formulate their utilization plans by considering their procurement plans. Therefore, Section 2 of Proposed Int. No. 1020-A would amend the date on which agency utilization plans are due from April 1 to July 31, and amend the date on which agency procurement plans must be published online from July 31 to June 30.

Section 3 of Proposed Int. No. 1020-A would remove the requirement that agencies set their utilization goals only for purchases of professional services, standard services, construction and goods valued below designated dollar amounts.

Section 4 of Proposed Int. No. 1020-A would amend the date on which an agency that fails to achieve its utilization goals is required to submit a performance improvement plan from October 1 to January 31.

Finally, Section 5 of Proposed Int. No. 1020-A establishes that these requirements would take effect immediately upon enactment.

*The following is the text of the Fiscal Impact Statement for Int No. 923-A:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 923-A**

**COMMITTEE:** Contracts

**TITLE:** A Local Law to amend the New York city charter, in relation to requiring the department of small business services to submit an annual report regarding the satisfaction of minority and women owned business enterprises goals by recipients of economic development benefits

**SPONSORS:** Council Members Cumbo, Cornegy, Rosenthal, Chin, Eugene, Gentile, Koo, Rose, Williams, Dickens, Wills and Richards

**SUMMARY OF LEGISLATION:** Proposed Intro 923-A would first require the New York City Economic Development Corporation (EDC) to assess and evaluate entities (by August 1 of each year, beginning 2017) to which it provided a loan, grant or tax benefit greater than \$150,000, or which are involved with the sale or lease of City-owned land for a project expected to retain or create at least 25 jobs, to determine whether they met the M/WBE goals, if applicable, on the particular project. EDC would then submit this information to the Department of Small Business Services (SBS) (by November 1 of each year, beginning 2017). SBS would be required to submit an annual report (by January 1 of each year, with the first report due January 30, 2018) to the Mayor and the Speaker of the Council containing information including: 1) a list of all recipients of economic development benefits; 2) the M/WBE goals for these recipients; 3) whether the recipient conducted a

<sup>47</sup> N.Y.C. Admin. Code 6-129

<sup>48</sup> NYC Admin Code § 6-129(l)(1)(h).

<sup>49</sup> NYC Admin Code § 6-129(g)(1) and NYC Admin Code § 6-129(g)(5).

good faith effort to identify and utilize M/WBEs to achieve such goals; and 4) if M/WBE contracting goals were not met by a recipient and a description of the reasons the goals were not met.

**EFFECTIVE DATE:** The local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 estimated that this legislation would have no impact on expenditures since existing resources would be used to report the information now required in order to comply with this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Brandon West, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
John Russell, Unit Head  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 923 on September 30, 2015 and referred to the Committee on Contracts. The legislation was considered at hearing held jointly between the Committee on Contracts, the Committee on Women's Issues, and the Committee on Small Business on December 14, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 923-A, will be considered by the Committee on Contracts on September 14, 2016. Upon a successful vote by the Committee on Contracts, Proposed Intro. No. 923-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016.

**(For the Fiscal Impact Statements and text of Int Nos. 976-A, 981-B, 1005-A, 1019-A, and 1020-A, please see, respectively, the Reports of the Committee on Contracts for Int Nos. 976-A, 981-B, 1005-A, 1019-A, and 1020-A printed in these Minutes)**

*Accordingly, this Committee recommends the adoption of Int No. 923-A, 976-A, 981-B, 1005-A, 1019-A, and 1020-A.*

**(The following is the text of Int No. 923-A:)**

## Int. No. 923-A

By Council Members Cumbo, Cornegy, Rosenthal, Chin, Eugene, Gentile, Koo, Rose, Williams, Dickens, Wills, Richards, Palma, Koslowitz, Menchaca, Miller, Reynoso, Crowley, Van Bramer, Cohen, Garodnick, Levin and Kallos.

**A Local Law to amend the New York city charter, in relation to requiring the department of small business services to submit an annual report regarding the satisfaction of minority and women owned business enterprises goals by recipients of economic development benefits**

*Be it enacted by the Council as follows:*

Section 1. Section 1301 of chapter 56 of the New York city charter is amended by adding a new subdivision b-2 to read as follows:

*b-2. By August 1, 2017, and by August 1 every year thereafter, the entity under contract with the department to provide or administer economic development benefits on behalf of the city shall assess and evaluate each business entity to which it provided assistance in the form of a loan, grant or tax benefit in excess of one hundred fifty thousand dollars, or sale or lease of city-owned land for a project expected, in accordance with information provided by the applicant for the sale or lease, to retain or create not less than twenty-five jobs, to determine whether they met minority and women-owned business goals, if any, pursuant to the contract. The findings of such assessments shall be submitted to the department on or before November 1, 2017, and on November 1 every year thereafter. By January 30, 2018, and by January 1 every year thereafter, the department shall submit such assessment and evaluation to the mayor and the speaker of the council, which shall include, but not be limited to: (i) a list of all recipients of such economic development benefits; (ii) the minority and women-owned business goals for these recipients; (iii) whether the recipient conducted a good faith effort to identify and utilize minority and women-owned businesses to achieve such goals; and (iv) if minority and women-owned business contracting goals were not met by a recipient, a description of the reasons the goals were not met.*

§2. This local law shall take effect immediately.

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, CHAIM M. DEUTSCH, COREY D. JOHNSON, I. DANEEK MILLER, *Committee on Contracts*, September 14, 2016. *Other Council Members Attending: Cumbo, Cohen and Garodnick.*

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

Report for Int No 976-A

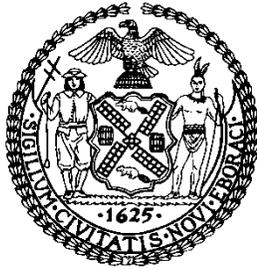
**Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring training for agency chief contracting officers and agency M/WBE officers and posting related information on the city's website**

The Committee on Contracts, to which the annexed amended proposed local law was referred on October 29, 2015 (Minutes, page 3889), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Contracts for Int No. 923-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 976-A:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 976-A**

**COMMITTEE:** Contracts

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring training for agency chief contracting officers and agency M/WBE officers and posting related information on the city’s website

**SPONSORS:** The Public Advocate (Ms. James) and Council Members Chin, Gentile, King, Mendez, Palma, Richards, Rose and Dickens

**SUMMARY OF LEGISLATION:** Proposed Intro. 976-A would require the Department of Small Business Services (SBS) to train agency chief contracting officers (ACCOs) and agency minority- and women-owned business enterprise (M/WBE) officers to meet the objectives of the City’s M/WBE program. Each ACCO and M/WBE officer would be required to attend this training within 90 days of assuming their positions. Those ACCOs and M/WBE officers who have already received such training within the past two years would be deemed in compliance with this requirement. The City’s Chief Procurement Officer would be required to report to the Speaker of the Council, and post online, information about each agency’s compliance with these training requirements on an annual basis.

Additionally, the bill would require that a list of the M/WBE officers for each agency, their contact information, and whether the M/WBE officer and ACCO are in compliance with the training requirements of this legislation be produced online.

**EFFECTIVE DATE:** This local law would take effect 120 days after becoming law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 estimated that this legislation would have no impact on expenditures since existing resources would be used to comply with this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Brandon West, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
John Russell, Unit Head  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 976 on October 29, 2015 and referred to the Committee on Contracts. The legislation was considered at hearing held jointly between the Committee on Contracts, the Committee on Women's Issues, and the Committee on Small Business on December 14, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 976-A, will be considered by the Committee on Contracts on September 14, 2016. Upon a successful vote by the Committee on Contracts, Proposed Intro. No. 976-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 976-A:)**

Int. No. 976-A

By The Public Advocate (Ms. James) and Council Members Chin, Gentile, King, Mendez, Palma, Richards, Rose, Dickens, Koslowitz, Miller, Reynoso, Crowley, Van Bramer, Cohen, Rosenthal, Garodnick, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring training for agency chief contracting officers and agency M/WBE officers and posting related information on the city's website**

*Be it enacted by the Council as follows:*

Section 1. Subdivision e of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended by adding new paragraphs 14 and 15 to read as follows:

(14) *The division, in consultation with the city chief procurement officer, shall conduct, coordinate and facilitate mandatory trainings for agency chief contracting officers and agency M/WBE officers to assist such officers in pursuing the objectives of this section. Each agency chief contracting officer shall undergo such training on or before the ninetieth day after he or she becomes an agency chief contracting officer, and every two years thereafter. Each agency M/WBE officer shall undergo such training on or before the ninetieth day after he or she becomes an agency M/WBE officer pursuant to subdivision (f) of this section, and every two years thereafter. Agency chief contracting officers and M/WBE officers that have already undergone such training within the two years prior to the effective date of the local law that added this paragraph will be determined to be in compliance with the initial training required pursuant to this paragraph. The city chief procurement officer will report to the speaker of the council on an annual basis, and shall post on the City's website, information regarding each agency's compliance with this paragraph.*

(15) *The city shall include on its website a list of city agencies, with the contact information for the M/WBE officer of each city agency and information about whether the agency's staff have been trained as required by paragraph 14 of this subdivision.*

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

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, CHAIM M. DEUTSCH, COREY D. JOHNSON, I. DANEEK MILLER, Committee on Contracts, September 14, 2016. *Other Council Members Attending: Cumbo, Cohen and Garodnick.*

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

Report for Int No 981-B

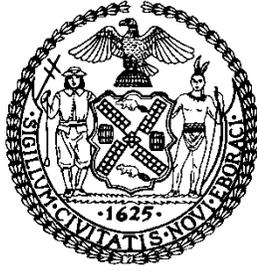
**Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the establishment of an M/WBE advisory board**

The Committee on Contracts, to which the annexed amended proposed local law was referred on November 10, 2015 (Minutes, page 3962), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Contracts for Int No. 923-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int No. 981-B:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 981-B**

**COMMITTEE:** Contracts

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an M/WBE advisory board

**SPONSORS:** Council Members Cumbo, the Public Advocate (Ms. James), Rosenthal, Crowley, Cornegy, Chin, Dickens, Eugene, Gibson, Koo, Rose, Wills, Rodriguez, Richards, Palma, Koslowitz, Menchaca, Miller and Reynoso

**SUMMARY OF LEGISLATION:** Proposed Intro. 981-B would establish an advisory board to enhance city procurement opportunities for minority- and women-owned business enterprises (M/WBEs). The board would consist of a chair and no fewer than ten members appointed by, and serving at the pleasure of, the mayor. The board's responsibilities would be to advise the mayor on M/WBE issues and methods of increasing M/WBE participation in procurement, to provide information to firms owned by minorities and women about opportunities and programs for M/WBEs and to encourage them to certify as M/WBEs, and to educate relevant stakeholders and others in order to support the City's efforts to increase M/WBE opportunities through regulatory and legislative changes. The board's chair would also be authorized to direct the board to gather and disseminate information and convene meetings to improve information sharing and the provision of advice about M/WBE issues and opportunities.

**EFFECTIVE DATE:** The local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 estimated that this legislation would have no impact on expenditures since board members would not be compensated and existing resources would be used to otherwise comply with this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Brandon West, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
John Russell, Unit Head  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 981 on November 10, 2015 and referred to the Committee on Contracts. The legislation was considered at hearing held jointly between the Committee on Contracts, the Committee on Women's Issues, and the Committee on Small Business on December 14, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 981-B, will be considered by the Committee on Contracts on September 14, 2016. Upon a successful vote by the Committee on Contracts, Proposed Intro. No. 981-B will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 981-B:)**

Int. No. 981-B

By Council Members Cumbo, the Public Advocate (Ms. James), Rosenthal, Crowley, Cornegy, Chin, Dickens, Eugene, Gibson, Koo, Rose, Wills, Rodriguez, Richards, Palma, Koslowitz, Menchaca, Miller, Reynoso, Van Bramer, Cohen, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an M/WBE advisory board**

*Be it enacted by the Council as follows:*

Section 1. Section 6-129 of the administrative code of the city of New York is amended to add subdivisions s to read as follows:

*s. Advisory board. There shall be an advisory board to enhance procurement opportunities for minority and women-owned businesses.*

*(1) Such board shall consist of a chair appointed by the mayor and no fewer than ten members, all of whom shall be appointed by the mayor and shall serve at the pleasure of the mayor.*

*(2) Such board shall:*

*(a) Advise the mayor on M/WBE issues and on methods to increase M/WBE participation in city procurement;*

*(b) Provide information to firms owned by women and minority group members about programs and opportunities for M/WBEs in order to increase participation by such firms in city contracting, and encourage them to become certified as M/WBEs; and*

*(c) Educate relevant stakeholders and constituencies in order to support the city's efforts to increase M/WBE opportunities through regulatory and legislative measures.*

*(3) The chair of the board may direct the board to gather or disseminate information and convene meetings in order to improve information sharing about M/WBE issues and opportunities and to develop and provide advice.*

§ 2. This local law takes effect immediately.

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, CHAIM M. DEUTSCH, COREY D. JOHNSON, I. DANEEK MILLER, Committee on Contracts, September 14, 2016. *Other Council Members Attending: Cumbo, Cohen and Garodnick.*

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

Report for Int No 1005-A

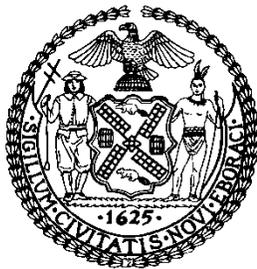
**Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring agency minority and women-owned business enterprise utilization plans to be published online**

The Committee on Contracts, to which the annexed amended proposed local law was referred on November 24, 2015 (Minutes, page 4134), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Contracts for Int No. 923-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int No. 1005-A:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 1005-A**

**COMMITTEE: Contracts**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring agency minority and women-owned business enterprise utilization plans to be published online

**SPONSORS:** Crowley, Mealy, Cumbo, Rosenthal, Cornegy, Chin, Gentile, King, Koslowitz, Rose, Wills and Richards

**SUMMARY OF LEGISLATION:** Proposed Intro. 1005-A would require that agency Minority and Women-owned business enterprise utilization plans be posted online for public access and would change the due date to July 31st. Currently, each agency that made more than \$5 million in procurements in the previous fiscal year is required to submit a utilization plan for the following fiscal year to the Department of Small Business Services (SBS). The utilization plan details the M/WBE participation goals set by the contracting agency. Upon approval from SBS, the agency must then submit a copy of the utilization plan to the Speaker of the Council.

**EFFECTIVE DATE:** The local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 estimated that this legislation would have no impact on expenditures since existing resources would be used to post the utilization plans online in order to comply with this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Brandon West, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
John Russell, Unit Head  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1005 on November 24, 2015 and referred to the Committee on Contracts. The legislation was considered at a hearing held jointly by the Committee on Contracts, the Committee on Women's Issues, and the Committee on Small Business on December 14, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1005-A, will be considered by the Committee on Contracts on September 14, 2016. Upon a successful vote by the Committee on Contracts, Proposed Intro. No. 1005-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 1005-A:)**

## Int. No. 1005-A

By Council Members Crowley, Mealy, Cumbo, Rosenthal, Cornegy, Chin, Gentile, King, Koslowitz, Rose, Wills, Richards, Palma, Dickens, Miller, Reynoso, Van Bramer, Cohen, Garodnick, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring agency minority and women-owned business enterprise utilization plans to be published online**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 1 of subdivision g of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(1) Beginning May 15, 2006, and on [April 1] *July 31* of each year thereafter, each agency which, during the fiscal year which ended on June 30 of the preceding *fiscal* year, has made procurements in excess of five million dollars, without counting procurements that are exempt pursuant to paragraph two of subdivision q of this section, shall submit an agency utilization plan for the fiscal year commencing in July of the year when such plan is to be submitted to the commissioner. Upon approval by the commissioner, such plan shall be submitted to the speaker of the council, *and shall be published on the City's website*. Each such plan shall, at a minimum, include the following:

(a) the agency's participation goals for MBEs, WBEs and EBEs for the year, provided however, that when setting its goals, each agency shall consider the citywide goals, the size and nature of its own procurement portfolio (excluding contracts described in paragraph two of subdivision q of this section), and the availability of MBEs, WBEs and EBEs with the capacity to perform the specific types and scale of work for which the agency anticipates it will solicit procurements during the year;

(b) An explanation for any agency goal that is different than the participation goal for the relevant group and industry classification as determined pursuant to subdivision d of this section;

(c) A list of the names and titles of agency personnel responsible for implementation of the agency utilization plan;

(d) Methods and relevant activities proposed for achieving the agency's participation goals; and

(e) Any other information which the agency or the commissioner deems relevant or necessary.

§ 2. This local law takes effect immediately.

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, CHAIM M. DEUTSCH, COREY D. JOHNSON, I. DANEEK MILLER, Committee on Contracts, September 14, 2016. *Other Council Members Attending: Cumbo, Cohen and Garodnick.*

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

Report for Int No 1019-A

**Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements related to M/WBE participation**

The Committee on Contracts, to which the annexed amended proposed local law was referred on December 7, 2015 (Minutes, page 4313), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Contracts for Int No. 923-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 1005-A:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 1019-A**

**COMMITTEE:** Contracts

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements related to M/WBE participation  
**SPONSORS:** Council Members Rosenthal, Chin, Johnson, Koo, Mendez, Rose, Wills, Rodriguez, Richards, Palma, Dickens, Koslowitz, Menchaca, Miller and Reynoso

**SUMMARY OF LEGISLATION:** Proposed Intro. 1019-A would require that City agencies report information on the number and total dollar amount of contracts awarded to (minority-owned business enterprises (MBE), women-owned business enterprises (WBE), emerging business enterprises (EBE), and non-certified firms for all contracts. Reports are currently required only for those contracts where the agency set participation goals.

Additionally, the bill would reset the contractual value ranges for which information is reported as follows: 1) at or below the micro-purchase limit; 2) between the micro-purchase limit and the small purchase limit; 3) between the small purchase limit and \$1 million; 4) between \$1 million and at or below \$5 million; 5) between \$5 million and at or below \$25 million; and 6) above \$25 million. Finally, the bill would require that the data providing a basis for the M/WBE report be made available to the Council electronically in non-proprietary format that permits automated processing.

**EFFECTIVE DATE:** The local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2017

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 estimated that this legislation would have no impact on expenditures since existing resources would be used to report the information required to comply with this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A****SOURCE OF INFORMATION:** New York City Council Finance Division**ESTIMATE PREPARED BY:** Brandon West, Senior Legislative Financial Analyst**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
John Russell, Unit Head  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1019 on December 7, 2015 and referred to the Committee on Contracts. The legislation was considered at hearing held jointly between the Committee on Contracts, the Committee on Women's Issues, and the Committee on Small Business on December 14, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1019-A, will be considered by the Committee on Contracts on September 14, 2016. Upon a successful vote by the Committee on Contracts, Proposed Intro. No. 1019-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 1019-A:)**

## Int. No. 1019-A

By Council Members Rosenthal, Chin, Johnson, Koo, Mendez, Rose, Wills, Rodriguez, Richards, Palma, Dickens, Koslowitz, Menchaca, Miller, Reynoso, Crowley, Van Bramer, Cohen, Garodnick, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements related to M/WBE participation**

*Be it enacted by the Council as follows:*

Section 1. Subparagraph a of paragraph 1 of subdivision 1 of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(a) the number and total dollar value of contracts awarded, disaggregated by industry classification [and], size of contract[,], and status as MBE, WBE, EBE, or non-certified firm, and further disaggregated by minority and gender group, and the number and dollar value of such contracts that were awarded to firms that are certified both as MBEs and WBEs, including but not limited to, contracts valued at or below [twenty thousand dollars] the micropurchase limit as set forth in the rules of the procurement policy board in paragraph (ii) of subdivision (c) of section 3-08 of title 9 of the rules of the city of New York, contracts valued above [twenty thousand dollars and at or below one hundred thousand dollars] the micropurchase limit but at or below the small purchase limit as defined in the rules of the procurement policy board in subdivision (a) of section 3-08 of title 9 of the rules of the city of New York, contracts valued above [one hundred thousand dollars] the small purchase limit and at or below one million dollars, contracts valued above one million dollars and at or below five million dollars, contracts valued above five million dollars and at or below twenty five million dollars, and contracts valued above twenty five million dollars;

§ 2. Subparagraph b of paragraph 1 of subdivision 1 of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(b) for those contracts for which an agency set participation goals in accordance with subdivision i of this section:

[(i) The number and total dollar amount of such contracts disaggregated by industry classification, size of contract and status as MBE, WBE, EBE, or non-certified firm, and further disaggregated by minority and gender group, and the number and dollar value of such contracts that were awarded to firms that are certified both as MBEs and WBEs;]

[(ii) (i) the number and total dollar value of such contracts that were awarded to qualified joint ventures and the total dollar amount attributed to the MBE, WBE or EBE joint venture partners, disaggregated by minority and gender group, size of contract and industry classification, and the number and dollar value of such contracts that were awarded to firms that are certified both as MBEs and WBEs;

[(iii) (ii) The number and total dollar value of subcontracts approved during the reporting period that were entered into pursuant to contracts for which participation requirements under this section have been established (including both contracts awarded during the current reporting period and those awarded in earlier reporting periods that remain open during the current reporting period), and the number and total dollar amount of such subcontracts awarded to MBEs, WBEs and EBEs, disaggregated by minority and gender group, size of subcontract and industry classification, and the number and dollar value of such subcontracts that were awarded to firms that are certified both as MBEs and WBEs;

[(iv) (iii) a list of the requests for full or partial waivers of participation requirements for such contracts made pursuant to paragraph 11 of subdivision i of this section and the determinations made with respect to such requests, and the number and dollar amount of those contracts for which such waivers were granted, disaggregated by industry classification; and

[(v) (iv) a list of the requests for modification of participation requirements for such contracts made pursuant to paragraph 12 of subdivision i of this section and the determinations made with respect to such requests, and the number and dollar amount of those contracts for which such modifications were granted, disaggregated by industry classification;

§ 3. Paragraph 4 of subdivision l of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(4) The data that provide the basis for the reports required by this subdivision shall be made available electronically to the council *in a non-proprietary format that permits automated processing* at the time the reports are submitted.

§ 4. This local law takes effect immediately.

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, CHAIM M. DEUTSCH, COREY D. JOHNSON, I. DANEEK MILLER, Committee on Contracts, September 14, 2016. *Other Council Members Attending: Cumbo, Cohen and Garodnick.*

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

Report for Int No 1020-A

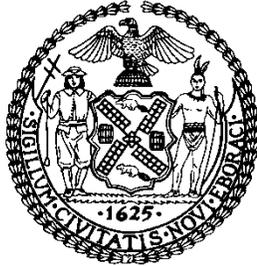
**Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements and agency goals related to participation of minority and women owned business enterprises in procurements.**

The Committee on Contracts, to which the annexed amended proposed local law was referred on December 7, 2015 (Minutes, page 4315), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Contracts for Int No. 923-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 1020-A:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 1020-A**

**COMMITTEE:** Contracts

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements and agency goals related to participation of minority and women owned business enterprises in procurements

**SPONSORS:** Council Members Rosenthal, Chin, Johnson, Koo, Mendez, Rose, Wills and Rodriguez

**SUMMARY OF LEGISLATION:** Proposed Intro. 1020-A requires the City’s chief procurement officer to provide a detailed explanation of each determinations regarding whether dividing large proposed contracts into smaller contracts would enhance minority- and women-owned business enterprise (M/WBE) participation are made. Additionally, the bill would change certain dates by which agencies must submit certain M/WBE related reports and documents.

**EFFECTIVE DATE:** The local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 estimated that this legislation would have no impact on expenditures since existing resources would be used to comply with this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Brandon West, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
John Russell, Unit Head  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1020 on December 7, 2015 and referred to the Committee on Contracts. The legislation was considered at hearing held jointly between the Committee on Contracts, the Committee on Women's Issues, and the Committee on Small Business on December 14, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1020-A, will be considered by the Committee on Contracts on September 14, 2016. Upon a successful vote by the Committee on Contracts, Proposed Intro. No. 1020-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 1020-A:)**

Int. No. 1020-A

By Council Members Rosenthal, Chin, Johnson, Koo, Mendez, Rose, Wills, Rodriguez, Van Bramer, Cohen, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to amending reporting requirements and agency goals related to participation of minority and women owned business enterprises in procurements**

*Be it enacted by the Council as follows:*

Section 1. Subparagraph h of paragraph 1 of subdivision l of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(h) a list of all solicitations submitted to the city chief procurement officer pursuant to subparagraph e of paragraph 2 of subdivision h of this section, and a [summary] *detailed explanation* of the determination made regarding each such submission; and

§ 2. Paragraphs 1 and 5 of subdivision g of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, are amended to read as follows:

(1) Beginning May 15, 2006, and on [April 1] *July 31* of each year thereafter, each agency which, during the fiscal year which ended on June 30 of the preceding year, has made procurements in excess of five million dollars, without counting procurements that are exempt pursuant to paragraph two of subdivision q of this section, shall submit an agency utilization plan for the fiscal year commencing in July of the year when such plan is to be submitted to the commissioner. Upon approval by the commissioner such plan shall be submitted to the speaker of the council. Each such plan shall, at a minimum, include the following:

(5) The commissioner, in consultation with the city chief procurement officer, shall, no later than [July 31] *June 30* of each year, publish on the division's website a plan and schedule for each agency detailing the anticipated contracting actions for the upcoming fiscal year that form the basis for the agency utilization plan of each such agency. The plan and schedule shall include information specific to each prospective invitation for bids, request for proposal, or other solicitation, including, but not limited to, the specific type and scale of the services and/or goods to be procured, the term of the proposed contract, the method of solicitation the agency intends to utilize, and the anticipated fiscal year quarter of the planned solicitation.

§ 3. Paragraph 2 of subdivision g of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(2) An agency utilization plan shall set forth specific participation goals for MBEs, WBEs and/or EBEs for purchases of professional services, standard services, construction and goods [valued at or below twenty thousand dollars, and for purchases of professional services, standard services, construction and goods valued at or below one hundred thousand dollars]. When setting its goals for such purchases, in addition to the factors set forth in paragraph (1) of this subdivision, each agency shall specifically consider the potential for such purchases to provide opportunities for MBEs, WBEs and EBEs to develop greater capacity, thereby increasing competition for city procurements.

§ 4. Paragraph 3 of subdivision l of section 6-129 of the administrative code of the city of New York, as amended by local law number 1 for the year 2013, is amended to read as follows:

(3) If an agency that has submitted an agency utilization plan pursuant to subdivision g of this section fails to achieve its utilization goal, the agency head shall prepare and submit to the director, the commissioner, the city chief procurement officer, and the speaker of the council by [October first] *January 31* a performance improvement plan which shall describe in detail the efforts such agency intends to undertake to increase M/WBE participation.

§ 5. This local law takes effect immediately.

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, CHAIM M. DEUTSCH, COREY D. JOHNSON, I. DANEEK MILLER, Committee on Contracts, September 14, 2016. *Other Council Members Attending: Cumbo, Cohen and Garodnick.*

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

### **Report of the Committee on Finance**

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

Report for Res. No. 1194

#### **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 September 14, 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 14, 2016, the Council adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”). On June 26, 2015, the Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 Expense Budget”). On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”).

Analysis. This Resolution, dated September 14, 2016, approves the new designation and the changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local, aging, and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2017 Expense Budget, and amends the description for the Description/Scope of Services of a certain organization receiving local and youth discretionary funding and funding for a certain initiative 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, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, new designations and/or changes in the designation of certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, new designations and/or changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as well as amendments to the Description/Scope of Services of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 and Fiscal 2016 Expense Budgets.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 1; sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 3; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2017 Expense Budget, as described in Charts 4-23; sets forth the new designation and changes in the designation of certain organizations

receiving youth discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 24; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2016 Expense Budget, as described in Charts 25-26; sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 27; sets forth the changes in the designation of funding pursuant to a certain initiative in the Fiscal 2016 Expense Budget, as described in Chart 28; amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2017 Expense Budget, as described in Chart 29; amends the description for the Description/Scope of Services for a certain organization receiving local and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget, as described in Chart 30; and sets forth the organizations that will receive equipment from the organization funded by a certain initiative, as described in Chart 31.

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 2017 Expense Budget, dated June 14, 2016, Adjustments Summary/Schedule C/Fiscal 2016 Expense Budget, dated June 26, 2015, and Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014.

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 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 3 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 4 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 5 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 6 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 8 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 2017 Expense Budget.

Chart 9 sets forth the new designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 10 sets forth the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 11 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 12 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 13 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 14 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2017 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 15 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Senior Centers for the Immigrant Population Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 16 sets forth the removal of funds from the administering agency receiving funding pursuant to the COMPASS Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 17 sets forth the new designation of a certain organization receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 18 sets forth the new designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 19 sets forth the change in the designation of a certain organization receiving funding pursuant to the Prisoners' Rights Project Initiative in accordance with the Fiscal 2017 Expense Budget. This change will be effectuated upon a budget modification.

Chart 20 sets forth the change in the designation of a certain organization receiving funding pursuant to the Legal Services for Low-Income New Yorkers Initiative in accordance with the Fiscal 2017 Expense Budget. This change will be effectuated upon a budget modification.

Chart 21 sets forth the new designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2017 Expense Budget. This designation will be effectuated upon a budget modification.

Chart 22 sets forth the new designation of certain organizations receiving funding pursuant to the Unaccompanied Minors and Families Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 23 sets forth the new designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 24 sets forth the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 25 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 26 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 27 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 28 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 29 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 30 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 31 sets forth the organizations 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 Schedule C for Fiscal 2017.

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 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res No. 1194:)**

## Preconsidered Res. No. 1194

**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 14, 2016 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”); and

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

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

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017 and Fiscal 2016 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 1; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; 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 Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2017 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 Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; 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 A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; 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 Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; 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 2017 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 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 Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; 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 Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; 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 Immigrant Opportunities Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; 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 Senior Centers for the Immigrant Population Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the removal of funds from the administering agency receiving funding pursuant to the COMPASS Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Prisoners' Rights Project Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Legal Services for Low-Income New Yorkers Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Unaccompanied Minors and Families Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 24; and be it further

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

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 28; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 29; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 30; and be it further

**Resolved,** That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 31.

**ATTACHMENT:**

CHART 1: Local Initiatives - Fiscal 2017

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Vacca	Neighborhood Initiatives Development Corporation (NIDC) **	13-3110811	HPD	(\$60,000.00)	806	009			
Vacca	Neighborhood Initiatives Development Corporation (NIDC) **	13-3110811	DYCD	\$60,000.00	260	312			
Greenfield	Young Israel Senior Services, Inc.	13-4136312	DFTA	(\$6,000.00)	125	003			
Greenfield	National Council of Young Israel - Young Israel Programs	03-0381957	DFTA	\$6,000.00	125	003			
Matteo	Art Lab, Inc. **	13-2977495	DCLA	(\$1,500.00)	126	003			
Matteo	Art Lab, Inc. **	13-2977495	DYCD	\$1,500.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Grasmere And Cameron Lakes Bluebelt Conservancy	45-2493342	DPR	(\$2,000.00)	846	006			
Matteo	Grasmere And Cameron Lakes Bluebelt Conservancy	45-2493342	DPR	\$2,000.00	846	006	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	122nd Precinct Community Council, Inc.	13-3371153	DYCD	(\$2,000.00)	260	005			
Matteo	122nd Precinct Community Council, Inc.	13-3371153	DYCD	\$2,000.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Italian Club of Staten Island, Inc.	13-3428736	DYCD	(\$2,000.00)	260	005			
Matteo	Italian Club of Staten Island, Inc.	13-3428736	DYCD	\$2,000.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Joe Gheraldi Playwright Theater	55-0862258	DYCD	(\$1,000.00)	260	005			
Matteo	Joe Gheraldi Playwright Theater	55-0862258	DYCD	\$1,000.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Midland Beach Alliance, Inc.	46-3262606	DYCD	(\$2,000.00)	260	005			
Matteo	Midland Beach Alliance, Inc.	46-3262606	DYCD	\$2,000.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Richmond Choral Society	13-2921818	DYCD	(\$1,500.00)	260	005			
Matteo	Richmond Choral Society	13-2921818	DYCD	\$1,500.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Staten Island Baseball Old-timers Association	13-4033266	DYCD	(\$2,500.00)	260	005			
Matteo	Staten Island Baseball Old-timers Association	13-4033266	DYCD	\$2,500.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Staten Island Employment Education Consortium	13-3097367	DYCD	(\$4,000.00)	260	005			
Matteo	Staten Island Employment Education Consortium	13-3097367	DYCD	\$4,000.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Travis Fourth of July Celebration Committee, Inc., The	13-3586505	DYCD	(\$3,500.00)	260	005			
Matteo	Travis Fourth of July Celebration Committee, Inc., The	13-3586505	DYCD	\$3,500.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Holy Rosary Church	13-3637539	DYCD	(\$3,000.00)	260	005			
Matteo	Holy Rosary Church	13-3637539	DYCD	\$3,000.00	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	

\* Indicates pending completion of pre-qualification review.

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

CHART 1: Local Initiatives - Fiscal 2017 (Continued)

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Speaker	New York Harbor Foundation, Inc. **	27-2918478	DYCD	(\$50,000.00)	260	312			
Speaker	New York Harbor Foundation, Inc. **	27-2918478	DOE	\$50,000.00	040	402			
Ulrich	Corporal John Ruoff Post No. 632, American Legion, Inc.	11-6104896	DYCD	(\$5,000.00)	260	005			
Ulrich	Corporal John Ruoff Post No. 632, American Legion, Inc.	11-6104896	DYCD	\$5,000.00	260	005	Greater Ridgewood Youth Council, Inc.	11-2518141	
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	Greater Ridgewood Youth Council, Inc.	11-2518141	*
Lancman	King Manor Association of Long Island, Inc. **	11-2396324	DCLA	(\$5,000.00)	126	003			
Lancman	Shalom Task Force, Inc. **	11-3207504	MOCJ	(\$5,000.00)	098	002			
Lancman	Margaret Tietz Center for Nursing Care **	13-6266115	DOHMH	\$5,000.00	816	113			*
Lancman	165th Street Mall Improvement Association, Inc. **	11-2421647	DSBS	\$5,000.00	801	002			*
Crowley	Grover Cleveland High School Science Programs	60-3905801	DOE	(\$10,000.00)	040	402			
Crowley	Grover Cleveland High School Science Programs	11-6039058	DOE	\$10,000.00	040	402			
Reynoso	Grover Cleveland High School Science Programs	60-3905801	DOE	(\$5,000.00)	040	402			
Reynoso	Grover Cleveland High School Science Programs	11-6039058	DOE	\$5,000.00	040	402			
CD28	City University of New York School of Law Foundation, Inc., The	11-3235349	CUNY	(\$42,000.00)	042	001			
CD28	CUNY School of Law Justice and Auxiliary Services Corp.	90-1013912	CUNY	\$42,000.00	042	001			*
Mealy	City University of New York School of Law Foundation, Inc., The	11-3235349	CUNY	(\$10,000.00)	042	001			
Mealy	CUNY School of Law Justice and Auxiliary Services Corp.	90-1013912	CUNY	\$10,000.00	042	001			*
Levine	Afro-Latin Jazz Alliance of New York, Inc. **	45-3665976	DCLA	(\$10,000.00)	126	003			
Levine	Palante Harlem, Inc. **	80-0209989	HPD	\$8,000.00	806	009			*
Levine	Muslim Community Network **	75-3163555	DYCD	\$2,000.00	260	312			*
Speaker	City Year New York, Inc.	22-2882549	DYCD	(\$100,000.00)	260	312			
Speaker	City Year, Inc.	22-2882549	DYCD	\$100,000.00	260	312			

\* Indicates pending completion of pre-qualification review.

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

## CHART 2: Aging Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Deutsch	Young Israel Senior Services, Inc.	13-4136312	DFTA	(\$5,500.00)	125	003			
Deutsch	National Council of Young Israel - Young Israel Programs	03-0381957	DFTA	\$5,500.00	125	003			*
Deutsch	National Council of Young Israel	03-0381957	DFTA	(\$50,000.00)	125	003			
Deutsch	National Council of Young Israel - Young Israel Programs	03-0381957	DFTA	\$50,000.00	125	003			*

\* Indicates pending completion of pre-qualification review.

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

CHART 3: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Levin	Galsey Kirkland Academy of Classical Ballet	27-1623781	DYCD	(\$2,000.00)	260	312			
Levin	Galsey Kirkland Academy of Classical Ballet	27-1623781	DYCD	\$2,000.00	260	312			
Matteo	Staten Island Saints Fastpitch Softball Club Inc.	27-2525251	DYCD	(\$2,000.00)	260	312			
Matteo	Staten Island Saints Fastpitch Softball Club, Inc.	27-2525251	DYCD	\$2,000.00	260	312	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	Staten Island United Federation Baseball, Inc.	20-0007086	DYCD	(\$2,000.00)	260	312			
Matteo	Staten Island United Federation Baseball, Inc.	20-0007086	DYCD	\$2,000.00	260	312	Jewish Community Center of Staten Island, Inc.	13-5562256	
Matteo	John W. Lavelle Preparatory Charter School	26-4808811	DYCD	(\$2,000.00)	260	312			*
Matteo	John W. Lavelle Preparatory Charter School	26-4808811	DYCD	\$2,000.00	260	312	Jewish Community Center of Staten Island, Inc.	13-5562256	*
Levine	Manhattan School of Music	13-1656667	DYCD	(\$3,000.00)	260	312			
Levine	Muslim Community Network	75-3163555	DYCD	\$3,000.00	260	312			
Rose	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$5,000.00)	260	312			
Rose	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 4: Domestic Violence and Empowerment (DoVE) Initiative - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Mayor's Office of Criminal Justice	13-6400434	MOCJ	(\$503,148.00)	098	002	
Gibson	Urban Justice Center	13-3442022	MOCJ	\$25,000.00	098	002	
Gibson	Her Justice, Inc.	13-3688519	MOCJ	\$16,000.00	098	002	
Gibson	Violence Intervention Program	13-3540337	MOCJ	\$31,250.00	098	002	
Gibson	Sanctuary for Families, Inc.	13-3193119	MOCJ	\$31,250.00	098	002	
Gibson	SCAN-New York Volunteer Parent-Aides Association, Inc.	13-2912963	MOCJ	\$37,500.00	098	002	
Maisel	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	MOCJ	\$98,074.00	098	002	
Miller	Allen Women's Resource Center	11-2822398	MOCJ	\$49,037.00	098	002	
Miller	Redeemed Outreach Ministries & Publications International, Inc.	11-3335514	MOCJ	\$49,037.00	098	002	
Mealy	Battered Women's Resource Center	11-3302911	MOCJ	\$30,000.00	098	002	
Mealy	Girls for Gender Equity Inc.	04-3697166	MOCJ	\$30,000.00	098	002	
Mealy	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	MOCJ	\$25,000.00	098	002	
Mealy	South Brooklyn Legal Services Inc.	13-2605605	MOCJ	\$56,000.00	098	002	
Mark-Viverito	Battered Women's Resource Center	11-3302911	MOCJ	\$25,000.00	098	002	
Richards	Day Care Council of New York, Inc.	13-2613479	MOCJ	(\$98,074.00)	098	002	
Richards	Day One New York, Inc.	06-1103000	MOCJ	\$98,074.00	098	002	

\* Indicates pending completion of pre-qualification review.

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

**CHART 5: Digital Inclusion and Literacy Initiative - Fiscal 2017**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development	13-6400434	DYCD	(\$40,000.00)	260	005	
Corney	Older Adults Technology Services (OATS), Inc.	55-0882599	DYCD	(\$20,000.00)	260	005	
King	Faith Work Christian Church	27-0127215	DYCD	(\$20,000.00)	260	005	
Menchaca	Opportunities for a Better Tomorrow	11-2934620	DYCD	(\$20,000.00)	260	005	
Dromm	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	005	
Eugene	Boro Park Jewish Community Council	11-3475993	DYCD	\$20,000.00	260	005	
Mealy	Older Adults Technology Services (OATS), Inc.	55-0882599	DYCD	\$20,000.00	260	005	
Mealy	Wayside Out-Reach Development, Inc. (WORD) - Rosetta Gaston Senior Center	11-3528680	DYCD	\$20,000.00	260	005	
Miller	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

## CHART 6: A Greener NYC - Fiscal 2017

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development**	13-6400434	DYCD	(\$157,016.00)	260	005	
Miller	Eastern Queens Alliance	20-1723492	DYCD	\$19,254.00	260	005	
Miller	Recycle for Education, Inc.	01-0890508	DYCD	\$20,000.00	260	005	
Mealy	Brooklyn Bridge Park Conservancy, Inc.	13-3277651	DYCD	\$15,000.00	260	005	
Lander	Outstanding Renewal Enterprises, Inc.	13-3320984	DYCD	\$13,084.00	260	005	
Lander	Gowanus Canal Conservancy, Inc.	26-0681729	DYCD	\$13,084.00	260	005	
Levin	City Growers, Inc.	45-2149344	DYCD	\$15,554.00	260	005	
Levin	HOPE Program, Inc., The	13-3268539	DYCD	\$11,850.00	260	005	
Levin	Brooklyn Bridge Park Conservancy, Inc.	13-3277651	DYCD	\$11,850.00	260	005	
Mealy	Wildlife Conservation Society**	13-1740011	DCLA	\$24,254.00	126	007	
Lander	Prospect Park Alliance, Inc.**	11-2843763	DPR	\$13,086.00	846	006	
Richards	Bed-Stuy Campaign Against Hunger, Inc.	20-0934854	DYCD	(\$14,627.00)	260	005	
Richards	Eastern Queens Alliance	20-1723492	DYCD	\$14,627.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

## CHART 7: NYC Cleanup - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development	13-6400434	DYCD	(\$1,030,646.00)	260	005	
Constantinides	Association of Community Employment Programs for the Homeless (ACE)	13-3846431	DYCD	\$133,778.00	260	005	
Constantinides	Queens Economic Development Corporation	11-2436149	DYCD	\$9,163.00	260	005	
Greenfield	Association of Community Employment Programs for the Homeless (ACE)	13-3846431	DYCD	\$79,000.00	260	005	
Greenfield	Kings Highway Beautification Association, Inc.	20-4986882	DYCD	\$30,000.00	260	005	
Greenfield	Wildcat Service Corporation	13-2725423	DYCD	\$35,941.00	260	005	
Palma	Youth Ministries for Peace and Justice	13-4006535	DYCD	\$34,000.00	260	005	
Palma	Wildcat Service Corporation	13-2725423	DYCD	\$88,941.00	260	005	
Maisel	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	DYCD	\$50,000.00	260	005	
Mealy	Doe Fund Inc., The	13-3412540	DYCD	\$35,949.00	260	005	
Mark-Viverito	Doe Fund Inc., The	13-3412540	DYCD	\$144,221.00	260	005	
Greenfield	Department of Sanitation **	13-6400434	DSNY	\$8,000.00	827	109	
Greenfield	Department of Sanitation **	13-6400434	DSNY	\$8,000.00	827	109	
Maisel	Department of Sanitation **	13-6400434	DSNY	\$75,691.00	827	102	
Maisel	Department of Sanitation **	13-6400434	DSNY	\$27,250.00	827	109	
Mealy	Department of Sanitation **	13-6400434	DSNY	\$65,217.00	827	102	
Mealy	Department of Sanitation **	13-6400434	DSNY	\$51,775.00	827	109	
King	Department of Sanitation **	13-6400434	DSNY	\$100,000.00	827	102	
Constantinides	Department of Sanitation **	13-6400434	DSNY	\$10,000.00	827	102	
Mark-Viverito	Department of Sanitation **	13-6400434	DSNY	\$8,720.00	827	109	
King	New York City Housing Authority **	13-6400434	NYCHA	\$5,000.00	098	002	
Palma	Westchester Square District Management Association, Inc. **	38-3873130	DSBS	\$30,000.00	801	002	
Crowley	Doe Fund Inc., The **	13-3412540	DYCD	(\$20,502.00)	260	005	
Crowley	Department of Sanitation **	13-6400434	DSNY	\$20,502.00	827	102	

\* Indicates pending completion of pre-qualification review.

