

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, September 27, 2017, 2:19 p.m.

The Public Advocate (Ms. James)

Acting President Pro Tempore and Acting Presiding Officer

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent: Council Member Cabrera, Cornegy, Espinal, Gibson, Mealy, Salamanca, Torres.

Maternity Leave: Council Member Cumbo.

There is presently a vacant seat on the Council (28th District, Queens) pending the swearing-in of the certified winner of the November 7, 2017 General Election.

The Public Advocate (Ms. James) assumed the chair as the Acting President Pro Tempore and Acting 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 42 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by: Rev. Victor T. Hall, Sr. Pastor, Calvary Baptist Church, 110-10 Guy R. Brewer Blvd, Jamaica, N.Y. 11433.

Let us pray.

Dear God our Heavenly Father and our eternal friend
 in whom we live and move and have our very being.
 This is the day that you have made,
 and we rejoice and are glad in it.
 We thank you for this august body of public servants.
 We thank you for our Speaker Melissa Mark-Viverito,
 for our Public Advocate Tish James,
 and for Council Members I. Daneek Miller,
 and all of the City Council persons in this body.
 Lord, we thank you for the immeasurable gifts and talents
 you have invested in the members of our Council.
 We thank you for the determination,
 for the sacrifice of time and service and labor,
 and Father, even as we recognize all that you have given to each member,
 we yet come to ask for your guidance and for your strength.
 For without you we can do nothing.
 Lord, I ask for this City Council
 that you will give to the members
 the courage that you gave to Sampson.
 Grant to them the wisdom that you gave to Solomon,
 the commitment to justice that you gave to Isaiah
 and the love and the compassion and the kindness
 that you gave to Jesus Christ.
 Bless this house.
 Let your presence meet as they meet to do a work that is pleasing to you
 and that will aid and benefit and help all New Yorkers.
 We thank you this day.
 In your name we pray.
 Amen.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence for all the victims of catastrophes caused by the hurricanes that swept through the Caribbean and the southern and southeastern United States. The Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of all the construction workers who have recently died in New York City during workplace accidents.

* * *

ADOPTION OF MINUTES

Council Member Rose moved that the Minutes of the Stated Meeting of August 9, 2017 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-547

Communication from the Mayor – Submitting the Mayor’s Management Report, Fiscal 2017, dated September 2017, pursuant to Section 12 of the New York City Charter.

(For text, please refer to the Mayor’s Office of Operations at 253 Broadway, 10th Floor, New York, N.Y. 10007; please also refer to the Mayor’s Office of Operations website at <http://www1.nyc.gov/site/operations/performance/mmr.page>)

Received, Ordered, Printed and Filed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-548

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2018 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-1).

September 27, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107 (b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2018 to implement changes in the city’s expense budget.

As requested by the City Council, this modification (MN-1) reallocates appropriations that were reflected in the FY 2018 Adopted Budget account to fund City Council local initiatives as well as other discretionary programs.

Your approval of modification MN-1 is respectfully requested.

Sincerely,

Dan Fuliehan.

(For the MN-1 and Appendix A numbers, please see the Report of the Committee on Finance for M-548 & Res. No. 1661 printed in these Minutes)

Referred to the Committee on Finance.

Preconsidered M-549

Communication from the Office of Management & Budget - Resolution approving the modification of the Fiscal 2018 Capital Budget and Capital Program proposed by the Mayor pursuant to Section 216 of the Charter of the City of New York.

September 27, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 216 of the New York City Charter, your approval is requested to amend the Fiscal Year 2018 Capital Budget as detailed in the attached Schedule A.

As requested by the City Council, this amendment reallocates appropriations that were reflected in the FY 2018 Adopted Capital Budget account to fund City Council local initiatives

Sincerely,

Dan Fuliehan.

(For the Capital Budget modification, please see the Report of the Committee on Finance for M-549 & Res. No. 1662 printed in these Minutes)

Referred to the Committee on Finance.

LAND USE CALL-UPS

M-550

By Council Member Rodriguez:

Pursuant to Rule 11.20(b) of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 200 Dyckman Street, Borough of Manhattan, Community Board 12, Application No. 20185034 TCM shall be subject to review by the Council.