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

**CHART 8: Cultural After-School Adventure (CASA) - Fiscal 2017**

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	\$40,000.00	126	003	
Mealy	Circuit Productions, Inc.	13-2881858	DCLA	(\$20,000.00)	126	003	
Mealy	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	(\$20,000.00)	126	003	
Mealy	BRIC Arts   Media   Bklyn, Inc.	11-2547268	DCLA	(\$20,000.00)	126	003	
Mealy	Brooklyn Arts Council, Inc.	23-7072915	DCLA	(\$20,000.00)	126	003	
Mealy	Brooklyn Arts Council, Inc.	23-7072915	DCLA	(\$20,000.00)	126	003	
Mealy	Brooklyn Arts Council, Inc.	23-7072915	DCLA	(\$20,000.00)	126	003	
Mealy	Circuit Productions, Inc.	13-2881858	DCLA	(\$20,000.00)	126	003	
Mealy	Circuit Productions, Inc.	13-2881858	DCLA	(\$20,000.00)	126	003	
Cabrera	Community Word Project - P.S. 279X Captain Manuel Rivera, Jr.	13-4114145	DCLA	\$20,000.00	126	003	
Cabrera	Midori Foundation, Inc. - P.S. 315X Lab School	13-3682472	DCLA	\$20,000.00	126	003	
Cabrera	Dream Yard Drama Project, Inc. - Creston Academy	13-3759661	DCLA	\$20,000.00	126	003	
Greenfield	Brooklyn Arts Council, Inc. - Shulamith School for Girls	23-7072915	DCLA	\$20,000.00	126	003	
Rosenthal	French Institute-Alliance Francaise - MS 256, Academic & Athletic Excellence	13-1624099	DCLA	\$20,000.00	126	003	
Rosenthal	Midtown Management Group, Inc. - PS/MS 333 - Manhattan School for Children	13-3192793	DCLA	\$20,000.00	126	003	
Reynoso	Arts Connection, Inc., The - PS 239	13-2953240	DCLA	(\$20,000.00)	126	003	
Reynoso	Arts Connection, Inc., The - PS 299 Thomas Warren Field	13-2953240	DCLA	\$20,000.00	126	003	
Reynoso	Bushwick Starr, Inc., The - P.S. 123 SUYDAM	26-4546315	DCLA	(\$20,000.00)	126	003	
Reynoso	Bushwick Starr, Inc., The - PS 239	26-4546315	DCLA	\$20,000.00	126	003	
Reynoso	Society of the Educational Arts, Inc. - PS 299 Thomas Warren Field	11-3210593	DCLA	(\$20,000.00)	126	003	
Reynoso	Society of the Educational Arts, Inc. - P.S. 123 SUYDAM	11-3210593	DCLA	\$20,000.00	126	003	
Deutsch	Henry Street Settlement	01-3156224	DCLA	(\$20,000.00)	126	003	*
Deutsch	Henry Street Settlement	13-1562242	DCLA	\$20,000.00	126	003	*
Ulrich	Creative Art Works - Q308 Robert H. Goddard High School of Communication Arts and Technology	13-3638436	DCLA	(\$20,000.00)	126	003	
Ulrich	Creative Arts Workshop for Kids, Inc. - Q308 Robert H. Goddard High School of Communication Arts and Technology	13-3638436	DCLA	\$20,000.00	126	003	
Cumbo	Irondale Productions Inc. - K691 - Fort Greene Preparatory Academy	13-3178772	DCLA	(\$20,000.00)	126	003	
Cumbo	Irondale Productions, Inc. - The Academy of Arts and Letters	13-3178772	DCLA	\$20,000.00	126	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 9: Neighborhood Development Grant Initiative - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Small Business Services	13-6400434	DSBS	(\$22,000.00)	801	002	
Palma	Westchester Square District Management Association, Inc.	38-3873130	DSBS	\$22,000.00	801	002	

\* Indicates pending completion of pre-qualification review.

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

## CHART 10: Healthy Aging Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department for the Aging	13-6400434	DFTA	(\$106,470.00)	125	003	
Maisel	Bergen Basin Community Development Corp., d/b/a Millennium Development - Mill Basin Senior Center and Active Adult Program	11-3199040	DFTA	\$12,500.00	125	003	
Maisel	Bergen Beach Youth Organization, Inc. - Marine Park Senior and Active Adult Program	11-2598350	DFTA	\$12,500.00	125	003	
Maisel	Bergen Beach Youth Organization, Inc. - Bergen Beach Services for Seniors and Active Adult Program	11-2598350	DFTA	\$10,490.00	125	003	
Salamanca	Housing Options and Geriatric Association Resources, Inc.	13-3887707	DFTA	\$35,490.00	125	003	
Palma	New York Road Runners, Inc.	13-2949483	DFTA	\$22,990.00	125	003	
Palma	Neighborhood Self Help by Older Persons Project, Inc.	13-3077047	DFTA	\$12,500.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

## CHART 11: Support Our Seniors - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department for the Aging	13-6400434	DFTA	(\$120,000.00)	125	003	
Maisel	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	DFTA	\$13,333.00	125	003	
Maisel	Catholic Charities Neighborhood Services, Inc. - The Bay Senior Center	11-2047151	DFTA	\$13,334.00	125	003	
Maisel	Jewish Association for Services for the Aged (JASA) - JASA at the HES Senior Center	13-2620896	DFTA	\$13,333.00	125	003	
Salamanca	Sebco Development, Inc. - Erma Cava Houses	13-2944013	DFTA	\$28,000.00	125	003	
Salamanca	Presbyterian Senior Services	13-1981482	DFTA	\$12,000.00	125	003	
Palma	Older Adults Technology Services, Inc.	55-0882599	DFTA	\$15,000.00	125	003	
Palma	Young Mens Christian Association of Greater New York - Glebe Senior Center	13-1624228	DFTA	\$15,000.00	125	003	
Palma	Institute for the Puerto Rican/Hispanic Elderly, Inc. - Soundview Senior Center	13-2987263	DFTA	\$10,000.00	125	003	
Eugene	Fenimore Senior Center, Inc.	11-3475993	DFTA	(\$14,705.00)	125	003	
Eugene	Fenimore Senior Center, Inc.	11-2772287	DFTA	\$14,705.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

CHART 12: Parks Equity Initiative - Fiscal 2017

Member	Organization - Park	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Parks and Recreation**	13-6400434	DPR	(\$510,000.00)	846	006	
Cabrera	New York Restoration Project	13-3959056	DPR	\$10,000.00	846	006	
Cabrera	City Parks Foundation	13-3561657	DPR	\$10,000.00	846	006	
Cabrera	Council on the Environment, Inc.	13-2765465	DPR	\$10,000.00	846	006	
Cabrera	Green Guerillas, Inc.	13-2903183	DPR	\$10,000.00	846	006	
Crowley	Rabbi Israel Mayer HaCohen Rabbinical Seminary of America - Forest Park	11-1752021	DPR	\$10,000.00	846	006	
Crowley	New York Restoration Project - CD30	13-3959056	DPR	\$10,000.00	846	006	
Crowley	Maspeth Town Hall, Inc. - CD30	23-7259702	DPR	\$10,000.00	846	006	
Crowley	The Greater Ridgewood Youth Council, Inc. - CD30	11-2518141	DPR	\$10,000.00	846	006	
Dickens	Harlem Grown	27-4250636	DPR	\$10,000.00	846	006	
Dickens	Council on the Environment, Inc.	13-2765465	DPR	\$10,000.00	846	006	
King	Building 13 Association, Inc.	13-4169405	DPR	\$10,000.00	846	006	
King	New York Restoration Project - 211th Street Community Garden	13-3959056	DPR	\$10,000.00	846	006	
King	New York Restoration Project - Eastchester Road Community Garden	13-3959056	DPR	\$10,000.00	846	006	
King	Bissel Gardens, Inc.	13-3984879	DPR	\$10,000.00	846	006	
Levine	Citizens Committee for New York City, Inc.	51-0171818	DPR	\$10,000.00	846	006	
Maisel	Marine Park Community Association, Inc.	11-3332730	DPR	\$10,000.00	846	006	
Maisel	Marine Park Alliance Corp. - Marine Park	46-3291341	DPR	\$10,000.00	846	006	
Maisel	Department of Parks and Recreation - Salt Marsh Nature Center	13-6400434	DPR	\$10,000.00	846	006	
Maisel	Hendrick I Lott House Preservation Association	13-3945416	DPR	\$10,000.00	846	006	
Matteo	Protectors of Pine Oak Woods	51-0161823	DPR	\$10,000.00	846	006	
Matteo	South Beach Civic Association Inc.	71-0916558	DPR	\$10,000.00	846	006	
Matteo	Bloomfield Conservancy, Inc.	13-4014664	DPR	\$10,000.00	846	006	
Mealy	New York Restoration Project	13-3959056	DPR	\$20,000.00	846	006	
Mealy	City Parks Foundation	13-3561657	DPR	\$20,000.00	846	006	
Menchaca	Department of Parks and Recreation - Sunset Park Recreation Center	13-6400434	DPR	\$20,000.00	846	006	
Menchaca	Department of Parks and Recreation - Red Hook Recreation Center	13-6400434	DPR	\$20,000.00	846	006	
Mendez	New York City Community Garden Coalition	13-4035337	DPR	\$17,500.00	846	006	
Mendez	City Parks Foundation	13-3561657	DPR	\$22,500.00	846	006	
Palma	New York Restoration Project - Glover Street Community Garden	13-3959056	DPR	\$10,000.00	846	006	
Palma	Department of Parks and Recreation - Bronx River Community Center	13-6400434	DPR	\$20,000.00	846	006	
Palma	City Parks Foundation - Virginia Park	13-3561657	DPR	\$10,000.00	846	006	
Treyger	Department of Parks and Recreation - CD47	13-6400434	DPR	\$30,000.00	846	006	
Treyger	Friends of Kaiser Park, Inc.	20-0763333	DPR	\$10,000.00	846	006	
Reynoso	El Puente de Williamsburg, Inc. **	11-2614265	DYCD	\$20,000.00	260	312	
Reynoso	EcoStation NY, Inc. **	27-0626902	DYCD	\$10,000.00	260	312	
Reynoso	Greater Ridgewood Restoration Corporation **	11-2382250	DYCD	\$10,000.00	260	312	
Matteo	New Dorp Beach Civic Association, Inc. **	46-2627531	DYCD	\$10,000.00	260	312	
Lander	Gowanus Canal Conservancy, Inc. **	26-0681729	DYCD	\$40,000.00	260	312	
Rosenthal	City Parks Foundation	13-3561657	DPR	(\$10,000.00)	846	006	

Rosenthal	Department of Parks and Recreation - CD6	13-6400434	DPR	\$10,000.00	846	006	
Salamanca	Department of Parks and Recreation - Green Thumb	13-6400434	DPR	(\$10,000.00)	846	006	*
Salamanca	Department of Parks and Recreation - CD17	13-6400434	DPR	\$10,000.00	846	006	*

\* Indicates pending completion of pre-qualification review.

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

## CHART 13: Cultural Immigrant Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$1,890,000.00)	126	003	
Borelli	Conference House Association, Inc.	13-6162071	DCLA	\$20,000.00	126	003	
Borelli	Sundog Theatre, Inc.	45-0476945	DCLA	\$40,000.00	126	003	
Borelli	Sandy Ground Historical Society, The	13-3035736	DCLA	\$20,000.00	126	003	
Borelli	Garibaldi-Meucci Museum	06-1725844	DCLA	\$20,000.00	126	003	
Crowley	JLSC Educational Tour Bus, Inc.	13-4085631	DCLA	\$20,000.00	126	003	
Crowley	Film Fleadh Foundation, Inc.	13-4051235	DCLA	\$20,000.00	126	003	
Crowley	Queens Symphony Orchestra, Inc.	11-2106191	DCLA	\$20,000.00	126	003	
Dickens	Harlem Needle Arts, Inc.	20-3505872	DCLA	\$10,000.00	126	003	
Dickens	Harlem Chamber Players Inc., The	45-2160781	DCLA	\$10,000.00	126	003	
Dickens	Jazzmobile, Inc.	13-2614483	DCLA	\$20,000.00	126	003	
Dickens	Classical Theatre of Harlem, Inc., The	13-4046782	DCLA	\$20,000.00	126	003	
Dickens	New Heritage Theatre Group, Inc.	13-2683678	DCLA	\$20,000.00	126	003	
Dickens	Mama Foundation for the Arts, Inc.	31-1614732	DCLA	\$20,000.00	126	003	
Gentile	Federation of Italian American Organizations of Brooklyn, Ltd.	11-2507910	DCLA	\$40,000.00	126	003	
Gentile	2020 Vision for Schools, Inc.	45-3023036	DCLA	\$40,000.00	126	003	
Gentile	Arab American Association of New York, Inc.	11-3604756	DCLA	\$20,000.00	126	003	
Reynoso	Hester Street Collaborative, Inc.	20-0774906	DCLA	\$20,000.00	126	003	
Reynoso	2020 Vision for Schools, Inc.	45-3023036	DCLA	\$20,000.00	126	003	
Reynoso	UnionDocs, Inc.	86-1150496	DCLA	\$20,000.00	126	003	
Reynoso	International Studio & Curatorial Program, Inc.	20-5052686	DCLA	\$20,000.00	126	003	
Reynoso	Afro-Latin Jazz Alliance of New York Inc.	45-3665976	DCLA	\$20,000.00	126	003	
Williams	CaribBeing, Inc.	45-5192099	DCLA	\$40,000.00	126	003	
Williams	Haiti Cultural Exchange, Inc.	34-2034041	DCLA	\$40,000.00	126	003	
Williams	Sesame Flyers International, Inc.	11-2692485	DCLA	\$20,000.00	126	003	
Koslowitz	Queens Jewish Community Council, Inc.	23-7172152	DCLA	\$40,000.00	126	003	
Koslowitz	Queens Symphony Orchestra, Inc.	11-2106191	DCLA	\$20,000.00	126	003	
Koslowitz	JLSC Educational Tour Bus, Inc.	13-4085631	DCLA	\$40,000.00	126	003	
Espinal	Midtown Management Group	13-3192793	DCLA	\$20,000.00	126	003	
Espinal	Society of the Educational Arts Inc.	11-3210593	DCLA	\$20,000.00	126	003	
Espinal	Elder Share the Arts, Inc.	13-3135292	DCLA	\$40,000.00	126	003	
Espinal	Shadow Box Theatre, Inc., The	13-2725580	DCLA	\$20,000.00	126	003	
Lancman	Young Men's Christian Association of Greater New York	13-1624228	DCLA	\$20,000.00	126	003	
Lancman	Queens Jewish Community Council, Inc.	23-7172152	DCLA	\$40,000.00	126	003	
Lancman	A Better Jamaica, Inc.	11-3804421	DCLA	\$20,000.00	126	003	
Lancman	King Manor Association of Long Island, Inc.	11-2396324	DCLA	\$10,000.00	126	003	
Lancman	JLSC Educational Tour Bus, Inc.	13-4085631	DCLA	\$10,000.00	126	003	
Mealy	Go Africa Network, Inc.	47-1150332	DCLA	\$10,000.00	126	003	
Mealy	Caribbean Cultural Theatre, Inc.	83-0508237	DCLA	\$20,000.00	126	003	
Mealy	Circuit Productions, Inc.	13-2881858	DCLA	\$20,000.00	126	003	

Mealy	Tropicalfete, Inc.	45-2940435	DCLA	\$10,000.00	126	003	
Mealy	Victory Music & Dance Co., Inc.	47-2167056	DCLA	\$20,000.00	126	003	
Mealy	Victory Music & Dance Co., Inc.	47-2167056	DCLA	\$20,000.00	126	003	

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

## CHART 13: Cultural Immigrant Initiative - Fiscal 2017 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
King	Mindbuilders Creative Arts, Inc.	13-2988157	DCLA	\$20,000.00	126	003	
King	I'RAISE Girls & Boys International Corporation	46-3299217	DCLA	\$20,000.00	126	003	
Grodenschik	Alley Pond Environmental Center	11-2405466	DCLA	\$20,000.00	126	003	
Grodenschik	King Manor Association of Long Island, Inc.	11-2396324	DCLA	\$20,000.00	126	003	
Grodenschik	Midtown Management Group	13-3192793	DCLA	\$20,000.00	126	003	
Grodenschik	Queens Jewish Community Council, Inc.	23-7172152	DCLA	\$20,000.00	126	003	
Grodenschik	JLSC Educational Tour Bus, Inc.	13-4085631	DCLA	\$20,000.00	126	003	
Rose	Universal Temple of the Arts, Inc.	13-3335286	DCLA	\$40,000.00	126	003	
Rose	Friends of Alice Austen House, Inc.	13-3248928	DCLA	\$20,000.00	126	003	
Rose	IlluminArt Productions	42-1727647	DCLA	\$20,000.00	126	003	
Rose	Sandy Ground Historical Society, The	13-3035736	DCLA	\$10,000.00	126	003	
Rose	Jacques Marchais Museum of Tibetan Art, Inc.	23-7280740	DCLA	\$10,000.00	126	003	
Constantinides	Cypreco of America, Inc.	11-2644226	DCLA	\$20,000.00	126	003	
Constantinides	Central Astoria Local Development Coalition, Inc.	11-2652331	DCLA	\$20,000.00	126	003	
Constantinides	Community-Word Project, Inc.	13-4114145	DCLA	\$20,000.00	126	003	
Constantinides	Midtown Management Group	13-3192793	DCLA	\$20,000.00	126	003	
Constantinides	Spanish Theatre Repertory Company, Ltd.	13-2672755	DCLA	\$10,000.00	126	003	
Constantinides	Astoria Performing Arts Center, Inc.	65-1209580	DCLA	\$10,000.00	126	003	
Rosenthal	Fiji Theatre Company, Inc.	13-2874863	DCLA	\$100,000.00	126	003	
Lander	Bangladesh Institute of Performing Arts, Inc.	11-3249055	DCLA	\$40,000.00	126	003	
Lander	Brooklyn Community Pride Center, Inc.	26-2214534	DCLA	\$20,000.00	126	003	
Lander	Fourth Arts Block, Inc.	043767933	DCLA	\$20,000.00	126	003	
Lander	Spaceworks NYC Inc.	46-0633792	DCLA	\$20,000.00	126	003	
Vallone	Alley Pond Environmental Center	11-2405466	DCLA	\$20,000.00	126	003	
Vallone	Conrad Poppenhusen Association	11-1633524	DCLA	\$20,000.00	126	003	
Vallone	Midtown Management Group	13-3192793	DCLA	\$40,000.00	126	003	
Vallone	Asian American Arts Alliance	13-3480189	DCLA	\$10,000.00	126	003	
Van Bramer	Thalia Spanish Theatre, Inc.	23-7448611	DCLA	\$20,000.00	126	003	
Van Bramer	Topaz Arts, Inc.	13-4137551	DCLA	\$20,000.00	126	003	
Van Bramer	Film Fleadh Foundation, Inc. - Craic Fest	13-4051235	DCLA	\$10,000.00	126	003	
Van Bramer	Braata Productions, Inc.	27-3402327	DCLA	\$20,000.00	126	003	
Van Bramer	Calpulli Mexican Dance Company, Inc.	20-0642440	DCLA	\$10,000.00	126	003	
Van Bramer	Central Astoria Local Development Coalition, Inc.	11-2652331	DCLA	\$20,000.00	126	003	
Deutsch	Kingsborough Community College Auxiliary Enterprises Corp.	11-3022873	DCLA	\$20,000.00	126	003	
Deutsch	Brighton Ballet Theater Company, Inc.	11-3195590	DCLA	\$40,000.00	126	003	
Deutsch	Covenant Ballet Theatre of Brooklyn, Inc.	26-1136590	DCLA	\$20,000.00	126	003	
Deutsch	Jewish Community Council of Greater Coney Island	11-2665181	DCLA	\$20,000.00	126	003	
Eugene	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DCLA	\$20,000.00	126	003	
Eugene	Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DCLA	\$20,000.00	126	003	

Eugene	Make The Road New York	11-3344389	DCLA	\$20,000.00	126	003	
Eugene	Sesame Flyers International, Inc.	11-2692485	DCLA	\$20,000.00	126	003	
Eugene	West Indian American Day Carnival Association, Inc.	23-7176396	DCLA	\$10,000.00	126	003	
Eugene	Caribbean Cultural Theatre, Inc.	83-0508237	DCLA	\$10,000.00	126	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 14: Immigrant Opportunities Initiative - Fiscal 2017**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
City University of New York School of Law Foundation, Inc., The **	11-3235349	DSS/HRA	(\$24,000.00)	069	107	
CUNY School of Law Justice and Auxiliary Services Corp.**	90-1013912	CUNY	\$24,000.00	042	001	

\* Indicates pending completion of pre-qualification review.

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

**CHART 15: Senior Centers for the Immigrant Population - Fiscal 2017**

<b>Organization - Program</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Catholic Charities Diocese of Brooklyn	11-1633548	DFTA	(\$7,692.00)	125	003	
Catholic Charities Neighborhood Services, Inc.	11-2047151	DFTA	\$7,692.00	125	003	
Korean American Services of Metropolitan of New York, Inc. - Korean American Senior Center of		DFTA	(\$75,000.00)	125	003	
Korean Community Services of Metropolitan New York, Inc. - Korean American Senior Center of		DFTA	\$75,000.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 16: COMPASS - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>
Department of Youth and Community	13-6400434	DYCD	(\$250,000.0)	260	312

\* Indicates pending completion of pre-qualification review.

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

**CHART 17: Afterschool Enrichment Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Young Men's Christian Association of Greater New	13-1624228	DYCD	\$250,000.00	260	312	

\* Indicates pending completion of pre-qualification review.

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

**CHART 18: Crisis Management System - Fiscal 2017**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$250,000.00)	816	114	
City University of New York	13-6400434	CUNY	\$250,000.00	042	001	
City University of New York**	13-6400434	CUNY	(\$250,000.00)	042	001	
Department of Health and Mental Hygiene**	13-6400434	DOHMH	(\$100,000.00)	816	114	
Central Family Life Center **	13-3626127	DOHMH	\$175,000.00	816	114	
Fund for the City of New York - Center for Court Innovation **	13-2612524	DOHMH	\$175,000.00	816	114	
Miscellaneous Budget **	13-6400434	MOCJ	(\$1,175,000.00)	098	002	
Legal Aid Society	13-5562265	MOCJ	\$1,000,000.00	098	002	
Fund for the City of New York, Inc. **	13-2612524	DOHMH	\$175,000.00	816	114	
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$555,000.00)	816	120	
Union Settlement Association, Inc.	13-1632530	DOHMH	\$35,000.00	816	120	
Harlem Mother's Stop Another Violent End (S.A.V.E.)	26-0847222	DOHMH	\$65,000.00	816	120	
Urban Youth Alliance International, Inc.	13-2969182	DOHMH	\$140,000.00	816	120	
Gangstas Making Astronomical Community Changes, Inc.	45-3359451	DOHMH	\$35,000.00	816	120	
Berean Community and Family Life Center	11-2870465	DOHMH	\$35,000.00	816	120	
Not Another Child, Inc.	26-0894097	DOHMH	\$35,000.00	816	120	
Fund for the City of New York - Center for Court Innovation	13-2612524	DOHMH	\$70,000.00	816	120	
Safe Space NYC Inc.	11-1711014	DOHMH	\$35,000.00	816	120	
The Floating Hospital, Inc.	13-1624169	DOHMH	\$35,000.00	816	120	
Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DOHMH	\$35,000.00	816	120	
Department of Health and Mental Hygiene **	13-6400434	DOHMH	\$35,000.00	816	114	

\* Indicates pending completion of pre-qualification review.

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

**CHART 19: Prisoners' Rights Project - Fiscal 2017**

<b>Organization - Schools</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Legal Aid Society**	13-5562265	MOCJ	(\$750,000.0)	098	005	
Legal Aid Society**	13-5562265	MOCJ	\$750,000.00	098	002	

\* Indicates pending completion of pre-qualification review.

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

**CHART 20: Legal Services for Low-Income New Yorkers - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Center for Family	51-0419496	MOCJ	(\$250,000.0)	098	005	
Center for Family Representation**	51-0419496	MOCJ	\$250,000.00	098	002	

\* Indicates pending completion of pre-qualification review.

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

**CHART 21: Discretionary Child Care - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Nasry Michelen Day Care Center,	20-3108162	ACS	\$504,380.00	068	004	*

\* Indicates pending completion of pre-qualification review.

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

**CHART 22: Unaccompanied Minors and Families - Fiscal 2017**

<b>Organization - Program</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Catholic Charities Community Services, Archdiocese of New York	13-5562185	DSS/HRA	\$250,000.00	069	107	*
Central American Legal Assistance	11-2859151	DSS/HRA	\$90,000.00	069	107	*
Legal Aid Society	13-5562265	DSS/HRA	\$250,000.00	069	107	*
Door - A Center of Alternatives, Inc., The	13-6127348	DSS/HRA	\$250,000.00	069	107	*
Center for NYC Law at New York Law School - Safe Passage Project	13-5645885	DSS/HRA	\$160,000.00	069	107	*

\* Indicates pending completion of pre-qualification review.

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

**CHART 23: Adult Literacy Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Department of Youth and Community Development	13-6400434	DYCD	(\$1,214,400.00)	260	005	
East Side House, Inc.	13-1623989	DYCD	\$100,000.00	260	005	*
South Bronx Overall Economic Development Corporation	13-2736022	DYCD	\$146,250.00	260	005	*
Fifth Avenue Committee, Inc.	11-2475743	DYCD	\$99,900.00	260	005	*
Sunset Park Health Council, Inc.	20-2508411	DYCD	\$92,500.00	260	005	*
Arab-American Family Support Center, Inc., The	11-3167245	DYCD	\$100,000.00	260	005	*
Chinatown Manpower Project, Inc.	13-2755214	DYCD	\$100,000.00	260	005	*
Indochina Sino-American Senior Citizen Center, Inc.	13-3584616	DYCD	\$100,000.00	260	005	*
Chinese American Planning Council, Inc.	13-6202692	DYCD	\$74,000.00	260	005	*
Children's Aid Society, The	13-5562191	DYCD	\$101,750.00	260	005	*
University Settlement Society of New York	13-5562374	DYCD	\$100,000.00	260	005	*
Korean Community Services of Metropolitan New York, Inc.	23-7348989	DYCD	\$100,000.00	260	005	*
St. John's University	11-1630830	DYCD	\$100,000.00	260	005	*

\* Indicates pending completion of pre-qualification review.

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

**CHART 24: Youth Discretionary - Fiscal 2016**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Crowley	Council for Unity, Inc.	11-2880211	DYCD	(\$5,000.00)	260	312			
Crowley	Council for Unity, Inc.	11-2880221	DYCD	\$5,000.00	260	312			
Rose	Staten Island MakerSpace	46-2793482	DYCD	(\$3,000.00)	260	312	Jewish Community Center of Staten Island, Inc.	135562256	
Rose	Staten Island MakerSpace	46-2793482	DYCD	\$3,000.00	260	312			
Gentile	St. Vincent's Services, Inc.	11-1631823	DYCD	(\$5,000.00)	260	312			
Gentile	HeartShare St Vincent's Services, Inc.	11-1631823	DYCD	\$5,000.00	260	312			

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

**CHART 25: Boroughwide Needs Initiative - Fiscal 2016**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
SI Delegation	Trinity Evangelical Lutheran Church Feeding Ministry	13-5596829	DYCD	(\$15,180.00)	260	005			
SI Delegation	Feeding with TLC, Inc.	47-4129070	DYCD	\$15,180.00	260	005			

\* Indicates pending completion of pre-qualification review.

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

**CHART 26: Anti-Poverty Initiative - Fiscal 2016**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Barron	EDIFY Communities of New York	20-0177748	DYCD	(\$15,000.00)	260	312			
Barron	St. Paul Community Baptist Church, Inc.	11-2453951	DYCD	\$15,000.00	260	312			

\* Indicates pending completion of pre-qualification review.

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

**CHART 27: Youth Discretionary - Fiscal 2015**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Greenfield	Jewish Channel Institute, Inc., The	13-4169137	DYCD	(\$10,000.00)	260	312			
Greenfield	Congregation Bnai Yosef	11-1994182	DYCD	\$10,000.00	260	312			
Miller	Jamaica Athletic and Learning Center	20-0975215	DYCD	(\$9,000.00)	260	312			
Miller	A Better Jamaica, Inc.	11-3804421	DYCD	\$4,500.00	260	312			
Miller	United Black Men of Queens Foundation, Inc.	11-2623993	DYCD	\$4,500.00	260	312			

\* Indicates pending completion of pre-qualification review.

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

**CHART 28: Parks Equity Initiative - Fiscal 2016**

<b>Member</b>	<b>Organization</b>	<b>EIN</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy</b>	<b>U/A</b>	<b>*</b>
Van Bramer	Smiling Hogshead Ranch	16-1760622	DPR	(\$6,000.00)	846	006	
Van Bramer	Smiling Hogshead Ranch	46-4968093	DPR	\$6,000.00	846	006	
Johnson	Clinton Housing Development Company, Inc.	01-3251988	DPR	(\$12,000.00)	846	006	
Johnson	Clinton Housing Development Company, Inc.	13-2851988	DPR	\$12,000.00	846	006	

\* Indicates pending completion of pre-qualification review.

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

CHART 29: Purpose of Funds Changes - Fiscal 2017

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Youth	Koslowitz	Misunderstood Youth Development Center Corp.,	25-1916166	DYCD	(\$3,000.00)	Funds to pay staff members who provide and supervise the Case Management including facilitating groups and individual sessions, coordinating curfew deadlines and community service, as well as communicating with schools, parents, courts, attorneys, etc.	*
Youth	Koslowitz	Misunderstood Youth Development Center Corp.,	25-1916166	DYCD	\$3,000.00	Funding will be used to pay staff members to provide and supervise the Case Management including facilitating groups and individual sessions, coordinating curfew deadlines and community service, as well as communicating with schools, parents, courts, attorneys, etc.	*
Local	Speaker	Primary Care Development Corporation	13-3711803	DOHMH	(\$150,000.00)	Funds will be used for the Primary Care Safety Net Access Project to help primary care providers increase patient access to healthcare in low-income communities. PCDC will provide hands-on assistance for two safety net primary care providers to help them maximize patient access with their existing resources by reducing wait times, no-shows and backlogs.	
Local	Speaker	Primary Care Development Corporation	13-3711803	DOHMH	\$150,000.00	Funds will be used to conduct initial data analysis and reporting on primary care in City Council districts, with Primary Care Profiles to be disseminated to Council Members and Borough Delegations.	
Youth	Ulrich	Church of the Holy Child Jesus	11-1639802	DYCD	(\$5,000.00)	Funds will be used to purchase supplies and materials for costume making and scenery for the musical theatre program.	
Youth	Ulrich	Church of the Holy Child Jesus	11-1639802	DYCD	\$5,000.00	Funds will be used to rent/lease sound and light equipment, to pay performance copyright license fees, and other operating expenses associated with the Teen Drama Group's community theater production.	
Local	Crowley	Queens Historical Society	23-7016007	DCLA	(\$5,000.00)	Funds will support the Community Education Leadership and Training Program CELTP in D30 Middle and High Schools.	
Local	Crowley	Queens Historical Society	23-7016007	DCLA	\$5,000.00	Funds will support the preparation of documents for the landmarking of Nier's Tavern.	
Local	Eugene	One Brooklyn Fund, Inc.	46-5189061	DYCD	(\$5,000.00)	Funding will be used to produce and promote one summer concert at the Prospect Park Parade Grounds. Funds will also be used for supply costs for support services of the organization.	
Local	Eugene	One Brooklyn Fund, Inc.	46-5189061	DYCD	\$5,000.00	Funds will be used for supply costs for support services of the organization.	
Local	Salamanca	New York City Housing Authority	13-6400434	NYCHA	(\$1,850.00)	Funds will be used to support the Back to School, Family Day, and other community engagement activities at the Stebbins Avenue-Hewitt Place Development.	
Local	Salamanca	New York City Housing Authority	13-6400434	NYCHA	\$1,850.00	Funds will be used to support the Back to School, Family Day, and other community engagement activities at the John Adams Houses Development.	
Local	Salamanca	Bronx Council on the Arts, Inc.	13-2601303	DCLA	(\$5,000.00)	Funding to provide literary and multi-disciplinary arts programs, performances, and services for artists, cultural groups, youth and residents of all ages throughout District 12.	
Local	Salamanca	Bronx Council on the Arts, Inc.	13-2601303	DCLA	\$5,000.00	Funding to provide literary and multi-disciplinary arts programs, performances, and services for artists, cultural groups, youth and residents of all ages throughout District 17.	
Aging	Levine	Riverstone Senior Life Services, Inc.	13-3355074	DFTA	(\$15,000.00)	Funding to support comprehensive program of health-related educational workshops and fitness activities for older adults to target diabetes, falls prevention, pain management and other issues.	
Aging	Levine	Riverstone Senior Life Services, Inc.	13-3355074	DFTA	\$15,000.00	To support the Memory Center and related programming, including staff salaries and program costs.	

NYC Cleanup	Crowley	Doe Fund Inc., The	13-3412540	DYCD	(\$152,941.00)	Funds will be used to pay dedicated staff to provide street sweeping, emptying litter baskets and replacing basket liners as provided last year in 3 community areas.	
NYC Cleanup	Crowley	Doe Fund Inc., The	13-3412540	DYCD	\$152,941.00	Funds will be used for Street sweeping, emptying of litter baskets and replacing basket liners 3 days a week. from 74 St to 64th St on Grand Ave, from 71st to Fresh Pond on Myrtle and Grand Ave to Myrtle Ave on Fresh Pond Road.	

\* Indicates pending completion of pre-qualification review.

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

CHART 29: Purpose of Funds Changes - Fiscal 2017 (Continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Crowley	Queens Historical Society	23-7016007	DCLA	(\$5,000.00)	Funds will support the Community Education Leadership and Training Program CELTP in D30 Middle and High Schools.	
Local	Crowley	Queens Historical Society	23-7016007	DCLA	\$5,000.00	Funds will support the preparation of documents for the landmarking of Nier's Tavern	
Local	Crowley	Brooklyn Historic Railway Association	11-2611688	DYCD	(\$10,000.00)	Funding will be used to support related community meetings and outreach, historical research and visual presentations, tours and back office costs.	
Local	Crowley	Brooklyn Historic Railway Association	11-2611688	DYCD	\$10,000.00	Funds will be used for general operating expenses, public presentations, community outreach, and literature development	

\* Indicates pending completion of pre-qualification review.

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

CHART 30: Purpose of Funds - Fiscal 2016

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Kallos	Citizens Committee for New York City, Inc.	51-0171818	DYCD	(\$1,000.00)	To fund the Neighborhood Grants program for skills building workshops, one-on-one project planning assistance and an equipment loan library to volunteer led groups.	
Local	Kallos	Citizens Committee for New York City, Inc.	51-0171818	DYCD	\$1,000.00	To fund the Neighborhood Grants program for skills building workshops, one-on-one project planning assistance and an equipment loan library to volunteer led groups for the East 69th Street Association.	
Youth	Grodenschik	Child Center of New York, Inc., The	11-1733454	DYCD	(\$10,000.00)	To provide culturally and linguistically competent mental health and substance treatment, early childhood services, youth development, and family intervention to prevent child abuse and foster care placement.	
Youth	Grodenschik	Child Center of New York, Inc., The	11-1733454	DYCD	\$10,000.00	Funds will be used to support the after-school program @ MS 74Q.	
Local	Williams	Seeds in the Middle	27-1847142	DYCD	(\$3,000.00)	City Year New York's After-school Heroes program offers safe, educational environments, facilitated by AmeriCorps members for unduplicated middle school youth in three of New York City's highest-needs communities: East Harlem, Long Island City, and the South Bronx.	
Local	Williams	Seeds in the Middle	27-1847142	DYCD	\$3,000.00	Funding will be used to support healthy activities ( Farmers Market for a Day) in CM Williams District.	
Youth	Mealy	Seeds in the Middle	27-1847142	DYCD	(\$5,000.00)	Funds will be used to support healthy activities at MS 722 in Council District 41.	
Youth	Mealy	Seeds in the Middle	27-1847142	DYCD	\$5,000.00	Funds will be used to support healthy activities for youth and families from CM D. Mealy's District	
Local	Miller	103rd Precinct Community Council	20-5484666	DYCD	(\$5,000.00)	Funds will support youth sports, basketball and softball games, field trips, the Youth Explorers Program, refreshments for monthly Community Council meetings, and crime prevention activities such as our annual Crime Prevention safety fairs.	
Local	Miller	103rd Precinct Community Council	20-5484666	DYCD	\$5,000.00	Funds will support basketball and softball games and field trips and for the Youth Explorers program and change it to reflect: Funds will be used for General Operating Support.	
Local	Menchaca	Arab American Association of New York, Inc.	11-3604756	DYCD	(\$10,000.00)	Funding to defray costs of administrative supplies and the purchase of diagnostic medical equipment, space use, stipend allocations to program staff, and outreach materials.	
Local	Menchaca	Arab American Association of New York, Inc.	11-3604756	DYCD	\$10,000.00	Funds will support the Arab American Family Education Initiative, which includes the ESOL program, a civics and citizenship program, and an after school homework assistance and enrichment program	
Anti-Poverty	Dickens	New York City Mission Society	13-5562301	DYCD	(\$5,000.00)	Funds will help to continue to provide social services support to struggling families with ACS Beacon Family Services, as well as activities and community events at Minisink Beacon Community Center at Wadleigh Secondary School. Finally, they will support our school-based programs: Learning to Work (LTW) at Harlem Renaissance, and Power Academy at Bradhurst Elementary, PS 175, PS 33, and Harlem Village Academy.	

Anti-Poverty	Dickens	New York City Mission Society	13-5562301	DYCD	\$5,000.00	Funds will be used to provide additional services and activities at our Beacon Community Center @ Wadleigh Secondary School. Parent support events will be provided to struggling families with the ACS Beacon Family Services program and we will conduct a music workshop for students in our K-5 after school program at Minisink Beacon Community Center.
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\* Indicates pending completion of pre-qualification review.  
 \*\* Requires a budget modification for the changes to take effect

**CHART 30: Purpose of Funds - Fiscal 2016 (Continued)**

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Youth	Levine	New York City Mission Society	13-5562301	DYCD	(\$5,000.00)	City Year New York's After-school Heroes program offers safe, educational environments, facilitated by AmeriCorps members for unduplicated middle school youth in three of New York City's highest-needs communities: East Harlem, Long Island City, and the South Bronx.	
Youth	Levine	New York City Mission Society	13-5562301	DYCD	\$5,000.00	Funds will be used to provide a music workshop for students in our K-5 afterschool program at the Cornerstone @ Grant Houses and to purchase the equipment necessary to implement a new Technology class in our Power Academy COMPASS/OST program at PS 192.	
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	Salamanca	Urban Youth Alliance International, Inc.	13-2969182	DYCD	(\$10,000.00)	To support graphic art classes to BronxConnect youth to enable students to explore techniques and develop skills in traditional graphic design, utilizing computers, Photoshop, Illustrator, and InDesign to produce Public Service Announcement posters on issues urban youth encounter daily.	
Local	Salamanca	Urban Youth Alliance International, Inc.	13-2969182	DYCD	\$10,000.00	To support after school classes to BronxConnect youth to enable local at-risk and high risk youth to explore leadership skills, community development and positive youth development.	
Youth	Mark-Viverito	Urban Youth Alliance International, Inc.	13-2969182	DYCD	(\$5,000.00)	To provide graphic art classes to BronxConnect youth, which enable students to explore techniques and develop skills in traditional graphic design, utilizing an Apple computer, Photoshop, Illustrator, and InDesign. The end goal of the courses would be the creation of Public Service Announcement posters on issues urban youth encounter daily.	
Youth	Mark-Viverito	Urban Youth Alliance International, Inc.	13-2969182	DYCD	\$5,000.00	To support after school classes to BronxConnect youth to enable local at-risk and high risk youth to explore leadership skills, community development and positive youth development. Programming will also include educational and recreational trips.	

\* Indicates pending completion of pre-qualification review.

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

**CHART 31: Beating Hearts Initiative - Fiscal 2017\*\*\***

<b>Member/Borough</b>	<b>Organization</b>	<b>EIN Number *</b>
Matteo	Knights of Columbus Manresa Council	23-7107473
Matteo	Staten Island Fast Pitch	81-1041425
Matteo	Staten Island Saints Fastpitch Softball Club Inc.	27-2525251
Matteo	Jewish Community Center of Staten Island, Inc.	13-5562256
Gentile	Homecrest	11-3373115
Richards	Rosedale Little League Baseball Inc.	52-1251209
Richards	Battalion Pentecostal	36-4391337
Rose	Health for Youths	26-4612691
Rose	Jewish Community Center of Staten Island, Inc.	13-5562256
Rose	Coalition for Kids and Teens	65-1309781
Rose	Calvary Chapel	13-3260772
Cornegy	Young Men's Christian Association of Greater New York	13-1624228
Cornegy	Police Athletic League, Inc. – (Wynn Center)	13-5596811
Cornegy	Berean Community And Family Life Center, Inc.	11-2870465
Cornegy	Bedford Stuyvesant Restoration Corporation	11-6083182
Dromm	Prasad Foundation Inc.	47-4120613
Dromm	United Sherpa Association, Inc.	11-3398814
Dromm	Himalayan Elders Project	47-2383238
Dromm	Adhikaar for Human Rights and Social Justice	20-3384725
Barron	Brooklyn Saints Football Organization Inc.	27-1894472
Barron	Latin souls Little League Baseball Org.	01-2862824
Barron	ENY Kids Power, Inc.	11-3308030
Barron	Cypress Hills Senior Center	13-6400434
Williams	Sesame Flyers	11-2692485
Williams	GMACC, Inc.	45-3359451
Williams	The Bridge Multicultural and Advocacy Project	45-4634142
Williams	Haitian Family Resource Center	45-0678479
Borelli	Volunteers of America - Greater New York	58-1959781
Borelli	Jewish Community Center of Staten Island Inc.	13-5562256

Borelli	Staten Island Ice Hockey Association Inc.	13-2939069	
Borelli	United Activities Unlimited Inc.	13-2921483	

**\*\*\*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 31: Beating Hearts Initiative - Fiscal 2017\*\*\* (continued)**

Member/Borough	Organization	EIN Number	*
Deutsch	St Mark Catholic Academy	11-2202247	
Deutsch	Kings Bay Youth Organization	11-6020722	
Deutsch	Flatbush Volunteers of Hatzolah	13-3213138	
Deutsch	First Chernomets USA, Inc.	11-3586786	
Vacca	Throggs Neck Little League	52-1287397	
Vacca	Pelham Bay Little League	51-0256113	
Vacca	Arthur Aviles Typical Theatre, Inc.	13-3997265	
Vacca	Throggs Neck Girls Softball Little League	80-0198302	
Crowley	Vietnam Veterans of America, Inc. - Queens Chapter #32	11-2629339	
Crowley	Greater Ridgewood Historical Society	11-2409274	
Crowley	GLENDALE CIVILIAN OBSERVATION PATROL INC., THE	11-2502910	
Crowley	Polish Legion of American Veterans Post 4 Frank Kowlinski	11-6111179	
Reynoso	Coalition for Hispanic Family Services	13-3546023	
Reynoso	Coalition for Hispanic Family Services	13-3546023	
Reynoso	Churches United For Fair Housing Inc.	26-4698161	
Reynoso	Quebradillas Baseball Organization Inc.	45-0491693	
Grodenschik	Glen Oaks Little League Inc.	52-1733828	
Grodenschik	Glen Oaks Little League Inc.	52-1733828	
Grodenschik	American Martyrs RC Church Inc. Athletic Association	11-1816736	
Grodenschik	American Martyrs RC Church Inc. Athletic Association	11-1816736	
Cohen	Woodlean Boys and Girls Club	02-0541300	
Levine	Mott Hall II	13-6400434	
Levine	Edward A. Reynolds West Side High School	13-6400434	
Levine	PS 163 The Alfred E. Smith School	13-6400434	
Levine	PS/MS 165- Robert E. Simon	13-6400434	
Palma	YMCA for Glebe Senior Center	13-1624228	

Palma	Children's Arts & Science Workshops	13-2752494	
Palma	Youth Ministries for Peace and Justice	13-4006535	
Palma	MMCC's Parkchester Boys & Girls Program	13-3622107	

***\*\*\*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.***

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 LU No 465

**Report of the Committee on Finance in favor of approving French Apartments, Block 753, Lot 56; Manhattan, Community District No. 4, Council District No. 3.**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 2016 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

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

September 14, 2016

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

FROM: Rebecca Chasan, Counsel, Finance Division

RE: Finance Committee Agenda of September 14, 2016 - Resolution approving amendments to previously granted tax exemptions for two Land Use items (Council Districts 3 and 22)

**Item 1: French Apartments**

French Apartments consists of 2 buildings with 175 units of rental housing for low-income households. The property is currently owned by French Apartments Housing Company, a limited partnership and, under the proposed project, French Apts Housing Development Fund Corporation (“HDFC”) will acquire the fee interest in the property and the Housing Company will retain the beneficial interest and continue to operate the property. The HDFC and the Housing Company will refinance the project with a private loan and will enter into a regulatory agreement with the Department of Housing Preservation and Development (“HPD”) establishing that the units must be rented to households whose incomes do not exceed 80% of the Area Median Income (“AMI”).

On October 29, 2015, the Council approved Resolution 894 (the “Prior Resolution”) granting the property a partial, 30-year exemption from real property taxes. In exchange, the HDFC agreed to enter into a regulatory agreement with HPD requiring that the housing units remain affordable for at least 30 years.

In granting the tax exemption, the Prior Resolution did not explicitly state that the time period for the calculation of the Shelter Rent Tax would be the shelter rent collected for calendar year 2015. Therefore, HPD is requesting that the Council amend the Prior Resolution to so clarify.

**Summary:**

- Council District – 3
- Council Member – Johnson

- Council Member approval – Yes
- Borough – Manhattan
- Block/Lot – 753/36
- Number of Buildings – 2
- Number of Units – 175, including 1 superintendent’s unit
- Type of Exemption – Article XI, partial, 30-year
- Population Served – Rentals for low-income households
- Sponsor/Developer – French Apts HDFC and French Apartments Housing Company, LP
- Purpose – Amend the Prior Resolution to explicitly state that the time period for the calculation of the Shelter Rent Tax would be the shelter rent collected for calendar year 2015.