Coupled on Call-Up Vote.

M-551

By Council Member Rose:

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure applications nos. C 160174 ZSR and C 150359 MMR 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, Chin, Cohen, Constantinides, Crowley, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Consumer Affairs

Report for Int. No. 1539-A

Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the sale and financing of used automobiles by second-hand automobile dealers.

The Committee on Consumer Affairs, to which the annexed proposed amended local law was referred on April 5, 2017 (Minutes, page 985), respectfully

REPORTS:

I. INTRODUCTION

On Wednesday, April 26, 2017, the Consumer Affairs Committee, chaired by Council Member Rafael Espinal held its first hearing on two bills related to used car dealerships in New York City. Those invited to attend the hearing include the Department of Consumer Affairs (“DCA”), representatives from the used car industry, various chambers of commerce, consumer protection advocates, and other interested parties. Based on feedback, the bills were updated and improved to address operational concerns.

On September 14, 2017 the Committee held a vote on Proposed Introductory Bill Number 1539-A (Proposed Int. No. 1539-A), A Local Law to amend the administrative code of the city of New York, in relation to the sale and financing of used automobiles by second-hand automobile dealers; and Proposed Introductory Bill Number 1540-A (Proposed Int. No. 1540-A), A Local Law to amend the administrative code of the city of New York, in relation to requiring second-hand automobile dealers to post and distribute a consumer bill of rights to consumers. The bill passed by a vote of four in the affirmative, none opposed and no abstentions.

II. BACKGROUND

Between 2013 and March 2017, DCA received 826 complaints regarding the second hand auto dealers.¹ Consumers complained of second hand auto dealers pressuring customers to sign blank financing contracts, selling vehicles with serious mechanical problems, misrepresenting the cash value of vehicles, inflating loan interest rates, not honoring warranties, and selling costly add-ons.² Some consumers reported being charged interest rates of up to 25 percent.³ DCA’s data indicates that these unscrupulous practices disproportionately impact communities of color, limited English proficiency populations, and “unbanked” or “underbanked” communities.⁴

Predatory lending practices are a growing problem in the used car industry. In 2016, the consumer credit reporting company, Experian, reported that more than 25% of auto loans were subprime and over 30% of these loans were for the used car market.⁵ In November of 2016, the Federal Reserve of New York (FRBNY) released data noting the growth in subprime auto lending despite rising delinquencies. While mortgage debt

¹ Department of Consumer Affairs, *Used and Abused by the Used Car Industry: Department of Consumer Affairs and Council Member Espinal Hold Hearing to Shine Light on Consumers Being Scammed Out of Millions*, October 18, 2016, Press release, Available at <http://www1.nyc.gov/site/dca/media/pr101816.page>

² *Id.*

³ *Id.*

⁴ Department of Consumer Affairs, *Used and Abused by the Used Car Industry: Predatory Lending in the Secondhand Auto Industry* (last view 4/12/2017), Available at http://www1.nyc.gov/assets/dca/downloads/pdf/partners/SHAD_Report.pdf

⁵ Zabristski, Melinda, Experian Automotive, *State of Automotive Finance Market: A Look at Loans and Leases in Q1 2016*, Available at <http://www.experian.com/assets/automotive/quarterly-webinars/2016-q1-safm.pdf>

growth has been sluggish, auto loan balances have grown steadily, contributing to rising household debts that are nearing 2008 levels.⁶

In addition to predatory lending practices, used car dealers frequently disregard consumer protection laws. A 2010 DCA investigation conducted over a three-month period found that 55% of second hand auto dealer advertisements violated the City's consumer protection laws.⁷ DCA has attempted to curb unscrupulous second hand auto dealers by issuing violations, but several issues persist.⁸

Over the years, the City Council has attempted to address these recurring issues in the used car industry. In 2012, the Consumer Affairs Committee heard a package of bills attempting to curb fraud, including legislation requiring broader disclosure and a consumer bill of rights, but none were enacted. In 2015, Local Law 44 was enacted requiring second hand auto dealers to display prices that included all administrative and service fees, as well as commonly sold add-ons, with signage to indicate such add-ons are optional. On October 18, 2016, DCA Commissioner Lorelei Salas and Chairman of the Council's Consumer Affairs Committee, Rafael Espinal, heard testimony from consumers and advocates highlighting the negative impacts of predatory lending practices.⁹ Recently, Local Law 85 of 2017 was enacted requiring second-hand automobile dealers to disclose whether automobiles have been recalled by the automobiles' manufacturers

The introductions being voted on today represent a continuation of the Council's efforts to regulate the used car industry and better respond to emerging fraudulent trends.