### **Item 2: Marine Terrace Apartments**

Marine Terrace Apartments is a preservation project that consists of 7 buildings with 441 rental units, 2 superintendent’s units, and 1 management office. The property is a HUD Section 8-based development. The savings from the tax benefits will allow the owner to make interior renovations as well as install new appliances, bathroom fixtures, replace roofs, windows and security features. Under the proposed project, Marine Terrace HDFC will acquire the property and Marine Terrace Preservation L.P., a limited partnership, will be the beneficial owner and will operate the property. The HDFC and the Partnership plan to utilize cost savings from the exemption to make necessary repairs to the apartments. Eligible tenants will receive project-based Section 8 rent subsidies. The HDFC and the Partnership will enter into a regulatory agreement with HPD establishing that all units must be rented to households whose incomes do not exceed 70% of AMI, with the rents on the one-bedroom apartments set as affordable to those earning 30% of AMI, the rents on the two-bedroom apartments set as affordable to those earning 40% of AMI, and the rents on the three-bedroom apartments set as affordable to those earning 50% of AMI.

On June 14, 2016, the Council approved Resolution 1129 (the “Prior Resolution”) granting the property a partial, 32-year exemption from real property taxes. In exchange, the HDFC agreed to enter into a regulatory agreement with HPD requiring that the housing units remain affordable for at least 32 years.

In granting the tax exemption, the Prior Resolution did not explicitly state that the time period for the calculation of the Shelter Rent Tax would be the shelter rent collected for calendar year 2015. Therefore, HPD is requesting that the Council amend the Prior Resolution to so clarify.

### **Summary:**

- Council District – 22
- Council Member – Constantinides
- Council Member approval – Yes
- Borough – Queens
- Block/Lot – 893/20, 30, 50; 894/2, 20, 75, 101
- Number of Buildings – 1
- Number of Units – 444, including 2 superintendent’s units and 1 management office
- Type of Exemption – Article XI, partial, 32-year
- Population Served – Rentals for low-income households
- Sponsor/Developer – Related Companies, Marine Terrace HDFC, Marine Terrace Preservation, L.P.
- Purpose – Amend the Prior Resolution to explicitly state that the time period for the calculation of the Shelter Rent Tax would be the shelter rent collected for calendar year 2015.

**(For text of the coupled resolution for LU No. 465, please see the Report of the Committee on Finance for LU No. 465 printed in these Minutes; for text of the coupled resolution for LU No. 464, please see below)**

*Accordingly, this Committee recommends its adoption.*

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

Res No. 1197

**Resolution approving an amendment to a previously approved exemption from real property taxes for property located at (Block 753, Lot 56) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 464).**

By Council Member Ferreras-Copeland.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) requested that the Council amend a previously approved tax exemption for property located at (Block 753, Lot 56) Manhattan (“Exemption Area”);

**WHEREAS**, HPD’s request for amendment is related to a previously approved Council Resolution adopted on October 29, 2015 (Res. 894) (the “Prior Resolution”) granting the Exemption Area an exemption from real property taxation pursuant to Section 577 of the Real Property Tax Law;

**WHEREAS**, HPD is requesting that the Prior Resolution be clarified to limit the time period for the calculation of the Shelter Rent Tax;

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves the amendment to the Prior Resolution requested by HPD as follows:

Paragraph 1(l) of the Prior Resolution is deleted and replaced with the following paragraph:

1. (l) “Shelter Rent Tax” shall mean an amount equal to (i) ten percent (10%) of Shelter Rent for calendar year 2015, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended), exceed the total contract rents which are authorized as of the Effective Date.

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, September 14, 2016. *Other Council Members Attending: Richards*

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 LU No 465

**Report of the Committee on Finance in favor of approving Marine Terrace Apartments, Block 893, Lots 20, 30, and 50; Block 894, Lots 2, 20, 75, and 101; Queens, Community District No. 4, Council District No. 22**

The Committee on Finance, to which the annexed Land Use item was referred on September 14, 2016 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Finance for LU No. 464 printed in the Minutes)**

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

Res No. 1198

**Resolution approving an amendment to a previously approved exemption from real property taxes for property located at (Block 893, Lots 20, 30, 50; Block 894, Lots 2, 20, 75, 101) Queens, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 465).**

By Council Member Ferreras-Copeland.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) requested that the Council amend a previously approved tax exemption for property located at (Block 893, Lots 20, 30, 50; Block 894, Lots 2, 20, 75, 101) Queens (“Exemption Area”);

**WHEREAS**, HPD’s request for amendment is related to a previously approved Council Resolution adopted on June 14, 2016 (Res. 1129) (the “Prior Resolution”) granting the Exemption Area an exemption from real property taxation pursuant to Section 577 of the Real Property Tax Law;

**WHEREAS**, HPD is requesting that the Prior Resolution be clarified to limit the time period for the calculation of the Shelter Rent Tax;

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves the amendment to the Prior Resolution requested by HPD as follows:

Paragraph 1(l) of the Prior Resolution is deleted and replaced with the following paragraph:

1. (l) “Shelter Rent Tax” shall mean an amount equal to (i) ten percent (10%) of Shelter Rent for calendar year 2015, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended), exceed the total contract rents which are authorized as of the Effective Date.

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, September 14, 2016. *Other Council Members Attending: Richards*

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

### **Report of the Committee on Housing and Buildings**

Report for Int No 405-A

#### **Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code city of New York, in relation to foldable bicycle access in passenger elevators**

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on June 26, 2014 (Minutes, page 2797), respectfully

#### **REPORTS:**

##### **Introduction**

On September 14, 2016, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, will hold a hearing to consider Int. No. 405-A, Int. No. 695-A and Int. No. 795-A.

The Committee previously considered Int. No. 405, Int. No. 695 and Int. No. 795 on October 13, 2015, and received testimony from the Department of Transportation and other interested members of the public.

##### **Int. No. 405-A**

Int. No. 405-A would require owners of office buildings to allow foldable bikes to be brought onto passenger elevators.

Section one of Int. No. 405-A makes various technical changes and adds two new sections to Article 504 of Title 28 of the Administrative Code of the City of New York (the Code). Article 504 outlines the requirements for bicycle access in office buildings.

New section 28-504.3, entitled “Foldable bicycle access,” makes it unlawful for an owner of a building, the main occupancy of which is offices classified in occupancy group B, to bar tenants and subtenants from transporting fully-folded foldable bicycles on passenger elevators. It also defines the term “foldable bicycle” as a bicycle designed to fold into a compact assembly not exceeding 20 inches by 36 inches by 32 inches.

New section 28-504.4, entitled “Emergencies,” allows building owners to limit or restrict the transportation of any bicycles through any means of egress in an emergency that requires an evacuation of all or part of a building.

Section two of this bill contains the enactment clause.

##### **Changes to Int. No. 405-A**

In addition to various technical edits, Int. No. 405-A has been amended to allow foldable bicycles in all office building passenger elevators regardless of whether there is a bicycle access plan in place.

### **Int. No. 695-A**

Int. No. 695-A would require certain types of residential buildings to allow bicycles to be transported via passenger elevators.

Section one of Int. No. 695-A adds new sections 28-504.5 and 28-504.6 to Article 504 of Title 28 of the Code. New section 28-504.5 is entitled “Bicycles access to residential buildings.” This section would make it unlawful for owners to bar tenants or subtenants from using a passenger elevator to transport bicycles to or from their dwelling unit in buildings where the main use or dominant occupancy is classified as occupancy group R-2. New section 28-504.5 also contains two exceptions. The first exception would allow such an owner to prohibit tenants and subtenants from utilizing passenger elevators to transport bicycles where there is a freight elevator provided for bicycle access to and from such tenant or subtenant’s dwelling units, provided that (1) passenger elevators may be used when a freight elevator is not operating and (2) building personnel are not required to escort tenants or subtenants who use the freight elevator. The second exception would allow owners to limit bicycle access to passenger elevators that are designated for such access.

New section 28-504.6 is entitled “Foldable bicycles on passenger elevators in residential buildings”. This section would make it unlawful for owners of buildings classified in occupancy group R to bar tenants and subtenants from transporting fully-folded foldable bicycles in passenger elevators. It also defines the term “foldable bicycle” as a bicycle designed to fold into a compact assembly not exceeding 20 inches by 36 inches by 32 inches.

Section two of Int. No. 695-A contains the enactment clause.

### **Changes to Int. No 695-A**

In addition to various technical edits, Int. No. 695-A has been amended in the following manner:

- The bill now bars owners in all group R occupancies from prohibiting transporting a foldable bicycle via their building’s passenger elevators, but only bars owners in group R-2 occupancies from prohibiting the transportation of other types of bicycles via such passenger elevators.
- The bill now has only two exceptions to the provisions requiring owners of group R-2 occupancies to allow all bikes to be transported via passenger elevators (previously there were four exceptions).
- A violation of this article is no longer automatically considered a lesser violation; rather, it would be classified by the Department of Buildings (DOB).

### **Int. No. 795-A**

Int. No. 795-A would allow tenants and subtenants in office buildings with bicycle access plans to transport their bicycles on passenger elevators if there is no operational freight elevator. It would also allow tenants and subtenants who request a bicycle access plan to utilize their building’s existing bicycle access plan.

Section one of Int. No. 795-A amends sections 28-504.2, 28-504.3 and 28-504.4 of Article 504 of Title 28 of the Code. Section 28-504.2 allows tenants and subtenant to request a bicycle access plan. Int. No. 795-A would require that such request include a certification by such tenant or subtenant that there is sufficient space within their premises to store the requested number of bicycles in a manner that does not violate the building or fire code, or any other applicable law, rule or code or which would impede ingress or egress to the premises or building.

Section 28-504.3 lists the requirements for the bicycle access plan. Int. No. 795-A would amend the list of requirements for the freight elevator identified in such bicycle access plan. First, the bill would require such freight elevator to be made available for bicycle access for each building tenant and subtenant who requests such access, and their employees, during the regular operating hours of such elevator. Second, bicycles would have to be allowed to be transported to and from such elevator along each route that is used to transport freight

to and from such elevator, to the extent practicable and where such routes do not present substantial safety risks. Third, no escort by building personnel could be required for a person transporting their bicycle to or from such elevator if no such escort is required when a person is transporting freight to or from such elevator. Fourth, a person transporting a bicycle to or from such elevator, and any package or other material in such person's possession would have to be subject to the same or substantially similar security measures as are applicable to any other person entering the building or such elevator. Where no freight elevator that meets such requirements is operational, Int. No. 795-A, would require the bicycle access plan to include provisions allowing bicycles to be brought in or out of such building using passenger elevators. It would also allow owners to designate one or more such passenger elevator for such use.

Int. No. 795-A would also amend section 28-504.3 to require the bicycle access plan to include a notice to tenants and subtenants informing them of their responsibilities with respect to bicycle storage. Finally, this bill would amend section 28-504.3 to allow an owner to restrict or limit bicycle access under the bicycle access plan for a tenant or subtenant if such owner was issued a violation of the code that resulted from bicycle storage, and showed that the violation occurred in an area of a building that was under the control of such tenant or subtenant.

Section one of Int. No. 795-A would also amend Section 28-504.4 of the Code, entitled "Exceptions." Section 28-504.4 outlines two scenarios in which an owner is not required to provide bicycle access. In addition to making various technical edits throughout such section, Int. No. 795-A would amend Item 2 of such section, which allows an owner to deny bicycle access where there is sufficient secure alternate bicycle parking. This bill would require such bicycle parking to be no cost, within four blocks or 1000 feet of the building, whichever is less, and accessible on a 24-hour basis.

Section two of Int. No. 795-A would amend section 28-504.6 entitled "Posting and availability of bicycle access plan or letter of exception. Currently, Item 1 of section 28-504.6 requires building owners to post each bicycle access plan that is in effect or post a notice in the lobby indicating that such plan is available. This bill would require owners to include in such posting or notice an indication that other tenants or subtenants are entitled to access according to the bicycle access plan upon request. It would also require such tenants and subtenants, upon making such request, to certify that there is sufficient space within their premises to store the requested number of bicycles in a manner that does not violate the building or fire code or any other applicable law, rule or code, or which would impede ingress or egress to such premises or buildings.

Section three makes a technical change to section 28-504.8 of the administrative code.

Section four contains the enactment clause and provides that the local law take effect immediately.

#### **Changes to Int. 795**

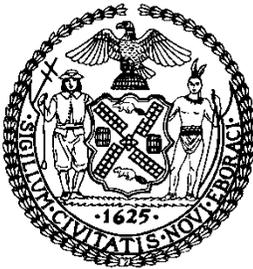
- In addition to requiring owners to allow access to passenger elevators where there is no operational freight elevator, owners may now limit such access to one or more designated passenger elevators.
- All requesting tenants must now certify that there is sufficient space within their premises to store the requested number of bicycles in a manner that does not violate the building or fire code or which would impede ingress or egress to such premises or building.
- If an owner is issued a violation of the building or fire code as a result of bicycle storage, and such owner shows that the violation occurred in an area of the building under the control of a tenant or subtenant, the owner may now restrict or limit bicycle access.
- In addition to allowing persons with bicycles to access freight elevators along the same route as freight, such persons are subject to the same or similar security measures that apply to other persons entering the building or elevator.
- A notice to tenants informing them of their responsibilities with respect to bicycle storage is required to be included in the bicycle access plan.

- The exception that would allow a building owner to not provide a bicycle access plan expands the distance for no-cost bicycle parking to four blocks (previously 3 blocks) or 1,000 feet (previously 750 feet) of such building. Such parking must also be available on a 24-hour basis.

### Update

On Wednesday, September 14, 2016, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

**(The following is the Fiscal Impact Statement for Int No. 405-A:)**



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

**LATONIA MCKINNEY, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 405-A**

**COMMITTEE: Housing and Buildings**

**TITLE:** A Local Law to amend the administrative code city of New York, in relation to foldable bicycle access in passenger elevators

**SPONSOR(S):** Council Members Rosenthal, Mendez, Rodriguez, Lander, Menchaca, Reynoso, Levin, Miller, Levine, Cohen, and Vallone (by request of the Manhattan Borough President)

**SUMMARY OF LEGISLATION:** The proposed legislation would require that office buildings, in addition to providing bicycle access in freight elevators, provide foldable bicycle access in passenger elevators except in emergencies that require an evacuation of the building.

**EFFECTIVE DATE:** This local law would take effect on the same date as a local law of the city of New York for the year 2016 amending the administrative code of the city of New York, in relation to bicycle access in office buildings, as proposed in introduction number 795-A, takes effect.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because the proposed legislation largely codifies existing passenger elevator practices where compliance can be accomplished utilizing existing resources.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** Not applicable.

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Sarah Gastelum, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Chima Obichere, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on June 26, 2014 as Intro. 405 and was referred to the Committee on Housing and Buildings. A hearing was held by the Committee on Housing and Buildings on October 13, 2015 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. 405-A, will be considered by the Committee on Housing and Buildings on September 14, 2016. Following a successful Committee vote, the bill would be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016

**(For the Fiscal Impact Statements and texts of Int Nos. 695-A and 795-A, please see, respectively, the Reports of the Committee on Housing and Buildings for Int Nos. 695-A and 795-A printed in these Minutes)**

*Accordingly, this Committee recommends the adoption of Int Nos. 405-A, 695-A, and 795-A.*

**(The following is the text of Int No. 405-A:)**

Int. No. 405-A

By Council Members Rosenthal, Mendez, Rodriguez, Lander, Menchaca, Reynoso, Levin, Miller, Levine, Cohen, Vallone, Van Bramer and Kallos (by request of the Manhattan Borough President).

**A Local Law to amend the administrative code city of New York, in relation to foldable bicycle access in passenger elevators**

*Be it enacted by the Council as follows:*

Section 1. Article 504 of chapter 5 of title 28 of the administrative code of the city of New York, as amended by a local law of the city of New York for the year 2016 amending the administrative code of the city of New York, in relation to bicycle access in office buildings, as proposed in introduction number 795-A, is amended to read as follows:

#### **ARTICLE 504**

#### **BICYCLE ACCESS TO [OFFICE] BUILDINGS**

**§ 28-504.1 [Applicability] Bicycle access to certain office buildings.** This [article] *section* shall apply to buildings[,] *that satisfy each of the following conditions: (i) the main occupancy of [which] such building is*

offices[,] that [(i)] *are classified as occupancy group B, (ii) such building was* in existence on [the effective date of this article] *December 11, 2009, or [for which] a permit for such building has been issued on or before such date but [which have] such building has not yet been completed, [and (ii) have] (iii) such building has* a freight elevator that either complies with ASME 17.1 with regard to the carrying of passengers on freight elevators, as referenced in chapter 35 of the New York city building code, or is operated by a freight elevator operator, and [(iii) are] *(iv) is not subject to the bicycle parking provisions of section 25-80, 36-70 and 44-60 of the zoning resolution. It shall be presumed that if a freight elevator is available for carrying freight, it is available for carrying bicycles.*

**§ [28-504.2] 28-504.1.1 Request for bicycle access.** The tenant or subtenant of a building to which this [article] *section* is applicable may request in writing, on a form provided by the department of transportation, that the owner of such building complete a bicycle access plan in accordance with section [28-504.3] 28-501.1.2 and provide bicycle access in accordance with such plan. Such request shall include a certification by such tenant or subtenant that there is sufficient space within such tenant's or subtenant's premises to store the requested number of bicycles in a manner that does not violate the building or fire code or any other applicable law, rule or code, or which would impede ingress or egress to such premises or building. Such request shall be sent to such owner by certified mail, return receipt requested, and a copy of the request shall be filed with the department of transportation.

**§ [28-504.3] 28-504.1.2 Bicycle access plan.** *Bicycle access plans shall comply with sections 28-504.1.2.1 through 28-504.1.2.3.*

[1.] **§ 28-504.1.2.1 Owner requirement.** Where a request for a bicycle access plan has been submitted pursuant to this [article] *section*, the owner of such building shall, within 30 days after receipt of such request, complete and implement a bicycle access plan or provide to the tenant or subtenant a copy of the request for an exception that has been filed with the department of transportation in accordance with section [28-504.4] 28-504.1.3.

[2.] **§ 28-504.1.2.2 Contents of plan.** A bicycle access plan shall be completed on a form provided by the department of transportation and shall include, at a minimum:

[2.1.] 1. Provisions for at least one freight elevator to satisfy each of the following conditions:

[2.1.1.] 1.1. Such elevator will be made available for bicycle access for each building tenant or subtenant, and employees thereof, during the regular operating hours of such elevator;

[2.1.2.] 1.2. Bicycles will be allowed to be transported to and from such elevator along each route that is used to transport freight to and from such elevator, to the extent practicable and where such routes do not present substantial safety risks; and

[2.1.3.] 1.3. No escort by building personnel will be required for a person transporting a bicycle to or from such elevator if no such escort is required when a person is transporting freight to or from such elevator;

[2.1.4.] 1.4. A person transporting a bicycle to or from such elevator, and any package or other material in such person's possession, shall be subject to the same or substantially similar security measures applicable to other persons entering such building or such elevator;

[2.2.] 2. Provisions allowing bicycles to be brought in or out of such building using one or more designated passenger elevators at any time when no freight elevator satisfying the conditions of item 2.1 is operational;

[2.3.] 3. The location of building entrances;

- [2.4] 4. The route to freight elevators that accommodate bicycle access;
- [2.5] 5. The route to a designated area for bicycle parking on an accessible level if such bicycle parking is made available;
- [2.6] 6. A notice to tenants and subtenants informing them of their responsibilities in regards to bicycle storage; and
- [2.7] 7. Such other information as the department of transportation may require.

[3.] § 28-504.1.2.3 *Amendment of plan.* A bicycle access plan may be amended from time to time to accommodate requests from other tenants or subtenants to provide bicycle access pursuant to this article.

[4.] § 28-504.1.2.4 *Limitations.* If an owner of a building is issued a violation of this code or the New York city fire code, or a rule promulgated thereunder, that results from storage of a bicycle, and such owner shows that such violation occurred in an area of such building that is under the control of a tenant or subtenant, such owner may restrict or limit bicycle access under the bicycle access plan for such tenant or subtenant.

§ [28-504.4] 28-504.1.3 **Exceptions.** Bicycle access need not be provided pursuant to this [article] *section* if the commissioner of transportation grants an exception for such building under this section. Such commissioner may grant such an exception if an owner of such building applies to such commissioner for an exception, on a form provided by the department of transportation and sent to the department of transportation by certified mail, return receipt requested, within 15 days after such owner has received a request for a bicycle access plan, and certifies that either:

1. No freight elevator in such building is available for the use described in this [article] *section* because unique circumstances exist involving substantial safety risks directly related to the use of each such elevator. Such application shall include the reasons for such assertion and supporting documentation; or
2. There is sufficient secure alternate covered no-cost off-street bicycle parking or sufficient secure alternate indoor no-cost bicycle parking available on the premises or within four blocks or 1,000 feet (304.8 m), whichever is less, of such building to accommodate all tenants or subtenants of such building requesting bicycle access and that such off-street parking is accessible on a 24-hour basis. Such application shall include supporting documentation for such assertion, including proof that such alternate off-street or indoor parking is available to or under the control of such owner.

If an exception is sought pursuant to item 1 of this section, the department shall conduct an inspection of the building and each freight elevator and shall thereafter issue a final determination as to whether to grant an exception. If an exception is sought pursuant to item 2 of this section, the department, in consultation with the department of transportation, shall thereafter conduct an inspection of the secure alternate no-cost covered off-street bicycle parking, secure indoor no-cost bicycle parking and the department of transportation shall thereafter issue a final determination as to whether to grant an exception. In either event, a letter of exception or denial shall be sent by certified mail, return receipt requested, to the owner, lessee manager or other person in control of the building. If the exception is denied, a bicycle access plan shall be posted within 20 days after receipt of such determination. Failure to timely post a bicycle access plan shall be cause for the issuance of a violation.

[§ 28-504.5 **Emergencies.** In an emergency, whenever elevator use is prohibited, bicycles shall not be permitted to be transported through any means of egress.]

§ [28-504.6] **28-504.1.4 Posting and availability of bicycle access plan or letter of exception.** *Bicycle access plans shall be posted and made available as provided in sections 28-504.1.4.1 through 28-504.1.4.3.*

[1.] § **28-504.1.4.1 Posting of plan.** The owner of a building subject to this [article] *section* shall either post in such building each bicycle access plan that is in effect, notifying the requesting tenants and subtenants of their right to bicycle access in accordance with such plan, or shall post a notice in the building lobby indicating that such plan is available in the office of the building manager upon request. Either such posting shall be made within five days after completion of such plan. Such posting or notice shall indicate that other tenants or subtenants are entitled to access according to the plan upon request, provided such tenants and subtenants will be responsible for storing bicycles brought into the building under such access plan in an area outside of shared spaces.

[2.] § **28-504.1.4.2 Posting of exception letter.** The owner of such building shall post in such building any letter of exception granted by the commissioner or commissioner of transportation, including the basis or bases for the exception and, if applicable, the route to alternate off-street or indoor parking, as provided in section [28-504.4] *28-504.1.3*, or shall post a notice in the building lobby that such letter is available in the office of the building manager upon request. Either such posting shall be made within five days after receipt of such letter of exception.

[3.] § **28-504.1.4.3 Location.** Plans, letters of exception or notices of availability of either shall be posted in a prominent location easily visible to a building's tenants, subtenants and the building's employees, and shall be made available upon request by the department, the department of transportation or authorized representatives of any other city agency.

§ [28-504.7] **28-504.1.5 Filing of plan.** The department or department of transportation may require that plans implemented pursuant to the provisions of this [article] *section* be filed with either such agency.

§ [28-504.8] **28-504.2 Construction.** Nothing in this article shall be construed to require an owner of a building governed by this article to provide space for bicycles brought into such building or to permit a bicycle to be parked in a manner that violates building or fire codes or any other applicable law, rule or code, or which otherwise impedes ingress or egress to such building.

§ **28-504.3 Foldable bicycle access.** *It shall be unlawful for an owner of a building the main occupancy of which is offices that are classified in occupancy group B to bar a tenant or subtenant from transporting a foldable bicycle to or from such tenant or subtenants space on a passenger elevator, provided that such bicycle is fully folded. For purposes of this section, the term "foldable bicycle" means a bicycle designed to fold into a compact assembly not exceeding 20 inches (508 mm) by 36 inches (914 mm) by 32 inches (813 mm).*

§ **28-504.4 Emergencies.** *In an emergency that requires an evacuation of all or part of such a building, the owner may limit or restrict bicycles and foldable bicycles from being transported through any means of egress.*

§ 2. This local law takes effect on the same date as a local law of the city of New York for the year 2016 amending the administrative code of the city of New York, in relation to bicycle access in office buildings, as proposed in introduction number 795-A, takes effect.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK; Committee on Housing and Buildings, APRIL 2016. *Other Council Members Attending: 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 for Int No 695-A

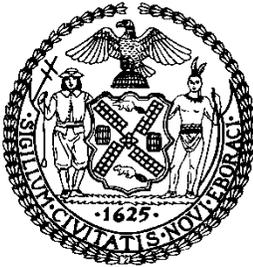
**Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to bicycle access for elevators in residential buildings.**

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on February 26, 2015 (Minutes, page 641), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 405-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 695-A:*



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

**LATONIA MCKINNEY, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 695-A**

**COMMITTEE: Housing and Buildings**

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**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to bicycle access for elevators in residential buildings

**SPONSOR(S):** Council Members Rodriguez, Reynoso, Menchaca, Lander, Rosenthal, Kallos, Chin, Koo, Levin, Miller, Levine and Vallone

**SUMMARY OF LEGISLATION:** The proposed legislation would require the owner of a residential building (classified as occupancy group R-2) to permit tenants and subtenants the use of passenger elevators to transport bicycles. Building owners may bar tenants from transporting bicycles in passenger elevators if a freight elevator is provided for bicycle access and unescorted access is permitted. In addition, building owners may limit bicycle access to one or more passenger elevators.

The legislation would also require the owner of a residential building (classified as occupancy group R) to permit tenants and subtenants the use of passenger elevators to transport foldable bicycles provided that it is fully folded.

**EFFECTIVE DATE:** This local law would take effect on the same date as a local law of the city of New York for the year 2016 amending the administrative code of the city of New York, in relation to foldable bicycle access in passenger elevators, as proposed in introduction number 405-A, takes effect.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because compliance with the local law would not impose any obligations on the City.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** Not applicable.

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Sarah Gastelum, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Chima Obichere, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on February 26, 2015 as Intro. 695 and was referred to the Committee on Housing and Buildings. A hearing was held by the Committee on Housing and Buildings on October 13, 2015 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. 695-A, will be considered by the Committee on Housing and Buildings on September 14, 2016. Following a successful Committee vote, the bill would be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 695-A:)**

Int. No. 695-A

By Council Member Rodriguez, Reynoso, Menchaca, Lander, Rosenthal, Kallos, Chin, Koo, Levin, Miller, Levine, Vallone, Van Bramer and Cohen.

**A Local Law to amend the administrative code of the city of New York, in relation to bicycle access for elevators in residential buildings**

*Be it enacted by the Council as follows:*

Section 1. Article 504 of chapter 5 of title 28 of the administrative code of the city of New York, as amended by a local law of the city of New York amending the administrative code of the city of New York, in relation to foldable bicycle access in passenger elevators, as proposed in introduction number 405-A, is amended by adding new sections 28-504.5 and 28-504.6 to read as follows:

**§ 28-504.5 Bicycle access to residential buildings.** *In any building the main use or dominant occupancy of which is classified as occupancy group R-2 it shall be unlawful for an owner to bar a tenant or subtenant from using a passenger elevator to transport a bicycle to and from such tenant's or subtenant's dwelling unit.*

**Exceptions:**

1. *An owner may bar tenants or subtenants from utilizing passenger elevators to transport bicycles where (i) a freight elevator is provided for bicycle access to and from such tenants' or subtenants' dwelling units, provided that passenger elevators may be used during any period of time such freight elevator is not operating and (ii) there is no requirement that building personnel escort such tenants or subtenants when using the freight elevator.*
2. *An owner may limit bicycle access to one or more passenger elevators designated for such access.*

**§ 28-504.6 Foldable bicycles on passenger elevators in residential buildings.** *In any building classified in occupancy group R, it shall be unlawful for an owner to bar a tenant or subtenant from transporting a foldable bicycle on a passenger elevator provided that such bicycle is fully folded. For purposes of this section, the term "foldable bicycle" means a bicycle designed to fold into a compact assembly not exceeding 20 inches by 36 inches by 32 inches.*

§ 2. This local law takes effect on the same date as a local law of the city of New York for the year 2016 amending the administrative code of the city of New York, in relation to foldable bicycle access in passenger elevators, as proposed in introduction number 405-A, takes effect.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK; Committee on Housing and Buildings, APRIL 2016. *Other Council Members Attending: 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 for Int No 795-A

**Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to bicycle access in office buildings.**

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on May 14, 2015 (Minutes, page 1768), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Fire and Criminal Justice Services for Int No. 405-A printed in the Minutes)**

*The following is the text of the Fiscal Impact Statement for Int No. 795-A:*



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

**LATONIA MCKINNEY, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 795-A**

**COMMITTEE: Housing and Buildings**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to bicycle access in office buildings

**SPONSOR(S):** Council Members Williams, Lander, Rodriguez, Reynoso, Menchaca, Rosenthal, Kallos, Levin, Levine, Miller, Chin, Johnson, Koo, Mendez, Cohen and Vallone

**SUMMARY OF LEGISLATION:** The bill would require owners of office buildings to allow bicycles to be brought into their buildings and to use freight elevators in the same manner as ordinary freight. At any time when no freight elevator is operational, it would require owners to allow bicycles to be brought onto one or more designated passenger elevators. This bill would also allow future requesting tenants to receive access under the same bicycle access plan as previous requesting tenants.

**EFFECTIVE DATE:** This local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation. With respect to City-owned or leased office buildings, the proposed legislation largely codifies existing passenger elevator practices where compliance can be accomplished utilizing existing resources. With respect to other buildings, compliance with the local law would not impose any obligations on the City.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** Not applicable.

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Sarah Gastelum, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Chima Obichere, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on May 14, 2015 as Intro. 795 and was referred to the Committee on Housing and Buildings. A hearing was held by the Committee on Housing and Buildings on October 13, 2015 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. 795-A, will be considered by the Committee on Housing and Buildings on September 14, 2016. Following a successful Committee vote, the bill would be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 9, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 795-A:)**

Int. No. 795-A

By Council Members Williams, Lander, Rodriguez, Reynoso, Menchaca, Rosenthal, Kallos, Levin, Levine, Miller, Chin, Johnson, Koo, Mendez, Cohen, Vallone and Van Bramer.

**A Local Law to amend the administrative code of the city of New York, in relation to bicycle access in office buildings**

*Be it enacted by the Council as follows*

Section 1. Sections 28-504.2, 28-504.3 and 28-504.4 of the administrative code of the city of New York, as added by local law number 52 for the year 2009, is amended to read as follows:

**§ 28-504.2 Request for bicycle access.** The tenant or subtenant of a building to which this article is applicable may request in writing, on a form provided by the department of transportation, that the owner[, lessee, manager or other person who controls] of such building complete a bicycle access plan in accordance with section 28-504.3 and provide bicycle access in accordance with such plan. Such request shall include a certification by such tenant or subtenant that there is sufficient space within such tenant's or subtenant's premises to store the requested number of bicycles in a manner that does not violate the building or fire code or any other applicable law, rule or code, or which would impede ingress or egress to such premises or building. Such request shall be sent to [the] such owner[, lessee, manager or other person who controls such building] by certified mail, return receipt requested, and a copy of the request shall be filed with the department of transportation.

**§ 28-504.3 Bicycle access plan.**

1. Where a request for a bicycle access plan has been submitted pursuant to this article, the owner[, lessee, manager or other person in control] of [the] such building shall, within 30 days after receipt of such request, complete and implement a bicycle access plan or provide to the tenant or subtenant a copy of the request for an exception that has been filed within the department of transportation in accordance with section 28-504.4.
2. A bicycle access plan shall be completed on a form provided by the department of transportation and shall include, at a minimum: [the]

*2.1. Provisions for at least one freight elevator to satisfy each of the following conditions:*

- 2.1.1. *Such elevator will be made available for bicycle access for each building tenant or subtenant who requests such access, and employees thereof, during the regular operating hours of such elevator;*
- 2.1.2. *Bicycles will be allowed to be transported to and from such elevator along each route that is used to transport freight to and from such elevator, to the extent practicable and where such routes do not present substantial safety risks; and*
- 2.1.3. *No escort by building personnel will be required for a person transporting a bicycle to or from such elevator if no such escort is required when a person is transporting freight to or from such elevator;*
- 2.1.4. *A person transporting a bicycle to or from such elevator, and any package or other material in such person's possession, shall be subject to the same or substantially similar security measures applicable to other persons entering such building or such elevator;*
- 2.2. *Provisions allowing bicycles to be brought in or out of such building using one or more designated passenger elevators that the building owner may designate as temporary freight elevators at any time when no freight elevator satisfying the conditions of item 2.1 is operational;*
- 2.3. *The location of building entrances; [route]*
- 2.4. *The route to freight elevators that accommodate bicycle access; [the]*
- 2.5. *The route to a designated area for bicycle parking on an accessible level if such bicycle parking is made available; [and such]*
- 2.6. *A notice to tenants and subtenants informing them of their responsibilities with respect to bicycle storage; and*
- 2.7. *Such other information as the department of transportation may require. [The plan shall provide that bicycle access is available, at a minimum, during the regular operating hours of the freight elevator, if such freight elevator is used for bicycle access in such building. Bicycle access shall be granted to the requesting tenant or subtenant and its employees in accordance with such plan.]*
- 3. [The] *A bicycle access plan may be amended from time to time to accommodate requests from other tenants or subtenants to provide bicycle access pursuant to this article.*
- 4. *If an owner of a building is issued a violation of this code or the New York city fire code, or a rule promulgated thereunder, that results from storage of a bicycle, and such owner shows that such violation occurred in an area of such building that is under the control of a tenant or subtenant, such owner may restrict or limit bicycle access under the bicycle access plan for such tenant or subtenant.*

**§ 28-504.4 Exceptions.** Bicycle access need not be provided pursuant to this article if *the commissioner of transportation grants an exception for such building under this section. Such commissioner may grant such an exception if an owner[, lessee, manager or other person who controls a] of such building applies to [the] such commissioner [of transportation] for an exception, on a form provided by the department of transportation and sent to the department of transportation by certified mail, return receipt requested, within fifteen days [of receipt of] after such owner has received a request for a bicycle access plan, and certifies that either:*

- 1. [The building's] *No freight elevator in such building is [not] available for the use described in this article because unique circumstances exist involving substantial safety risks directly related to the use*

of *each* such elevator. Such application shall include the reasons for such assertion and supporting documentation; or

2. There is sufficient secure alternate covered *no-cost* off-street *bicycle parking* or sufficient secure alternate indoor no-cost bicycle parking available on the premises or within [three] *four* blocks or [seven hundred fifty] *1,000* feet (*304.8 m*), whichever is less, of such building to accommodate all tenants or subtenants of such building requesting bicycle access *and that such off-street parking is accessible on a 24-hour basis*. Such application shall include supporting documentation for such assertion, including proof that such alternate off-street or indoor parking is available to or under the control of such owner[, lessee, manager or other person who controls the building].

If an exception is sought [for the reasons set forth in subdivision one] *pursuant to item 1* of this section, the department shall conduct an inspection of the building and *each* freight elevator and shall thereafter issue a final determination as to whether to grant an exception. If an exception is sought [for the reasons set forth in subdivision two] pursuant to item 2 of this section, the department, in consultation with the department of transportation, shall thereafter conduct an inspection of the secure alternate *no-cost* covered off-street *bicycle parking*, [or] secure indoor no-cost bicycle parking and the department of transportation shall thereafter issue a final determination as to whether to grant an exception. In either event, a letter of exception or denial shall be sent by certified mail, return receipt requested, to the owner, lessee manager or other person in control of the building. If the exception is denied, a bicycle access plan shall be posted within 20 days [of] *after* receipt of such determination. Failure to timely post a bicycle access plan shall be cause for the issuance of a violation.

§ 2. Section 28-504.6 of the administrative code of the city of New York, as added by local law number 52 for year 2009, is amended to read as follows:

**§ 28-504.6 Posting and availability of bicycle access plan or letter of exception.**

1. [Every] *The* owner[, lessee, manager or other person in control] of a building subject to this article shall either post in such building each bicycle access plan that is in effect, notifying the requesting tenants and subtenants of their right to bicycle access in accordance with such plan, or shall post a notice in the building lobby indicating that such plan is available in the office of the building manager upon request. Either such posting shall be made within five days [of] *after* completion [and implementation] of such plan. *Such posting or notice shall indicate that other tenants or subtenants are entitled to access according to the plan upon request, provided such tenants and subtenants, upon making such request, certify that there is sufficient space within such tenant's or subtenant's premises to store the requested number of bicycles in a manner that does not violate the building or fire code or any other applicable law, rule or code, or which would impede ingress or egress to such premises or building.*
2. [Every] *The* owner[, lessee, manager or other person in control] of such building shall post in such building any letter of exception granted by the commissioner or commissioner of transportation, including the basis or bases for the exception and, if applicable, the route to alternate off-street or indoor parking, as provided in section 28-504.4, or shall post a notice in the building lobby that such letter is available in the office of the building manager upon request. Either such posting shall be made within five days [of] *after* receipt of such letter of exception.
3. Plans, letters of exception or notices of availability of either shall be posted in a prominent location easily visible to a building's tenants, subtenants and the building's employees, and shall be made available upon request by the department, the department of transportation or authorized representatives of any other city agency.

§ 3. Section 28-504.8 of the administrative code of the city of New York, as added by local law number 52 for the year 2009, is amended to read as follows:

**§ 28-504.8 Construction.** Nothing in this article shall be construed to require an owner[, lessee, manager or other person who is in control] of a building governed by this article to provide space for bicycles brought into such building or to permit a bicycle to be parked in a manner that violates building or fire codes or any other applicable law, rule or code, or which otherwise impedes ingress or egress to such building.

§ 4. This local law takes effect immediately.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK; Committee on Housing and Buildings, APRIL 2016. *Other Council Members Attending: 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 Land Use**

Report for LU No. 432

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application No. C 160137 ZMM submitted by SMBRO Rivington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, establishing within an existing R8A District, a C2-5 District on property located south of East Houston Street between Clinton Street and Norfolk Street, Borough of Manhattan, Community Board 3, Council District 2.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2784) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**MANHATTAN - CB 3**

**C 160137 ZMM**

City Planning Commission decision approving an application submitted by SMBRO Rivington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. eliminating from an existing R8A District, a C1-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and a line midway between Suffolk Street and Clinton Street; and

2. establishing within an existing R8A District, a C2-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and Norfolk Street.

By letter dated September 6, 2016 and submitted to the City Council on September 6, 2016, the Applicant withdrew the application.

### **PUBLIC HEARING**

**DATE:** August 9, 2016

**Witnesses in Favor:** Three

**Witnesses Against:** Four

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the application by the Applicant.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

### **COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1199

**Resolution approving a motion to file pursuant to withdrawal of the application by the Applicant regarding the decision of the City Planning Commission on ULURP No. C 160137 ZMM, a Zoning Map amendment (L.U. No. 432).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on August 1, 2016 its decision dated July 13, 2016 (the "Decision"), on the application submitted by SMBRO Rivington, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 12c, changing from an existing R8A a C1-5 District and establishing a C2-5 District to facilitate a new 13-story mixed-use building with ground floor commercial use at 255 East Houston Street (Block 355, Lot 54), in the Lower East Side of neighborhood of Manhattan, (ULURP No. C 160137 ZMM), Community District 3, Borough of Manhattan (the "Application");

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

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

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 16DCP077M) issued on February 22, 2016 (the "Negative Declaration");

**WHEREAS**, by submission dated September 6, 2016 and submitted to the Council on September 6, 2016, the Applicant withdrew the application.

**RESOLVED:**

The Council approves the motion to file pursuant to withdrawal in accord with Rules 6.40a, 7.90 and 11.80 of the Rules of the Council.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 2016.

Coupled to be Filed Pursuant to a Letter of Withdrawal.

## Report for L.U. No. 435

**Report of the Committee on Land Use in favor of approving Application No. 20165639 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of VER34, LLC, d/b/a Wine 34, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 127 East 34th Street, Borough of Manhattan, Community Board 6, Council District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2785) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****MANHATTAN - CB 6****20165639 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of VER34 LLC, d/b/a Wine 34, for a new revocable consent to establish, maintain and operate a small unenclosed sidewalk café located at 127 East 34<sup>th</sup> Street.

**INTENT**

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

**PUBLIC HEARING****DATE:** September 7, 2016**Witnesses in Favor:** One**Witnesses Against:** One**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1200

**Resolution approving the petition for a revocable consent for a small unenclosed sidewalk café located at 127 East 34<sup>th</sup> Street, Borough of Manhattan (20165639 TCM; L.U. No. 435).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on July 29, 2016 its approval dated July 27, 2016 of the petition of VER34 LLC, d/b/a Wine 34, for a revocable consent to establish, maintain and operate a small unenclosed sidewalk café located at 127 East 34<sup>th</sup> Street, Community District 6, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 7, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN,

BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 436

**Report of the Committee on Land Use in favor of approving Application No. 20165477 TCK pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Duke of Montrose, Inc., for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 47 5th Avenue, Borough of Brooklyn, Community Board 6, Council District 39. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2785) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN - CB 6**

**20165477 TCK**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Duke of Montrose, Inc., d/b/a Duke of Montrose, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 47 5<sup>th</sup> Avenue.

**INTENT**

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

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1201

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 47 5<sup>th</sup> Avenue, Borough of Brooklyn (20165477 TCK; L.U. No. 436).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on July 29, 2016 its approval dated July 27, 2016 of the petition of the Duke of Montrose, Inc., d/b/a Duke of Montrose, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 47 5<sup>th</sup> Avenue, Community District 6, Borough of Brooklyn (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 7, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 437

**Report of the Committee on Land Use in favor of approving Application No. N 160069 ZRM submitted by Durst Pyramid LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the provisions of Article IX, Chapter 6 (Special Clinton District) to allow additional commercial use in Area C1-2 of the Special Clinton District, Borough of Manhattan, Community Board 4, Council Districts 6 and 3.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2786) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN - CB 4**

**N 160069 ZRM**

City Planning Commission decision approving an application submitted by Durst Pyramid, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the provisions of Article IX, Chapter 6 (Special Clinton District), in Community District 4, Borough of Manhattan.

**INTENT**

This zoning text amendment would facilitate the mapping of the project area as the new Special Use Regulation Area C1-2 of the Special Clinton District in order to allow automobile repair and preparation of vehicles for delivery in area C1-2 of the Special Clinton District within Community District 4, Manhattan.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1202

**Resolution approving the decision of the City Planning Commission on Application No. N 160069 ZRM, for an amendment of the Zoning Resolution of the City of New York, modifying the provisions of Article IX, Chapter 6 (Special Clinton District), Community District 4, Borough of Manhattan (L.U. No. 437).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on August 12, 2016 its decision dated August 10, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Durst Pyramid, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, to modify the provisions of Article IX, Chapter 6 (Special Clinton District), to facilitate the mapping of the project area as the new Special Use Regulation Area C1-2 of the Special Clinton District and allow for automobile repair and preparation of vehicles for delivery in area C1-2 of the Special Clinton District, (Application No. N 160069 ZRM), Community District 4, Borough of Manhattan (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 September 7, 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 as described in the 2012 Final Environmental Impact Statement, the revised technical memorandum (CEQR No. 12DCP020M) issued on August 3, 2016, and the the April 21, 2016 Technical Memorandum (together the “Environmental Analysis”);

**RESOLVED:**

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

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 160069 ZRM, incorporated by reference herein, the Council approves the Decision.

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

Matter in underline is new, to be added;

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

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

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

**Article IX: Special Purpose District  
Chapter 6: Special Clinton District**

\* \* \*

**96-34**

**Special Regulations in Northern Subarea C1**

~~In Area C1-1, within~~ Within Northern Subarea C1, Special Use Regulations Areas C1-1 and C1-2, as shown on the map in Appendix A, ~~the following~~ of this Chapter, are subject to the special #use# regulations of this Section. In addition, the special Inclusionary Housing regulations, #use# and special permit regulations set forth in this Section shall apply: in Area C1-1.

**(a) Inclusionary Housing Program**

The boundaries of the #Inclusionary Housing designated area# within the #Special Clinton District# are shown on Map 2 in Manhattan Community District 4, in APPENDIX F of this Resolution. Such area shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.

Within such #Inclusionary Housing designated area# the following special regulations shall apply. The #residential floor area# of the #zoning lot# may be increased by 1.25 square feet for each square foot of #low income floor area# provided, or by 0.625 square feet for each one square foot of #middle income floor area# provided, up to the maximum #floor area# set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). However, the amount of #low income floor area# plus half the amount of #middle income floor area# required to receive such #floor area compensation# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area# on the #compensated zoning lot#, provided that no more than 8,000 square feet of #middle income floor area# may be included within this calculation.