III. Proposed Int. No. 1539-A

Int. No. 1539 strengthens consumer protections relating to the purchase and financing of a used automobile. Subdivisions a, b, and c of section 20-268.1 prohibit second-hand automobile dealers from requiring consumers to accept dealer financing and add-ons as a condition of purchase, and prohibit dealers from cancelling or modifying a purchase contract due to the inability to secure financing from a third party. Subdivisions d prohibits dealers from falsifying information on an application for financing or leaving information on forms blank.

In addition, Proposed Int. No. 1539-A requires second-hand auto dealers to provide consumers with greater disclosure when purchasing a used vehicle. Subdivision e of section 20-268.1 requires a disclosure to be provided to consumers that includes: 1) a warning to the consumer that they are not required to apply for a loan from the second hand dealer and can go elsewhere for a loan; 2) the lowest annual percentage interest rate offered by a financing company to the consumer; 3) the itemized cost of any requested add-on products, including the total cost with or without each such add-on product; 4) notice to the consumer that if the contract is transferred to another party, the consumer must be informed; and 5) information about the contract cancellation option agreement. Subdivision f disallows any waiver of a consumer's rights granted by this section.

Section 20-268.2 requires second hand auto dealers to offer an automobile contract cancellation option agreement. This agreement allows a buyer to cancel a contract without cause within two days of signing a purchase agreement. During the two-day period, the second-hand automobile would remain in the possession of the dealer until the consumer makes a decision or the period expires. With respect to trade-in vehicles, a consumer must pay a \$100 refundable deposit and has the option of leaving the vehicle with the dealer or, for an additional nonrefundable \$50 fee, using the vehicle so long as it is returned in the same condition, reasonable wear and tear excluded, and with less than 250 additional miles. If a consumer cancels a contract

⁶ Federal Reserve Bank of New York, Liberty Street Economics, *Just Released: Subprime Auto Debt Grows Despite Rising Delinquencies*, November 30, 2016, Available at <http://libertystreeteconomics.newyorkfed.org/2016/11/just-released-subprime-auto-debt-grows-despite-rising-delinquencies.html>

⁷ Dep't of Consumer Affairs, "Department of Consumer Affairs (DCA) Conducts Used Car Dealer 'Bait and Switch' Enforcement Sweep," Press Release, October 14, 2010

⁸ DCA, "Department of Consumer Affairs charges nine used car dealers with using illegal sales tactics to deceive and pressure consumers to pay more than advertised prices," Press release, May 1, 2013, Available at <https://katyusca.files.wordpress.com/2015/01/used-car-dealers-charged.pdf>

⁹ Department of Consumer Affairs, *Used and Abused by the Used Car Industry: Department of Consumer Affairs and Council Member Espinal Hold Hearing to Shine Light on Consumers Being Scammed Out of Millions*, October 18, 2016, Press release, Available at <http://www1.nyc.gov/site/dca/media/pr101816.page>

for the purchase of a second-hand automobile, they are entitled to the return of any down payment or their trade-in vehicle minus the \$100 deposit.

Section 20-268.3 requires a second hand dealer to provide a consumer with all contract documents and any related documents in advance of executing the contract.

Section 20-268.5 requires dealers to maintain records of documents relating to the sale of a second-hand automobile including any buyer's order, bill of sale, retail installment contract, documents incorporated by reference, consumer disclosures, and any signed contract cancellation option agreements. Dealers are also required to report to DCA the number of contract cancellation option agreements that were accepted by consumers, as well as how many contracts were cancelled pursuant to such agreements.