**(b) Special #use# regulations**

- (1) In Special Use Regulations Areas C1-1 and C1-2, tThe following #uses# shall be permitted below the level of the lowest floor occupied by #dwelling units#:
- (i) automobile showrooms or sales with preparation of automobiles for delivery; and
  - (ii) automobile repairs.
- (2) #Transient hotels# shall not be permitted within the portion of Area C1-1 that is located between Eleventh Avenue and a line 250 feet west of Eleventh Avenue, and in the portion located between West 57th Street and a line 100 feet south of West 57th Street, except by special permit of the City Planning Commission, pursuant to the provisions of this paragraph (b)(2).

The City Planning Commission may permit #transient hotels#, resulting from a #development#, #enlargement#, #extension# or change of #use#, provided that the Commission shall find that such #transient hotel# is so located as to not impair the essential character of, or the future use or development of the surrounding area.

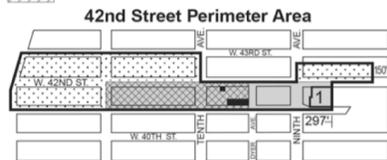
The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

\* \* \*

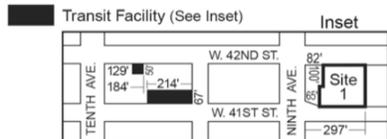
**Appendix A - Special Clinton District Map**



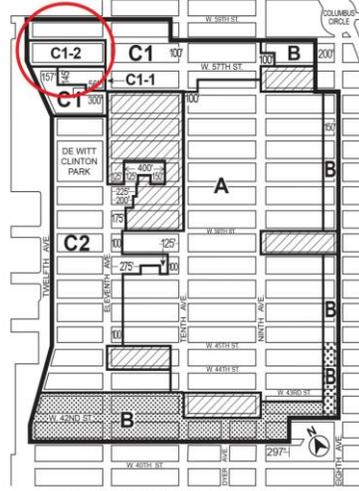
- Special Clinton District Boundary**
- Area Boundary**
- A** Preservation Area
- B** Perimeter Area
  - B** Portion of Perimeter Area B also subject to additional 42nd Street Perimeter Area regulations. (See map below)
  - B** Portion of Perimeter Area B also subject to Article VIII, Chapter I (Special Midtown District)
- C** Other Areas
  - C1 Northern Subarea
  - C1-1 Special Use Regulations Area
  - C2 Western Subarea
- Excluded Area**



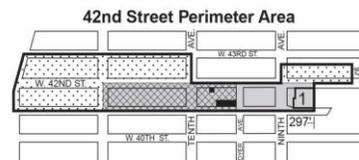
- Subarea 1 of 42nd Street Perimeter Area**
- Subarea 2 of 42nd Street Perimeter Area**
- Portion of Subarea 2 of 42nd St. Perimeter Area where Theater Bonus applies**
- Site 1** Where Special Parking Regulations apply (See Inset)



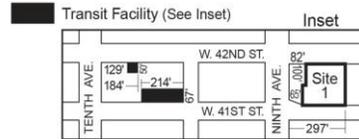
**EXISTING MAP**



- Special Clinton District Boundary**
- Area Boundary**
- A** Preservation Area
- B** Perimeter Area
  - B** Portion of Perimeter Area B also subject to additional 42nd Street Perimeter Area regulations. (See map below)
  - B** Portion of Perimeter Area B also subject to Article VIII, Chapter I (Special Midtown District)
- C** Other Areas
  - C1 Northern Subarea
  - C1-1 Special Use Regulations Area
  - C1-2 Special Use Regulations Area
  - C2 Western Subarea
- Excluded Area**



- Subarea 1 of 42nd Street Perimeter Area**
- Subarea 2 of 42nd Street Perimeter Area**
- Portion of Subarea 2 of 42nd St. Perimeter Area where Theater Bonus applies**
- Site 1** Where Special Parking Regulations apply (See Inset)



**PROPOSED MAP**

\* \* \*

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 439

**Report of the Committee on Land Use in favor of approving Application No. C 150135 ZMQ submitted by the 30-70 Astoria LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a by changing from an R5B District to an R6B District property bounded by a line 140 feet northwesterly of 38th Street, a line 420 feet northeasterly of 31st Avenue, a line midway between 37th Street and 38th Street, and a line 100 feet northeasterly of 31st Avenue, Borough of Queens, Community Board 1, Council District 22.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2786) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**QUEENS - CB 1**

**C 150135 ZMQ**

City Planning Commission decision approving an application submitted by 30-70 Astoria, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R5B District to an R6B District property bounded by a line 140 feet northwesterly of 38<sup>th</sup> Street, a line 420 feet northeasterly of 31<sup>st</sup> Avenue, a line midway between 37<sup>th</sup> Street and 38<sup>th</sup> Street, and a line 100 feet northeasterly of 31<sup>st</sup> Avenue.

**INTENT**

This amendment to the Zoning Map would allow a portion of one block to be rezoned from R5B to R6B in order to facilitate the development of a five-story residential building, containing 26 dwelling units, in the Astoria section of Queens in Community District 1.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res. No. 1203

**Resolution approving the decision of the City Planning Commission on ULURP No. C 150135 ZMQ, a Zoning Map amendment (L.U. No. 439).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on August 12, 2016 its decision dated August 10, 2016 (the "Decision"), on the application submitted by 30-70 Astoria, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 9a, to rezone a portion of one block from R5B to R6B to facilitate the development of a five-story residential building containing 26 dwellings units in the Astoria neighborhood of Queens, (ULURP No. C 150135 ZMQ), Community District 1, Borough of Queens (the "Application");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on September 7, 2016;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP047Q) issued on March 28, 2016, which includes an (E) Designation (E-379) on the project site (Block 659, Lots 74 and 75) related to noise and 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 Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 150135 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing Section No. 9a, from an R5B District to an R6B District property bounded by a line 140 feet northwesterly of 38<sup>th</sup> Street, a line 420 feet northeasterly of 31<sup>st</sup> Avenue, a line midway between 37<sup>th</sup> Street and 38<sup>th</sup> Street, and a line 100 feet northeasterly of 31<sup>st</sup> Avenue, as shown on a diagram (for illustrative purposes only) dated March 28, 2016, Community District 1, Borough of Queens.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 440

**Report of the Committee on Land Use in favor of approving Application No. 20175028 HKM (N 170007 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Church of St. Joseph of the Holy Family located at 401 – 403 West 125th Street (Block 1966, Lot 67), as an historic landmark, Borough of Manhattan, Community Board 9, Council District 7.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2786) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT****MANHATTAN - CB 9****20175028 HKM (N 170007 HKM)**

Designation by the Landmarks Preservation Commission [DL-488/LP-0303] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Church of St. Joseph of the Holy Family located at 401-403 West 125<sup>th</sup> Street (aka 401-403 Dr. Martin Luther King Jr. Boulevard, 140-148 Morningside Avenue) (Block 1966, Lot 67 in part), as an historic landmark.

**PUBLIC HEARING****DATE:** September 7, 2016**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1204

**Resolution affirming the designation by the Landmarks Preservation Commission of the Church of St. Joseph of the Holy Family located at 401-403 West 125<sup>th</sup> Street (aka 401-403 Dr. Martin Luther**

**King Jr. Boulevard, 140-148 Morningside Avenue) (Tax Map Block 1966, Lot 67 in part), Borough of Manhattan, Designation List No. 488, LP-0303 (L.U. No. 440; 20175028 HKM; N 170007 HKM).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of the Church of St. Joseph of the Holy Family located at 401-403 West 125<sup>th</sup> Street (aka 401-403 Dr. Martin Luther King Jr. Boulevard, 140-148 Morningside Avenue), Community District 9, Borough of Manhattan, as a landmark and Tax Map Block 1966, Lot 67 in part, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 441

**Report of the Committee on Land Use in favor of approving Application No. 20175029 HKM (N 170008 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Saint Paul Roman Catholic Church located at Block 1645, Lot 7, as an historic landmark, Borough of Manhattan, Community Board 11, Council District 8.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2787) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT****MANHATTAN - CB 11****20175029 HKM (N 170008 HKM)**

Designation by the Landmarks Preservation Commission [DL-488/LP-0291] pursuant to Section 3020 of the New York City Charter of the landmark designation of St. Paul Roman Catholic Church located at 121 East 117<sup>th</sup> Street (Tax Map Block 1645, Lot 7 in part), as an historic landmark.

**PUBLIC HEARING****DATE:** September 7, 2016**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1205

**Resolution affirming the designation by the Landmarks Preservation Commission of St. Paul Roman Catholic Church located at 121 East 117<sup>th</sup> Street (Tax Map Block 1645, Lot 7 in part), Borough of Manhattan, Designation List No. 488, LP-0291 (L.U. No. 441; 20175029 HKM; N 170008 HKM).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of St. Paul Roman Catholic Church located at 121 East 117<sup>th</sup> Street, Community District 11, Borough of Manhattan, as a landmark and Tax Map Block 1645, Lot 7 in part, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 442

**Report of the Committee on Land Use in favor of approving Application No. 20175083 HKM (N 170009 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the (Former) Firehouse, Engine Company 29 located at 160 Chambers Street (Block 137, Lot 25), as an historic landmark, Borough of Manhattan, Community Board 1, Council District 1.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2787) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT****MANHATTAN - CB 1****20175034 HKM (N 170009 HKM)**

Designation by the Landmarks Preservation Commission [DL-488/LP-2564] pursuant to Section 3020 of the New York City Charter of the landmark designation of the (Former) Firehouse, Engine Company 29, located at 160 Chambers Street (Tax Map Block 137, Lot 25), as an historic landmark.

**PUBLIC HEARING****DATE:** September 7, 2016**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1206

**Resolution affirming the designation by the Landmarks Preservation Commission of the (Former) Firehouse, Engine Company 29, located at 160 Chambers Street (Tax Map Block 137, Lot 25), Borough of Manhattan, Designation List No. 488, LP-2564 (L.U. No. 442; 20175034 HKM; N 170009 HKM).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of the (Former) Firehouse, Engine Company 29, located at 160 Chambers Street, Community District 1, Borough of Manhattan, as a landmark and Tax Map Block 137, Lot 25, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 443

**Report of the Committee on Land Use in favor of approving Application No. 20175027 HKM (N 170010 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the 315 Broadway Building (Block 151, Lot 29) as an historic landmark, Borough of Manhattan, Community Board 1, Council District 1.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2787) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****MANHATTAN - CB 1****20175027 HKM (N 170010 HKM)**

Designation by the Landmarks Preservation Commission [DL-488/LP-1756] pursuant to Section 3020 of the New York City Charter of the landmark designation of the 315 Broadway Building, located at 315 Broadway (Tax Map Block 151, Lot 29), as an historic landmark.

**PUBLIC HEARING****DATE:** September 7, 2016**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1207

**Resolution affirming the designation by the Landmarks Preservation Commission of the 315 Broadway Building, located at 315 Broadway (Tax Map Block 151, Lot 29), Borough of Manhattan, Designation List No. 488, LP-1756 (L.U. No. 443; 20175027 HKM; N 170010 HKM).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of the 315 Broadway Building, located at 315 Broadway, Community District 1, Borough of Manhattan, as a landmark and Tax Map Block 151, Lot 29, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 444

**Report of the Committee on Land Use in favor of approving Application No. 20175030 HKR (N 170011 HKR) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the George William and Anna Curtis House located at 234 Bard Avenue (Block 138, Lot 166), as an historic landmark, Borough of Staten Island, Community Board 1, Council District 49.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2787) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**STATEN ISLAND - CB 1**

**20175030 HKR (N 170011 HKR)**

Designation by the Landmarks Preservation Commission [DL-488/LP-0339] pursuant to Section 3020 of the New York City Charter of the landmark designation of George William and Anna Curtis House, located at 234 Bard Avenue (Tax Map Block 138, Lot 166), as an historic landmark.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1208

**Resolution affirming the designation by the Landmarks Preservation Commission of George William and Anna Curtis House, located at 234 Bard Avenue (Tax Map Block 138, Lot 166), Borough of Staten Island, Designation List No. 488, LP-0339 (L.U. No. 444; 20175030 HKR; N 170011 HKR).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of George William and Anna Curtis House located at 234 Bard Avenue, Community District 1, Borough of Staten Island, as a landmark and Tax Map Block 138, Lot 166, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 445

**Report of the Committee on Land Use in favor of approving Application No. 20175031 HKR (N 170012 HKR) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the St. John's Protestant Episcopal Church Rectory located at 1331 Bay Street, aka. 1333-1337 Bay Street (Block 2832, Lot 12), as an historic landmark, Borough of Staten Island, Community Board 1, Council District 49.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2788) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**STATEN ISLAND - CB 1**

**20175031 HKR (N 170012 HKR)**

Designation by the Landmarks Preservation Commission [DL-488/LP-0375] pursuant to Section 3020 of the New York City Charter of the landmark designation of St. John's Protestant Episcopal Church Rectory, located at 1333 Bay Street (aka 1333-1337 Bay Street) (Block 2832, Lot 12), as an historic landmark.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1209

**Resolution affirming the designation by the Landmarks Preservation Commission of the St. John's Protestant Episcopal Church Rectory, located at 1333 Bay Street (aka 1333-1337 Bay Street) (Block 2832, Lot 12), Borough of Staten Island, Designation List No. 488, LP-0375 (L.U. No. 445; 20175031 HKR; N 170012 HKR).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of the St. John's Protestant Episcopal Church Rectory located at 1333 Bay Street (aka 1333-1337 Bay Street), Community District 1, Borough of Staten Island, as a landmark and Tax Map Block 2832, Lot 12, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 446

**Report of the Committee on Land Use in favor of approving Application No. 20175032 HKR (N 170013 HKR) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the house on 92 Harrison Street (Block 531, Lot 1) as an historic landmark, Borough of Staten Island, Community Board 1, Council District 49.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2788) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT****STATEN ISLAND - CB 1****20175032 HKR (N 170013 HKR)**

Designation by the Landmarks Preservation Commission [DL-488/LP-1218] pursuant to Section 3020 of the New York City Charter of the landmark designation of the 92 Harrison Street House located at 92 Harrison Street (Block 531, Lot 1), as an historic landmark.

**PUBLIC HEARING****DATE:** September 7, 2016**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1210

**Resolution affirming the designation by the Landmarks Preservation Commission of the 92 Harrison Street House located at 92 Harrison Street (Tax Map Block 531, Lot 1), Borough of Staten Island, Designation List No. 488, LP-1218 (L.U. No. 446; 20175032 HKR; N 170013 HKR).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of the 92 Harrison Street House located at 92 Harrison Street, Community District 1, Borough of Staten Island, as a landmark and Tax Map Block 531, Lot 1, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 447

**Report of the Committee on Land Use in favor of approving Application No. 20175033 HKR (N 170014 HKR) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Princes Bay Lighthouse Complex consisting of the 1864 Lighthouse, the 1868 Keeper's House, the 1869 Carriage House, and the land on which these buildings are situated, at 6204 Hylan Blvd (Block 7644, Lot 100 in part), as an historic landmark, Borough of Staten Island, Community Board 3, Council District 51.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2788) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**STATEN ISLAND - CB 3**

**20175033 HKR (N 170014 HKR)**

Designation by the Landmarks Preservation Commission [DL-488/LP-0392] pursuant to Section 3020 of the New York City Charter of the landmark designation of Prince's Bay Lighthouse Complex, located at 6204 Hylan Boulevard (Block 7644, Lot 100 in part), as an historic landmark.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

The Subcommittee recommends that the Land Use Committee affirm the designation.

**In Favor:**

Koo, Palma, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1211

**Resolution affirming the designation by the Landmarks Preservation Commission of the Prince's Bay Lighthouse Complex, located at 6204 Hylan Boulevard (Tax Map Block 7644, Lot 100 in part), Borough of Staten Island, Designation List No. 488, LP-1218 (L.U. No. 447; 20175033 HKR; N 170014 HKR).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on July 6, 2016 a copy of its designation dated June 28, 2016 (the "Designation"), of the Prince's Bay Lighthouse Complex, located at 6204 Hylan Boulevard, Community District 3, Borough of Staten Island, as a landmark and Tax Map Block 7644, Lot 100 in part, as its landmark site pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

**WHEREAS**, the City Planning Commission submitted to the Council on August 12, 2016, its report on the Designation dated August 10, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on September 7, 2016; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 448

**Report of the Committee on Land Use in favor of approving Application No. C 160267 ZMX submitted by the NYC Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a, establishing an C6-2 district in place of existing M1-1 and C4-4 districts, on property located between Bergen Avenue and Brook Avenue, 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 August 16, 2016 (Minutes, page 2788) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX - CB 1**

**C 160267 ZMX**

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

1. changing from an M1-1 District to a C6-2 District property bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue, the centerline of a Rail Road Right-Of-Way, and the northwesterly prolongation of the northerly street line of former 150<sup>th</sup> Street; and
2. changing from a C4-4 District to a C6-2 District property bounded by Bergen Avenue, the northwesterly prolongation of the northerly street line of former 150<sup>th</sup> Street, the centerline of a Rail Road Right-Of-Way, and a line 90 feet northeasterly of East 149<sup>th</sup> Street.

**INTENT**

This amendment of the Zoning Map, Section No. 6a, changing from M1-1 and C4-4 Districts to a C6-2 District, in conjunction with the other related actions would facilitate the development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space in Bronx Community District 1. PUBLIC HEARING

**DATE:** September 7, 2016

**Witnesses in Favor:** Six

**Witnesses Against:** None.

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

Dickens, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick. Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1212

**Resolution approving the decision of the City Planning Commission on ULURP No. C 160267 ZMX, a Zoning Map amendment (L.U. No. 448).**

By Council Members Greenfield and Dickens.

**WHEREAS**, the City Planning Commission filed with the Council on August 16, 2016 its decision dated August 15, 2016 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6a, changing from M1-1 and C4-4 Districts to a C6-2 District, which in conjunction with the other related actions would facilitate the development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space, in Bronx Community District 1, (ULURP No. C 160267 ZMX) Borough of the Bronx (the "Application");

**WHEREAS**, the Application is related to applications C 160268 HAX (L.U. No. 450), designation of property as an Urban Development Action Area and Urban Development Action Area Project; and pursuant to Section 197-c, disposition of such property to a developer selected by HPD; C 160270 ZSX (L.U. No. 451), a Special Permit, pursuant to ZR Section 74-743(a)(1), to permit distribution of required open space within the Large Scale General Development without regard to zoning lot lines and pursuant to ZR Section 74-743(a)(2) to permit location of buildings without regard for applicable yard, court, and height regulations; and C 160271 ZSX (L.U. No. 452), a Special Permit, pursuant to ZR Section 74-744(b), to permit residential and non-residential uses to be arranged on the second floor within building B without regard for the location regulations of ZR Section 32-42;

**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 September 7, 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 July 29, 2016 (CEQR No. 15HPD041X);

**RESOLVED:**

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action; and
- (4) The Decision together with the FEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 160267 ZMX, incorporated by reference herein, the Council approves the Decision.

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

1. changing from an M1-1 District to a C6-2 District property bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue, the centerline of a Rail Road Right Of Way, and the northwesterly prolongation of the northerly street line of former 150<sup>th</sup> Street; and
2. changing from a C4-4 District to a C6-2 District property bounded by Bergen Avenue, the northwesterly prolongation of the northerly street line of former 150<sup>th</sup> Street, the centerline of a Rail Road Right Of Way, and a line 90 feet northeasterly of East 149<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated April 11, 2016, Community District 1, Borough of the Bronx1.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 449

**Report of the Committee on Land Use in favor of approving Application No. N 160269 ZRX submitted by the Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area on property located between Bergen Avenue and Brook Avenue, 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 August 16, 2016 (Minutes, page 2789) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX - CB 1**

**N 160269 ZRX**

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

**INTENT**

This zoning text amendment, which in conjunction with the other related actions, would facilitate the development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space, in Bronx Community District 1.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Six

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

Dickens, Cohen, Treyger.

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

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

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

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

Res No. 1213

**Resolution approving the decision of the City Planning Commission on Application No. N 160269 ZRX, for an amendment of the Zoning Resolution of the City of New York, to establish a Mandatory Inclusionary Housing area in Community District 1, Borough of the Bronx (L.U. No. 449).**

By Council Members Greenfield and Dickens.

**WHEREAS**, the City Planning Commission filed with the Council on August 16, 2016 its decision dated August 15, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of Housing Preservation and Development, for an amendment of the text of the Zoning Resolution of the City of New York, to establish a Mandatory Inclusionary Housing area, (Application No. N 160269 ZRX), Community District 1, Borough of the Bronx (the "Application");

**WHEREAS**, the Application is related to applications C 160267 ZMX (L.U. No. 448), an amendment to the Zoning Map, Section 6a, changing from an M1-1 and C4-4 to a C6-2 District; C 160268 HAX (L.U. No. 450), designation of property as an Urban Development Action Area and Urban Development Action Area Project; and pursuant to Section 197-c, disposition of such property to a developer selected by HPD; C 160270 ZSX (L.U. No. 451), a Special Permit, pursuant to ZR Section 74-743(a)(1), to permit distribution of required open space within the Large Scale General Development without regard to zoning lot lines and pursuant to ZR Section 74-743(a)(2) to permit location of buildings without regard for applicable yard, court, and height regulations; and C 160271 ZSX (L.U. No. 452), a Special Permit, pursuant to ZR Section 74-744(b), to permit residential and non-residential uses to be arranged on the second floor within building B without regard for the location regulations of ZR Section 32-42;

**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 September 7, 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 July 29, 2016 (CEQR No. 15HPD041X);

**RESOLVED:**

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action; and
- (4) The Decision together with the FEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 160269 ZRX, incorporated by reference herein, the Council approves the Decision.

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

Matter in underline is new, to be added;

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

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

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

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**THE BRONX**

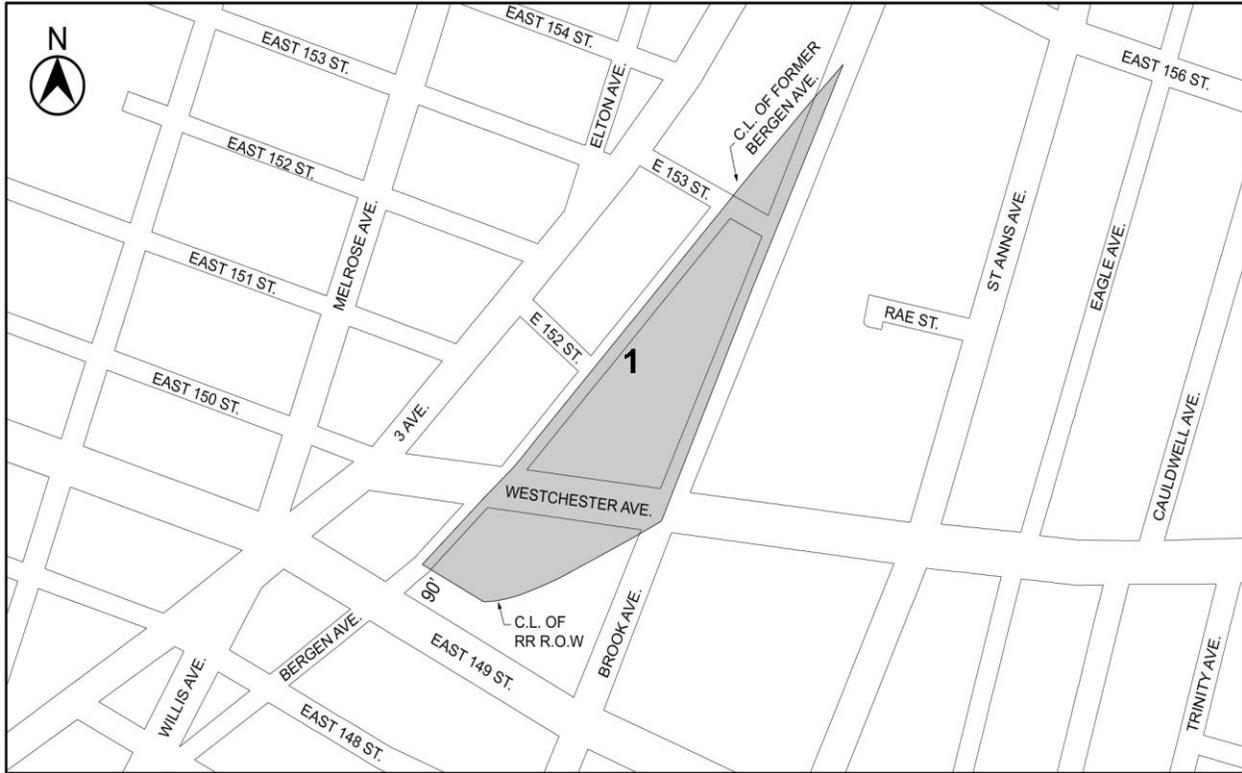
**The Bronx Community District 1**

In the #Special Harlem River Waterfront District# (see Section 87-20) and in the R7A, R7X, R8 and R8A Districts within the areas shown on the following Maps 1 and 2:

\* \* \*

Map 2 - (date of adoption)

[PROPOSED MAP]



 Mandatory Inclusionary Housing area see Section 23-154(d)(3)

Area 1 (date of adoption) – MIH Program Option 1 and Option 2

Portion of Community District 1, The Bronx

\* \* \*

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 450

**Report of the Committee on Land Use in favor of approving Application No. C 160268 HAX submitted by the Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law and Section 197-c of the New York City Charter for the designation of as an urban development action area, approval of an urban development action area project, and disposition of City property; for properties located at Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26 and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1) 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 August 16, 2016 (Minutes, page 2789) and which same Land Use item was coupled with the resolution shown below, respectfully

#### REPORTS:

#### SUBJECT

**BRONX - CB 1**

**C 160268 HAX**

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

- 1) Pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) The designation of properties located at Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26, and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1) as an Urban Development Action Area; and
  - b) Urban Development Action Area Project for such area; and
- 2) Pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space in Community District 1.

#### INTENT

This UDAAP designation, project approval and disposition of city-owned property, in conjunction with the other related actions, would facilitate the development of five mixed-use buildings containing

approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space, in Bronx Community District 1.

### **PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Six

**Witnesses Against:** None

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

Dickens, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

### **COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1214

**Resolution approving the application submitted by the New York City Department of Housing Preservation and Development and the decision of the City Planning Commission, ULURP No. C 160268 HAX, approving the designation of properties located at Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26, and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1), Borough of the Bronx, as an Urban Development Action Area, approving an Urban Development Action Area Project, and approving the disposition of city-owned properties located at**

**Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26, and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1) to a developer selected by HPD (L.U. No. 450; C 160268 HAX).**

By Council Members Greenfield and Dickens.

**WHEREAS**, the City Planning Commission filed with the Council on August 16, 2016 its decision dated August 15, 2016 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of properties located at Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26, and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1), as an Urban Development Action Area; as an Urban Development Action Area (the "Project Area");
- b) an Urban Development Action Area Project for the Area (the "Project"); and

pursuant to Section 197-c of the New York City Charter for the disposition of city-owned properties located at Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26, and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1), to a developer to be selected by HPD to facilitate development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space, Community District 1, Borough of the Bronx (ULURP No. C 160268 HAX) (the "Application");

**WHEREAS**, the Application is related to applications C 160267 ZMX (L.U. No. 448), an amendment to the Zoning Map, Section 6a, changing from an M1-1 and C4-4 to a C6-2 District; N 160269 ZRX (L.U. No. 449), a Zoning Text Amendment pursuant to Appendix F, to add the project area to the list and maps of Mandatory Inclusionary Housing Areas; C 160270 ZSX (L.U. No. 451), a Special Permit, pursuant to ZR Section 74-743(a)(1), to permit distribution of required open space within the Large Scale General Development without regard to zoning lot lines and pursuant to ZR Section 74-743(a)(2) to permit location of buildings without regard for applicable yard, court, and height regulations; and C 160271 ZSX (L.U. No. 452), a Special Permit, pursuant to ZR Section 74-744(b), to permit residential and non-residential uses to be arranged on the second floor within building B without regard for the location regulations of ZR Section 32-42;

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

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

**WHEREAS**, by letter dated August 22, 2016 and submitted to the Council on August 24, 2016, HPD submitted its requests (the "HPD Requests") respecting the Application including a project summary (the "Project Summary");

**WHEREAS**, upon due notice, the Council held a public hearing on the Application and Decision on September 7, 2016;

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

**WHEREAS**, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (“FEIS”), for which a Notice of Completion was issued on July 29, 2016 (CEQR No. 15HPD041X);

**RESOLVED:**

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action; and
- (4) The Decision together with the FEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 160268 HAX) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

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

The Project shall be developed in a manner consistent with the Project Summary submitted by HPD on August 24, 2016, a copy of which is attached hereto and made a part hereof.

The Council approves the disposition of Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26, and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1), to a developer selected by the New York City Department of Housing Preservation and Development.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 451

**Report of the Committee on Land Use in favor of approving Application No. C 160270 ZSX submitted by Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the sections 74-743(a)(1) and n 74-743(a)(2) to waive open space, yard, and height and setback regulations for a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149th Street Borough of the Bronx, Community Board 1, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2789) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX - CB 1**

**C 160270 ZSX**

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(1) to allow the distribution of required open space without regard to zoning lot lines; and Section 74-743(a)(2) to allow the location of buildings without regard to applicable yard requirements of Sections 23-47 and 35-50 and height and setback regulations of Sections 23-62, 23-64, and 33-43; in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, & 50, Block 2263, Lot 1), in a C6-2 District, within a Large-Scale General Development.

**INTENT**

This Special Permit action, in conjunction with the other related actions, would facilitate the development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space, in Bronx Community District 1.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Six

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

Dickens, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1215

**Resolution approving the decision of the City Planning Commission on ULURP No. C 160270 ZSX (L.U. No. 451), for the grant of a special permit pursuant to Section 74-743(a)(1) to allow the distribution of required open space without regard to zoning lot lines, and Section 74-743(a)(2) to allow the location of buildings without regard to applicable yard requirements of Sections 23-47 and 35-50 and height and setback regulations of Sections 23-62, 23-64, and 33-43 of a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, and 50, Block 2263, Lot 1), in a C6-2 District, within a Large-Scale General Development, in Community District 1, Borough of the Bronx.**

By Council Members Greenfield and Dickens.

**WHEREAS**, the City Planning Commission filed with the Council on August 16, 2016 its decision dated August 15, 2016 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of required open space without regard to zoning lot lines; and

2. Section 74-743(a)(2) – to allow the location of buildings without regard to applicable yard requirements of Sections 23-47 and 35-50 and height and setback regulations of Sections 23-62, 23-64, and 33-43;

in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, and 50, Block 2263, Lot 1), in a C6-2 District, within a Large-Scale General Development, (ULURP No. C 160270 ZSX), Community District 1, Borough of the Bronx (the "Application");

**WHEREAS**, the Application is related to applications C 160267 ZMX (L.U. No. 448), an amendment to the Zoning Map, Section 6a, changing from an M1-1 and C4-4 to a C6-2 District; N 160269 ZRX (L.U. No. 449), a Zoning Text Amendment pursuant to Appendix F, to add the project area to the list and maps of Mandatory Inclusionary Housing Areas; C 160268 HAX (L.U. No. 450), designation of property as an Urban Development Action Area and Urban Development Action Area Project; and pursuant to Section 197-c, disposition of such property to a developer selected by HPD; and C 160271 ZSX (L.U. No. 452), a Special Permit, pursuant to ZR Section 74-744(b), to permit residential and non-residential uses to be arranged on the second floor within building B without regard for the location regulations of ZR Section 32-42;

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

**WHEREAS**, the City Planning Commission has made the findings required pursuant to Section 74-743(a)(1) and Section 74-743(a)(2) of the Zoning Resolution of the City of New York;

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on September 7, 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 Final Environmental Impact Statement ("FEIS"), for which a Notice of Completion was issued on July 29, 2016 (CEQR No. 15HPD041X);

**RESOLVED:**

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action; and

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 160270 ZSX, incorporated by reference herein, the Council approves the Decision subject to the following conditions:

- 1) The property that is the subject of this application (C 160270 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by MHG Architects PC and FXFowle, filed with this application and incorporated in this resolution:

<b>Dwg. No.</b>	<b>Title</b>	<b>Last Date Revised</b>
Z-000.00	Title Sheet	04/05/2016
Z-003.00	Zoning Analysis, List of Actions & Average Curb Level	04/07/2016
Z-010.00	Site Plan Zoning Envelope	04/05/2016
Z-011.00	Enlarged Site Plan Zoning Envelope (Partial)	04/05/2016
Z-012.00	Enlarged Site Plan Zoning Envelope (Partial)	04/05/2016
Z-030.00	Open Space Plan	04/05/2016
Z.040.00	Building A – Waiver Plan	04/05/2016
Z-041.00	Building A – Height & Setback Waiver Diagrams	04/05/2016
Z-050.00	Building B – Waiver Plan	04/05/2016
Z-051.00	Building B – Height & Setback Waiver Diagrams	04/05/2016
Z-060.00	Building C & D – Waiver Plan	04/05/2016
Z-061.00	Building C & D – Height & Setback Waiver Diagrams	04/05/2016
Z-070.00	Building E – Waiver Plan	04/05/2016
Z-071.00	Building E – Height & Setback Waiver Diagrams	04/05/2016
Z-072.00	Building E – Height & Setback Waiver Diagrams	04/05/2016
L-000.00	Landscape Site Plan	04/05/2016
L-101.00	Building A, 2 <sup>nd</sup> Floor Material Plan- Part A	04/05/2016
L-102.00	Building A, 2 <sup>nd</sup> Floor Material Plan- Part B	04/05/2016
L-103.00	Building A, 2 <sup>nd</sup> Floor Material Plan- Part C	04/05/2016
L-104.00	Building A, 11 <sup>th</sup> Floor Material Plan	04/05/2016
L-111.00	Building B, Courtyard Material Plan – Part A	04/05/2016
L-112.00	Building B, Courtyard Material Plan – Part B	04/05/2016
L-113.00	Building B, 3 <sup>rd</sup> Floor Material Plan	04/05/2016
L-114.00	Building B, 12 <sup>th</sup> Floor material Plan	04/05/2016

L-121.00	Building D Courtyard Material Plan – Part A	04/05/2016
Z-122.00	Building D Courtyard Material Plan – Part B	04/05/2016

- 2) Such development shall confirm 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 have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
- 3) Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
- 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 failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
- 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, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 452

**Report of the Committee on Land Use in favor of approving Application No. C 160271 ZSX submitted by Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the**

**New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements for a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149th Street Borough of the Bronx, Community Board 1, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2789) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX - CB 1**

**C 160271 ZSX**

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-422 (Location of floors occupied by commercial uses) to allow Use Group 10 (television studio offices) on portions of the 2<sup>nd</sup> floor of the proposed building (Building B) on Parcel A, in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, & 50, and Block 2263, Lot 1), in a C6-2 District, within a Large-Scale General Development.

**INTENT**

This Special Permit action, in conjunction with the other related actions, would facilitate the development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space, in Bronx Community District 1.

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** Six

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

Dickens, Cohen, Treyger.

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

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

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

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

Res No. 1216

**Resolution approving the decision of the City Planning Commission on ULURP No. C 160271 ZSX (L.U. No. 452), for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-422 (Location of floors occupied by commercial uses) to allow Use Group 10 (television studio offices) on portions of the 2<sup>nd</sup> floor of the proposed building (Building B) on Parcel A, in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, and 50, Block 2263, Lot 1), in a C6-2 District, within a Large-Scale General Development, in Community District 1, Borough of the Bronx.**

By Council Members Greenfield and Dickens.

**WHEREAS**, the City Planning Commission filed with the Council on August 16, 2016 its decision dated August 15, 2016 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-422 (Location of floors occupied by commercial uses) to allow Use Group 10 (television studio offices) on portions of the 2<sup>nd</sup> floor of the proposed building (Building B) on Parcel A, in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149<sup>th</sup> Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, and 50, Block 2263, Lot 1), in a C6-2 District, within a Large-Scale General Development (ULURP No. C 160271 ZSX), Community District 1, Borough of the Bronx (the "Application");

**WHEREAS**, the Application is related to applications C 160267 ZMX (L.U. No. 448), an amendment to the Zoning Map, Section 6a, changing from an M1-1 and C4-4 to a C6-2 District; N 160269 ZRX (L.U. No. 449), a Zoning Text Amendment pursuant to Appendix F, to add the project area to the list and maps of Mandatory Inclusionary Housing Areas; C 160268 HAX (L.U. No. 450), designation of property as an Urban Development Action Area and Urban Development Action Area Project; and pursuant to Section 197-c, disposition of such property to a developer selected by HPD; and C 160270 ZSX (L.U. No. 451), a Special Permit, pursuant to ZR Section 74-743(a)(1), to permit distribution of required open space within the Large

Scale General Development without regard to zoning lot lines and pursuant to ZR Section 74-743(a)(2) to permit location of buildings without regard for applicable yard, court, and height regulations;

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

**WHEREAS**, the City Planning Commission has made the findings required pursuant to Section 74-744(b) 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 September 7, 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 Final Environmental Impact Statement (“FEIS”), for which a Notice of Completion was issued on July 29, 2016 (CEQR No. 15HPD041X);

**RESOLVED:**

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action; and
- (4) The Decision together with the FEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 160271 ZSX, incorporated by reference herein, the Council approves the Decision subject to the following conditions:

- 1) The property that is the subject of this application (C 160271 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by MHG Architects PC and FXFowle, filed with this application and incorporated in this resolution:

<b>Dwg. No.</b>	<b>Title</b>	<b>Last Date Revised</b>
Z-003.00	Zoning Analysis, List of Actions & Average Curb Level	04/07/2016

Z-010.00	Site Plan Zoning Envelope	04/05/2016
Z-011.00	Enlarged Site Plan Zoning Envelope (Partial)	04/05/2016
Z-012.00	Enlarged Site Plan Zoning Envelope (Partial)	04/05/2016
Z-023.00	Ground & 2 <sup>nd</sup> Floor Plans & Section – Waiver Diagram	02/09/2016

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 459

**Report of the Committee on Land Use in favor of approving Application No. 20165602 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of La Fiesta 95, Inc. d/b/a Le Pinta Mexican Cuisine., for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 711 W 181st Street, Borough of Manhattan,**

**Community Board 12, Council District 10. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2791) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN - CB 12**

**20165602 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of La Fiesta 95, Inc., d/b/a/ La Pinta Mexican Cuisine, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 711 West 181<sup>st</sup> Street.

**INTENT**

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

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** None

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1217

**Resolution approving the petition for a new revocable consent for an unenclosed sidewalk café located at 711 West 181<sup>st</sup> Street, Borough of Manhattan (20165602 TCM; L.U. No. 459).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on August 25, 2016 its approval dated August 12, 2016 of the petition of La Fiesta 95, Inc., d/b/a/ La Pinta Mexican Cuisine, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 711 West 181<sup>st</sup> Street, Community District 12, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 7, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 460

**Report of the Committee on Land Use in favor of approving Application No. 20175006 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Nicky Meatball, Inc. d/b/a Polpette, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 483 Amsterdam Avenue, Borough of Manhattan, Community Board 7, Council District 6. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2791) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****MANHATTAN - CB 7****20175006 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Nicky Meatballs, Inc., d/b/a Polpette, for the renewal of a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 483 Amsterdam Avenue.

**INTENT**

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

**PUBLIC HEARING****DATE:** September 7, 2016**Witnesses in Favor:** None**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1218

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 483 Amsterdam Avenue, Borough of Manhattan (20175006 TCM; L.U. No. 460).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on August 15, 2016 its approval dated August 12, 2016 of the petition of Nicky Meatballs, Inc., d/b/a Polpette, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 483 Amsterdam Avenue, Community District 7, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 7, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 461

**Report of the Committee on Land Use in favor of approving Application No. 20165652 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Haru Chelsea Corp d/b/a Haru, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 176 8th Avenue, Borough of Manhattan, Community Board 4, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2792) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN - CB 4**

**20165652 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Haru Chelsea Corp., d/b/a Haru, for a new revocable consent to establish, maintain and operate a small unenclosed sidewalk café located at 176 8<sup>th</sup> Avenue.

**INTENT**

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

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** None

**Witnesses Against:** None.

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

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

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

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

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

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

Res No. 1219

**Resolution approving the petition for a revocable consent for a small unenclosed sidewalk café located at 176 8<sup>th</sup> Avenue, Borough of Manhattan (20165652 TCM; L.U. No. 461).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on August 15, 2016 its approval dated August 12, 2016 of the petition of Haru Chelsea Corp., d/b/a Haru, for a revocable consent to establish, maintain and operate a small unenclosed sidewalk café located at 176 8<sup>th</sup> Avenue, Community District 4, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 7, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN,

BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 462

**Report of the Committee on Land Use in favor of approving Application No. 20165487 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Benva Bakery, LLC, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 440 Amsterdam Avenue, Borough of Manhattan, Community Board 7, Council District 6. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2792) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN - CB 7**

**20165487 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Benva Bakery, LLC, d/b/a Benva Bakery, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 440 Amsterdam Avenue.

**INTENT**

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

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** None

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1220

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 440 Amsterdam Avenue, Borough of Manhattan (20165487 TCM; L.U. No. 462).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on August 15, 2016 its approval dated August 12, 2016 of the petition of Benva Bakery, LLC, d/b/a Benva Bakery, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 440 Amsterdam Avenue, Community District 7, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 7, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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. 463

**Report of the Committee on Land Use in favor of approving Application No. 20165650 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Bill's 22 Ninth Avenue, LLC, d/b/a Bills Bar & Burger, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 22 9th Avenue, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 16, 2016 (Minutes, page 2792) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN - CB 2**

**20165650 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Bill's 22 Ninth Avenue, LLC, d/b/a Bills Bar & Burger, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 22 9<sup>th</sup> Avenue.

**INTENT**

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

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** None

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain**

None

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

Res No. 1221

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 22 9<sup>th</sup> Avenue, Borough of Manhattan (20165650 TCM; L.U. No. 463).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on August 15, 2016 its approval dated August 12, 2012 of the petition of 22 Ninth Avenue, LLC, d/b/a Bills Bar & Burger, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 22 9<sup>th</sup> Avenue, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 7, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 466

**Report of the Committee on Land Use in favor of approving Application No. N 160179 ZRX submitted by 1775 Grand Concourse, LLC, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution modifying Article XII, Chapter 2 and Appendix A to permit indirectly illuminated signs on the Grand Concourse street frontage for specified sites, Borough of the Bronx, Community Board 5, Council District 14.**

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on September 14, 2016 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****BRONX - CB 5****N 160179 ZRX**

City Planning Commission decision approving an application submitted by 1775 Grand Concourse, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying Article XII, Chapter 2 (Special Grand Concourse Preservation District) and Appendix A to permit indirectly illuminated signs on the Grand Concourse street frontage of specified Commercial Infill Sites in Bronx Community District 5.

**INTENT**

The amendment to the Zoning Resolution would allow the applicant to indirectly illuminate signage on the property located at 1775 Grand Concourse (Block 2822, Lot 7501).

**PUBLIC HEARING**

**DATE:** September 7, 2016

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 20, 2016

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

**In Favor:**

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

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 8, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1222

**Resolution approving the decision of the City Planning Commission on Application No. N 160179 ZRX, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII, Chapter 2 (Special Grand Concourse Preservation District) and Appendix A to permit indirectly illuminated signs on the Grand Concourse street frontage of specified Commercial Infill Sites in Community District 5, Borough of the Bronx (Preconsidered L.U. No. 466).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on August 1, 2016 its decision dated July 27, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 1775 Grand Concourse, LLC, for an amendment of the text of the Zoning Resolution

of the City of New York, to modify Article XII, Chapter 2 (Special Grand Concourse Preservation District) and Appendix A to permit indirectly illuminated signs on the Grand Concourse street frontage of specified Commercial Infill Sites, (Application No. N 160179 ZRX), Community District 5, Borough of the Bronx (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 September 7, 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, including the negative declaration (CEQR No. 16DCP093X) issued on March 28, 2016 (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 160179 ZRX, incorporated by reference herein, the Council approves the Decision.