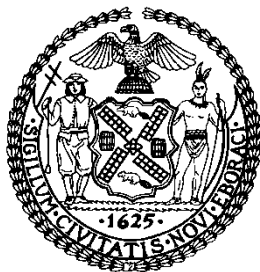
Section 20-268.6 grants the DCA Commissioner the discretion to submit a report to the City Council and the Mayor that may address: (i) whether it is advisable to create additional enforcement tools to promote compliance by licensees; (ii) the effect of the bill has had on the prevalence of predatory practices; (iii) whether new predatory practices have emerged in the second hand automobile dealer industry; (iv) whether additional disclosure or reporting requirements for second-hand automobile dealers would mitigate consumer harm; and (v) the effectiveness of the Department's outreach and education efforts.

Section 20-275 is amended to allow DCA to levy civil penalties between \$500 and \$1000 for each violation, and adds a specific penalty for the failure of a dealer to return a consumer's down payment pursuant to the cancellation of a contract. The bill also gives the commissioner of DCA the power to suspend or revoke a license, except that upon a third violation a license shall be suspended or revoked.

IV. Proposed Int. No. 1540-A

This bill would require second hand auto dealers to post and provide consumers with a consumer bill of rights. DCA must create the bill of rights and promulgate by rule the manner in which it is to be posted and distributed. The bill of rights would inform consumers of their right: i) to a two-day automobile contract cancellation option agreement; ii) to seek financing from lenders other than the dealer; iii) to purchase the automobile at the advertised price; iv) to seek the dealer's complaint history or to make a complaint by calling 311; v) to receive a Used Car Buyer Guide and to additional rights under New York State's Used Car Lemon Law; vi) to receive certain disclosures when signing a financing agreement; vii) to not be required to purchase add-ons; and viii) to receive an itemized list of the cost of any requested add-ons. For each executed contract, the second-hand automobile dealer must obtain from the consumer an initialed or signed copy of the consumer bill of rights and retain it for six years. The dealer must also provide the consumer bill of rights in the language used to negotiate the contract, as provided by the department of consumer affairs.

(The following is the text of the Fiscal Impact Statement for Int. No. 1539-A:)



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

**INTRO. NO: 1539-A
COMMITTEE: Consumer Affairs**

TITLE: A local law to amend the administrative code of the city of New York, in relation to the sale and financing of used automobiles by second-hand automobile dealers

SPONSOR(S): Council Members Espinal, Levin, Johnson, Williams, Salamanca, Levine, Richards, Menchaca, Koslowitz, Maisel, Vacca, Constantinides, Rosenthal, Garodnick, Gentile, Greenfield, Torres, Gibson, Cornegy, Cumbo, Lander, Chin, Miller and Reynoso

SUMMARY OF LEGISLATION: This legislation strengthens consumer protections against predatory lending practices that exist in the used car industry. It will mandate that used car dealers disclose certain information to consumers, including:

- The price of each add-on product;
- The total cost of the vehicle, broken down by monthly payments and with or without any add-ons;
- The lowest interest rate (APR) offered to the consumer by a finance company; and
- Any other disclosures the Commissioner prescribes by rule.

Any required documents or disclosures that are provided to the consumer must be in the language used to negotiate the contract for sale. In addition, this bill requires that dealers offer an “automobile contract cancellation option” that would allow a buyer to cancel a contract for sale, subject to some limitations, within two days of purchasing the used vehicle. During the cancellation period, the purchased used car remains on the dealer’s lot until the consumer makes a decision. A dealer is required to retain certain records related to the sale of used cars for six years, which may be subject to audit by the Department of Consumer Affairs. The bill also gives the Commissioner of the Department of Consumer Affairs the discretion to report to the City Council and the Mayor on the effectiveness of the bill. Finally, this bill creates additional civil penalties for the violation of its provisions.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be full compliance and hence 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 Department of Consumer Affairs would use existing resources to implement this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst, Finance Division

ESTIMATE REVIEWED BY: Crilhien Francisco, Unit Head, Finance Division
 Nathan Toth, Deputy Director, Finance Division
 Rebecca Chasan, Counsel, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced by the Council on April 5, 2017 as Intro. No. 1539 and referred to the Committee on Consumer Affairs. A hearing was held by the Committee on Consumer

Affairs on April 26, 2017 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1539-A, will be voted on by the Committee on Consumer Affairs at a hearing on September 14, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1539-A will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: August 30, 2017.