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

Matter in underline is new, to be added;

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

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

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

\* \* \*

**Article XII**

**SPECIAL PURPOSE DISTRICTS**

**Chapter 2**

**Special Grand Concourse Preservation District**

\* \* \*

**122-20**

**SPECIAL SIGN REGULATIONS**

In order to enhance the visual quality of the Special District, the applicable #sign# regulations of the underlying districts are modified, as follows:

- (a) Within the Limited Commercial Areas, only one #sign#, other than an #advertising sign#, with a surface area not exceeding 12 square feet, shall be permitted per #commercial use#. Such #signs# shall be located in a #sign band#, on the flap of a canopy, or as allowed under paragraph (d) of this Section. The height of such #signs# shall be not more than 24 inches and the letter sizes shall be restricted to a height of 12 inches. Except as provided in paragraph (d), all such #signs# may not project from the vertical surface of a #building# more than 18 inches.
- (b) Within the Commercial Extension Areas, no #signs# and no #display windows# shall be permitted on a #building or other structure# within 50 feet of the Grand Concourse. #Commercial uses# which are located on a cross-street beyond a distance of 50 feet from the Grand Concourse #street line#, shall comply with the #sign# regulations applicable to the underlying #Commercial District#.
- (c) On Commercial Infill Sites, the maximum surface area to be occupied by a #sign#, other than an #advertising sign#, shall be three square feet for every five feet of store frontage or 12 square feet, whichever is greater. Such #signs# shall be located in a #sign band# or on the flap of a canopy, or as allowed under paragraph (d). On portions of Commercial Infill Sites more than 50 feet from the Grand Concourse, the signage regulations of a C1 District shall apply.
- (d) Except in C1 Districts, no #sign# may be located so as to obscure any decorative lintel, cornice or other architectural detail. In the event that compliance with this requirement does not provide adequate surface area for the allowable #sign#, as defined in paragraph (a) of this Section, a projecting #sign# may be permitted by the Commissioner of Buildings provided that no such #sign# shall project from the vertical surface of a #building# more than 18 inches.
- (e) Except in C1 Districts, no banners, pennants, #flashing# or #illuminated signs# shall be permitted anywhere within the Special District. In addition, within Commercial Infill Sites north of the Cross Bronx Expressway, as shown on the map in Appendix A of this Chapter, #signs with indirect illumination# shall be permitted on the Grand Concourse #street# frontage of a #building#.
- (f) Within the Limited Commercial Areas, Commercial Infill Sites, and Commercial Extension Areas within 50 feet of the Grand Concourse, window graphics shall occupy not more than 20 percent of a window. Display lettering more than three inches high shall be considered as a #sign#.
- (g) All lawfully existing #non-conforming signs# located within the Special District shall be terminated one year after September 28, 1989.

\* \* \*

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 8, 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 Public Safety**

Report for Int No 869-A

### **Report of the Committee on Public Safety 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 reporting on sex offenses.**

The Committee on Committee on Public Safety, to which the annexed amended proposed local law was referred on August 13, 2015 (Minutes, page 3162), respectfully

### **REPORTS:**

#### **I. INTRODUCTION**

On September 14, 2016, the Committee on Public Safety, chaired by Council Member Vanessa Gibson, will vote on Proposed Introductory Bill Number 869-A (“Int. No. 869-A”), a Local Law to amend the administrative code of the city of New York, in relation to reporting on sex offenses, Proposed Introductory Bill Number 948-A (“Int. No. 948-A”), a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on domestic violence and hate crime statistics, and to repeal section 3-112 of the administrative code of the city of New York, relating to requiring the mayor’s office of operations to report on domestic violence and hate crime statistics, Proposed Introductory Bill Number 961-A (“Int. No. 961-A”), a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on intimate partner domestic violence statistics, and Proposed Introductory Bill Number 968-A (“Int. No. 968-A”), a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on domestic violence crime statistics in public housing.

The Committee previously held a hearing on Int. No.’s 948-A, 961-A and 968-A on October 16, 2015, and Int. No. 869-A was heard by the Committee on May 3, 2016.

#### **II. BACKGROUND ON DOMESTIC VIOLENCE**

According to the United States Department of Justice (“DOJ”), domestic violence is defined as “a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.”

<sup>1</sup> Domestic violence can be physical, emotional, sexual, economic, or psychological actions (or threats of actions) that negatively influence another person.<sup>2</sup> This includes any behaviors that intimidate, manipulate, humiliate, terrorize, isolate, frighten, coerce, threaten, blame, hurt, injure, or wound someone.<sup>3</sup> Domestic

<sup>1</sup>The United States Department of Justice, Office on Violence Against Women, available at <http://www.justice.gov/ovw/domestic-violence> (last visited Oct. 8, 2015).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

violence not only affects those that are abused, but impacts other family members, friends, co-workers, and the community at large.<sup>4</sup>

Domestic violence affects families from all socioeconomic backgrounds regardless of age, race, ethnicity, education, marital status or sexual orientation.<sup>5</sup> In April 2014, the DOJ issued a report analyzing “Nonfatal Domestic Violence” from 2003-2012.<sup>6</sup> The study concluded that during that 10-year period, domestic violence accounted for 21% of all violent crime.<sup>7</sup> Additionally, DOJ findings state that females (76%) experienced more domestic violence victimizations than males (24%).<sup>8</sup> In New York City, between 2002 and 2013, 67% of adult victims of family-related homicides were female, but 52% of child victims of family-related homicides were male.<sup>9</sup> Furthermore, every year more than three million children witness domestic violence in their homes.<sup>10</sup> Children that witness domestic violence potentially become pre-disposed to violence, by normalizing such behavior as a “normal way of life.”<sup>11</sup> These young witnesses have an increased risk of continuing the cycle of violence, and often become society’s next generation of victims and abusers.<sup>12</sup> This cycle of violence is more likely to continue without the appropriate education, interventions, and services.

Domestic violence or intimate partner violence sometimes takes place among youth and young adults. OCDV notes that in 2010, nearly 1,100 individuals between the ages of 17 and 21, and 54 youths under the age of 16, filed family offense petitions in New York State Family Courts as victims of violence in an “intimate relationship.”<sup>13</sup> The United States Centers for Disease Control and Prevention reports that youth who are victims are more likely to experience symptoms of depression and anxiety as well as engage in unhealthy behaviors such as using drugs and alcohol.<sup>14</sup> Since 2005, OCDV has been addressing this issue through the NYC Healthy Relationship Training Academy, which is a peer education workshop teaching adolescents, young adults and parents about healthy relationships.<sup>15</sup> In 2014, OCDV conducted 295 workshops and trainings with 6,276 youths, parents and organizational staff.<sup>16</sup>

Domestic violence is, unfortunately, prevalent in the five boroughs. In 2014, NYPD officers responded to 282,648 domestic incidents - an average of over 774 per day.<sup>17</sup> According to OCDV, between 2002 and 2013, there were 851 domestic violence homicides in New York City.<sup>18</sup> Specifically in 2013, there were 62 family-related homicides, which accounted for almost one in every five homicides in New York City.<sup>19</sup> Of those 62

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> The United States Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Special Report, April 2014, Nonfatal Domestic Violence, 2003–2012, available at <http://www.bjs.gov/content/pub/pdf/ndv0312.pdf>.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> New York City Domestic Violence Fatality Review Committee, 2014 Annual Report available at [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_9th\\_Annual\\_Report\\_Fatality\\_Review\\_Committee\\_2014.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_9th_Annual_Report_Fatality_Review_Committee_2014.pdf)

<sup>10</sup> Safe Horizon, Domestic Violence: Statistics & Facts, available at <http://www.safehorizon.org/page/domestic-violence-statistics--facts-52.html> (last visited Oct. 8, 2015).

<sup>11</sup> The United States Department of Justice, Office on Violence Against Women, available at <http://www.justice.gov/ovw/domestic-violence>

<sup>12</sup> *Id.*

<sup>13</sup> In 2008, New York State expanded the definition of “member of the same family or household” under the Family Court Act to include partners in intimate relationships who have no child in common and are not married. N.Y. Fam. Ct. Act § 812 (1)(e); New York City Mayor’s Office to Combat Domestic Violence, Teen Dating Violence Fact Sheet 2013, available at [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_Teen\\_Dating\\_Violence\\_Fact\\_Sheet\\_2013.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_Teen_Dating_Violence_Fact_Sheet_2013.pdf).

<sup>14</sup> Centers for Disease Control & Prevention, Teen Dating Violence, available at [http://www.cdc.gov/violenceprevention/intimatepartnerviolence/teen\\_dating\\_violence.html](http://www.cdc.gov/violenceprevention/intimatepartnerviolence/teen_dating_violence.html) (last visited Oct. 8, 2015).

<sup>15</sup> NYC Healthy Relationship Training Academy, available at <http://www.nyc.gov/html/ocdv/html/prevention/relationship.shtml>

<sup>16</sup> Mayor’s Office to Combat Domestic violence: 2014 Fact Sheet available at [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_Annual\\_Fact\\_Sheet\\_2014.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_Annual_Fact_Sheet_2014.pdf)

<sup>17</sup> New York City Mayor’s Office to Combat Domestic Violence, Domestic Violence Annual Fact Sheet 2014, available at [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_Annual\\_Fact\\_Sheet\\_2014.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_Annual_Fact_Sheet_2014.pdf) (last visited Oct. 13, 2015)

<sup>18</sup> New York City Mayor’s Office to Combat Domestic Violence, New York City Domestic Violence Fatality Review Committee, Annual Report 2014, available at [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_9th\\_Annual\\_Report\\_Fatality\\_Review\\_Committee\\_2014.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_9th_Annual_Report_Fatality_Review_Committee_2014.pdf) (last visited October 13, 2015)

<sup>19</sup> *Id.*

family-related homicides, the majority - 74% of cases - had no known prior police contact and 86% of these cases had no current order of protection.<sup>20</sup>

According to NYPD data, the number of reported domestic violence-related crimes (excluding homicides) rose 33.5% between 2009 and 2014 – 34,405 incidents in 2014 compared to 25,761 in 2009.<sup>21</sup> These domestic violence crimes include felony assaults, assault in the third degree and related offenses, sex offenses, and violations of protective orders.<sup>22</sup> Furthermore, domestic violence crimes have risen at New York City Housing Authority (“NYCHA”) developments as well. At an April 2014 hearing of the City Council’s Public Housing Committee, the NYPD revealed that domestic violence crimes increased from 820 in 2009 to 1,642 in 2013, and that the rise in domestic violence crimes made up almost two-thirds of the total increase in violent crime.<sup>23</sup>

Although there has been an increase in the reporting of domestic violence crimes overall and in NYCHA housing, many victims are afraid of their partner,<sup>24</sup> and do not leave or disclose the abuse due to fear, shame, loss of economic resources, public humiliation, name-calling and threats of being killed.<sup>25</sup> These victims are at risk of another incident. According to the DOJ, the risk of another domestic violence incident is greatest within the first 11 days after the prior victimization.<sup>26</sup>

When victims of domestic violence decide to leave an abusive relationship, they often face challenges securing safe housing. This is particularly true for those with few economic resources. Victims of domestic violence who are able to safely leave their batterer face the possibility of homelessness and dislocation. The provision of safe emergency shelter is a primary tool for families fleeing domestic violence. In 2014, the New York City Domestic Violence Hotline received 11,108 requests for domestic violence shelter.<sup>27</sup>

According to Safe Horizon, 25% of homeless households in the shelter system are homeless due to domestic violence incidents.<sup>28</sup> According to advocates, many victims will first stay in Human Resources Administration (“HRA”) domestic violence emergency shelters for the maximum allowable 180 days before moving to Department of Homeless Services general shelters, where they end up staying indefinitely.<sup>29</sup>

### **III. NEW YORK CITY POLICE DEPARTMENT’S DOMESTIC VIOLENCE UNIT**

NYPD officers respond to over 250,000 domestic violence incidents per year.<sup>30</sup> The NYPD has a dedicated Domestic Violence Unit (“DVU”) to respond to domestic violence incidents.<sup>31</sup> In late 2014, Deputy Chief Juanita Holmes became the head of the NYPD DVU.<sup>32</sup> The new Deputy Chief is expected to bring a distinctive perspective to the Department’s unit given that she is a survivor of domestic violence.<sup>33</sup> Domestic violence victims are referred to one of more than 350 Domestic Violence Prevention Officers (“DVPOs”), investigators and supervisors located in precincts around the city.<sup>34</sup> These specialized officers perform home

<sup>20</sup> Mayor’s Office to Combat Domestic Violence, Domestic Violence Annual Fact Sheet 2013, available at: [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_Annual\\_Fact\\_Sheet\\_2013.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_Annual_Fact_Sheet_2013.pdf).

<sup>21</sup> See New York State Division of Criminal Justice Services, Domestic Violence Data, 2009-2014, available at: <http://www.criminaljustice.ny.gov/crimnet/ojsa/domestic-violence-data.html>.

<sup>22</sup> *Id.*

<sup>23</sup> NYPD Housing Bureau testimony for April 28, 2014, at 76, available online at [legistar.council.nyc.gov](http://legistar.council.nyc.gov).

<sup>24</sup> See New York City Department of Health and Mental Hygiene, Domestic Violence and Your Health, available at: <http://www.nyc.gov/html/doh/html/living/violence-data.shtml>

<sup>25</sup> See National Coalition Against Domestic Violence, The Problem, available at: <http://www.ncadv.org/learn/TheProblem.php>

<sup>26</sup> See Robert C. Davis, David Weisburd and Edwin Hamilton, “Preventing Repeat Incidents of Family Violence: A Randomized Field Test of a Second Responder Program in Redlands, CA” *United States Department of Justice*, September 2007

<sup>27</sup> New York City Mayor’s Office to Combat Domestic Violence, Domestic Violence Annual Fact Sheet 2014, available at [http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics\\_Annual\\_Fact\\_Sheet\\_2014.pdf](http://www.nyc.gov/html/ocdv/downloads/pdf/Statistics_Annual_Fact_Sheet_2014.pdf) (last visited Oct. 13, 2015)

<sup>28</sup> See Safe Horizon, Domestic Violence: Statistics & Facts, available at: <http://www.safehorizon.org/page/domestic-violence-statistics-facts-52.html>

<sup>29</sup> Rosa Goldensohn, *Domestic Violence Victims Wait up to a Decade for Emergency NYCHA Housing*, DNAinfo New York, (March 5, 2014), available at <http://www.dnainfo.com/new-york/20140305/morris-heights/domestic-violence-victims-wait-up-decade-for-emergency-nycha-housing>.

<sup>30</sup> [http://www.nyc.gov/html/nypd/html/crime\\_prevention/domestic\\_violence.shtml](http://www.nyc.gov/html/nypd/html/crime_prevention/domestic_violence.shtml) (last visited Oct. 13, 2015)

<sup>31</sup> *Id.*

<sup>32</sup> <http://www.nydailynews.com/new-york/nypd-chief-beaten-husband-charge-domestic-unit-article-1.2018598>

<sup>33</sup> *Id.*

<sup>34</sup> [http://www.nyc.gov/html/nypd/html/crime\\_prevention/domestic\\_violence.shtml](http://www.nyc.gov/html/nypd/html/crime_prevention/domestic_violence.shtml)

visits, referrals to court and victim services and assist in obtaining orders of protection.<sup>35</sup> The DVU not only enforces the laws and ensures victim safety, it also performs domestic violence awareness outreach.<sup>36</sup>

Given the unique nature of domestic violence offenses and victims, NYPD officers receive specialized training.<sup>37</sup> All NYPD officers are trained in the academy and supplemented with command-level trainings on responding to domestic violence incidents.<sup>38</sup> The training includes: (i) family radio codes; (ii) arrest policies and procedures; (iii) the proper completion of the domestic incident reports; (iv) evidence collection (photos, victim statements, etc.); and (v) translation policies and procedures.<sup>39</sup> In addition to this training, DVPOs receive training on the domestic violence case management database, conducting home visits, criminal law updates on commonly charged domestic violence crimes, and victim services.<sup>40</sup> These domestic violence officers are also trained bi-annually at a Domestic Violence “All-In.”<sup>41</sup>

As stated above, domestic violence incidents have increased in public housing from 2009 to 2013. According to testimony from the NYPD at a City Council hearing in April 2014, there are 36 officers in total in each of the police service areas (“PSAs”) with four officers per housing precinct.<sup>42</sup> On July 8, 2014, Mayor Bill de Blasio announced a \$210.5 million citywide plan to make neighborhoods safer and reduce crime in the 15 NYCHA developments that account for 17% of all violent crime in public housing. The plan includes two initiatives to combat domestic violence. First, the City has relocated 700 police officers to precincts and NYCHA developments with the highest need. These officers are tasked with making more visits to victims of domestic violence crimes to ensure their safety, offer assistance, and help to facilitate access to services as needed. Second, the plan includes \$15.6 million for the expansion of residential programs to help prevent crime. One of these programs includes the deployment of a team from OCDV to NYCHA developments with high rates of domestic violence to conduct outreach, provide information to residents on how to obtain domestic violence services, and provide prevention workshops.<sup>43</sup>

On October 29, 2015, the NYPD anticipates releasing a proposal for a new NYPD Crime Victim Advocate Program, which would expand the current system for victim services.<sup>44</sup> The program will be rolled out over the next 3 years, and the funding, divided between NYPD and HRA, will be \$27 million.<sup>45</sup> Currently, each of the nine PSAs has a victim advocate.<sup>46</sup> This new program would partner with outside social service providers to serve as victim advocates.<sup>47</sup> The new program will place advocates in each of the 77 precincts and each of the nine PSAs.<sup>48</sup> There will be two advocates at most of these 86 facilities and one of the two will work specifically with domestic violence victims.<sup>49</sup> The initiative will start in 25 precincts and three PSAs in 2016, and will include the hiring of 53 advocates, which will increase to 157 by 2018.<sup>50</sup> These advocates will help victims navigate available services such as counseling, completing applications for compensation, or obtaining a rape kit at a hospital.<sup>51</sup> Similar programs have existed in some precincts and PSAs since the 1980s.<sup>52</sup>

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<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> Correspondence with NYPD, on file with Committee.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> NYPD Housing Bureau testimony for April 28, 2014 hearing, at 101-102, *available online at* [legistar.council.nyc.gov](http://legistar.council.nyc.gov).

<sup>43</sup> See Office of the Mayor Fact Sheet: Making New York City’s Neighborhoods and Housing Developments Safer, *available at* <http://www1.nyc.gov/office-of-the-mayor/news/336-14/fact-sheet-making-new-york-city-s-neighborhoods-housing-developments-safer#0>

<sup>44</sup> <http://www1.nyc.gov/site/hhsaccelerator/funding/procurements.page>

<sup>45</sup> Report to the Committees on Finance and Public Safety on the Fiscal Year 2106 Executive Budget for NYPD available at <http://council.nyc.gov/html/budget/2016/ex/nypd.pdf>

<sup>46</sup> [http://www1.nyc.gov/assets/hhsaccelerator/downloads/pdf/cv\\_concept.pdf](http://www1.nyc.gov/assets/hhsaccelerator/downloads/pdf/cv_concept.pdf)

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> Report to the Committees on Finance and Public Safety on the Fiscal Year 2106 Executive Budget for NYPD available at <http://council.nyc.gov/html/budget/2016/ex/nypd.pdf>

<sup>51</sup> *Id.*

<sup>52</sup> “New NYPD Program Will Expand Services Provided to Crime Victims,” available at <http://www.dnainfo.com/new-york/20150908/civic-center/new-nypd-program-will-expand-services-provided-crime-victims> (last visited Oct. 14, 2015)

#### **IV. ANALYSIS OF INT. NO. 869-A**

This bill would require the NYPD to add sex offenses to its crime status report, which is currently submitted to the Council on a quarterly basis. The additional reporting would include all sex offenses defined in article 130 of the Penal Law, in total and disaggregated by specific offense. These offenses would generally fall in the categories of rape, criminal sexual act, misdemeanor sex offenses, sexual abuse, course of sexual conduct against a child, and predatory sexual assault. This law would take effect 30 days after it becomes law.

#### **CHANGES TO INT. NO. 869-A**

Since an earlier version of Intro 869-A was heard on May 3, the bill was revised add two offenses, New York State Penal Law section 130.20, sexual misconduct incapacity to consent, and Penal Law section 130.96, Predatory sexual assault against a child. There were also several technical revisions made to the current version of the bill.

#### **V. INT. NO. 948-A**

Section one of the bill repeals Administrative Code section 3-112, which enumerates the current reporting requirements of domestic violence and hate crime complaints. Administrative Code section 3-112 currently requires NYPD to report on the “My Neighborhood Statistics” website, or any successor website the following statistics: (i) the number of domestic violence radio runs; (ii) the number of murders related to domestic violence; (iii) the number of rapes related to domestic violence; (iv) the number of felonious assaults related to domestic violence; (v) the number of hate crimes; (vi) the number of murders determined by the police department to be hate crimes; and (vii) the number of felonious assaults determined by the police department to be hate crimes. These statistics are required to be posted on the website bi-annually.

Section two of the bill requires the police department to post on the department’s website the same data as required under Administrative Code section 3-112. The bill would require the NYPD to report on the department website the number of domestic violence radio runs, domestic violence related rapes and felonious assaults on a monthly, quarterly and annual basis. In addition, the bill will require the department to report the number of domestic violence crimes on NYCHA property to be reported on a bi-annual basis and homicides related to domestic violence, hate crimes, and felony assaults determined to be hate crimes to be reported on a quarterly and annual basis.

Section three of the bill states the local law takes effect immediately.

#### **CHANGES TO INT. NO. 948-A**

Since an earlier version of Intro 948-A was heard in October 2015, the bill was revised to include all of the reporting requirements that previously appeared in Int. No. 961 and Int. No. 968. The reporting requirements were also revised in relation to the frequency of the reports, including removing the weekly reporting requirement, and requiring the report on the number of domestic violence incidents in public housing properties was decreased from weekly, monthly, quarterly and annually to semiannually and annually.

#### **VI. INT. NO. 968-A**

Section one of the bill adds new paragraphs 8 and 9 to section 14-161, which would add to the reporting requirements of the above-referenced legislation to include: (i) the number of incidents and murders related to domestic violence that occurred on the property of the New York city housing authority, disaggregated by public housing development; and (ii) the percentage of all felony crimes related to domestic violence. The NYPD will be required to report the data bi-annually and post the data on the department website as specified in Int. No. 948-A.

Section two of the bill states the local law takes effect on the same effective date as Int. No. 948-A.

#### **CHANGES TO INT. NO. 968-A**

An earlier version of Intro 968-A required the number of incidents of domestic violence to be reported. The bill now requires the number of reported complaints of domestic violence as determined by NYPD, to be reported.

**VII. INT. NO. 961-A**

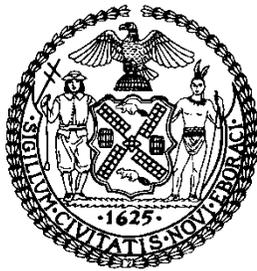
Section one of the bill adds a new paragraph 10 to section 14-161 which would add to the reporting requirements of the above-referenced legislation to include the number and percentage of all crimes related to domestic violence that involved intimate partners.

Section two of the bill states the local law takes effect on the same effective date as Int. No. 968-A.

**CHANGES TO INT. NO. 961-A**

The current version of the bill would require the NYPD to report on the number and percentage of “domestic incident reports” prepared for crimes determined to be domestic violence related whereas the earlier version of the bill required reporting on “crimes” related to domestic violence.

**(The following is the text of the Fiscal Impact Statement for Int No. 869-A:)**



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

**PROPOSED INTRO. NO: 869-A  
COMMITTEE: Public Safety**

**TITLE:** To amend the administrative code of the city of New York, in relation in relation to reporting on sex offenses.

**SPONSORS:** Council Members Cumbo, Mealy, Richards, Rose, Cabrera, Espinal, Johnson, Rosenthal, and Cohen

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 869-A would require the New York City Police Department to add complaints of all sex offenses to its quarterly crime status report. Such offenses must be listed in total and by type of sex offense.

**EFFECTIVE DATE:** This local law would take effect 30 days after enactment

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2017

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY17</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 resulting from the enactment of this legislation because the Police Department would use existing resources to implement this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council  
New York Police Department  
Office of Management and Budget

**ESTIMATE PREPARED BY:** Ellen Eng, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on August 13, 2015 as Intro. No. 869 and referred to the Committee on Public Safety. The Committee on Public Safety considered the legislation at a hearing held jointly with the Committee on Oversight and Investigations on May 3, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 869-A, will be voted on by the Committee on Public Safety at a hearing on September 14, 2016. Upon successful vote by the Committee, Proposed Intro. No. 869-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 8, 2016.

**(For the Fiscal Impact Statements and the text of Int Nos. 948-A, 961-A, and 968-A, please see the Reports of the Committee on Public Safety for Int Nos. 948-A, 961-A, and 968-A, respectively.**

*Accordingly, this Committee recommends the adoption of Int No. 869-A, 948-A, 961-A, and 968-A.*

**(The following is the text of Int No. 869-A:)**

Int. No. 869-A

By Council Members Cumbo, Mealy, Richards, Rose, Cabrera, Espinal, Johnson, Rosenthal, Cohen, Gibson, Van Bramer, Gentile, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on sex offenses.**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 4 of subdivision a of section 14-150 of the administrative code of the city of New York, as amended by local law number 2 for the year 2014, is amended to read as follows:

4. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control board notice of violation, or criminal court summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the

narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. *Such report shall also include the total number of complaints of all sex offenses as defined in article 130 of the New York state penal law, in total and disaggregated by the following offenses: rape as defined in sections 130.25, 130.30, and 130.35; criminal sexual act as defined in sections 130.40, 130.45, and 130.50; misdemeanor sex offenses as defined in sections 130.20, 130.52, 130.55, and 130.60; sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70; course of sexual conduct against a child as defined in sections 130.75 and 130.80; and predatory sexual assault as defined in sections 130.95 and 130.96.* Such report shall also include the total number of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation, pursuant to the following timetable:

1. Beginning January first, two thousand fourteen, the thirty largest parks, as determined by acreage;
2. Beginning June first, two thousand fourteen, the one hundred largest parks, as determined by acreage;
3. Beginning January first, two thousand fifteen, the two hundred largest parks, as determined by acreage;
4. Beginning January first, two thousand sixteen, the three hundred largest parks, as determined by acreage;
5. Beginning January first, two thousand seventeen, all parks one acre or greater in size; and
6. Beginning January first, two thousand eighteen, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size.

The department shall conspicuously post all quarterly reports of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation online via the department's website within five business days of the department's submission of such reports to the council.

§2. This local law takes effect 30 days after it becomes law.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JAMES VACCA, JULISSA FERRERAS-COPELAND, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RORY I. LANCMAN, RITCHIE J. TORRES, STEVEN MATTEO; Committee on Public Safety, September 14, 2016.  
*Other Council Members Attending: Cumbo, Johnson, Miller, Rose and Levine.*

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

Report for Int No 948-A

**Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on domestic violence and hate crime statistics, and to repeal section 3-112 of the administrative code of the city of New York, relating to requiring the mayor's office of operations to report on domestic violence and hate crime statistics.**

The Committee on Public Safety, to which the annexed amended proposed local law was referred on October 15, 2015 (Minutes, page 3686), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Public Safety for Int No. 869-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int No. 948-A:*



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

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO:** 948-A  
**COMMITTEE:** Public Safety

**TITLE:** To amend the administrative code of the city of New York, in relation in relation to requiring the police department to report on domestic violence and hate crime statistics, and to repeal section 3-112 of the administrative code of the city of New York, relating to requiring the mayor's office of operations to report on domestic violence and hate crime statistics.

**SPONSORS:** The Speaker Mark-Viverito and Council Members Gibson, Torres, Chin, Constantinides, Cornegy, Deutsch, Eugene, Gentile, Johnson, Koo, Lancman, Mendez, Palma, Richards, Rose, Cohen, Rodriguez, Dickens, Rosenthal, and Dromm

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 948-A would require the New York City Police Department to post statistics on its website related to reports of domestic violence and crimes determined to be hate crimes.

**EFFECTIVE DATE:** This local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2017

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY17</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 resulting from the enactment of this legislation because the Police Department would use existing resources to implement this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council  
 New York Police Department

## Office of Management and Budget

**ESTIMATE PREPARED BY:** Ellen Eng, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on October 15, 2015 as Intro. No. 948 and referred to the Committee on Public Safety. The Committee considered the legislation at a hearing on October 16, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 948-A, will be voted on by the Committee at a hearing on September 14, 2016. Upon successful vote by the Committee, Proposed Intro. No. 948 –A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 8, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 948-A:)**

Int. No. 948-A

By The Speaker (Council Member Mark-Viverito) and Council Members Gibson, Torres, Chin, Constantinides, Cornegy, Deutsch, Eugene, Gentile, Johnson, Koo, Lancman, Mendez, Palma, Richards, Rose, Cohen, Rodriguez, Dickens, Rosenthal, Dromm, Van Bramer, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on domestic violence and hate crime statistics, and to repeal section 3-112 of the administrative code of the city of New York, relating to requiring the mayor’s office of operations to report on domestic violence and hate crime statistics.**

*Be it enacted by the Council as follows:*

Section 1. Section 3-112 of the administrative code of the city of New York is REPEALED.

§ 2. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-161 to read as follows:

§ 14-161. *Online reporting of domestic violence and hate crime statistics. a. The department shall collect and post the following data on its website:*

1. *the number of domestic violence radio runs;*
2. *the number of reported murders related to domestic violence;*
3. *the number of reported rapes related to domestic violence;*
4. *the number of reported felonious assaults related to domestic violence;*
5. *the number of reported hate crimes;*
6. *the number of reported murders determined by the police department to be hate crimes; and*
7. *the number of reported felonious assaults determined by the police department to be hate crimes.*

*b. The data specified in subdivision a shall be posted on the department’s website in the following manner:*

1. *The data required by paragraphs 1, 3 and 4 shall be reported in total and disaggregated by precinct and reported monthly, quarterly and annually. The first such monthly report shall be posted no later than 30*

days after January 1, 2017, the first such quarterly report shall be posted no later than 30 days after the quarter ending March 31, 2017 and the first such annual report shall be posted no later than 30 days after January 1, 2018.

2. The data required by paragraph 8 shall be reported semi-annually and annually. The first such semi-annual report shall be posted no later than 30 days after January 1, 2017, and within 30 days after every January 1 and June 30 thereafter, and the first such annual report shall be posted no later than 30 days after January 1, 2018.

3. The data required by paragraph 10 shall be reported quarterly and annually. The first such quarterly report shall be posted within 30 days after the quarter ending on September 30, 2017, and the first such annual report shall be posted no later than 30 days after January 1, 2019.

4. The data required by paragraphs 2, 5 through 7, 9 and 11 shall be reported in total and disaggregated by precinct and reported quarterly and annually. The first such quarterly report shall be posted no later than 30 days after the quarter ending on March 31, 2017, and the first such annual report shall be posted no later than 30 days after January 1, 2018.

c. For purposes of this section, the term "hate crime" has the meaning ascribed to it by section 485.05 of the New York penal law.

d. The data reported pursuant to this section shall remain on the department's website for no fewer than 2 years.

§3. This local law takes effect immediately.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JAMES VACCA, JULISSA FERRERAS-COPELAND, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RORY I. LANCMAN, RITCHIE J. TORRES, STEVEN MATTEO; Committee on Public Safety, September 14, 2016.  
*Other Council Members Attending: Cumbo, Johnson, Miller, Rose and Levine.*

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

Report for Int No 961-A

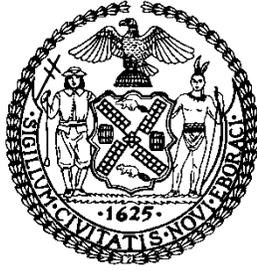
**Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on intimate partner domestic violence statistics**

The Committee on Public Safety, to which the annexed amended proposed local law was referred on October 15, 2015 (Minutes, page 3709), respectfully

#### REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int No. 869-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 961-A:*



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

**FISCAL IMPACT STATEMENT**  
**PROPOSED INTRO. NO: 961-A**

**COMMITTEE: Public Safety**

**TITLE:** To amend the administrative code of the city of New York, in relation to requiring the police department to report on intimate partner domestic violence statistics.

**SPONSORS:** Council Members Reynoso, Gibson, Chin, Cornegy, Gentile, Johnson, Mealy, Mendez, Palma, Richards, Rose, Cohen, Rodriguez, Dickens, Rosenthal, and Dromm

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 961-A would require the New York City Police Department reports to include the number and percentage of all domestic violence related crimes that involved intimate partners.

**EFFECTIVE DATE:** This local law would take effect on the same date as a local law for the year 2016 amending the administrative code of the city of New York relating to requiring the police department to report on domestic violence crime statistics in public housing, as proposed in introduction number 968-A, takes effect.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2017

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY17</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 resulting from the enactment of this legislation because the Police Department would use existing resources to implement this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council  
 New York Police Department  
 Office of Management and Budget

**ESTIMATE PREPARED BY:** Ellen Eng, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
 Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on October 15, 2015 as Intro. No. 961 and referred to the Committee on Public Safety. The Committee considered the legislation at a hearing on October 16, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 961-A, will be voted on by the Committee at a hearing on September 14, 2016. Upon successful vote by the Committee, Proposed Intro. No. 961-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 8, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 961-A:)**

Int. No. 961-A

By Council Members Reynoso, Gibson, Chin, Cornegy, Gentile, Johnson, Mealy, Mendez, Palma, Richards, Rose, Cohen, Rodriguez, Dickens, Rosenthal, Dromm, Van Bramer, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on intimate partner domestic violence statistics**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 14-161 of the administrative code of the city of New York, as added by a local law for the year 2016 amending the administrative code of the city of New York relating to requiring the police department to report on domestic violence crime statistics in public housing, as proposed in introduction number 968-A, is amended by adding a new paragraph 10 to read as follows:

*10. the number and percentage of domestic incident reports prepared for all crimes determined by the police department to be related to domestic violence that involved intimate partners;*

§ 2. This local law takes effect on the same date as a local law for the year 2016 amending the administrative code of the city of New York relating to requiring the police department to report on domestic violence crime statistics in public housing, as proposed in introduction number 968-A, takes effect.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JAMES VACCA, JULISSA FERRERAS-COPELAND, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RORY I. LANCMAN, RITCHIE J. TORRES, STEVEN MATTEO; Committee on Public Safety, September 14, 2016.  
*Other Council Members Attending: Cumbo, Johnson, Miller, Rose and Levine.*

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

Report for Int No 968-A

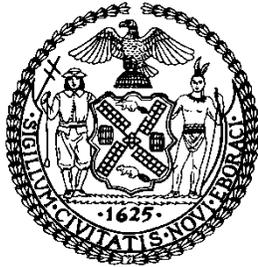
**Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on domestic violence crime statistics in public housing.**

The Committee on Public Safety, to which the annexed amended proposed local law was referred on October 15, 2015 (Minutes, page 3719), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Public Safety for Int No. 869-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int No.968-A:*



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

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO:** 968-A  
**COMMITTEE:** Public Safety

**TITLE:** To amend the administrative code of the city of New York, in relation to requiring the police department to report on domestic violence crime statistics in public housing

**SPONSORS:** Council Members Torres, Gibson, Chin, Cornegy, Cumbo, Eugene, Johnson, Koo, Mealy, Mendez, Palma, Richards, Rose, Cohen, Lancman, Dickens, Rosenthal, Dromm, and Gentile.

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 968-A would require the New York City Police Department to report on its website the number of complaints and murders that it determines to be related to domestic violence and reported to have taken place on New York City Housing Authority (“NYCHA”) property, disaggregated by NYCHA development, and the percentage of all felony crimes related to domestic violence.

**EFFECTIVE DATE:** This local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2017

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY17</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 resulting from the enactment of this legislation because the Police Department would use existing resources to implement this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A**

**SOURCE OF INFORMATION:** New York City Council  
New York Police Department  
Office of Management and Budget

**ESTIMATE PREPARED BY:** Ellen Eng, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on October 15, 2015 as Intro. No. 968 and referred to the Committee on Public Safety. The Committee considered the legislation at a hearing on October 16, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 968-A, will be voted on by the Committee at a hearing on September 14, 2016. Upon successful vote by the Committee, Proposed Intro. No. 968-A will be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 8, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 968-A:)**

Int. No. 968-A

By Council Members Torres, Gibson, Chin, Cornegy, Cumbo, Eugene, Johnson, Koo, Mealy, Mendez, Palma, Richards, Rose, Cohen, Lancman, Dickens, Rosenthal, Dromm, Gentile, Van Bramer, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on domestic violence crime statistics in public housing**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 14-161 of the administrative code of the city of New York, as added by a local law for the year 2016 amending the administrative code of the city of New York relating to requiring the police department to report on domestic violence and hate crime statistics, as proposed in introduction number 948-A, is amended by adding new paragraphs 8 and 9 to read as follows:

*8. the number of reported complaints and murders determined by the police department to be related to domestic violence that were reported to have taken place on the property of the New York city housing authority, shall be reported in total and disaggregated by precinct and public housing development;*

*9. the percentage of reported felony crimes determined by the police department to be related to domestic violence;*

§2. This local law takes effect on the same date as a local law for the year 2016 amending the administrative code of the city of New York relating to requiring the police department to report on domestic violence and hate crime statistics, as proposed in introduction number 948-A, takes effect.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JAMES VACCA, JULISSA FERRERAS-COPELAND, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RORY I. LANCMAN, RITCHIE J. TORRES, STEVEN MATTEO; Committee on Public Safety, September 14, 2016.  
*Other Council Members Attending: Cumbo, Johnson, Miller, Rose and Levine.*

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

### **Report of the Committee on Rules, Privileges and Elections**

Report for M-423

#### **Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment by the Mayor of Hari Savitala as a member of the New York City Environmental Control Board.**

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on August 16, 2016 (Minutes, page 2563) and which same Mayor's Message was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**Topic: *New York City Environmental Control Board – (Mayoral nominee for appointment upon advice and consent of the Council)***

- **Hari (“Indi”) Savitala [M-423]**

Within the New York City Office of Administrative Trials and Hearings (“OATH”) there is an Environmental Control Board (“ECB”) that adjudicates notices of violation issued by various city agencies including the Departments of Environmental Protection, Police, Sanitation, Health and Mental Hygiene, Fire and Buildings. ECB has the power to render decisions and orders and to impose civil penalties under law provided for such violations. ECB may apply to a court of competent jurisdiction for enforcement of any decision, order or subpoena that it issues. ECB's responsibilities and structure are outlined in New York City Charter section 1049-a.

Among the provisions of law enforced by ECB are those relating to the cleanliness of city streets; the disposal of wastes; the provision of a pure, wholesome and adequate supply of water; the prevention of air, water and noise pollution; the regulation of street peddling; and the city response to emergencies caused by releases or threatened releases of hazardous substances. ECB has the authority to make, amend or rescind such rules and regulations to carry out its duties. Also, ECB has concurrent jurisdiction with the Board of Health to enforce those provisions of the health code and the rules and regulations relating thereto that the Board of Health shall designate.

ECB consists of the Commissioners of the Departments of Environmental Protection, Sanitation, Health and Mental Hygiene, Buildings, Police, Fire and the Chief Administrative Law Judge of OATH, as well as six persons appointed by the Mayor with the advice and consent of the Council. The Chief Administrative Judge of OATH serves as Chair of ECB. Within its appropriation, ECB may appoint an Executive Director and such hearing officers, including non-salaried hearing officers and other employees as it finds necessary, to properly perform its duties.

Members other than agency Commissioners may not be employed by the City. Five of the six non-Commission members must possess broad general background and experience, one in each of the following areas: air pollution control, water pollution control, noise pollution control, real estate, or the business community. The sixth non-Commissioner member represents the general public. Members other than the agency Commissioners are compensated and receive a \$175.10 per-diem when performing the work of ECB. Member terms are for four years.

Mr. Savitala is scheduled to appear before the Committee on Rules, Privileges and Elections on Thursday, September 8, 2016. Upon appointment by the Mayor with the advice and consent of the Council, Mr. Savitala will serve for the remainder of a four-year term that will expire on March 5, 2019, as the ECB member with experience in the field of noise pollution control. A copy of Mr. Savitala's résumé and report/resolution is annexed to this Briefing paper.

**PROJECT STAFF**

Jason A. Otaño, Deputy General Counsel  
Charles W. Davis III, Director of Investigations  
Alycia Vassell, Legislative Clerk

**(After interviewing the candidate and reviewing the submitted material, this Committee decided to approve the appointment of the nominee Hari Savitala [M-423]; for text of the coupled resolution, please see below:)**

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Hari Savitala as a member of the New York City Environmental Control Board to serve for the remainder of a four-year term expiring on March 5, 2019.

The matter was referred to the Committee on August 16, 2016.

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

Res. No. 1223

**RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF HARI SAVITALA AS A MEMBER OF THE NEW YORK CITY ENVIRONMENTAL CONTROL BOARD.**

By Council Member Lander.

**RESOLVED**, That pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Hari Savitala as a member of the New York City Environmental Control Board for the remainder of a four-year term expiring on March 5, 2016.

BRADFORD S. LANDER, Chairperson; INEZ E. DICKENS, DANIEL R. GARODNICK, MARGARET S. CHIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, MARK LEVINE, STEVEN MATTEO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, September 14, 2016. *Other Council Members Attending: Johnson and Cumbo.*

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

### **Report of the Committee on Transportation**

Report for Int No 997-A

#### **Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to pedestrian control signals**

The Committee on Transportation, to which the annexed amended proposed local law was referred on November 10, 2015 (Minutes, page 3984), respectfully

#### **REPORTS:**

##### **INTRODUCTION**

On September 14, 2016, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, held a second hearing on Int. No. 997-A, a Local Law in relation to pedestrian control signals. This will be the second hearing on this legislation. At the first hearing on April 4, 2016, the Committee heard testimony from the New York City Department of Transportation (“DOT”) and other interested stakeholders.

##### **BACKGROUND**

###### **Pedestrian Right-of-Way at Intersections**

Under the rules of the City of New York, pedestrians may only begin to cross a roadway at a signalized intersection when they have the “WALK” signal. If the signal changes to a flashing “DON’T WALK” signal while a pedestrian is crossing, they are to proceed to the nearest safety island or sidewalk.<sup>1</sup>

As noted in a series of recent news articles, these rules are often at odds with pedestrians’ common understanding of their rights when crossing at intersections, particularly involving wide roadways and equipped with both safety islands (also known as medians) and pedestrian countdown clock signals.<sup>2</sup> At such intersections, it is common for a signal’s “WALK” phase to change to a flashing “DON’T WALK” signal before a pedestrian is able to reach the median, but with the corresponding countdown clock showing enough time to continue crossing to the opposite sidewalk before the clock reaches zero and the steady “DON’T WALK” signal appears.

Int. No. 997-A would state that pedestrians retain the right-of-way during both the “WALK” and the “flashing DON’T WALK” phases.

##### **ANALYSIS OF INT. NO. 997-A**

Section one of Int. No. 997-A would amend subchapter 3 of chapter 1 of title 19 of the Administrative Code by adding a new section 19-195. The new section would provide that whenever pedestrian control signals are in operation, they would indicate the following:

<sup>1</sup> 34 R.C.N.Y. § 4-03.

<sup>2</sup> Brad Aaron and Ben Fried, *The NYC Traffic Rule That’s Completely at Odds With How People Walk*, Streetsblog, Jun. 16, 2015, <http://www.streetsblog.org/2015/06/16/the-nyc-traffic-rule-thats-completely-at-odds-with-how-people-walk/>.

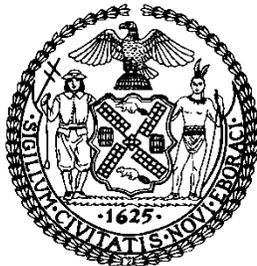
- Steady walking person: Pedestrians facing such signal may proceed across the roadway in the direction of such signal, and other traffic would have to yield the right of way to such pedestrians.
- Flashing upraised hand or flashing upraised hand with pedestrian countdown display: Pedestrians facing such signal would be advised that there may be insufficient time to cross the roadway. Pedestrians already in the roadway would have to proceed to the nearest sidewalk or safety island in the direction of such signal. Other traffic would have to yield the right of way to pedestrians proceeding across the roadway within the crosswalk towards such signal for as long as such signal remains flashing.
- Steady upraised hand: No pedestrians would be permitted to start to cross the roadway in the direction of such signal; provided, however that any pedestrians who have partially completed their crossing on a steady walking person signal or any flashing upraised hand signal would have to proceed to the nearest sidewalk or safety island in the direction of such signal while such steady upraised hand signal is showing.

Section two of Int. No. 997-A states that the local law would take effect 90 days after it becomes law, except that DOT may take such measures as are necessary for the implementation of the local law, including the promulgation of rules, prior to such date.

#### **UPDATE**

On September 14, 2016, the Committee on Transportation passed Int. No. 997-A by a vote of 13 in the affirmative and zero in the negative, with zero abstentions.

**(The following is the text of the Fiscal Impact Statement for Int No. 997-A:)**



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT  
PROPOSED INTRO. NO.: 997-A  
COMMITTEE: Transportation**

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to pedestrian control signals.

**SPONSOR(S):** 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

**SUMMARY OF LEGISLATION:** Under the City's current rules, pedestrians only have the right of way if they enter a crosswalk while a walking person is displayed, as the controlling rules were developed before the use of countdown clocks. Thus, even if a pedestrian is able to safely enter the crosswalk and finish their crossing during the red countdown period, they do not legally have the right of way. This legislation would establish the right of way for pedestrians while crossing the City roadways during various pedestrian control signal phases and would require other traffic to yield the right of way to pedestrians proceeding across the roadway within

the crosswalk when a steady walking person, flashing upraised hand, or flashing upraised hand with a countdown clock is displayed on a pedestrian control signal.

**EFFECTIVE DATE:** This local law would take effect 90 days after it becomes law, except that the Department of Transportation may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

**IMPACT ON EXPENDITURES:** Because the Department would use existing resource to implement this legislation, it is estimated that the enactment of this legislation would have no impact on expenditures.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** New York City General Fund

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

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

**ESTIMATED REVIEWED BY:** Nathan Toth, Deputy Director, New York City Council Finance Division  
Rebecca Chasan, Counsel, New York City Council Finance Division

**LEGISLATIVE HISTORY:** Intro. No. 997 was introduced by the Council on November 10, 2015 and referred to the Committee on Transportation. The Committee on Transportation held a hearing on Intro. No. 997 on April 4, 2016 and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 997-A, will be voted on by the Committee on Transportation on September 14, 2016. Following a successful Committee vote, the bill would be submitted to the full Council for a vote on September 14, 2016.

**DATE PREPARED:** September 12, 2016

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int No. 997-A:)**

Int. No. 997-A

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 control signals**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-195 to read as follows:

*§ 19-195 Pedestrian control signals. Whenever pedestrian control signals are in operation, exhibiting symbols of a walking person, upraised hand, or upraised hand with a pedestrian countdown display, or any other internationally recognized representation concerning the movement of pedestrians, such signals shall indicate as follows:*

- 1. Steady walking person. Pedestrians facing such signal may proceed across the roadway in the direction of such signal, and other traffic shall yield the right of way to such pedestrians.*
- 2. Flashing upraised hand or flashing upraised hand with pedestrian countdown display. Pedestrians facing such signal are advised that there may be insufficient time to cross the roadway. Pedestrians already in the roadway shall proceed to the nearest sidewalk or safety island in the direction of such signal. Other traffic shall yield the right of way to pedestrians proceeding across the roadway within the crosswalk towards such signal for as long as such signal remains flashing.*
- 3. Steady upraised hand. No pedestrians shall start to cross the roadway in the direction of such signal; provided, however that any pedestrians who have partially completed their crossing on a steady walking person signal or any flashing upraised hand signal shall proceed to the nearest sidewalk or safety island in the direction of such signal while such steady upraised hand signal is showing.*

§ 2. This local law takes effect 90 days after it becomes law, except that the department of transportation may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; DONOVAN J. RICHARDS; Committee on Transportation, September 14, 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****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>
Raymond Pacheco	87 Columbia Street #9A New York, N.Y. 10002	2
Hannah Sampson	115 Lexington Avenue #5B New York, N.Y. 10016	2
Hui Min Feng	620 West 42nd Street #14G New York, N.Y. 10036	3
Isabelle James	30 East 85th Street #6D New York, N.Y. 10028	4
Robert Manukyan	555 Main Street #1509 New York, N.Y. 10044	5
Lisa Olmo	328 East 73rd Street #2B New York, N.Y. 10021	5
Kaitlin Campbell	535 West 155th Street 441 New York, N.Y. 10032	7
Niurca DeLaRosa	63 West 107th Street #53 New York, N.Y. 10025	7
Andrew Ridge	515 West 168th Street #5I New York, N.Y. 10032	10
Enoch Sowah	666 West 207th Street #3C New York, N.Y. 10034	10
Ilva V. Harrigan	442 East 184th Street #G Bronx, N.Y. 10458	15
Kemi Oyebisi	3000 Bronx Park East #11D Bronx, N.Y. 10467	15

Katherine Matejcek	290 Suydam Street #3R Brooklyn, N.Y. 11237	34
MacDonald Muir	790 Classon Avenue #1R Brooklyn, N.Y. 11238	35
Matthew Campos	1112 Fulton Street #3 Brooklyn, N.Y. 11238	36
Rachel Ellman	1246 Dean Street Brooklyn, N.Y. 11216	36
Sara Griffin	590 Marcy Avenue #2 Brooklyn, N.Y. 11206	36
Shivonne K. Marrow	532 Marcy Avenue #5C Brooklyn, N.Y. 11206	36
Matthew Chaves	151 17th Street #1 Brooklyn, N.Y. 11215	38
StaceyAnn McFarland-Ross	662 East 7th Street #2 Brooklyn, N.Y. 11218	39
Gabriella Carpenter	1911 Dorchester Road #2B Brooklyn, N.Y. 11226	40
Maura R. Roche	63 Fenimore Street #3A Brooklyn, N.Y. 11225	40
Kershelle Germain	95 Rockaway Parkway Brooklyn, N.Y. 11212	41
Anthony A. Mowatt	515 Thatford Avenue Brooklyn, N.Y. 11212	42
Maria B. Scafidi	5616 Avenue T Brooklyn, N.Y. 11234	46
Alvin Amezquita	125 Fingerboard Road Staten Island, N.Y.	49

*Approved Reapplicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Andrea M. Santos	57 East 97th Street #3 New York, N.Y. 10029	4
Joseph J. Velardi	60 West 75th Street #2C New York, N.Y. 10023	6
Samuel Ramos	640 Riverside Drive #10GI New York, N.Y. 10031	7
Towana Banks	2680 8th Avenue #7F New York, N.Y. 10030	9
Tina Johnson	159-70 Harlem River Drive #13D New York, N.Y. 10039	9
Tanizgia F. Brown	165 West 197th Street #5K Bronx, N.Y. 10468	14
Michelle Florence Green	1133 Ogden Avenue #22R Bronx, N.Y. 10452	16
Richard Ortega	1420 Washington Avenue #6F Bronx, N.Y. 10456	16
Angel Quinones	3970 3rd Avenue #N1007 Bronx, N.Y. 10457	16
Kenneth Z. Velez I	1096 Jackson Avenue Bronx, N.Y. 10456	16
Mercedes Alcivar	729 Prospect Avenue #1B Bronx, N.Y. 10455	17
Shona Dupree	2121 Virgil Place #2 Bronx, N.Y. 10455	18
Jacqueline Hernandez	2072 Virgil Place Bronx, N.Y. 10473	18
May Johnson	788 Metcalf Avenue #B Bronx, N.Y. 10473	18
Jose M. Jorge	2248 Story Avenue Bronx, N.Y. 10473	18
Carmela Kaatz	1240 Commonwealth Avenue Bronx, N.Y. 10472	18

Cassandra Wilson	1651 Metropolitan Avenue #2D Bronx, N.Y. 10462	18
Maureen Coppola	15-42 208th Place Bayside, N.Y. 11360	19
Susanne Marchetti	36-40 171st Street Auburndale, N.Y. 11358	26
Sheila A. Cocchi	20-08 46th Street Astoria, N.Y. 11105	22
Edward M. Olszewski	54-67 82nd Street Queens, N.Y. 11373	25
Aida Descartes	41-15 51st Street #B25 Queens, N.Y. 11317	26
Mahogany Moore	117-32 202nd Street St. Albans, N.Y. 11412	27
Susan Clemendore	155-45 115th Road Jamaica, N.Y. 11434	28
Shirley Richardson	172-20 133rd Avenue #6A Queens, N.Y. 11434	28
Thomas Lane	111-20 76th Road #4D Forest Hills, N.Y. 11375	29
Alexandra Schepis	72-61 113th Street #7G Queens, N.Y. 11375	29
Stephanie Mleczkowski	61-03 79th Street Middle Village, N.Y. 11379	30
Flavio Colella	217-17 Rockaway Point Blvd Breezy Point, N.Y. 11697	32
Jacob Friedman	169 Skillman Street Brooklyn, N.Y. 11205	33
Raymond Baez	689 Seneca Avenue #10 Ridgewood, N.Y. 11385	34
Francine Kenley	73 Gates Avenue #6 Brooklyn, N.Y. 11238	35
Karen Hamilton	174 Hancock Street #1 Brooklyn, N.Y. 11216	36

Luz Rodriguez	360 Stone Avenue #5D Brooklyn, N.Y. 11212	37
Caitlin Schwartz	4 Fuller Place Brooklyn, N.Y. 11215	39
Charles W. Davis	60 Turner Place #1T Brooklyn, N.Y. 11218	40
Blenda P. Emptage-Smith	50 Lefferts Avenue #2L Brooklyn, N.Y. 11225	40
Dolores Henry	125 Lenox Road #1B Brooklyn, N.Y. 11226	40
Mary Jemison Head	546 Decatur Street Brooklyn, N.Y. 11233	41
Bilal Malik	512 Rockaway Avenue #3F Brooklyn, N.Y. 11212	41
Shie Morozow	565 Maple Street #2 Brooklyn, N.Y. 11203	41
Evelyn McLeod	502 Bradford Street #2 Brooklyn, N.Y. 11207	42
Lucille L. Flood	75 73rd Street Brooklyn, N.Y. 11209	43
Madelyn Morales	1535 West 2nd Street Brooklyn, N.Y. 11204	44
Aleksandra Volina	618 Ocean Parkway #C1 Brooklyn, N.Y. 11218	44
Wanda Cean	635 East 82nd Street Brooklyn, N.Y. 11236	46
Charles Febbraio	2465 Stuart Street #1 Brooklyn, N.Y. 11229	46
Shirley Swift	980 East 94th Street Brooklyn, N.Y. 11236	46
Evelyn Hernandez	2249 Stillwell Avenue #4C Brooklyn, N.Y. 11223	47
Yekaterina Zaprudskiy	815 Gravesend Neck Road #4B Brooklyn, N.Y. 11223	47
Irina Dayen	501 Surf Avenue #15F Brooklyn, N.Y. 11224	48

David E. Elmaleh	1801 Ocean Avenue #7J Brooklyn, N.Y. 11230	48
Harold Weinberg	723 Hampton Avenue Brooklyn, N.Y. 11235	48
Marc E. Scollar	1031 Victory Blvd Staten Island, N.Y. 10301	48
Irina Patyka	66 Adams Avenue Staten Island, N.Y. 10306	50
Denise A. Virga	82 East Broadway Staten Island, N.Y. 10306	50
Stuart Brenker	767 Klondike Avenue Staten Island, N.Y. 10314	51
Gideon Davis	19 Kathy Place #1A Staten Island, N.Y. 10314	51
Virgina J. Doyle	415 Ellsworth Avenue Staten Island, N.Y. 10312	51
Rita Mahler	596 Annadale Road Staten Island, N.Y. 10312	51
Allyson Wiackley	563 Henderson Avenue Staten Island, N.Y. 10310	49
Aurora Russo	30 Crown Place Staten Island, N.Y. 10312	51
Gail M. Temborski	63 Ashton Drive #1 Staten Island, N.Y. 10312	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)  | <b>M-423 &amp; Res 1223 -</b> | <b>Hari Savitala</b> - As a member of the New York City Environmental Control Board.  |
| (2)  | <b>Int 405-A -</b>            | Foldable bicycle access in passenger elevators.   |
| (3)  | <b>Int 695-A-</b>             | Bicycle access for elevators in residential buildings.  |
| (4)  | <b>Int 795-A -</b>            | Bicycle access in office buildings.   |
| (5)  | <b>Int 869-A -</b>            | Reporting on sex offenses.  |
| (6)  | <b>Int 923-A -</b>            | Annual report regarding the satisfaction of minority and women owned business enterprises goals.                                |
| (7)  | <b>Int 948-A -</b>            | Requiring the police department to report on domestic violence and hate crime statistics.                                       |
| (8)  | <b>Int 961-A -</b>            | Requiring the police department to report on intimate partner domestic violence statistics.                                     |
| (9)  | <b>Int 968-A -</b>            | Requiring the police department to report on domestic violence crime statistics in public housing.                              |
| (10) | <b>Int 976-A -</b>            | Training for agency chief contracting officers and agency M/WBE officers and posting related information on the city's website. |
| (11) | <b>Int 981-B -</b>            | Establishment of an M/WBE advisory board.   |
| (12) | <b>Int 997-A-</b>             | Pedestrian control signals.   |
| (13) | <b>Int 1005-A -</b>           | Requiring agency minority and women-owned business enterprise utilization plans to be published online.                         |
| (14) | <b>Int 1019-A-</b>            | Amending reporting requirements related to M/WBE participation.   |
| (15) | <b>Int 1020-A –</b>           | Amending reporting requirements and agency goals related to M/WBE   |

participation.

- (16) **Res 1194 -** New and changed designations of certain organizations to receive funding (**Transparency Resolution**).
- (17) **L.U. 432 & Res 1199 -** App. C **160137 ZMM**, SMBRO Rivington, LLC Zoning Map, Manhattan, Community Board 3, Council District 2 (**Coupled to be Filed pursuant to a Letter of Withdrawal**).
- (18) **L.U. 435 & Res 1200 -** App. **20165639 TCM**, VER34, LLC, d/b/a Wine 34, sidewalk café, Manhattan, Community Board 6, Council District 2.
- (19) **L.U. 436 & Res 1201 -** App. **20165477 TCK**, Duke of Montrose, Inc., sidewalk café, Brooklyn, Community Board 6, Council District 39.
- (20) **L.U. 437 & Res 1202 -** App. N **160069 ZRM**, Durst Pyramid LLC, Zoning Resolution, Manhattan, Community Board 4, Council Districts 6 and 3.
- (21) **L.U. 439 & Res 1203 -** App. C **150135 ZMQ**, Astoria LLC, Zoning Map, Queens, Community Board 1, Council District 22.
- (22) **L.U. 440 & Res 1204 -** App. **20175028 HKM (N 170007 HKM)**, Church of St. Joseph of the Holy Family, Manhattan, Community Board 9, Council District 7.
- (23) **L.U. 441 & Res 1205 -** App. **20175029 HKM (N 170008 HKM)**, Saint Paul Roman Catholic Church, Manhattan, Community Board 11, Council District 8.
- (24) **L.U. 442 & Res 1206 -** App. **20175083 HKM (N 170009 HKM)**, Firehouse, Engine Company 29, Manhattan, Community Board 1, Council District 1.
- (25) **L.U. 443 & Res 1207 -** App. **20175027 HKM (N 170010 HKM)**, 315 Broadway Building, Manhattan, Community Board 1, Council District 1.

- (26) L.U. 444 & Res 1208 - App. **20175030 HKR (N 170011 HKR)**, George William and Anna Curtis House, Staten Island, Community Board 1, Council District 49.
- (27) L.U. 445 & Res 1209 - App. **20175031 HKR (N 170012 HKR)**, St. John's Protestant Episcopal Church Rectory, Staten Island, Community Board 1, Council District 49.
- (28) L.U. 446 & Res 1210 - App. **20175032 HKR (N 170013 HKR)**, 92 Harrison Street, Staten Island, Community Board 1, Council District 49.
- (29) L.U. 447 & Res 1211 - App. **20175033 HKR (N 170014 HKR)**, Princes Bay Lighthouse Complex, Staten Island, Community Board 3, Council District 51.
- (30) L.U. 448 & Res 1212 - App. **C 160267 ZMX**, Zoning Map, Bronx, Community Board 1, Council District 17.
- (31) L.U. 449 & Res 1213 - App. **N 160269 ZRX**, Zoning Resolution, Bronx, Community Board 1, Council District 17.
- (32) L.U. 450 & Res 1214 - App. **C 160268 HAX**, Urban Development Action Area project, Bronx, Community Board 1, Council District 17.
- (33) L.U. 451 & Res 1215 - App. **C 160270 ZSX**, Mixed-use development, Bronx, Community Board 1, Council District 17.
- (34) L.U. 452 & Res 1216 - App. **C 160271 ZSX**, Zoning Resolution, Bronx, Community Board 1, Council District 17.
- (35) L.U. 459 & Res 1217 - App. **20165602 TCM**, La Fiesta 95, Inc. d/b/a Le Pinta Mexican Cuisine., sidewalk café, Manhattan, Community Board 12, Council District 10.
- (36) L.U. 460 & Res 1218 - App. **20175006 TCM**, Nicky Meatball, Inc. d/b/a Polpette, sidewalk café, Manhattan,

- Community Board 7, Council District 6.
- (37) L.U. 461 & Res 1219 - App. **20165652 TCM**, Haru Chelsea Corp d/b/a Haru, sidewalk café, Manhattan, Community Board 4, Council District 3.
- (38) L.U. 462 & Res 1220 - App. **20165487 TCM**, Benva Bakery, LLC, sidewalk café, Manhattan, Community Board 7, Council District 6.
- (39) L.U. 463 & Res 1221 - App. **20165650 TCM**, Bill's 22 Ninth Avenue, LLC, d/b/a Bills Bar & Burger, sidewalk café, Manhattan, Community Board 2, Council District 3.
- (40) L.U. 464 & Res 1197 - French Apartments, Manhattan, Community District No. 4, Council District No. 3.
- (41) L.U. 465 & Res 1198 - Marine Terrace Apartments, Queens, Community District No. 4, Council District No. 22.
- (42) L.U. 466 & Res 1222 - App. N **160179 ZRX**, 1775 Grand Concourse, LLC, Zoning Resolution, Bronx, Community Board 5, Council District 14.
- (43) **Resolution approving various persons Commissioners of Deeds.**

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

**Affirmative** – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **50**.

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

*The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 405-A, 695-A, 795-A, 869-A, 923-A, 948-A, 961-A, 968-A, 976-A, 981-B, 997-A, 1005-A, 1019-A, and 1020-A.*

## RESOLUTIONS

*presented for voice-vote*

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

Report for voice-vote item Res No 1058-A

**Report of the Committee on Contracts in favor of approving, as amended, a resolution condemning all efforts to delegitimize the State of Israel and the global movement to boycott, divest from, and sanction the people of Israel.**

The Committee on Contracts, to which the annexed amended resolution was referred on May 5, 2016 (Minutes, page 1309), respectfully

### REPORTS:

#### **I. INTRODUCTION**

On September 14, 2016, the Committee on Contracts (“Committee”), chaired by Council Member Helen Rosenthal, will hold a second hearing on Resolution Number 1058-A (“Res. No. 1058-A”), a resolution condemning all efforts to delegitimize the State of Israel and the global movement to boycott, divest from, and sanction the people of Israel, sponsored by Council Member Andrew Cohen. The Committee first heard this resolution at its September 8, 2016 hearing. During that hearing, the Committee heard testimony from members of the New York State Assembly, advocates and other interested parties.

#### **II. BACKGROUND**

The Boycott, Divestment, and Sanctions (“BDS”) Movement is a global campaign, initially organized by Palestinian non-governmental organizations, which calls for the international boycott, divestment, and sanction of the state of Israel.<sup>1</sup> According to the Palestinian BDS National Committee website, the organizers of the BDS Movement were inspired by the South African anti-apartheid movement, and have stated that the campaign was developed in response to “Israel’s occupation and colonization of Palestinian land, discriminating against Palestinian citizens of Israel, and denying Palestinian refugees the right to return to their homes.”<sup>2</sup> According to the coalition, which includes unions, churches, non-governmental organizations, and Jewish-faith organizations, the BDS Movement’s goal is to “urge action to pressure Israel to comply with international law.”<sup>3</sup>

According to the *New York Times*, critics of the BDS Movement<sup>4</sup> argue that its efforts undermine dialogue, economic cooperation, and political reconciliation between Israelis and Palestinians,<sup>5</sup> and have described the campaign as a “thinly disguised, anti-Semitic attempt to deeply hurt or even destroy Israel.”<sup>6</sup> The Israeli Action Network has stated that despite the movement’s claims to seek peace, the “BDS Movement works unambiguously to undermine the ‘two states for two peoples’ solution” to the Israeli-Palestinian conflict.<sup>7</sup> In addition to the economic boycott of Israel, according to the Israeli Action Network, the BDS Movement’s promotion of boycotting of academic and cultural centers and communities “contradicts the principle of academic freedom and the open spirit of international cooperation between scientists, artists, and others” and is “particularly counterproductive [as] Israel’s academic community promotes honest debates,

<sup>1</sup> Palestinian BDS National Committee, “What is BDS?,” <https://bdsmovement.net/what-is-bds> (last accessed Sept. 6, 2016)

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Gladstone, Rick “Israeli Official Seek Ways to Combat Boycott,” *New York Times* (31 May, 2016), available at <http://www.nytimes.com/2016/06/01/world/middleeast/israel-boycott-divestment-sanctions.html>

<sup>5</sup> McKinley, Jesse “Cuomo to Halt State Business With Groups That Back Boycott of Israel,” *New York Times* (5 June 2016), available at <http://www.nytimes.com/2016/06/06/nyregion/cuomo-new-york-israel-boycott-bds-movement.html>

<sup>6</sup> *Id.*

<sup>7</sup> “The ABC’s of BDS” Israeli Action Network, available at <http://israelactionnetwork.org/wp-content/uploads/2014/09/ABCsofBDSweb2-.pdf>

criticism, and self-examination within Israeli society”.<sup>8</sup> In response, BDS proponents argue that the movement’s members are not monolithic,<sup>9</sup> and that accusations of anti-Semitism are a “cynical and divisive scare tactic.”<sup>10</sup>

Over the past two years, many efforts have been taken by public officials throughout the United States to address BDS activities against Israel. In February 2016, President Barack Obama signed into law the *Trade Facilitation and Trade Enforcement Act of 2015* which, in part, requires the President to report periodically to Congress on politically-motivated boycotts of, divestment from, and sanctions against Israel, as well as establishing as a principle trade objective of the United States the discouraging of boycott, divestment, and sanction activity against Israel and the elimination of nontariff barriers on Israeli goods, services, or other commerce imposed on Israel.<sup>11</sup> In his signing statement, President Obama indicated that he has “directed my Administration to strongly oppose boycotts, divestment campaigns, and sanctions targeting the State of Israel.”<sup>12</sup>

Several state governments have also adopted legislation aimed at the BDS Movement. The Tennessee General Assembly became the first state legislature to formally condemn the movement in April 2015.<sup>13</sup> The following month, Illinois Governor Bruce Rauner signed into law the first legislation in the country that prohibited the state pension fund from investing in companies engaged in boycotts against Israel.<sup>14</sup> Other states that have enacted similar laws include Florida, South Carolina, California, Alabama, Iowa, Colorado, Arizona, and most recently, New Jersey.<sup>15</sup> These laws prohibit state investments in entities engaged in boycotts of Israel, and in some cases, prohibit public contracting with such entities as well.

On June 5, 2016, New York State Governor Andrew Cuomo signed Executive Order (EO) 157.<sup>16</sup> According to the Governor’s counsel, Alphonso David, the EO was specifically targeted towards the BDS Movement, but would apply to any boycott affecting Israel.<sup>17</sup> Furthermore, the EO states that New York “unequivocally rejects the BDS campaign” and that it “will not permit its own investment activity to further the BDS campaign in any way, shape or form, either directly or indirectly.”<sup>18</sup>

EO 157 first directed the commissioner of the Office of General Services to devise a list (to be posted on the Office’s website) within 180 days of institutions and companies “that the Commissioner determines, using credible information available to the public, participate in boycott, divestment, or sanctions activity targeting Israel, either directly or through a parent or subsidiary.”<sup>19</sup> Prior to being placed on the list, the Commissioner must provide the entity a written notice of intent to include them on the list, and give them 90 days to provide evidence that the entity is not engaged in such activities.<sup>20</sup>

The EO then orders all agencies and departments over which the Governor has executive authority (as well as certain public-benefit corporations, public authorities, boards, and commissions) divest their money and assets from any investment in any institution or company on this list.<sup>21</sup> Furthermore, the EO prohibits the future investment of funds by agencies in any institution or company on the list.<sup>22</sup>

<sup>8</sup> *Id.*

<sup>9</sup> Gladstone, Rick “Israel’s Allies in U.S Challenge Boycott” *New York Times* (5 June 2015), available at <http://www.nytimes.com/2015/06/06/world/israels-allies-in-us-challenge-boycott.html>

<sup>10</sup> *Id.*

<sup>11</sup> TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015, PL 114-125, February 24, 2016, 130 Stat 122

<sup>12</sup> The White House, Office of the Press Secretary, “Signing Statement for H.R. 644,” (24 Feb. 2016) <https://www.whitehouse.gov/the-press-office/2016/02/25/signing-statement-hr-644>

<sup>13</sup> Savage, Sean, “Tennessee General Assembly becomes first state legislature to condemn BDS,” JNS.org (21 April 2015), <http://www.jns.org/news-briefs/2015/4/21/tennessee-general-assembly-becomes-first-state-legislature-to-condemn-bds>

<sup>14</sup> 2015 Illinois House Bill No. 4011, Illinois Ninety-Ninth General Assembly - First Regular Session

<sup>15</sup> Palestine Legal, “Anti-BDS Legislation in the United States,” <http://palestinelegal.org/legislation/> (last accessed Sept. 6, 2016)

<sup>16</sup> Office of Governor Andrew M. Cuomo, “Governor Cuomo Signs First-in-the-Nation Executive Order Directing Divestment of Public Funds Supporting BDS Campaign Against Israel,” (5 June 2016), <https://www.governor.ny.gov/news/governor-cuomo-signs-first-nation-executive-order-directing-divestment-public-funds-supporting>

<sup>17</sup> McKinley, *supra* note 5.

<sup>18</sup> N.Y. Comp. Codes R. & Regs. tit. 9, § 8.157

<sup>19</sup> *Id.* at § 8.157(II)(A)

<sup>20</sup> *Id.* at § 8.157(II)(C)

<sup>21</sup> *Id.* at § 8.157(III)(A)

<sup>22</sup> *Id.* at § 8.157(IV)

### **III. PROPOSED RES. NO. 1058-A**

Proposed Res. No. 1058-A first explains that Global Boycott, Divestment and Sanctions Movement is a campaign seeking to exclude the Israeli people from the economic, cultural, and academic life of humanity. The resolution next notes that the BDS Movement targets not just the Israeli government but Israeli academic, cultural, and civil society institutions, as well as individual Israeli citizens of all political persuasions, and in some cases Jews of other nationalities who support Israel.

The resolution argues that the movement targets only Israel while ignoring the world's myriad despotic regimes. Next, the resolution recognizes that Israel is one of the most democratic and open societies in the Middle East, with well-established rights for religious minorities, women, and LGBT citizens greater than any other nation in the region. It contends that the BDS Movement does not recognize the right of the Jewish people to national self-determination and comments that many supporters and leaders of the movement have engaged in anti-Semitic rhetoric, such as comparison of Israeli policy to Nazi Germany. The resolution maintains that university-based BDS efforts violate the goals of the university and global cultural development, which are to encourage and engage in free and open exchange and debate.

Next, the resolution states that both Israelis and Palestinians have the right to live in safe and secure states, free from fear, violence, and with mutual recognition. The resolution contends that BDS Movement does not support the two-state solution, a goal that can only be reached through negotiations between Israel and the Palestinians.

Finally, Proposed Res. No. 1058-A notes that Israel is an ally of the United States and has a long-standing relationship with the City of New York, and that the City has the largest population of Jewish residents in the nation and is home to the largest Jewish community outside of Israel.

The resolution concludes by stating that the Council of the City of New York condemns all efforts to delegitimize the State of Israel and the global movement to boycott, divest from, and sanction its government and people.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Res No. 1058-A:)**

Res. No. 1058-A

#### **Resolution condemning all efforts to delegitimize the State of Israel and the global movement to boycott, divest from, and sanction the people of Israel.**

By Council Member Cohen, Deutsch, Garodnick, Greenfield, Grodenchik, Kallos, Koslowitz, Lancman, Levine, Maisel, Treyger, Rosenthal, Torres, Salamanca, Cabrera, Palma, King, Gibson, Gentile, Espinal, Richards, Koo, Vacca, Van Bramer, Vallone, Johnson, Dickens, Eugene, Chin, Crowley, Lander, Levin, Borelli, Matteo and Ulrich.

**Whereas**, The Global Boycott, Divestment and Sanctions Movement (BDS Movement) is a campaign seeking to exclude the Israeli people from the economic, cultural, and academic life of humanity; and

**Whereas**, This movement targets not just the Israeli government but Israeli academic, cultural, and civil society institutions, as well as individual Israeli citizens of all political persuasions, and in some cases even Jews of other nationalities who support Israel; and

**Whereas**, The Global BDS Movement targets Israel and only Israel, while ignoring the world's myriad despotic regimes; and

**Whereas**, Israel is far and away the most democratic and open society in the Middle East, with well-established rights for religious minorities, women, and LGBT citizens that far exceeds those of any other nation in the region; and

**Whereas**, The Global BDS Movement does not recognize the right of the Jewish people to national self-determination; and

**Whereas**, Some of the BDS Movement's supporters and leaders have trafficked in unacceptable anti-Semitic rhetoric, including comparison of Israeli policy to that of Nazi Germany; and

**Whereas**, University-based BDS efforts violate the core goals of the university and global cultural development, which thrive on a free and open exchange and debate; and

**Whereas**, Both Israelis and Palestinians have the right to live in safe and secure states, free from fear and violence, with mutual recognition; and

**Whereas**, The Global BDS Movement does not support the two-state solution, a goal which can only be reached through direct negotiations between Israel and the Palestinians; and

**Whereas**, Israel is an ally of the United States and has a long-standing relationship with the City of New York; and

**Whereas**, The City of New York has the largest population of Jewish residents in the nation and is home to the largest Jewish community outside of Israel; now, therefore be it

**Resolved**, That the Council of the City of New York condemns all efforts to delegitimize the State of Israel and the global movement to boycott, divest from, and sanction its government and people.

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, CHAIM M. DEUTSCH, COREY D. JOHNSON; Committee on Contracts, September 14, 2016. *Other Council Members Attending: Cumbo, Cohen and Garodnick.*

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

The following 4 Council Members formally noted their opposition to the passage of this item: Council Members Barron, Menchaca, Mendez, and Miller.

The following 6 Council Members formally noted their abstention to vote on this item: Council Members Cumbo, Dromm, Reynoso, Rose, Williams, and Wills.

Adopted by the Council by voice-vote.

**INTRODUCTION AND READING OF BILLS**

Int. No. 1260

By The Speaker (Council Member Mark-Viverito), Chin and Dromm.

**A Local Law to amend the administrative code of the city of New York, in relation to transporting inmates in the custody of the department of correction to all criminal court appearances**

*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 9-146 to read as follows:

*§ 9-146 Inmate court appearance transportation. The department shall determine whether any inmates admitted to the custody of the department have pending court appearances scheduled in New York city criminal court or the criminal term of New York state supreme court other than those appearances for cases for which such defendant is admitted to the custody of the department. The department shall transport every inmate to all such court dates, except for such appearances as pertain solely to the payment of court surcharges.*

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

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1261

By The Speaker (Council Member Mark-Viverito) and Council Members Richards, Chin and Dromm.

**A Local Law to amend the New York city charter, in relation to authorizing the waiver of fees in the collection of cash bail**

*Be it enacted by the Council as follows:*

Section 1. Paragraph b of subdivision 3 of section 1504 of the Charter, as amended by vote of the electors on November 7, 1989, is amended to read as follows:

b. The department shall administer and manage all trust funds received or held by the city pursuant to a judgment, decree or order of any court or under section eleven hundred twenty-three of the surrogate's court procedure act, section ninety-nine-m of the general municipal law, sections eighty-seven and three-h of the social services law, sections four hundred twenty-six and four hundred thirty-two of the real property law, section two hundred four of the lien law and section five hundred fifty-three of the county law, and in such administration it shall be deemed to be acting in a fiduciary capacity. The department shall provide for the receipt and safekeeping of all such moneys of the trust funds held by the city and disburse the same on warrants signed by the comptroller. *The department may waive the fees to which the commissioner is entitled under section ninety-nine-m of the general municipal law after consideration of the budgetary impact on the city of such a waiver, the purpose of orders of bail and the equitable administration of justice.*

§2. This local law takes effect immediately.

Referred to the Committee on Fire and Criminal Services.

## Int. No. 1262

By The Speaker (Council Member Mark-Viverito) and Council Member Richards, Chin and Dromm.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the department of correction from producing inmates to court appearances in departmental uniforms.**

*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 9-146 to read as follows:

*§ 9-146 Inmate court appearance clothing. The department shall not produce any inmate to an appearance in New York city criminal court or the criminal term of New York state supreme court in a uniform issued by the department, unless such inmate has no personal clothing available.*

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

Referred to the Committee on Fire and Criminal Services.

## Res. No. 1193

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.3376-B/S.5448-A which would include certain writer and director salaries and compensation within production costs eligible for the empire state film production credit.**

By Council Member Dickens.

**Whereas**, Since 2004, New York State has offered the Empire State Film Production Credit, designed to incentivize and increase the film production and post-production industry presence in the State; and

**Whereas**, The credit provides qualified film production companies with a refundable credit equal to 30 percent of qualified production and post-production costs of feature-length films, television films, relocated television productions, television pilots, and/or each episode of a television series incurred in the State; and

**Whereas**, The aggregate amount of the credit available is currently capped at \$420,000,000 and is distributed on a first come, first served basis; and

**Whereas**, Qualified production costs include those for tangible property used and services performed within the State directly and predominantly in the production of a film or television episode, such as expenditures for film production facilities, props, makeup, wardrobe, film processing, camera, sound recording, set construction, lighting, shooting, editing, and meals; and

**Whereas**, All costs for salaries and other compensation for writers and directors are specifically excluded from production costs eligible for the credit; and

**Whereas**, A.3376-B, introduced by Assembly Member Keith Wright, and S.5448-A, introduced by Senator Kemp Hannon, would make certain writers' and directors' salaries eligible for the credit as qualified production costs; and

**Whereas**, Specifically, the legislation would authorize the inclusion of the salary and compensation of each writer or director of a television production who is a resident of New York State in the amount of: 1) up to \$50,000 for each writer or director who receives an on-air credit, and 2) up to \$75,000 for each non-credited writer or director if such person is a member of a minority group or female; and

**Whereas**, The aggregate amount that would be available for these types of qualified production costs would be \$5,000,000; and

**Whereas**, On May 24, 2016 A.3376-B was passed by the Assembly, but S.5448-A is still pending in the Senate; and

**Whereas**, The existing Empire State Film Production Credit has been successful in bringing and keeping film production jobs into the State and New York City; and

**Whereas**, According to a 2013 report prepared for the New York State Tax Reform and Fairness Commission, the level of film production employment in New York fell sharply between 2001 and 2004; and

**Whereas**, Once the credit was adopted in 2004, film production employment began to rise and experienced a substantial increase when the credit was expanded in 2008, leading to a 22-year high in 2012; and

**Whereas**, Further, according to the report, the credit's impact is principally in the City with approximately 88 percent of industry employment in 2012 and approximately 92 percent of the qualified film production spending and tax credits in 2011 attributed to New York City; and

**Whereas**, However, according to the State Legislature's Memorandum of Support for A.3376-B/S.5448-A, the credit has not created employment opportunities for the thousands of New York State residents who try to earn their living by writing or directing for television; and

**Whereas**, In particular, female and minority television writers are severely lagging behind their male and non-minority counterparts in terms of employment share with women making up only 29 percent of writing staff and minorities making up only 13 percent in 2014, according to a March 2016 report published by the Bunche Center at the University of California, Los Angeles; and

**Whereas**, Female and minority directors do not fare any better according to the Directors Guild of America's 2015 Diversity Report, which found that during the 2014-2015 network television season only 16 percent of television episodes were directed by women and only 18 percent were directed by minorities; and

**Whereas**, The successes of the Empire State Film Production Tax Credit should be expanded in order to promote the television writing and directing job market within New York and, especially, writing and directing jobs for minorities and women who are woefully underrepresented in the industry; 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.3376-B/S.5448-A which would include certain writer and director salaries and compensation within production costs eligible for the empire state film production credit.

Referred to the Committee on Finance.

Int. No. 1263

By Council Members Dromm and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to report on the results of inspections of food service establishments operated in or by schools**

*Be it enacted by the Council as follows:*

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1506 to read as follows:

*§ 17-1506 a. Definitions. For the purposes of this section, the following term has the following meaning:*

*School food service establishment. The term "school food service establishment" means a food service establishment operated in or by a public or private elementary, junior high or secondary school where more than six children are received for instruction and subject to the provisions of article 81 of title 24 of the New York city health code.*

*b. The department shall post to its website all available inspection results showing each school food service establishment's degree of compliance with the provisions of the New York city health code, the state sanitary code and other applicable laws that require such establishments to operate in a sanitary manner so as to protect public health.*

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

Referred to the Committee on Health.

## Preconsidered Res. No. 1194

**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 14, 2016 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”); and

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

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

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017 and Fiscal 2016 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 1; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; 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 Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2017 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 Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; 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 A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; 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 Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; 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 2017 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

**Resolved**, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 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 Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; 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 Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; 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 Immigrant Opportunities Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; 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 Senior Centers for the Immigrant Population Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the removal of funds from the administering agency receiving funding pursuant to the COMPASS Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Prisoners' Rights Project Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Legal Services for Low-Income New Yorkers Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Unaccompanied Minors and Families Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 24; and be it further

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

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 27; and be it further

**Resolved**, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 28; and be it further

**Resolved**, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 29; and be it further

**Resolved**, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 30; and be it further

**Resolved**, That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 31.

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. 1194 printed in these Minutes).

Int. No. 1264

By Council Members Garodnick Richards, 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 publish all of its rules, policies, and directives**

*Be it enacted by the Council as follows:*

Section 1. Section 9-138 of chapter 1 of title 9 of the administrative code of the city of New York is amended to read as follows:

§ 9-138 [Use of force directive] *Department rules, policies and directives*. The commissioner shall post on the department's website *all departmental rules, policies, and directives, including but not limited to the directive stating the department's current policies regarding the use of force by departmental staff on inmates, including but not limited to the circumstances in which any use of force is justified, the circumstances in which various levels of force or various uses of equipment are justified, and the procedures staff must follow prior to using force*. The commissioner may redact such *rules, policies, and directives* [directive] as necessary to preserve safety and security in the facilities under the department's control.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1265

By Council Members Gentile, Johnson and Dickens.

**A Local Law to amend the administrative code of the city of New York, in relation to creating a penalty for leaving a companion animal outside during inclement weather conditions and subjecting violators to the registration requirements of the Animal Abuse Registry**

*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 Outdoor care of companion animals during inclement weather conditions. a. Definitions. For purposes of this section, the following terms have the following meanings:

*Companion animal.* The term “companion animal” has the same meaning as is provided in subdivision 5 of section 350 of the agriculture and markets law.

*Inclement weather.* The term “inclement weather” has the same meaning as is provided in paragraph (b) of subdivision 1 of section 353-B of the agriculture and markets law except that the term applies to all companion animals.

b. Prohibition. No person shall leave any companion animal unattended outdoors during inclement weather conditions.

c. Exception. It is not a violation of this section to leave a dog outdoors in accordance with the provisions of section 353-b of the agriculture and markets law.

d. Penalties. Any person who violates the provisions of this section or any of the rules promulgated hereunder is, for a first offense, guilty of a violation punishable by a fine not to exceed \$250, provided that such person shall be issued a written warning instead of such fine for such first offense where such animal was not injured as a result of the violation. For any subsequent offense within a continuous 12-month period, such person is guilty of a class B misdemeanor punishable by a fine not to exceed \$500 or by imprisonment of not more than 3 months, or both. In addition to such penalties, any person who violates this section is liable for a civil penalty of not less than \$250 nor more than \$500.

§ 2. Subdivision a of section 17-1601 of the administrative code of the city of New York, as amended by local law 55 for the year 2015, is amended to read as follows:

a. “Animal abuse crime” [shall mean] means any of the following:

1. animal fighting, as defined in section three hundred fifty-one of the agriculture and markets law;
2. overdriving, torturing or injuring animals; failure to provide proper sustenance, as defined in section three hundred fifty-three of the agriculture and markets law;
3. aggravated cruelty to animals, as defined in section three hundred fifty-three-a of the agriculture and markets law;
4. electrocution of fur-bearing animals, as defined in section three hundred fifty-three-c of the agriculture and markets law;
5. abandonment of animals, as defined in section three hundred fifty-five of the agriculture and markets law;
6. failure to provide proper food and drink to an impounded animal, as defined in section three hundred fifty-six of the agriculture and markets law;
7. poisoning or attempting to poison animals, as defined in section three hundred sixty of the agriculture and markets law;
8. interference with or injury to certain domestic animals, as defined in section three hundred sixty-one of the agriculture and markets law;
9. harming a service animal in the first degree, as defined in section 242.15 of the penal code; [or]
10. a subsequent offense of leaving a companion animal unattended outdoors during inclement weather conditions, as defined in section 17-199.1 of this chapter; or
11. an offense in any other jurisdiction which includes all of the essential elements of any such crime provided for in paragraph one, two, three, four, five, six, seven, eight, [ or] nine, or ten of this subdivision.

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

Referred to the Committee on Health.

Int. No. 1266

By Council Members Greenfield, Miller and Richards.

**A Local Law to amend the New York city building code, in relation to prohibiting the use of plywood to secure vacant and abandoned buildings**

*Be it enacted by the Council as follows:*

Section 1. Article 216.1.2 of title 28 of chapter 2 of the New York city construction code is amended to read as follows:

Vacant buildings. Any vacant building not continuously guarded or not sealed and kept secure against unauthorized entry shall have all openings sealed in a manner approved by the commissioner, *but the use of plywood shall be prohibited in sealing such openings.* [and] [i]It shall be the duty of the owner thereof promptly to make any repairs that may be necessary for the purpose of keeping such building sealed and secure.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 1195

**Resolution calling upon the New York City Department of Transportation to reserve parking near private schools for private school employees.**

By Council Member Greenfield.

**Whereas**, Finding a parking spot in New York City is often very difficult and time-consuming; and

**Whereas**, According to the New York Times, in some neighborhoods parking is so scarce that 28 to 45 percent of drivers on the street are looking for a parking spot at any given time; and

**Whereas**, According to the New York University Furman Center for Real Estate and Urban Policy, approximately 27.4 percent of New Yorkers commute to work by car; and

**Whereas**, According to the New York City Charter, the Department of Transportation (DOT) has the power to enforce laws, rules and regulations concerning the parking of vehicles and the movement and conduct of vehicular and pedestrian traffic; and

**Whereas**, According to the New York City Charter, the DOT has the power to establish, determine, control, install and maintain signs for guiding, directing or otherwise regulating and controlling vehicular traffic in the streets; and

**Whereas**, Some school employees must travel to work by car because they live in a neighborhood that is underserved by public transportation or would face a commute that would take several hours; and

**Whereas**, Many Department of Education (DOE) schools have signage that restricts parking so that DOE employees may have a place to park near the school at which they are employed; and

**Whereas**, Private school employees who commute to work by car face the same difficulties in finding parking as their public school counterparts but do not have similar signage that limits parking so that they may find parking near the school at which they work; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York City Department of Transportation to reserve parking near private schools for private school employees.

Referred to the Committee on Transportation.

Res. No. 1196

**Resolution calling on the United States Congress to pass, and the President to sign into law, the Fairness for Veterans Act of 2016, H.R. 4683/S. 1567.**

By Council Members King and Gentile.

**Whereas**, Military service often leads to significant mental health injuries, such as Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI); and

**Whereas**, Between 2000 and 2015, 177,461 cases of PTSD were reported among service members (both deployed and non-deployed); and

**Whereas**, During the same time period, a total of 327,999 veterans (deployed and non-deployed) were diagnosed with TBI; and

**Whereas**, Finally, military sexual trauma (MST) continues to be another prevalent concern, as a 2016 report by the United States (U.S.) Department of Defense's Sexual Assault Prevention and Response Office found that there were 12,166 reported instances of sexual assault in FY 2015; and

**Whereas**, MST has a serious impact on mental health. Male and female survivors of MST often report chronic pain, gastrointestinal problems, sleep disturbances, and alcohol abuse; and

**Whereas**, On March 3, 2016, Representative Mike Coffman introduced H.R. 4683, the Fairness for Veterans Act and Senator Gary Peters introduced its companion, S. 1567 in the U.S. Senate on June 15, 2015; and

**Whereas**, These bills would address medical evidence reviews in the cases of former members of the armed forces who were deployed and later diagnosed with PTSD or TBI as a consequence of their deployment as well as former service members whose applications for relief from terms of military discharge stem partially or entirely from PTSD, TBI related to combat, or MST; and

**Whereas**, Furthermore, these bills would require discharge boards to review Department of Veterans Affairs (VA) medical evidence (or that of civilian providers) with rebuttable presumptions in favor of the ex-service member that PTSD or TBI affected the circumstances in the event of a discharge of lesser characterization (such as Other Than Honorable); and

**Whereas**, Receiving "bad paper discharges" can preclude veterans from receiving federally-funded benefits and healthcare services and, if enacted, these bills would make it easier for combat veterans to receive both diagnoses of and treatment for PTSD and other mental health injuries; and

**Whereas**, These bills would require Discharge Review Boards (DRBs) to consider the appeals of combat veterans who have been diagnosed with PTSD or TBI with the presumption that PTSD or TBI contributed to the veteran's discharge; and

**Whereas**, These bills have received the support of numerous leading veterans' organizations including Veterans of Foreign Wars (VFW), Military Officers Association of America (MOAA), Disabled American Veterans (DAV), Paralyzed Veterans of America (PVA), Vietnam Veterans of America (VVA), United Soldiers and Sailors of America, and Iraq and Afghanistan Veterans of America (IAVA); and

**Whereas**, In light of the dangers that veterans face abroad, and the difficulties that they must grapple with to receive appropriate care at home, these bills would expand their access to legal redress, as well as the benefits that they are entitled to based on the enormous sacrifices they and their families make on behalf of our nation; now, therefore be it

**Resolved**, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign into law, the Fairness for Veterans Act of 2016, H.R. 4683/S. 1567.

Referred to the Committee on Veterans.

Int. No. 1267

By Council Members Lancman, Garodnick, Richards, Chin and Dromm.