(For text of Int. No. 1540-A and its Fiscal Impact Statement, please see the Report of the Committee on Consumer Affairs for Int. No. 1540-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int. Nos. 1539-A and 1540-A.

(The following is the text of Int. No. 1539-A:)

Int. No. 1539-A

By Council Members Espinal, Levin, Johnson, Williams, Salamanca, Levine, Richards, Menchaca, Koslowitz, Maisel, Vacca, Constantinides, Rosenthal, Garodnick, Gentile, Greenfield, Torres, Gibson, Cornegy, Cumbo, Lander, Chin, Miller, Reynoso, Vallone and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to the sale and financing of used automobiles by second-hand automobile dealers

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-264 of the administrative code of the city of New York, is amended to read as follows:

a. [Whenever used in this subchapter, the words] *As used in this subchapter, the following terms have the following meanings:*

Add-on product. The term "add-on product" means any product or service offered with a second-hand automobile, including, but not limited to, automobile service contracts, extended service contracts, prepaid maintenance packages, road service or club membership, theft protection, car alarm, auto immobilizer, vehicle identification number etching, mechanical breakdown, guaranteed auto protection, and credit life, accident or disability insurance, and biweekly payment plans.

Business day. The term "business day" means any day other than Saturday, Sunday, or a legal holiday.

Dealer in second-hand articles. The term "dealer in second-hand articles" [shall mean] means any person who, in any way or as a principal broker or agent:

1. Deals in the purchase or sale of second-hand articles of whatever nature, or
2. Accepts or receives second-hand articles as returns of merchandise or in exchange for or for credits on any other articles or merchandise, or
3. Deals in the purchase or sale of any second-hand manufactured article composed wholly or in part of gold, silver, platinum or other metals, or
4. Deals in the purchase or sale of old gold, silver, platinum or other precious metals, or
5. Deals in the purchase of articles or things comprised of gold, silver, platinum or other precious metals for the purpose of melting or refining, or
6. Engages in melting previous metals for the purpose of selling, or
7. Deals in the purchase or sale of pawnbroker tickets or other evidence of pledged articles, or
8. Not being a pawnbroker deals in the redemption or sale of pledged articles, or
9. Deals in the purchase or sale of any used electrical appliance, electronic equipment or component parts.

Financing. The term "financing" means any agreement, including a loan, installment agreement, or deferred payment plan where the consumer agrees to make payments subsequent to the execution of the sales contract, regardless of whether the payments are made to the second-hand automobile dealer or to a third-party assigned the agreement.

Retail installment contract. The term “retail installment contract” means a retail installment contract, as that term is defined in subdivision 5 of section 301 of the personal property law, that is entered into in the city of New York by a second-hand automobile dealer and a consumer of a second-hand automobile for the purchase of a second-hand automobile.

Retail installment sale. The term “retail installment sale” means a retail installment sale as that term is defined in subdivision 4 of section 301 of the personal property law.

Second-hand automobile dealer. The term “second-hand automobile dealer” means a dealer in second-hand articles that deals in the purchase or sale of second-hand automobiles.

Trade-in automobile. The term “trade-in automobile” means an automobile provided to a second-hand automobile dealer by a consumer as a trade-in or a down-payment toward the purchase of a second-hand automobile pursuant to a sales contract.