**A Local Law to amend the administrative code of the city of New York, in relation to criminalizing the non-consensual disclosure of sexually explicit images**

*Be it enacted by the Council as follows:*

Section 1. Title 10 of the administrative code of the city of New York is amended by adding a new section 10-173 to read as follows:

*§10-173. Unlawful disclosure of an intimate image or video.*

*a. Definitions.*

*“Disseminate” means to give, provide, lend, deliver, mail, send, forward, transfer or transmit, electronically or otherwise to another person.*

*“Intimate image” means the image of any portion of the genitals, the buttocks, or the female breast below the top of the areola, or an image of a person or persons engaged in an act of sexual intercourse, sodomy, oral copulation, sexual penetration, or masturbation.*

*“Matter of public interest” means a matter that deals with significant political, journalistic, or artistic concerns, or in response to a lawful subpoena, court order or request by a law enforcement official in support of an investigation.*

*b. It shall be unlawful for a person to disseminate or cause the dissemination of an intimate image of another identifiable person, unless such identifiable person agrees to such dissemination, with the intention to cause economic, emotional or physical harm.*

*c. Exceptions. It shall not be a violation of this section if the dissemination of an intimate image is a matter of public interest.*

*d. Penalty. Violation of this section shall be a misdemeanor punishable by up to one year in jail or a fine of up to one thousand dollars or both.*

§2. This local law takes effect immediately upon enactment.

Referred to the Committee on Public Safety.

Int. No. 1268

By Council Member Reynoso.

**A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to regulation of the heating oil supply industry by the business integrity commission.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a and subdivision b of section 2101 of the New York city charter, as amended by local law number 21 for the year 2002, are amended to read as follows:

a. The business integrity commission shall be responsible for the regulation of the trade waste industry, the shipboard gambling industry, the fulton fish market distribution area and other seafood distribution areas [and], the public wholesale markets, *and the heating oil supply industry*. In regulating such industries, areas and markets, the commission shall have the powers and duties conferred by this chapter and such other powers and duties as are conferred by law.

b. The powers and duties of the business integrity commission shall be exercised in a manner consistent with all local laws governing the regulation of the trade waste industry, the shipboard gambling industry, the fulton fish market distribution area and other seafood distribution areas [and], the public wholesale markets *and the heating oil supply industry* and shall include but not be limited to the following:

§ 2. Title 20-A of the administrative code of the city of New York is amended by adding a new chapter 2 to read as follows:

**CHAPTER 2  
REGULATION OF THE HEATING OIL SUPPLY INDUSTRY**

*§ 20-1000 Definitions. As used in this chapter:*

*Applicant. The term “applicant” means an individual or business entity submitting an application for a license or the renewal of a license pursuant to this chapter and all of the principals of such business entity.*

*Affiliate. The term “affiliate” means a business entity that is under common ownership with another business entity or has an interlocking board of directors with another business entity.*

*Consumer.* The term “consumer” means a person who purchases heating oil at retail for use in a specific building in the city.

*Commission.* The term “commission” means the business integrity commission established pursuant to chapter 63 of the charter or a person delegated by such commission to act on its behalf.

*Dealer license.* The term “dealer license” means a license issued by the commission pursuant to this chapter to a person engaged in business as a dealer.

*Deliverer license.* The term “deliverer license” means a license issued by the commission pursuant to this chapter to a person engaged in business as a deliverer.

*Dispatcher.* The term “dispatcher” means an individual employed by a dealer, deliverer or terminal who schedules or dispatches deliveries of heating oil to consumers and/or communicates with the operators of delivery vehicles and/or consumers with regard to deliveries of heating oil to consumers. Such term includes an individual who supervises employees who perform such function.

*Dispatcher license.* The term “dispatcher license” means a license issued by the commission pursuant to this chapter to a dispatcher.

*Fraudulent business practice.* The term “fraudulent business practice” means, with intent to defraud a consumer, delivering a product to a consumer that differs from the type and/or quantity of heating oil that the consumer agreed to purchase. The form and content of any such agreement to purchase heating oil must be in accordance with the rules of the commission. A fraudulent business practice includes, but is not limited to, the practice of blending heating oil with additives or other ingredients before delivery to a consumer without the consumer’s knowledge and “shorting,” as such term is defined herein.

*Heating oil.* The term “heating oil” means oil refined for the purpose of use as fuel for combustion in a heating system.

*Heating oil dealer or dealer.* The term “heating oil dealer” or “dealer” means a person that sells or offers to sell heating oil to consumers.

*Heating oil deliverer or deliverer.* The term “heating oil deliverer” or “deliverer” means a person that delivers or offers to deliver heating oil to consumers.

*Heating oil delivery vehicle or delivery vehicle.* The term “heating oil delivery vehicle” or “delivery vehicle” means a vehicle that is used to deliver heating oil to consumers.

*Licensee.* The term “licensee” means an individual or business entity that holds a license issued by the commission pursuant to this chapter.

*Operate.* The term “operate” with respect to a delivery vehicle means to drive such vehicle or to operate or to assist in the operation of equipment used in the transfer of heating oil from the tank compartments of a delivery vehicle to the heating oil tank of a consumer. Such equipment includes, but is not limited to, the hose, meter, connection to consumer tank, air eliminator and fittings.

*Operator.* The term “operator” with respect to a delivery vehicle means the driver of such vehicle or an individual who accompanies the driver during deliveries and operates or assists in the operation of equipment used in the transfer of heating oil from the tank compartments of the delivery vehicle, including but not limited to, the hose, meter, connection to consumer tank, air eliminator or fittings, to the heating oil tank of a consumer.

*Operator license.* The term “operator license” means a license issued by the commission pursuant to this chapter to an individual who is an operator of a delivery vehicle.

*Owner.* The term “owner” with respect to a delivery vehicle or heating oil means a person having the property in or title to such vehicle or heating oil, including, but not limited to, a person entitled to use and possession of such vehicle or heating oil subject to a security interest in another person and also includes any lessee or bailee having exclusive use thereof, except that the term shall not include a person who is only a holder of a security interest in such vehicle or heating oil.

*Person.* The term “person” means an individual, partnership, corporation, limited liability company or other legal entity.

*Predecessor heating oil business.* The term “predecessor heating oil business” means any business engaged in the supply, transport or delivery of heating oil to which an applicant or licensee is a successor pursuant to subdivision b of section 20-1004 of this chapter.

*Principal.* The term “principal” means, with respect to a business entity, a person having a financial interest in or control of a business entity as specified in the rules of the commission, including, but not limited

to, an officer, director or manager, partner or a stockholder owning stock directly or indirectly through a partnership, corporation or other business entity or through a spouse, child, grandchild, parent or other relative, as determined by the commission.

*Shorting.* The term “shorting” means the practice of stealing heating oil during a delivery to a consumer, including, but not limited to, by delivering less heating oil than the meter on the delivery vehicle shows as delivered. “Shorting” includes any practice where, based on a false delivery ticket or other record created to conceal a theft of heating oil, a consumer is billed for more heating oil than is actually delivered.

*Terminal.* The term “terminal” means a business entity that operates a facility where heating oil is received, stored and sold to dealers for re-sale to consumers or sold directly to consumers. A terminal that sells or delivers heating oil directly to consumers shall be subject to regulation pursuant to this chapter as a dealer and/or deliverer, as applicable.

§ 20-1001 General. a. The commission shall regulate individuals and businesses supplying heating oil for use within the city in accordance with this chapter and chapter 63 of the charter and rules promulgated by the commission pursuant thereto.

b. The commission shall promulgate rules to carry out the provisions of this chapter and chapter 63 of the charter and to establish standards for service and for the regulation and conduct of individuals and businesses licensed pursuant to this chapter, including, but not limited to, requirements governing the level of service to be provided by licensees, contracts for the transport and delivery of heating oil, billing form and procedures, the maintenance, filing and inspection of records, the inspection of delivery vehicles, the maintenance of appropriate insurance and compliance with environmental, safety and health measures. The commission may by rule delegate such rulemaking authority, including the authority to promulgate final rules to carry out the provisions of this chapter, to the chair of the commission.

c. In carrying out its powers and duties pursuant to this chapter and chapter 63 of the charter, the commission may exercise the powers delegated to any other city agency under any other provision of law or rule relating to the regulation of the supply of heating oil in the city and shall have the same authority as such agency to administer and enforce such law or rule.

d. The commission may enter into agreements with agencies responsible for compliance with local laws relating to climate change, the reduction of greenhouse gases and energy efficiency to share information submitted to the commission by licensees regarding the delivery of heating oil to consumers.

e. Nothing in this chapter shall be construed to limit, abridge, affect or amend the power of the department of consumer affairs, the department of environmental protection or any other agency.

§ 20-1002 License and vehicle registration required. a. It shall be unlawful for a person to engage in business as a heating oil deliverer or heating oil dealer without a license issued by the commission pursuant to this chapter. A terminal that engages in business as a deliverer or dealer must obtain a dealer and/or deliverer license, as applicable.

b. It shall be unlawful for a dealer to use a deliverer for deliveries of heating oil to consumers unless such deliverer is licensed by the commission pursuant to this chapter.

c. It shall be unlawful for a deliverer to deliver heating oil to consumers who purchase heating oil from a dealer unless such dealer is licensed by the commission pursuant to this chapter.

d. Except as otherwise permitted by the commission pursuant to subdivision e of section 20-1015, it shall be unlawful for an individual to operate a delivery vehicle without a license issued by the commission pursuant to this chapter.

e. Except as otherwise permitted by the commission pursuant to subdivision e of section 20-1015, it shall be unlawful for an individual to act as a dispatcher without a license issued by the commission pursuant to this chapter.

f. Except as otherwise permitted by the commission pursuant to subdivision e of section 20-1015, it shall be unlawful for a person engaged in business as a heating oil dealer, heating oil deliverer or terminal to employ or engage the services of an operator for a delivery vehicle who does not have an operator license or to employ or engage the services of a dispatcher who does not have a dispatcher license.

g. It shall be unlawful for a person to sell or deliver or offer to sell or deliver or to hold itself out to the public as authorized to sell or deliver heating oil to consumers without the applicable license issued by the commission pursuant to this chapter.

*h. It shall be unlawful to operate or use a delivery vehicle unless such vehicle is registered with the commission pursuant to this chapter.*

*i. It shall be unlawful to physically alter a delivery vehicle or the equipment of a delivery vehicle to engage in the practice of shorting.*

*j. It shall be unlawful to operate a delivery vehicle or the equipment of a delivery vehicle that has been physically altered to engage in the practice of shorting when the operator knew or should have known that the delivery vehicle or equipment of a delivery vehicle has been altered to engage in the practice of shorting.*

*k. It shall be unlawful to engage in a fraudulent business practice as defined in section 20-1000 of this chapter and the rules of the commission.*

*l. A license issued pursuant to this chapter or any rule promulgated hereunder is not transferrable or assignable and may not be used by any person other than the licensee. A license that is used, transferred or assigned in violation of this subdivision shall expire by operation of law as of the date of such unlawful transfer, assignment or use.*

*§ 20-1003 Term of license and fees. a. The term of a license issued pursuant to this chapter and of renewal of such license shall be as set forth in the rules of the commission.*

*b. The commission shall promulgate rules establishing fees for licenses, the renewal of licenses, registration and inspection of delivery vehicles, and to reimburse the city for the expense of fingerprinting and background investigations required by this chapter.*

*§ 20-1004 License application. a. An applicant for a license shall submit an application in the form and containing the information prescribed by the commission. Such information may include information regarding any predecessor heating oil business to which the applicant is a successor or any affiliate or subsidiary of the applicant that owns or operates a business in any jurisdiction. The commission may require that applications and other information and/or documentation required by the commission pursuant to this chapter or the rules of the commission be submitted electronically.*

*b. For purposes of this chapter, an applicant shall be considered a successor to a predecessor heating oil business upon a finding by the commission, in its sole discretion, that such applicant satisfies two or more of the following criteria:*

*1. The applicant uses the same facility, facilities or workforce to offer substantially the same services as the predecessor heating oil business;*

*2. The applicant shared in the ownership, or otherwise exercised control over the management of the predecessor heating oil business;*

*3. The applicant employs in a managerial capacity any person who controlled the wages, hours, or working conditions of the affected employees of the predecessor heating oil business; or*

*4. The applicant is an immediate family member, including a parent, step-parent, child, or step-child, foster or adopted child, of any owner, partner, officer, or director of the predecessor heating oil business, or of any person who had a financial interest in the predecessor heating oil business.*

*c. Fingerprinting. An applicant for a license issued pursuant to this chapter shall submit fingerprints of the individuals described in subdivision d of this section. Such fingerprinting must be performed by a person designated by the commission for such purpose.*

*d. Required individuals for disclosure and fingerprinting. 1. The applicant shall be required to provide information required by the commission pursuant to subdivision a of this section and to provide fingerprints as required pursuant to subdivision c of this section with respect to the following individuals:*

*(a) All principals of the applicant as defined in the rules of the commission;*

*(b) If the applicant is a regional subsidiary of or otherwise owned, managed by or an affiliate of a business that has national or international operations, the commission may by rule provide for additional disclosure relating to principals of such national or international entity;*

*(c) Any individual employed by the applicant in a job category specified in the rules of the commission; and*

*(d) Any other individual specified in the rules of the commission.*

*2. Where, at any time subsequent to an investigation of a person subject to the provisions of this section, the commission has reasonable cause to believe that such employee lacks good character, honesty and integrity, the commission may conduct an additional investigation of such person and may require, if necessary, that such person provide information updating, supplementing or explaining information previously*

submitted. Such information may, at the discretion of the commission or its staff, be in the form of sworn testimony.

§ 20-1005 *Refusal to issue a license. The commission may, by majority vote of its entire membership and after notice and the opportunity to be heard, refuse to issue a license to an applicant who lacks good character, honesty and integrity. Such notice shall specify the reasons for such refusal. In making such determination, the commission may consider, but is not limited to, considering:*

*a. Failure of such applicant to provide any information and/or documentation required by the commission pursuant to this chapter or any rules promulgated pursuant hereto;*

*b. Failure of such applicant to provide truthful information to the commission in connection with the application or in relation to any investigation by the commission;*

*c. A pending indictment or criminal action against such applicant for a crime or a pending civil or administrative action to which such applicant is a party and which directly relates to the fitness to conduct the business or perform the work for which the license is sought, in which case the commission may defer consideration of an application until a decision has been reached by the court or administrative tribunal before which such action is pending;*

*d. Conviction of such applicant of a crime or a finding of liability in a civil or administrative action that bears a direct relationship to the fitness of the applicant to conduct the business for which the license is sought;*

*e. Commission of a racketeering activity, as such term is defined in subdivision one of section 1961 of title 18 of the United States Code or of any offense listed in subdivision one of section 460.10 of the penal law, or the equivalent offense under the laws of any other jurisdiction;*

*f. Having been a principal in a predecessor heating oil business to which the applicant is a successor where the commission would be authorized to deny a license to such predecessor business pursuant to this section;*

*g. Failure to pay any tax, fine, penalty, or fee related to the applicant's business for which liability has been admitted by the person or business liable therefore, or for which judgment has been entered by a court or administrative tribunal of competent jurisdiction;*

*h. For any business entity required to register as a distributor with the department of taxation and finance pursuant to article 12-A of the tax law, cancellation of the registration of such business entity by such department in accordance with subdivision four of section 283 of the tax law; and*

*i. For any individual required to be licensed who is also required to hold a valid transportation worker identification credential ("TWIC") issued by the transportation security administration ("TSA"), refusal of TSA to issue such TWIC, or revocation or suspension by TSA of such TWIC, or surrender of such TWIC.*

§ 20-1006 *Duty to inform the commission of change in application; investigation of employees. a. An applicant or licensee shall, in accordance with rules promulgated by the commission, provide the commission with notice of the following, no later than 10 business days after the occurrence of such event or events:*

*1. All changes in the ownership composition of the business;*

*2. The addition or removal of any principal or any individual listed in paragraph one of subdivision d of section 20-1004 at any time subsequent to the submission of the application or issuance of the license;*

*3. The arrest or criminal conviction of any principal of the business or any individual listed in paragraph one of subdivision d of section 20-1004; or*

*4. Any other material change in the information submitted on the application for a license, as that term is defined by rule of the commission or in the application.*

*b. Where the commission has reasonable cause to believe that an employee or agent of a licensee or an applicant for a license not otherwise subject to the fingerprinting requirements of this chapter lacks good character, honesty and integrity, the commission shall notify such employee or agent that he or she shall be required to be fingerprinted and submit the information required by the commission.*

*c. Following a background investigation conducted pursuant to this section, the commission may by majority vote of its entire membership, and after notice and opportunity to be heard, find that a principal, employee or agent of a licensee lacks good character, honesty and integrity. Such notice shall specify the reasons for such a determination. In making such determination, the commission may consider, but is not limited to considering, the factors specified in section 20-1005 of this chapter.*

*d. A licensee shall not employ or engage as an agent any person with respect to whom the commission has made a final determination, following a background investigation conducted pursuant to this section, that such person lacks good character, honesty and integrity.*

*§ 20-1007 Independent monitoring required. a. The commission may, in the event that the background investigation conducted pursuant to this chapter produces adverse or derogatory information, require as a condition of a license that the licensee enter into a contract with an independent monitor approved or selected by the commission. Such contract, the cost of the services of such monitor, and all related costs, shall be paid by the licensee. Such contract shall provide that the monitor investigate the activities, as applicable, of the licensee with respect to the licensee's compliance with the provisions of this chapter, other applicable federal, state and local laws and such other matters as the commission shall determine by rule. The contract shall provide further that the monitor report the findings of such monitoring and investigation to the commission on a periodic basis.*

*b. The commission shall be authorized to prescribe in any contract required by the commission pursuant to this section such reasonable terms and conditions as the commission deems necessary to effectuate the purposes hereof.*

*§ 20-1008 Revocation or suspension of license. In addition to the penalties provided in section 20-1010 of this chapter, the commission, after notice and opportunity to be heard, may revoke or suspend a license issued pursuant to this chapter whenever:*

*a. The licensee or any of its principals, employees or agents has been found to be in violation of this chapter or any rules promulgated pursuant thereto;*

*b. The licensee or any of its principals, employees or agents has been found by a court or administrative tribunal of competent jurisdiction to have violated:*

*1. Any law or rule relating to meter tampering; or*

*2. Any law or rule relating to overcharging for the delivery of heating oil, shorting, or otherwise engaging in a fraudulent business practice;*

*c. The licensee or any of its principals, employees or agents has repeatedly failed to obey lawful orders of any person authorized to enforce the provisions hereof;*

*d. The licensee or any of its principals, employees or agents has failed to pay, within the time specified by a court, the office of administrative trials and hearings or an administrative tribunal of competent jurisdiction, all fines or civil penalties imposed pursuant to this chapter or the rules promulgated pursuant thereto;*

*e. The licensee or any of its principals, employees or agents has been found to be in persistent or substantial violation of any city, state or federal law, rule or regulation regarding the transport or delivery of heating oil;*

*f. In relation to an investigation conducted pursuant to this chapter, the commission determines, after consideration of the factors set forth in section 20-1005 of this chapter, that the licensee lacks good character, honesty and integrity;*

*g. There has been any false statement or any misrepresentation as to a material fact in the application or accompanying papers upon which the issuance of such license was based;*

*h. The licensee has failed to notify the commission of any change in the ownership interest of the business or other material change in the information required on the application for such license, or of the arrest or criminal conviction of such licensee or any of its principals, employees, or agents of which the licensee had knowledge or should have had knowledge; or*

*i. For any business entity required to register as a distributor with the department of taxation and finance pursuant to article 12-A of the tax law, cancellation of the registration of such business entity by such department in accordance with subdivision four of section 283 of the tax law.*

*§ 20-1009 Emergency suspension of license. Notwithstanding any inconsistent provision of section 20-1008, the commission may, upon a finding that the operation of the business of a licensee or the transport or delivery of heating oil by a business required by this chapter to be licensed creates an imminent danger to life or property, immediately suspend such license without prior notice. The commissioner shall forthwith notify the licensee of such suspension and the reasons for such suspension, that the license is proposed to be revoked, that the licensee has the right to request a hearing within 14 days of the date of such notice and that a hearing will be provided within 5 business days of the date of such request.*

*§ 20-1010 Penalties. a. Except as otherwise provided in subdivision b of this section, any person who violates any provision of this chapter or any of the rules promulgated pursuant to this chapter shall be liable for a civil penalty of not more than \$10,000 for each violation. Such civil penalty may be recovered in a civil action in any court of competent jurisdiction or in a proceeding before an administrative tribunal within the jurisdiction of the office of administrative trials and hearings.*

*b. Any person who violates any of the provisions of section 20-1002 of this chapter or any of the rules promulgated pursuant thereto shall upon conviction thereof be punished by a criminal fine of not more than \$10,000 for each day of such violation or by imprisonment not exceeding six months or both such criminal fine and imprisonment. In addition to or as an alternative to such criminal fine and imprisonment, such person shall be liable for a civil penalty of not more than \$10,000 for each day of such violation, which may be recovered in a civil action in any court of competent jurisdiction or in a proceeding before an administrative tribunal within the jurisdiction of the office of administrative trials and hearings.*

*§ 20-1011 Impoundment and forfeiture. a. Any delivery vehicle that has been used or is being used in violation of section 20-1002 may be impounded by the commission. Except as otherwise provided in subdivisions b and c of this section, such vehicle shall be released upon payment of removal charges and storage fees and the applicable fine or civil penalty or posting of a bond in an amount satisfactory to the commission.*

*b. 1. In addition to any other penalties provided in this chapter, the interest of an owner of a delivery vehicle that has been impounded pursuant to subdivision a of this section or of any heating oil contained in such a vehicle shall be subject to forfeiture upon notice and judicial determination thereof if such vehicle is found to contain stolen heating oil or such vehicle or its equipment is found to have been physically altered to engage in the practice of shorting or other fraudulent business practice.*

*2. Except as hereinafter provided, the city agency having custody of a delivery vehicle, after judicial determination of forfeiture, shall no sooner than 30 days after such determination upon notice of at least 5 days, sell such forfeited vehicle and/or heating oil at public sale. Any person, other than an owner whose interest is forfeited pursuant to this section, who establishes a right of ownership in a vehicle or heating oil, including a part ownership or security interest, shall be entitled to delivery of the vehicle or heating oil if such person:*

*(a) Redeems the ownership interest which was subject to forfeiture by payment to the city of the value thereof;*

*(b) Pays the reasonable expenses of the safekeeping of the vehicle between the time of seizure and such redemption; and*

*(c) Asserts a claim within 30 days after judicial determination of forfeiture.*

*3. Notwithstanding the foregoing provisions, establishment of a claim shall not entitle such person to delivery of the vehicle or heating oil if the city establishes that the unlawful use for which the vehicle was impounded was expressly or impliedly permitted by such person.*

*c. The commission shall promulgate rules concerning the impoundment, forfeiture and release of delivery vehicles and the payment of removal charges and storage fees for such vehicles, including the amounts and rates thereof, the procedure for disposal of unclaimed vehicles, and procedures for innocent owners to file claims. Such rules shall provide for notice to the registered owner of the vehicle and the opportunity for a hearing before the office of administrative trials and hearings to determine whether there was reasonable cause to believe that such vehicle should be impounded and/or, where applicable, subject to forfeiture. A hearing shall be provided within three business days of such request. Within four business days of the conclusion of such hearing, the hearing officer shall submit recommended findings of fact and a recommended decision to the commission, which shall make the final findings of fact and the final determination within four business days of such recommendation. If the commission determines that there is not reasonable cause to believe that such vehicle should be subject to forfeiture, the commission shall release such vehicle and no charges or fees shall be imposed as a condition of such release. If the commission determines that there is reasonable cause to believe that such vehicle should be subject to forfeiture, the commission may retain such vehicle pending forfeiture pursuant to the provisions of this section.*

*§ 20-1012 Liability for violations by employees. A business required by this chapter to be licensed shall be liable for violations of any of the provisions of this chapter or any rules promulgated pursuant hereto committed by any of its employees or agents.*

*§ 20-1013 Enforcement. a. In addition to police officers and employees and agents of the commission, notices of violation and appearance tickets for violation of any provision of this chapter or any rule promulgated hereunder may be issued by authorized employees and agents of other agencies of the city designated by the commission.*

*b. With respect to any notice of violation or order of the commission alleging the unlicensed operation of a business regulated by this chapter, the operator of a delivery vehicle engaged in delivering or transporting heating oil in violation of this chapter shall be deemed to be the agent of the business entity employing such operator or on whose behalf such operator is acting and service of such notice of violation or order on such operator shall be deemed to be lawful service upon such business entity.*

*§ 20-1014 Hearings. Except as otherwise specified, the commission may provide by rule that hearings or specified categories of hearings pursuant to this chapter may be conducted by the office of administrative trials and hearings and may provide that such office shall make the final decision or determination with respect to the matter.*

*§ 20-1015 Conduct. a. All licensed dealers and deliverers shall maintain audited financial statements, records, ledgers, receipts, bills and such other written or electronic records as the commission determines are necessary for carrying out the purposes of this chapter. Such records shall be maintained for a period of time not to exceed five years to be determined by rule of the commission, except that such rule may provide that the commission may in specific instances at its discretion require that records be retained for a period of time exceeding five years. Such records shall be made available for inspection and audit by the commission, in accordance with applicable law, at either the licensee's place of business or at the offices of the commission.*

*b. A licensee shall be in compliance at all times with all applicable federal, state, and local laws, ordinances, rules and regulations and orders of the commission pertaining to the transport and delivery of heating oil.*

*c. A licensee or applicant shall comply with any rule or order by the commission requiring the inspection of a delivery vehicle.*

*d. A licensed dealer or deliverer shall bill consumers for the delivery of heating oil in a form and manner to be prescribed by the commission.*

*e. 1. A licensed dealer or deliverer shall not employ an individual required to be licensed pursuant to the provisions of this chapter unless such person has obtained such license, except that the commission shall, by rule, make provision for temporary permission for employment of an unlicensed individual pending completion by the commission of review of an application for a license where the employment of such individual is necessary for the operation of the licensed business.*

*2. The commission may, upon the request of a licensee, make available the names of applicants for employment who have been approved for licenses.*

*§ 20-1016 Investigation of complaints. The commission shall by rule establish a procedure for the investigation and resolution of complaints regarding overcharging and other problems relating to the delivery of heating oil.*

*§ 20-1017 Protection of criminal history. Nothing in this chapter shall be construed to supersede, alter or amend subdivision nine of section 8-107 of the administrative code.*

*§ 3. This local law takes effect 180 days after it becomes law, except that the commission may adopt rules and take other measures as it deems necessary for the implementation of this local law prior to such effective date, including, but not limited to, rules providing for the continued operation of an existing business and/or the continued employment of a person who would otherwise be required to have a license on such effective date, where an application for such license is submitted to the commission by a date and in accordance with such conditions as are specified in such rules.*

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1269

By Council Members Richards, Miller, Rodriguez and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to the creation of regulatory agreements with community land trusts**

*Be it enacted by the Council as follows:*

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

*ARTICLE 11*

*COMMUNITY LAND TRUST REGULATORY AGREEMENTS*

*§ 27-2154 Community land trust regulatory agreements. a. For the purposes of this section:*

*Affordable homeownership project. The term “affordable home ownership project” means homeownership projects for which the mortgage, taxes, insurance and fees constitute no more than 30 percent of the annual household income for qualifying households.*

*Affordable rental projects. The term “affordable rental project” means a rental project for which the rent and utilities constitute no more than 30 percent of the annual household income for qualifying households.*

*Area median income. The term “area median income” means the median income for households in the city or in the metropolitan area that includes the city.*

*Community land trust. The term “community land trust” means a not-for-profit organization that leases land it owns for the purpose of creating housing which is affordable to qualifying households.*

*Qualifying household. The term “qualifying household” means households who have an income of no more than 165 percent of the area median income, adjusted for the size of the household.*

*b. The department shall enter into a regulatory agreement with a community land trust where such land trust applies to the department for a regulatory agreement. Such regulatory agreement shall require that the land which is the subject of the regulatory agreement be used primarily for affordable home ownership or affordable rental projects and shall include, but not be limited to, the following requirements:*

*(i) that upon initial sale and any subsequent resale of a dwelling unit within an affordable homeownership project such dwelling unit be occupied by a qualifying household;*

*(ii) that upon initial rental, and upon each subsequent rental following a vacancy, all units within affordable rental projects be affordable to, and restricted to occupancy by, qualifying households;*

*(iii) that subletting of all dwelling units within affordable home ownership or affordable rental projects be available only to qualifying households.*

§2. This local law shall take effect 120 after it becomes law, except that the commissioner of housing preservation and development may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1270

By Council Members Richards and Reynoso.

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a tracking system concerning the disposal of yellow and brown grease**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 16-a of the administrative code of the city of New York is amended by amending section 15-515 by amending subsection c to read as follows:

c. (i) Any person who violates subdivision b of section 16-505 of this chapter or any rule pertaining thereto shall, upon conviction thereof, be punished by a civil penalty not to exceed one thousand dollars for each such violation to be recovered in a civil action or returnable to the department of consumer affairs or other administrative tribunal of competent jurisdiction[.];

(ii) *Any person that violates section 16-527 shall be liable for a civil penalty in the amount of five hundred dollars for the first violation and one thousand dollars for a second or subsequent violation to be recovered in a civil action or returnable to the department of consumer affairs or other administrative tribunal of competent jurisdiction.*

§ 2. Chapter 1 of title 16-a of the administrative code of the city of New York is amended by adding a new section 16-527 to read as follows:

*§16-527 Grease tracking system. a. There shall be a program for documenting and tracking the collection, transportation and disposal of yellow and brown grease utilizing an industry standard manifesting sheet.*

*b. In addition to any other records required by this title, every transporter of yellow or brown grease shall report to the commission quarterly and maintain for not less than two years the following:*

*1. The name and address of each location from which the transporter obtained the yellow or brown grease;*

*2. the quantity of yellow or brown grease received from each location;*

*3. The dates on which the yellow or brown grease was obtained from each location; and*

*4. the name and address of the facility where the yellow or brown grease was ultimately disposed*

*c. In addition to any records required by this title, a commercial establishment that has on its premises a grease interceptor shall report to the commission annually and maintain for not less than two years the name and address of the company or other entity that collects material from the grease interceptor and the dates during the immediately preceding twelve months on which the yellow or brown grease was retrieved from the commercial establishment.*

§ 3. This local law shall take effect 180 days from enactment, except that the commissioner shall take such steps as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1271

By Council Members Rosenthal, Levin, Cohen and Dromm.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring contractors and subcontractors to submit information to VENDEX electronically**

*Be it enacted by the Council as follows:*

Section 1. Section 6-116.2 of the administrative code of the city of New York, as amended by local law number 22 for the year 2004, is amended to read as follows:

*c. The information required to be provided by contractors or subcontractors pursuant to subdivision b of this section shall be submitted electronically in such form and manner as the mayor may determine. For good cause, the mayor may waive the requirement of electronic submission and permit such information to be submitted in another manner.*

[c.] *d. The information maintained pursuant to subdivision b shall be made accessible to the computerized data system established pursuant to subdivision a of this section in a form or format agreed upon by the mayor and the comptroller. The information contained in these computerized data systems shall be made available to any other data retrieval system maintained by an agency, New York city affiliated agency, elected official or*

the council for the purpose of providing information regarding contracts, franchises and concessions awarded and the contractors, franchisees and concessionaires to which they were awarded. The information concerning the past performance of contractors that is contained in a computerized data base maintained pursuant to section 6-116.1 of this code for such purposes shall be made available to these data systems.

[e.] *f.* No contract for goods or services involving the expenditure of more than ten thousand dollars or in the case of construction, repair, rehabilitation or alteration, the expenditure of more than fifteen thousand dollars, franchise or concession shall be let by an agency, elected official or the council, unless the contract manager or other person responsible for making the recommendation for award has certified that these computerized data bases and the information maintained pursuant to section 6-116.1 of this code have been examined. This shall be in addition to any certifications required by chapter thirteen of the charter, the rules of the procurement policy board, where applicable, or any rules of the council relating to procurement.

[f.] *g.* Not later than January thirtieth following the close of each fiscal year, the comptroller shall publish a summary report setting forth information derived from the data base maintained pursuant to subdivision a of this section and the following information for each franchise, concession or contract for goods or services having a value of more than ten thousand dollars or in the case of construction, having a value of more than fifteen thousand dollars, including, but not limited to:

(1) the types and dollar amount of each contract, franchise or concession entered into during the previous fiscal year;

(2) the registration number assigned by the comptroller, if any;

(3) the agency, New York city affiliated agency, elected official or the council entering into the contract, franchise or concession;

(4) the vendor entering into the contract, franchise or concession and the subcontractors engaged pursuant to each contract;

(5) the reason or reasons why the award of each such contract was deemed appropriate pursuant to subdivision a of section 312 of the charter, where applicable; and

(6) the manner in which the contractor, franchisee or concessionaire was selected, including, but not limited to, in the case of a contractor, whether the contractor was selected through public letting and if so, whether the contractor was the lowest responsible bidder; whether the contractor was selected through a request for proposal procedure and if so, whether the contractor's response to the request offered the lowest price option; whether the contractor was selected without competition or as a sole source; whether the contractor was selected through the emergency procedure established in the charter or the general municipal law, where applicable; or whether the contractor was selected from a list of prequalified bidders, and if applicable, whether the contractor was the lowest responsible bidder. For franchises, this information shall also include whether the authorizing resolution of the council was complied with.

[g.] *h.* Failure by an agency to check a contractor's record in the computerized data base established pursuant to this section and the information concerning the contractor that is maintained pursuant to section 6-116.1 of this chapter or to make the certification set forth in subdivision d of this section shall not render a contract to which it is a party void.

[h.] *i.* Except for submissions to elected officials or to the council, contractors or subcontractors may only be required to submit information required under subdivision b of this section to a single agency, and any such submission shall be applicable to all contracts or subcontracts or bids for contracts or subcontracts of that contractor or subcontractor with any agency. Any contractor or subcontractor that has submitted to any agency, elected official or the council, the information required to be provided in accordance with subdivision b of this section shall be required to update that information only at three-year intervals, and except as provided in paragraph iv or v of subdivision b, no contract or subcontract shall be awarded unless the contractor or subcontractor has certified that information previously submitted as to those requirements is correct as of the time of the award of the contract or subcontract. The contractor or subcontractor may only be required to submit such updated information to a single agency and such submission shall be applicable to all contracts or subcontracts or bids for contracts or subcontracts of that contractor or subcontractor with any agency. The procurement policy board may, by rule, provide for exceptions to this subdivision.

[i.] *j.* Except as otherwise provided, for the purposes of subdivision b of this section,

(1) "affiliate" shall mean an entity in which the parent of the contractor owns more than fifty percent of the voting stock, or an entity in which a group of principal owners which owns more than fifty percent of the contractor also owns more than fifty per cent of the voting stock;

(2) "cautionary information" shall mean, in regard to a contractor, any adverse action by any New York city affiliated agency, including but not limited to poor performance evaluation, default, non-responsibility determination, debarment, suspension, withdrawal of prequalified status, or denial of prequalified status;

(3) "contract" shall mean and include any agreement between an agency, New York city affiliated agency, elected official or the council and a contractor, or any agreement between such a contractor and a subcontractor, which (a) is for the provision of goods, services or construction and has a value that when aggregated with the values of all other such agreements with the same contractor or subcontractor and any franchises or concessions awarded to such contractor or subcontractor during the immediately preceding twelve-month period is valued at one hundred thousand dollars or more; or (b) is for the provision of goods, services or construction, is awarded to a sole source and is valued at ten thousand dollars or more; or (c) is a concession and has a value that when aggregated with the value of all other contracts held by the same concessionaire is valued at one hundred thousand dollars or more; or (d) is a franchise. However, the amount provided for in clause a herein may be varied by rule of the procurement policy board, where applicable, or rule of the council relating to procurement, or, for franchises and concessions, rule of the franchise and concession review committee, as that amount applies to the information required by paragraphs 7, 8, 9 and 12 of subdivision b of this section, and the procurement policy board, where applicable, or the council, or, for franchises and concessions, the franchise and concession review committee, may by rule define specifically identified and limited circumstances in which contractors may be exempt from the requirement to submit information otherwise required by subdivision b of this section, but the rulemaking procedure required by chapter forty-five of the charter may not be initiated for such rule of the procurement policy board or franchise and concession review committee less than forty-five days after the submission by the procurement policy board or, for franchises and concessions, the franchise and concession review committee, to the council of a report stating the intention to promulgate such rule, the proposed text of such rule and the reasons therefor;

(4) "contractor" shall mean and include all individuals, sole proprietorships, partnerships, joint ventures or corporations who enter into a contract, as defined in paragraph three herein, with an agency, New York city affiliated agency, elected official or the council;

(5) "officer" shall mean any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the contractor, by whatever titles known;

(6) "New York city affiliated agency" shall mean any entity the expenses of which are paid in whole or in part from the city treasury and the majority of the members of whose board are city officials or are appointed directly or indirectly by city officials, but shall not include any entity established under the New York city charter, this code or by executive order, any court or any corporation or institution maintaining or operating a public library, museum, botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar facility;

(7) "parent" shall mean an individual, partnership, joint venture or corporation which owns more than fifty percent of the voting stock of a contractor;

(8) "principal owner" shall mean an individual, partnership, joint venture or corporation which holds a ten percent or greater ownership interest in a contractor or subcontractor;

(9) "subcontract" shall mean any contract, as defined in paragraph three herein, between a subcontractor and a contractor; and

(10) "subcontractor" shall mean an individual, sole proprietorship, partnership, joint venture or corporation which is engaged by a contractor pursuant to a contract, as defined in paragraph three herein.

[j.] k. Notwithstanding any other provision of this section, the information required to be submitted by New York city affiliated agencies pursuant to this section shall be submitted in a form or format and on a schedule to be determined by the mayor and the comptroller. In no event shall New York city affiliated agencies be required to submit such information prior to the award of any contract.

[k.] l. Notwithstanding any other provision of this section, the information required to be submitted by New York city affiliated agencies pursuant to this section shall be required only as to contracts funded in whole or in part with city funds, although nothing shall preclude New York city affiliated agencies from submitting information on contracts funded by other than city funds.

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

Referred to the Committee on Contracts.

Int. No. 1272

By Council Members Torres, Richards, Chin and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to codifying the procedures offering vehicle owners the opportunity to recover possession of a vehicle seized in connection with an arrest, implemented by court order pursuant to *Krimstock v. Kelly*, 306 F.3d 40 (2d Cir. 2002).**

*Be it enacted by the Council as follows:*

Section 1. Subsection e. of section 14-140 of title 14 of the administrative code of the city of New York, as amended by chapter 503 of the year 1995, is amended to read as follows:

e. Disposition of property and money. 1. Abandoned vehicles subject to the provisions of section twelve hundred twenty-four of the vehicle and traffic law in the custody of the property clerk shall be disposed of in accordance with the provisions of such section twelve hundred twenty-four. The city may convert to its own use in any calendar year one percent of any such abandoned vehicles not subject to subdivision two of such section twelve hundred twenty-four which are not claimed. All moneys or property other than abandoned vehicles subject to the provisions of such section twelve hundred twenty-four that shall remain in the custody of the property clerk for a period of three months without a lawful claimant entitled thereto shall, in the case of moneys, be paid into the general fund of the city established pursuant to section one hundred nine of the charter, and in the case of property other than such abandoned vehicles, be sold at public auction after having been advertised in "the City Record" for a period of ten days and the proceeds of such sale shall be paid into such fund. In the alternative, any such property may be used or converted to use for the purpose of any city, state or federal agency, or for charitable purposes, upon consultation with the human resources administration and other appropriate city agencies, and the commissioner shall report annually to the city council on the distribution of such property. Notwithstanding the foregoing, all property or money of a deceased person that shall come into the custody of the property clerk shall be delivered to a representative of the estate of such decedent and if there be no such representative, to the public administrator of the county where the decedent resided. Where moneys or property have been unlawfully obtained or stolen or embezzled or are the proceeds of crime or derived through crime or derived through the conversion of unlawfully acquired property or money or derived through the use or sale of property prohibited by law from being held, used or sold, or have been used as a means of committing crime or employed in aid or in furtherance of crime or held, used or sold in violation of law, or are the proceeds of or derived through bookmaking, policy, common gambling, keeping a gambling place or device, or any other form of illegal gambling activity or have been employed in or in connection with or in furtherance of any such gambling activity, a person who so obtained, received or derived any such moneys or property, or who so used, employed, sold or held any such moneys or property or permitted or suffered the same to be used, employed, sold or held, or who was a participant or accomplice in any such act, or a person who derives his or her claim in any manner from or through any such person, shall not be deemed to be the lawful claimant entitled to any such moneys or property except that as concerns any vehicle seized in the manner provided for in subdivision a of section 14-140.1. [except that] [a]As concerns any vehicle taken into custody in the manner provided for in subdivision b of section 20-519 of the code, the authorized tow company shall receive from the department the cost of towing and storage as provided under subdivision c of section 20-519.

2. The commissioner, however, where the property consists of any property that has been used as a means of committing crime or employed in aid or in furtherance of crime or held, used or sold in violation of law, or gambling apparatus or any property employed in or in connection with or in furtherance of any gambling

activity, or burglar tools of any description, or firearms, cartridges or explosives, or armored or bullet-proof clothing or motor vehicles, or instruments, articles or medicines for the purpose of procuring abortion or preventing conception, or wines, fermented liquors and other alcoholic beverages and the receptacles thereof, or soiled, bloody or unsanitary clothing, or solids and liquids of unknown or uncertain composition, or opium, morphine, heroin, cocaine or any of its admixtures or derivatives, and other narcotics, or hypodermic syringes and needles, or obscene pictures, prints, books, publications, effigies or statues, or any poisonous, noxious, or deleterious solids or liquids, or any property which in the opinion of the commissioner, is of slight value or the sale of which might result in injury to the health, welfare or safety of the public, may direct and empower the property clerk to destroy each and every article of such nature, *subject to the procedures enumerated in section 14-140.1*. If, in the opinion of the commissioner, any such property may be used or converted to use for the purpose of the department or any city, state or federal agency, such property may in the discretion of the commissioner be used or converted to use for any such purpose, and the same need not be sold or destroyed as in this section provided, *subject to the procedures enumerated in section 14-140.1*.

§2. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-140.1 to read as follows:

*§14-140.1 Hearing to contest the seizure of a vehicle. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Claimant. The term "claimant" means the person from whom a vehicle was seized by the police department, if that person was then in lawful possession of the vehicle, or the owner if different from such person, who is seeking the return of such vehicle.*

*b. Right to a hearing to contest the seizure of a vehicle. Following the seizure of a vehicle, at the time of the driver's arrest, as evidence of a crime or as the instrumentality of a crime, a claimant, entitled to possession of such vehicle, may contest such seizure at a hearing to be held at the office of administrative trials and hearings pursuant to its rules of practice, to the extent such rules are not in conflict with the terms of this section. Such hearing will provide the claimant with an opportunity to be heard, either in person or through counsel, as to the following issues: (i) whether probable cause existed for the arrest of the vehicle operator; (ii) whether it is likely that the city will prevail in an action to forfeit the vehicle; and (iii) whether it is necessary that the vehicle remain impounded in order to ensure its availability for a judgment of forfeiture. The burden of proof by a preponderance of the evidence as to these issues will be upon the police department, and the office of administrative trials and hearings judge may consider such hearsay and other evidence as that judge may consider reliable. The office of administrative trials and hearings judge will decide those issues by a statement of findings on the record, or by a written statement to be made a matter of record, not later than 3 business days following the close of evidence and the completion of argument, if any, at the hearing, unless both parties have consented on the record or in writing to extend the time for such statement. Absent a timely finding by the office of administrative trials and hearings judge that the police department has met the burden of proof as to the issues at the hearing, the vehicle shall be released to the claimant within 10 days without prejudice to further proceedings, including a forfeiture proceeding. Any decision made by an office of administrative trials and hearings judge shall not be binding in any way upon the criminal or supreme court in any proceeding. Likewise, any legal or factual theory advanced at hearing before the office of administrative trials and hearings by the prosecution or police department shall not be binding, nor limiting in any way, upon any decision, trial strategy or issue advanced in the criminal or supreme court.*

*c. Notice of the right to a hearing. The police department shall provide notice of the right to a hearing at the time of seizure by attaching to the voucher provided to the person from whom a vehicle is seized a notice in English and Spanish as set forth below. In addition, a copy of the notice will also be sent by mail to the registered and titled owner of the vehicle within 5 business days after the seizure. The notice will appear in type at least as large as the largest entry elsewhere on the form, but in no event smaller than 8-point type, and will set forth the following:*

- (1) notice of the right to a hearing to retain the vehicle seized in connection with an arrest;*
- (2) the procedures for requesting a hearing, including the timeline for making the request, what information and documentation is required to make the request, where to submit the request, and the address of the location where the hearing will be held;*
- (3) the factors the police department must prove in order to retain the vehicle, and the standard of proof;*

(4) notice that in some instances, a vehicle may not be forfeited if its owner did not know or have reason to know that the vehicle would be used in the commission of a crime.

d. Demand for a hearing. The claimant of a seized vehicle has the right to a hearing at the office of administrative trials and hearings, which will commence on a date and at a time, as fixed by the police department within 10 business days after receipt by the police department of a written demand for such a hearing on the form to be provided by the police department and in accordance with the instructions set forth thereon, unless the date for such hearing shall have been extended by the office of administrative trials and hearings upon a showing of good cause by either party. If the police department receives more than one such written demand, the timing of the hearing will be governed by the receipt of the first such written demand. If a written demand is mistakenly directed to the district attorney, the district attorney shall immediately forward such demand to the police department. The police department will notify the office of administrative trials and hearings, the claimant and the relevant district attorney of the date of the hearing in a notice to be sent by mail, email, or fax within 2 business days after receipt of the written demand for a hearing, to the addresses specified for such notice by the claimant and the district attorney. The notification will provide to the claimant the address and telephone number of the office of administrative trials and hearings, and will comply with the specificity requirements for a petition as stated in section 1-22 of chapter 1 of title 48 of the rules of the city of New York. It will also state that in situations where a court has determined that the vehicle is needed as evidence in a criminal proceeding, including any appeals in any such proceeding, the hearing may not be held and the vehicle may not be released during the period the vehicle is so needed.

e. Who may appear at the hearing. Only 1 person or entity may appear as claimant at the hearing, and preference shall be given to the registered owner of the vehicle.

f. Review of the hearing decision. The decision of the office of administrative trials and hearings judge will be subject to review in New York state supreme court, but the filing of an action in that court does not affect the claimant's right to a hearing before the office of administrative trials and hearings or to release of the seized vehicle in the event that the police department is found not to have satisfied the burden of proof at such hearing.

g. Retention orders. 1. If the vehicle is seized as evidence of a crime, either the person from whom the vehicle was seized, if in lawful possession of the vehicle, or its owner, if different from such person, may make a demand for a written statement from the prosecutor that retention of the vehicle as evidence is not necessary. The demand may be either in the form of a request for a hearing as provided in subdivision d, or by a written demand for a release made directly to the office of the district attorney prosecuting the criminal case.

2. The district attorney shall respond in writing no later than 7 days after receipt of a request. If the district attorney decides that continued retention of the vehicle is not necessary for the criminal case, the district attorney shall serve a written statement to that effect on the person who made the demand. If the district attorney seeks to retain the vehicle as evidence for the criminal case, an application for a retention order must be made during the 7 day period before a judge with jurisdiction over the criminal case.

3. The application for a retention order shall be supported by an affirmation from an assistant district attorney familiar with the case. The application may be made ex parte. It must refer to this section and the standards laid out in paragraph 4 of this subdivision.

4. The judge before whom the application is made may issue the retention order if the affirmation, citing facts particular to the individual case, makes a sufficient showing that: (i) specific facts about the condition of the vehicle at the time of seizure may be relevant in the criminal case; and (ii) there are no reasonable means other than impoundment, such as photographing or testing, to preserve the evidentiary value of the vehicle for presentation to the trier of fact. If the judge ruling on the motion finds that photographing, testing, or other means are sufficient to preserve the evidence, the judge may order the vehicle to be retained for a period of time sufficient to allow law enforcement to complete such photographing, testing, or other means. The identification of evidentiary purposes of the vehicle in the prosecutor's affirmation may not be used to restrict the prosecution from making arguments in a later proceeding based on other theories.

5. An order authorizing retention of the vehicle must be served by the district attorney within 10 days following the demand upon the person who made the demand. If such an intervening retention order is issued, a hearing will not be held during the pendency of the retention order. An order denying the retention of the vehicle must likewise be served within 10 days of the date of the order upon the person who made the demand.

6. The person who made the demand may move to vacate or amend the retention order within 10 days following the receipt thereof. Service of such motion must be made in person or by registered or certified mail on the district attorney and on the defendant in the criminal case, if the defendant is a different person than the individual who made the demand. A hearing shall be held within 30 days of service of the motion. The hearing shall address the legitimacy and the necessity of the continued impoundment of the vehicle as evidence, and may not be used to obtain premature or unwarranted discovery for the defendant in the criminal case. The judge ruling on the motion may set a date, not to exceed 30 days from the date of the order, by which the police department shall release the vehicle, unless continued impoundment is otherwise authorized by law. The judge ruling on the motion may condition vacatur or amendment of the retention order on a waiver by the defendant in the criminal case of any factual claim or defense relating to the condition of the vehicle when seized. Such waiver, if given, will bind the defendant throughout the pendency of the criminal matter.

7. Upon presentation to the police department of a written statement from a prosecutor that a vehicle is not needed as evidence, a written denial by a court of an application for a retention order, or an order vacating a retention order, the police department must, within 30 days, release the vehicle to the person who made the demand, unless continued impoundment of the vehicle is otherwise authorized by law. If the police department seeks at this time continued impoundment of the vehicle as an instrumentality of a crime, the police department shall provide notice as set forth in subdivision c of this section.

§3. This local law shall take effect 90 days after it becomes law, except that the department may promulgate any rules and regulations necessary to implement this local law on or before its effective date.

Referred to the Committee on Public Safety.

Int. No. 1273

By Council Members Torres, the Public Advocate (Ms. James), Richards and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on the capital needs of public housing**

*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 capital needs.*

*§ 3-140 General. As used in this subchapter:*

*Public housing. The term "public housing" has the meaning ascribed to such term in section 1437a of title 42 of the United States code.*

*§ 3-141 Report on capital needs. 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 the capital needs of the public housing located in the city. Such report shall include, at a minimum, the following information, disaggregated by public housing development, borough and council district:*

- 1. For each building that contains public housing, the capital needs of such building;*
- 2. The aggregate capital needs of all public housing; and*
- 3. For each building that contains public housing, the amount of money the New York city housing authority is planning to spend to address the capital needs of such building.*

*b. Such information shall be made publicly available in a non-proprietary format that permits automated processing.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Housing.

Int. No. 1274

By Council Members Torres, the Public Advocate (Ms. James), Kallos, Richards and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on obsolete public housing dwelling units and components and systems of public housing buildings**

*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 obsolete public housing dwelling units and components and systems of public housing buildings.*

*§ 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.*

*§ 3-141 Report on obsolete public housing dwelling units and components and systems of public housing buildings. 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 and components and systems of public housing buildings that are, in the determination of such authority, obsolete or soon to be obsolete. Such report shall include, at a minimum, the following information, disaggregated by public housing development, borough and council district:*

*1. A description of the process and criteria used by such authority to determine whether a public housing dwelling unit or component or system of a public housing building is obsolete;*

*2. A list of public housing dwelling units and components and systems of public housing buildings considered obsolete by such authority; and*

*3. A list of public housing dwelling units and components and systems of public housing buildings that will likely, in the opinion of such authority, be obsolete within:*

*(a) One year of the reporting date;*

*(b) Five years of the reporting date;*

*(c) Ten years of the reporting date; and*

*(d) 15 years of the reporting date.*

*b. Such authority shall make such information publicly available online in a non-proprietary format that permits automated processing.*

§ 2. This local law takes effect immediately

Referred to the Committee on Public Housing.

Int. No. 1275

By Council Members Torres, the Public Advocate (Ms. James), Kallos, Richards and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on the demolition or disposition of real property owned by public housing agencies**

*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 Reports on demolition or disposition of real property owned by public housing agencies.*

*§ 3-140 General. As used in this subchapter:*

*Demolition. The term “demolition” has the meaning ascribed to such term in section 970.5 of title 24 of the code of federal regulations; provided that such term shall include demolition of dwelling units receiving project-based assistance pursuant to section 1437f of title 42 of the United States code.*

*Disposition. The term “disposition” has the meaning ascribed to such term in section 970.5 of title 24 of the code of federal regulations; provided that such term shall include disposition of dwelling units receiving project-based assistance pursuant to section 1437f of title 42 of the United States 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.*

*Public housing agency. The term “public housing agency” has the meaning ascribed to such term in section 1437a of title 42 of the United States code.*

*§ 3-141 Reports on demolition or disposition of real property owned by public housing agencies. a. Before disposing of an interest in real property owned by a public housing agency or demolishing real property owned by such an agency, such agency shall provide to the council and make publicly available online a report. For a proposed disposition of an interest in real property, such report shall be so provided no later than the earlier of (i) 30 days before soliciting any bids or proposals relating to such disposition or (ii) 60 days before such disposition occurs. For a proposed demolition of real property, such report shall be so provided no later than the earlier of (i) 30 days before soliciting any bids or proposals relating to such demolition or (ii) 60 days before filing any construction documents, as such term is defined in section 28-101.5 of the code, in connection with such demolition.*

*b. Reports required by this section shall contain the following information, at a minimum:*

- 1. A description of the nature and scope of the proposed demolition or disposition;*
- 2. The address of the real property to be subject to such demolition or disposition;*
- 3. A description of the purpose of the proposed demolition or disposition and an explanation of how such demolition or disposition would serve the interests of the residents served by such agency, including but not limited to a description of:*

*(a) Any anticipated development at the site of such demolition or disposition and, if such development will include dwelling units, a description of the affordability of such units and the extent to which residents of the real property subject to such demolition or disposition will be eligible or prioritized for occupancy of such units;*

*(b) Any revenue anticipated to be generated for such agency, directly or indirectly, as a result of such demolition or disposition;*

*(c) Any improvements anticipated to be made to real property owned by such agency using such revenues;*

*4. A description of each stakeholder’s anticipated role in the proposed demolition or disposition to the extent known;*

*5. The anticipated timeline of the proposed demolition or disposition; and*

6. A description of such agency's plan for engaging residents of the real property subject to such demolition or disposition before such demolition or disposition takes place, including but not limited to the timeline for such engagement and a list of dates on which such agency anticipates meeting with such residents regarding such demolition or disposition.

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

Referred to the Committee on Public Housing.

Int. No. 1276

By Council Members Van Bramer, Richards and Gentile.

**A Local Law to amend the New York city charter, in relation to requiring the art commission to conduct a five year report**

*Be it enacted by the Council as follows:*

Section 1. Chapter 37 of the New York city charter is amended by adding a new section 859 to read as follows:

§ 859. *Five year report. 1. Not later than August 1, 2017 and no later than August 1 every five years thereafter, the commission shall submit to the mayor and the speaker of the council a report with the following data:*

- i. Total cost of all projects each year for the previous five years;*
- ii. Number of submissions made during each year for the previous five years, disaggregated by the following:*
  - (a) Submissions carried over from the previous year;*
  - (b) New works of art;*
  - (c) Removal or relocation of works of art;*
  - (d) Public structures;*
  - (e) Private structures extending over or upon city lands;*
  - (f) Type of submission including, but not limited to, the construction, renovation, or restoration of buildings; the creation or rehabilitation of parks, playgrounds, and plazas; the installation of lighting or other streetscape elements; signage; and the installation and conservation of artwork and memorials.*
- iii. Number of submissions acted upon during each year for the previous five years, disaggregated by the following:*
  - (a) Number of submissions approved;*
  - (b) Number of submissions disapproved in whole;*
  - (c) Number of submissions disapproved in part;*
  - (d) Amount of time taken to make a decision on a submission;*
- iv. Number of submissions acted upon during the previous five years, disaggregated by city agency, borough president's office, or any other sponsoring entity.*
- v. Names of commission members during each year for the previous five years;*
- vi. Summary of methods of procedure used in the previous five years to determine approval or disapproval of submissions;*
- vii. Number of works of art cleaned, maintained, or repaired in the previous five years pursuant to section 856 of this chapter.*
- vii. Any other information the commission deems relevant.*

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

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 1277

By Council Members Williams and Salamanca (by request of the Mayor)

**A Local Law to amend the administrative code of the city of New York, in relation to conforming the New York city energy conservation code to recent amendments to the 2016 New York state energy code.**

*Be it enacted by the Council as follows:*

Section 1. Section 28-1001.1.1 of the administrative code of the city of New York, as added by local law number 91 for the year 2016, is amended to read as follows:

**§28-1001.1.1 Definition.** As used in this chapter, the term “New York State Energy Code” means the New York State Energy Conservation Construction Code (the “New York State Energy Code”), constituting part 1240 of title 19 of the New York codes, rules and regulations (19 NYCRR Part 1240), and the publications incorporated by reference in such part, promulgated on [April 6, 2016] *September 14, 2016*, by the State Fire Prevention and Building Code Council pursuant to Article 11 of the New York State Energy Law.

§ 2. Table C403.2.3(3), as set forth in section C403 of the local law amendments to the commercial chapters of the New York state energy code, as adopted pursuant to section 28-1001.2.2 of the administrative code of the city of New York, as added by local law 91 for the year 2016, is amended to read as follows:

**Table C403.2.3(3) MINIMUM EFFICIENCY REQUIREMENTS: ELECTRICALLY OPERATED PACKAGED TERMINAL AIR CONDITIONERS, PACKAGED TERMINAL HEAT PUMPS, SINGLE-PACKAGE VERTICAL AIR CONDITIONERS, SINGLE-PACKAGE VERTICAL HEAT PUMPS, ROOM AIR CONDITIONERS, AND ROOM AIR-CONDITIONER HEAT PUMPS**

Delete Table C403.2.3(3) in its entirety and replace with a new Table C403.2.3(3) to read as follows:

**TABLE C403.2.3(3)**

**MINIMUM EFFICIENCY REQUIREMENTS: ELECTRICALLY OPERATED PACKAGED TERMINAL AIR CONDITIONERS, PACKAGED TERMINAL HEAT PUMPS, SINGLE-PACKAGE VERTICAL AIR CONDITIONERS, SINGLE-PACKAGE VERTICAL HEAT PUMPS, ROOM AIR CONDITIONERS AND ROOM AIR-CONDITIONER HEAT PUMPS**

<b>EQUIPMENT TYPE</b>	<b>SIZE CATEGORY (INPUT)</b>	<b>SUBCATEGORY OR RATING CONDITION</b>	<b>MINIMUM EFFICIENCY</b>	<b>TEST PROCEDURE</b>  <b>a</b>
PTAC (cooling mode)	All Capacities	95°F db outdoor air	14.0 – (0.300 × Cap/1000) EER <sup>c</sup>	AHRI 310/380

EQUIPMENT TYPE	SIZE CATEGORY (INPUT)	SUBCATEGORY OR RATING CONDITION	MINIMUM EFFICIENCY	TEST PROCEDURE <sup>a</sup>
standard size				
PTAC (cooling mode) nonstandard size <sup>b</sup>	All Capacities	95°F db outdoor air	10.9 - $(0.213 \times \text{Cap}/1000)^{[c]}$ EER	
PTHP (cooling mode) standard size	All Capacities	95°F db outdoor air	14.0 - $(0.300 \times \text{Cap}/1000)^{[c]}$ EER	
PTHP (cooling mode) nonstandard size <sup>b</sup>	All Capacities	95°F db outdoor air	10.8 - $(0.213 \times \text{Cap}/1000)^{[c]}$ EER	
PTHP (heating mode) standard size	All Capacities	—	3.7 - $(0.052 \times \text{Cap}/1000)^{[c]}$ COP <sub>H</sub>	
PTHP (heating mode) nonstandard size <sup>b</sup>	All Capacities	—	2.9 - $(0.026 \times \text{Cap}/1000)^{[c]}$ COP <sub>H</sub>	
SPVAC (cooling mode)	< 65,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	AHRI 390
	≥ 65,000 Btu/h and < 135,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
	≥ 135,000 Btu/h and < 245,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
SPVHP (cooling mode)	< 65,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
	≥ 65,000 Btu/h and < 135,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
	≥ 135,000 Btu/h and	95°F db/75°F wb outdoor air	10.0 EER	

EQUIPMENT TYPE	SIZE CATEGORY (INPUT)	SUBCATEGORY OR RATING CONDITION	MINIMUM EFFICIENCY	TEST PROCEDURE <sup>a</sup>
	< 245,000 Btu/h			
SPVHP (heating mode)	< 65,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	AHRI 390
	≥ 65,000 Btu/h and < 135,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
	≥ 135,000 Btu/h and < 245,000 Btu/h	47°F db/75°F wb outdoor air	3.0 COP <sub>H</sub>	
SPVAV (cooling mode) nonweatherized space constrained	[<] ≤ 30,000 Btu/h	95°F db/75°F wb outdoor air	9.2 EER	
	> 30,000 Btu/h and [<] ≤ 36,000 Btu/h	95°F db/75°F wb outdoor air	9.0 EER	
SPVHP (cooling mode) nonweatherized space constrained	[<] ≤ 30,000 Btu/h	95°F db/75°F wb outdoor air	9.2 EER	
	> 30,000 Btu/h and [<] ≤ 36,000 Btu/h	95°F db/75°F wb outdoor air	9.0 EER	
SPVHP (heating mode) nonweatherized space constrained	[<] ≤ 30,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
	> 30,000 Btu/h and [<] ≤ 36,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
Room air conditioners, with louvered sides	< 6,000 Btu/h	—	11.0 CEER	10 CFR Part 430
	≥ 6,000 Btu/h and < 8,000 Btu/h	—	11.0 CEER	

EQUIPMENT TYPE	SIZE CATEGORY (INPUT)	SUBCATEGORY OR RATING CONDITION	MINIMUM EFFICIENCY	TEST PROCEDURE <sup>a</sup>
	≥ 8,000 Btu/h and < 14,000 Btu/h	—	10.9 CEER	
	≥ 14,000 Btu/h and < 20,000 Btu/h	—	10.7 CEER	
	≥ 20,000 Btu/h and < 24,000 Btu/h	—	9.4 CEER	
	≥ 25,000 Btu/h	—	9.0 CEER	
Room air conditioners, without louvered sides	< 6,000 Btu/h	—	10.0 CEER	10 CFR Part 430
	≥ 6,000 Btu/h and < 8,000 Btu/h	—	10.0 CEER	
	≥ 8,000 Btu/h and < 11,000 Btu/h	—	9.6 CEER	
	≥ 11,000 Btu/h and < 14,000 Btu/h	—	9.5 CEER	
	≥ 14,000 Btu/h and < 20,000 Btu/h	—	9.3 CEER	
	≥ 20,000 Btu/h	—	9.4 CEER	
Room air-conditioner heat pumps, with louvered sides	< 20,000 Btu/h	—	9.8 CEER	10 CFR Part 430
	≥ 20,000 Btu/h	—	9.3 CEER	
Room air-	< 14,000 Btu/h	—	9.3 CEER	

EQUIPMENT TYPE	SIZE CATEGORY (INPUT)	SUBCATEGORY OR RATING CONDITION	MINIMUM EFFICIENCY	TEST PROCEDURE <sup>a</sup>
conditioner heat pumps, without louvered sides	≥ 14,000 Btu/h	—	8.7 CEER	
Casement-only	All capacities	—	9.5 CEER	
Casement-slider	All capacities	—	10.4 CEER	

For SI: 1 British thermal unit per hour = 0.2931 W, °C = [(°F) - 32]/1.8, wb = wet bulb, db = dry bulb.

“Cap” = The rated cooling capacity of the project in Btu/h. Where the unit’s capacity is less than 7000 Btu/h, use 7000 Btu/h in the calculation. Where the unit’s capacity is greater than 15,000 Btu/h, use 15,000 Btu/h in the calculations.

a. Chapter 6 contains a complete specification of the referenced test procedure, including the referenced year version of the test procedure.

b. Nonstandard size units must be factory labeled as follows: “MANUFACTURED FOR NONSTANDARD SIZE APPLICATIONS ONLY; NOT TO BE INSTALLED IN NEW STANDARD PROJECTS.” Nonstandard size efficiencies apply only to units being installed in existing sleeves having an external wall opening of less than 16 in. high or less than 42 in. wide and having a cross-sectional area less than 670 in.<sup>2</sup>.

c. Before January 1, 2015 the minimum efficiency shall be 13.8 - (0.300 x Cap/1000) EER.

§ 3. Section C406, as set forth in the local law amendments to the commercial chapters of the New York state energy code, as adopted pursuant to section 28-1001.2.2 of the administrative code of the city of New York, as added by local law 91 for the year 2016, is amended to add a new local law amendment to read as follows:

**C406.7.1 Load Fraction.**

*Section C406.7.1 – Revise the first sentence of Section C406.7.1 to read as follows:*

*The building service water-heating system shall have one or more of the following that are sized to provide not less than 60 percent of hot water requirements, or sized to provide 100 percent of hot water requirements if the building shall otherwise comply with Section C403.4.5.*

§ 4. Appendix CA, as set forth in the local law amendments to the 2013 edition of the Energy Standard for Buildings Except Low-Rise Residential Buildings (“ASHRAE 90.1-2013”), as amended by Part 2 of the 2016 Supplement, as adopted pursuant to section 28-1001.2.2 of the administrative code of the city of New York, as added by local law 91 for the year 2016, is amended to add a new local law amendment to read as follows:

## **Section 4 – ADMINISTRATION AND ENFORCEMENT**

### **4.2.1.1 New Buildings.**

Section 4.2.1.1 – Delete Section 4.2.1.1 in its entirety and replace with a new Section 4.2.1.1 to read as follows:

New buildings shall comply with either the provisions of

- a. Section 5, “Building Envelope”; Section 6, “Heating, Ventilating, and Air Conditioning”; Section 7, “Service Water Heating”; Section 8, “Power”; Section 9, “Lighting”; and Section 10, “Other Equipment”;  
or
- b. Section 11, “Energy Cost Budget Method”; or
- c. Appendix G, “Performance Rating Method.”

When using Appendix G, the Performance Cost Index (PCI) shall be less than or equal to the Performance Cost Index Target (PCI<sub>t</sub>) when calculated in accordance with the following:

$$\text{PCI}_t = (\text{BBUEC} + (\text{BPF} \times \text{BBREC})) / \text{BBP}$$

Where:

PCI = Performance Cost Index calculated in accordance with Section G1.2.

BBUEC = Baseline Building Unregulated Energy Cost. The portion of the annual energy cost of a baseline building design that is due to unregulated energy use.

BBREC = Baseline Building Regulated Energy Cost. The portion of the annual energy cost of a baseline building design that is due to regulated energy use.

BPF = Building Performance Factor from Table 4.2.1.1. For building area types not listed in Table 4.2.1.1 use “All others.” Where a building has multiple building area types, the required BPF shall be equal to the area-weighted average of the building area types.

BBP = baseline building performance.

Regulated energy cost shall be calculated by multiplying the total energy cost by the ratio of regulated energy use to total energy use for each fuel type. Unregulated energy cost shall be calculated by subtracting regulated energy cost from total energy cost.

§ 5. Table 6.8.1-4, as set forth in section 6 of the local law amendments to the 2013 edition of the Energy Standard for Buildings Except Low-Rise Residential Buildings (“ASHRAE 90.1-2013”), as amended by Part 2 of the 2016 Supplement, as adopted pursuant to section 28-1001.2.2 of the administrative code of the city of New York, as added by local law 91 for the year 2016, is amended to read as follows:

**Table 6.8.1-4 Electrically Operated Packaged Terminal Air Conditioners, Packaged Terminal Heat Pumps, Single-Package Vertical Air Conditioners, Single-Package Vertical Heat Pumps, Room Air Conditioners, and Room Air-Conditioner Heat Pumps-Minimum Efficiency Requirements**

Revise Table 6.8.1-4 to read as follows:

**TABLE 6.8.1-4**

**Electrically Operated Packaged Terminal Air Conditioners, Packaged Terminal Heat Pumps, Single-Package Vertical Air Conditioners, Single-Package Vertical Heat Pumps, Room Air Conditioners, and Room Air-Conditioner Heat Pumps-Minimum Efficiency Requirements**

<b>Equipment Type</b>	<b>Size Category</b>	<b>Subcategory or Rating Condition</b>	<b>Minimum Efficiency</b>	<b>Test Procedure<sup>a</sup></b>
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PTAC (cooling mode) standard size	All capacities	95°F db outdoor air	$14.0 - (0.300 \times \text{Cap}/1000)^c$	AHRI 310/380
PTAC (cooling mode) nonstandard size <sup>b</sup>	All capacities	95°F db outdoor air	$10.9 - (0.213 \times \text{Cap}/1000)^c$ EER	
PTHP (cooling mode) standard size	All capacities	95°F db outdoor air	$14.0 - (0.300 \times \text{Cap}/1000)^c$	
PTHP (cooling mode) nonstandard size <sup>b</sup>	All capacities	95°F db outdoor air	$10.8 - (0.213 \times \text{Cap}/1000)^c$	
PTHP (heating mode) standard size	All capacities	—————	$3.7 - (0.052 \times \text{Cap}/1000)^c \text{COP}_H$	
PTHP (heating mode) nonstandard size <sup>b</sup>	All capacities	—————	$2.9 - (0.026 \times \text{Cap}/1000)^c \text{COP}_H$	
SPVAC (cooling mode)	< 65,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	AHRI 390
	$\geq 65,000$ Btu/h and < 135,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
	$\geq 135,000$ Btu/h and < 245,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
SPVHP (cooling mode)	< 65,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
	$\geq 65,000$ Btu/h and < 135,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	
	$\geq 135,000$ Btu/h and < 245,000 Btu/h	95°F db/75°F wb outdoor air	10.0 EER	

SPVHP (heating mode)	< 65,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
	≥ 65,000 Btu/h and < 135,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
	≥ 135,000 Btu/h and < 245,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
SPVAC (cooling mode), nonweatherized space constrained	[<]≤ 30,000 Btu/h	95°F db/75°F wb outdoor air	9.2 EER	
	> 30,000 Btu/h and [<]≤ 36,000 Btu/h	95°F db/75°F wb outdoor air	9.0 EER	
SPVHP (cooling mode) , nonweatherized space constrained	[<]≤ 30,000 Btu/h	95°F db/75°F wb outdoor air	9.2 EER	AHRI 390
	> 30,000 Btu/h and [<]≤ 36,000 Btu/h	95°F db/75°F wb outdoor air	9.0 EER	
SPVHP (heating mode) , nonweatherized space constrained	[<]≤ 30,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
	> 30,000 Btu/h and [<]≤ 36,000 Btu/h	47°F db/43°F wb outdoor air	3.0 COP <sub>H</sub>	
Room air conditioners, with louvered sides	< 6,000 Btu/h	_____	11.0 CEER	10 CFR Part 430
	≥ 6,000 Btu/h and < 8,000 Btu/h	_____	11.0 CEER	
	≥ 8,000 Btu/h and < 14,000 Btu/h	_____	10.9 CEER	
	≥ 14,000 Btu/h and < 20,000 Btu/h	_____	10.7 CEER	

	$\geq 20,000$ Btu/h and < 24,000 Btu/h	_____	9.4 CEER	
	$\geq 25,000$ Btu/h	_____	9.0 CEER	
	< 6,000 Btu/h	_____	10.0 CEER	
	$\geq 6,000$ Btu/h and < 8,000 Btu/h	_____	10.0 CEER	
	$\geq 8,000$ Btu/h and < 11,000 Btu/h	_____	9.6 CEER	
Room air conditioners, without louvered sides	$\geq 11,000$ Btu/h and < 14,000 Btu/h	_____	9.5 CEER	10 CFR Part 430
	$\geq 14,000$ Btu/h and < 20,000 Btu/h	_____	9.3 CEER	
	$\geq 20,000$ Btu/h	_____	9.4 CEER	
Room air conditioner heat pumps, with louvered sides	< 20,000 Btu/h	_____	9.8 CEER	
	$\geq 20,000$ Btu/h	_____	9.3 CEER	10 CFR Part 430
Room air conditioner heat pumps, without louvered sides	< 14,000 Btu/h	_____	9.3 CEER	
	$\geq 14,000$ Btu/h	_____	8.7 CEER	10 CFR Part 430
Casement-only	All capacities	_____	9.5 CEER	10 CFR Part 430
Casement-slider	All capacities	_____	10.4 CEER	

a. Section 12 contains a complete specification of the referenced test procedure, including the referenced year version of the test procedure.

b. Nonstandard size units must be factory labeled as follows: "MANUFACTURED FOR NONSTANDARD

SIZE APPLICATIONS ONLY; NOT TO BE INSTALLED IN NEW STANDARD PROJECTS.”  
Nonstandard size efficiencies apply only to units being installed in existing sleeves having an external wall opening of less than 16 in. high or less than 42 in. wide and having a cross-sectional area less than 670 in.<sup>2</sup>.

c. “Cap” means the rated cooling capacity of the product in Btu/h. If the unit’s capacity is less than 7000 Btu/h, use 7000 Btu/h in the calculation. If the unit’s capacity is greater than 15,000 Btu/h, use 15,000 Btu/h in the calculation.

§ 6. Section R202, as set forth in the local law amendments to the residential chapters of the New York state energy code, as adopted pursuant to section 28-1001.2.2 of the administrative code of the city of New York, as added by local law 91 for the year 2016, is amended to read as follows:

## SECTION R202

### GENERAL DEFINITIONS

Delete the definitions of “2016 Uniform Code Supplement,” “2015 International Building Code (As Amended),” “2015 International Fire Code (As Amended),” “2015 International Fuel Gas Code (As Amended),” “2015 International Mechanical Code (As Amended),” “2015 International Plumbing Code (As Amended),” “2015 International Property Maintenance Code (As Amended),” and “2015 International Residential Code (As Amended).”

Revise the definition of “Approved” after the definition of “Alteration,” to read as follows:

**APPROVED.** See Section 28-101.5 of the Administrative Code.

Add a new definition of “Approved agency” after the definition of “Approved,” to read as follows:

**APPROVED AGENCY.** See Section 28-101.5 of the Administrative Code.

Delete the definitions of “ASHRAE 90.1-2013” and “ASHRAE 90.1-2013 (As amended)” after the definition of “Area weighted average.”

Add a new definition of “Authority having jurisdiction” after the definition of “Area weighted average” to read as follows:

**AUTHORITY HAVING JURISDICTION.** The commissioner or the commissioner’s designee.

Revise the definition of “Building site” after the definition of “Building,” to read as follows:

**BUILDING SITE.** A contiguous area of land that is under the ownership or control of one entity.

Revise the definition of “Building thermal envelope” after the definition of “Building [site] system,” to read as follows:

**BUILDING THERMAL ENVELOPE.** The exterior walls (above and below grade), floor, roof, and any other building elements that enclose conditioned space or provide a boundary between conditioned space and exempt or unconditioned space.

Revise the term “Code official” after the definition of “Climate Zone,” to read as follows:

**CODE OFFICIAL.** The commissioner or the commissioner’s designee.

Delete the definition of “Energy code”, after the definition of “Energy Analysis.”

Add a new definition of “Grade plane” after the definition of “General lighting,” to read as follows:

**GRADE PLANE.** A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

Add a new definition of “Lead energy professional” after the definition of “Labeled,” to read as follows:

**LEAD ENERGY PROFESSIONAL.** The registered design professional who signs and seals the energy analysis for an entire project. Such individual may be the same registered design professional who signs and seals the design drawings for the same project.

Add new definitions of “Professional certification” and “Project” after the definition of "Manual," to read as follows:

**PROFESSIONAL CERTIFICATION.** See Section 28-101.5 of the Administrative Code.

**PROJECT.** A design and construction undertaking comprised of work related to one or more buildings and the site improvements. A project is represented by one or more plan/work applications, including construction documents compiled in accordance with Section 107 of the New York City Building Code, that relate either to the construction of a new building or buildings or to the demolition or alteration of an existing building or buildings. Applications for a project may have different registered design professionals and different job numbers, and may result in the issuance of one or more permits.

Delete the definition of “Uniform Code.”

§ 7. The entry for “NYS”, as set forth in chapter R6 of the local law amendments to the residential chapters of the New York state energy code, as adopted pursuant to section 28-1001.2.2 of the administrative code of the city of New York, as added by local law 91 for the year 2016, is amended to read as follows

**NYS** New York Department of State  
 One Commerce Plaza, 99 Washington Ave  
 Albany, NY 12231-0001

Standard reference number	Title	Referenced in code section number
BCNYS-10	Building Code of New York State	R202
ECCCNYS- 16	New York State Energy Conservation Construction Code	CH1 (Intro Statement), 101.1.1, 101.2.2, [101.3, C202] <u>R202</u>

§ 8. This local law takes effect on the same date as local law number 91 for the year 2016 takes effect, and applies to applications filed on and after such effective date, except that if it becomes law after such effective date, it is retroactive to and deemed to have been in full force and effect as of such effective date.

Referred to the Committee on Housing and Buildings.

Preconsidered L.U. No. 464

By Council Member Ferreras-Copeland:

**French Apartments, Block 753, Lot 56; Manhattan, Community District No. 4, Council District No. 3.**

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

Preconsidered L.U. No. 465

By Council Member Ferreras-Copeland:

**Marine Terrace Apartments, Block 893, Lots 20, 30, and 50; Block 894, Lots 2, 20, 75, and 101; Queens, Community District No. 4, Council District No. 22.**

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

Preconsidered L.U. No. 466

By Council Member Greenfield:

**Application No. N 160179 ZRX submitted by 1775 Grand Concourse, LLC, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution modifying Article XII, Chapter 2 and Appendix A to permit indirectly illuminated signs on the Grand Concourse street frontage for specified sites, Borough of the Bronx, Community Board 5, Council District 14.**

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

L.U. No. 467

By Council Member Greenfield:

**Application No. C 160247 PQQ submitted by the Queens Public Library and the New York City Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 31-32 Union Street (Block 4414, Lots 1333-1339) for continued use as a library, Borough of Queens, Community Board 7, Council District 20. 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 Landmarks, Public Siting, and Maritime Uses.

L.U. No. 468

By Council Member Greenfield:

**Application No. C 160248 PQQ submitted by the Queens Public Library and the New York City Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 144-20 243rd Street (Block 13549, Lot 7) for continued use as a library, Borough of Queens, Community Board 13, Council District 30. 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 Landmarks, Public Siting, and Maritime Uses.

<http://legistar.council.nyc.gov/Calendar.aspx>

## ANNOUNCEMENTS

Thursday, September 15, 2016

[Committee on Higher Education](#).....10:00 a.m.

**Oversight** - The CUNY Master Plan 2012-2016

Committee Room – 250 Broadway, 14<sup>th</sup> Floor

Inez Barron, Chairperson

[Committee on Housing and Buildings](#) .....10:00 a.m.

**Int 307** - By the Public Advocate (Ms. James) and Council Members Cornegy, Gentile, Gibson, Koo, Rose and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to the maintenance of vacant buildings.

**Int. 1034** - By the Public Advocate (Ms. James) and Council Members Chin, Gentile, Koo, Lander, Mendez, Richards, Rodriguez, Rose, Torres, Levine, Johnson, Menchaca, Kallos Rosenthal, Cornegy, Palma and Levin - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the registration of owners of vacant property.

**Int 1036** - By Council Members Rodriguez, Chin, Gentile, Mealy, Mendez, Richards, Wills, Lander, Torres, Levine, Johnson, Menchaca, Kallos, Cornegy, Rosenthal, Palma and Levin - **A Local Law** to amend the administrative code of the city of New York, in relation to an annual census of vacant properties.

**Int 1039** - By Council Members Williams, Chin, Koo, Mendez, Rodriguez, Wills, Lander, Torres, Levine, Johnson, Menchaca, Kallos, Cornegy, Rosenthal, Palma, Levin and Grodenchik - **A Local Law** to amend the administrative code of the city of New York, in relation to publicly-owned vacant property that may be suitable for the development of affordable housing.

**Int 1277** - By Council Member Williams (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to conforming the New York city energy conservation code to recent amendments to the 2016 New York state energy code.

Committee Room – City Hall

Jumaane D. Williams, Chairperson

Committee on Public Safety ..... 10:00 a.m.

**Int 83** - By Council Members Levin, Williams, Salamanca and Gentile - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports concerning cardiopulmonary resuscitation and automated external defibrillator certification to the council.

**Proposed Int 728-A** - By Council Members Garodnick, Johnson, Lancman, Mendez and Rose - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the publication of the NYPD patrol guide, and to repeal paragraph 2 of subdivision b of section 14-150 of the administrative code of the city of New York, relating to quarterly submission of the NYPD patrol guide.

**Int 834** - By Council Members Cohen, Constantinides, Levine, Vacca, Espinal, Maisel, Garodnick, Mealy, Greenfield, Reynoso, King, Torres, Levin, Kallos, Koo, Lancman, Rosenthal, Treyger, Vallone, Palma, Johnson, Cabrera, Dromm, Mendez, Rose, Koslowitz, Menchaca, Van Bramer, Crowley, Ferreras-Copeland, Rodriguez, Richards, Chin, Gentile, Ulrich and Borelli - **A Local Law** to amend the administrative code of the city of New York, in relation to the use of all-terrain vehicles.

**Proposed Int 1000-A** - By Council Members Torres, Garodnick, Chin, Dickens, Dromm, Gentile, Lander, Lancman, Cohen, Miller, Kallos, Menchaca, Mendez, Levine, Rodriguez, Levin, Richards, Reynoso, Palma, Espinal, Rose, Koslowitz, Constantinides, Johnson, Cornegy, Rosenthal, Cumbo, Deutsch, Treyger, Grodenchik, King, Barron, Wills, Van Bramer, Ferreras-Copeland, Maisel and Salamanca - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to report on seized property data on an annual basis.

**Int 1272** - By Council Member Torres – **A Local Law** to amend the administrative code of the city of New York, in relation to codifying the procedures offering vehicle owners the opportunity to recover possession of a vehicle seized in connection with an arrest, implemented by court order pursuant to *Krimstock v. Kelly*, 306 F.3d 40 (2d Cir. 2002).

**Res 1181** - By Council Members Levin, Cohen, Richards, Palma, Gentile and Koslowitz - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, Briana’s Law, requiring all police officers to be retrained in cardiopulmonary resuscitation every two years.

Council Chambers – City Hall

Vanessa L. Gibson, Chairperson

Committee on Civil Service and Labor ..... 1:00 p.m.

**Oversight** - Examining the Murphy Institute’s 2016 ‘State of the Unions’ Report.

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

I. Daneek Miller, Chairperson

**★ Deferred**

Committee on Waterfronts ..... 1:00 p.m.

**Oversight** – Update on the Development of Governors Island

Committee Room – 250 Broadway, 14<sup>th</sup> Floor

..... Deborah Rose, Chairperson

**Monday, September 19, 2016**

**★ Deferred**

Committee on Transportation ..... 10:00 a.m.

**Oversight** – Improving Bus Service in New York City

Council Chambers – City Hall

..... Ydanis Rodriguez, Chairperson

**Tuesday, September 20, 2016**

[Subcommittee on Zoning & Franchises](#) .....9:30 a.m.

**See Land Use Calendar**

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

.Donovan Richards, Chairperson

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#) .....11:00 a.m.

**See Land Use Calendar**

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

Peter Koo, Chairperson

[Committee on Cultural Affairs, Libraries & International Intergroup Relations](#) .....1:00 p.m.

**Oversight** - New York City Art Commission

Committee Room - City Hall

James Van Bramer, Chairperson

★ *Deferred*

[Committee on General Welfare](#) jointly with the

[Committee on Health](#) .....1:00 p.m.

**Oversight** – Part 1: Medical Health Services in the DHS Shelter System.

Committee Room – 250 Broadway, 14<sup>th</sup> Floor

Stephen Levin, Chairperson

Corey Johnson, Chairperson

[Subcommittee on Planning, Dispositions & Concessions](#) .....1:00 p.m.

**See Land Use Calendar**

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

Inez Dickens, Chairperson

**Wednesday, September 21, 2016**

[Committee on Youth Services](#) .....10:00 a.m.

**Oversight** - New York City's Young Men's Initiative (YMI)

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

Mathieu Eugene, Chairperson

[Committee on Education](#) .....1:00 p.m.

**Oversight** - Career and Technical Education (CTE) Programs

**Int 1099** - By Council Members Treyger, Palma, Dickens, Gentile, Rodriguez, Ulrich and Borelli - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of education to report information on Career and Technical Education programs in New York city schools.

**Int 1193** - By Council Members Levine, Menchaca, Chin and Mendez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of education to report information on computer science education in New York city schools

Council Chambers – City Hall

Daniel Dromm, Chairperson

[Committee on Juvenile Justice](#) .....1:00 p.m.

**Oversight** - Examining Family Engagement for New York City's Detained and Placed Youth.

Committee Room – City Hall

Fernando Cabrera, Chairperson

[Committee on Public Housing](#) .....1:00 p.m.

**Oversight** - Examining the Struggle to Save NYCHA's Most Endangered Housing Units.

**Int 1273** - By Council Member Torres and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on the capital needs of public housing.

**Int 1274** - By Council Member Torres and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on obsolete public housing dwelling units and components and systems of public housing buildings.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor .Ritchie Torres, Chairperson

[Committee on Technology](#).....1:00 p.m.  
**Oversight** - Oversight on the Open Data Law and its 2015/2016 Amendments.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor James Vacca, Chairperson

**Thursday, September 22, 2016**

[Committee on Aging](#) jointly with the  
[Subcommittee on Senior Centers](#).....10:00 a.m.  
**Oversight** - Reducing Senior Social Isolation and Increasing Recruitment and Retention at Senior Centers.  
 Council Chambers – City Hall Margaret Chin, Chairperson  
 Paul A. Vallone, Chairperson

[Committee on Consumer Affairs](#).....10:00 a.m.  
**Int 1217** - By Council Member Espinal - **A Local Law** to amend the administrative code of the city of New York, in relation to banning the sale of cosmetic talc in the city of New York.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor Rafael L. Espinal, 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

[Committee on Finance](#).....1:00 p.m.  
**Preconsidered Int**\_\_\_\_ - By Council Member Ferreras-Copeland - **A Local Law** to amend the administrative code of the city of New York, in relation to the review and evaluation of economic development tax expenditures, and to repeal chapter 29 of such code, relating to the establishment of the tax study commission.  
 Council Chambers – City Hall Julissa Ferreras-Copeland, Chairperson

[Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services](#).....1:00 p.m.  
**Oversight** - Examining ThriveNYC’s Mental Health First Aid Training  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor Andrew Cohen, Chairperson

[Committee on Recovery and Resiliency](#).....1:00 p.m.  
**Oversight** - Build It Back  
 Committee Room – City Hall Mark Treyger, Chairperson

**Friday, September 23, 2016**

[Committee on Courts and Legal Services](#) jointly with the  
[Committee on Public Safety](#) .....10:00 a.m.

**Oversight** - Examination of Wrongful Conviction and Conviction Integrity Units.  
Council Chambers – City Hall  
Rory Lancman, Chairperson  
Vanessa L. Gibson, Chairperson

**Monday, September 26, 2016**

[Committee on Courts and Legal Services](#) .....10:00 a.m.

**Proposed Int 214 –A** - By Council Members Levine, Gibson, Barron, Chin, Dickens, Eugene, Ferreras-Copeland, Johnson, Lander, Mendez, Wills, Treyger, Rodriguez, Kallos, Koslowitz, King, Rosenthal, Cornegy, Cohen, Reynoso, Torres, Levin, Palma, Richards, Espinal, Miller, Mealy, Gentile, Maisel, Koo, Van Bramer, Cumbo, Williams, Constantinides, Rose, Menchaca, Dromm, Crowley, Lancman, Salamanca, Cabrera and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to providing legal counsel for low-income eligible tenants who are subject to eviction, ejection or foreclosure proceedings.  
Council Chambers – City Hall  
Rory Lancman, Chairperson

[Committee on Housing and Buildings](#) .....1:00 p.m.

**Int 179** - By Council Members Williams, Chin, Koo, Torres and Mendez (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the City of New York, in relation to street numbers.  
**Int 1120** - By Council Members Williams and Chin (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York and the New York city building code, in relation to notification of proposed excavation or drilling.  
Committee Room – City Hall  
Jumaane D. Williams, Chairperson

**Tuesday, September 27, 2016**

[Committee on Environmental Protection](#) .....1:00 p.m.

**Oversight** - Enforcement of NYC Idling Restrictions  
**Int 325** - By Council Members Garodnick, Chin, Constantinides, Levin, Mendez, Richards, Rosenthal and Rodriguez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the implementation of technology to allow traffic enforcement agents to issue idling tickets through their hand-held computers.  
**Int 717** - By Council Members Rosenthal, Richards, Chin, Constantinides, Levine, Palma, Cornegy, Reynoso, Koslowitz and Menchaca - **A Local Law** to amend the administrative code of the city of New York, in relation to online submission of video of idling infractions and rewards therefor.  
Committee Room – 250 Broadway, 16<sup>th</sup> Floor  
Costa Constantinides, Chairperson

[Committee on Civil Service and Labor](#) jointly with the  
[Committee on Economic Development](#) .....1:00 p.m.

**Oversight** - New York City Employees’ Paid Parental Leave.  
Committee Room – City Hall  
I. Daneek Miller, Chairperson  
Daniel Garodnick, Chairperson

**Wednesday, September 28, 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 Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, September 28, 2016.

MICHAEL M. McSWEENEY, City Clerk  
 Clerk of the Council

*Editor’s Local Law Note: Int Nos. 446-A, 507-A, 1081-A, 1084-A, 1085-A, 1086-A, 1087-A, 1135-A, 1150-A, and 1194, all adopted by the Council at the August 16, 2016 Stated Meeting, were signed into law by the Mayor on August 31, 2016 as, respectively, Local Law Nos. 95, 96, 97, 98, 99, 100, 101, 102, 103, and 104 of 2016.*