§ 2. Title 20 of the administrative code of the city of New York is amended by adding a new section 20-268.1 to read as follows:

§ 20-268.1 Sale and financing of second-hand automobiles.

a. *No mandatory financing.* A second-hand automobile dealer shall not require a consumer to accept financing or assistance in obtaining financing from a lender as a condition of the purchase of an automobile, and shall not increase the price of such automobile on the basis that the consumer has secured financing from a third-party lender.

b. *Conditional sales contract.* No retail installment contract for the purchase of a second-hand automobile shall include a term rendering the contract voidable, subject to modification, or otherwise not binding upon a second-hand automobile dealer because of such dealer’s inability or unwillingness to sell, assign or otherwise transfer the contract to a third party after execution of the sales contract.

c. *Payment price packing.* A second-hand automobile dealer shall not:

1. Require a consumer to purchase any add-on product as a condition of purchasing a second-hand automobile or obtaining financing from a lender for the purchase of an automobile; or

2. Charge a consumer a higher amount if such consumer does not purchase an add-on product, and shall not condition a financing offer on any such purchase.

d. *False information provided to lender or finance company.* In connection with the sale or offer for sale of a second-hand automobile, a second-hand automobile dealer or employees or agents thereof shall not:

1. Prepare, participate, assist or direct any person to prepare, participate or assist in the submission of a false, misleading, or deceptive credit application or contract to a lender or finance company; or

2. Request or allow a consumer to sign a blank or incomplete credit application or contract.

e. *Disclosures.* 1. Prior to the execution of any bill of sale, a second-hand automobile dealer shall provide to each consumer a document that discloses the availability of a contract cancellation option. The form and content of the required disclosure shall be prescribed by the commissioner by rule.

2. Prior to the execution of any retail installment contract, a second-hand automobile dealer that offers financing to a consumer of a second-hand automobile or assists such consumer in obtaining financing from a lender shall provide to such consumer in writing all disclosures required by the federal truth in lending act and by article nine of the personal property law. In addition to such disclosures, a second-hand automobile dealer shall provide to such consumer, in a form prescribed by the commissioner by rule, a document containing the following disclosures:

(a) The price of each add-on product to be included in such retail installment contract;

(b) The total cost of the automobile and the monthly payments, including any amounts associated with financing, that the consumer will be required to make to purchase the automobile (i) with each such add-on product included, (ii) without any add-on product included, and (iii) with all such add-on products.

(c) The lowest annual percentage rate offered to such consumer by the financing companies from whom the dealer has solicited financing on behalf of the consumer; and

(d) Any other financing-related disclosure prescribed by the commissioner by rule.

3. The disclosures described in this subdivision shall be provided to the consumer in the language in which the sale or finance agreement was negotiated, provided the commissioner has made available to second-hand automobile dealers such disclosures in such language.

4. Receipt of the disclosures described in this subdivision must be acknowledged by the consumer by signing or initialing in writing.

f. Waiver prohibited. No retail installment contract or other contract related to the purchase of a second-hand automobile may require a consumer to waive any of the protections provided by this section.

§ 3. Title 20 of the administrative code of the city of New York is amended by adding a new section 20-268.2 to read as follows:

§ 20-268.2 Automobile contract cancellation option.

a. Prior to executing a bill of sale with a consumer for the purchase of an automobile, a second-hand automobile dealer shall offer such consumer an automobile contract cancellation option that authorizes such consumer to cancel the sales contract, subject to the conditions set forth in this section. Until such option is declined in writing or forfeited by such consumer, such dealer may retain possession of and title to such automobile.

b. An automobile contract cancellation option shall be contained in a document separate from any sales, purchase, or financing agreement or contract and its terms shall be incorporated into the bill of sale governing each sale. The form and content of such automobile contract cancellation option document shall be prescribed by the commissioner by rule. The automobile contract cancellation option document shall contain, at a minimum, the following:

- 1. The name of the second-hand automobile dealer and the consumer;*
- 2. A description of the second-hand automobile and the vehicle identification number of such automobile;*
- 3. A statement specifying that the consumer may exercise the option to cancel the sales contract no later than the dealer's close of business on the second business day following the day on which the bill of sale was signed by the consumer or the day on which the retail installment contract was signed by the consumer, whichever occurs later;*

- 4. A statement that the consumer has the option to cancel the sales contract and obtain a full refund and that such option will apply only if, within the two business day period specified in the automobile contract cancellation option document, such consumer personally delivers to the second-hand automobile dealer a written statement signed by such consumer, pursuant to paragraph 8 of this subdivision, exercising the option to cancel the sales contract;*

- 5. A statement clearly indicating the date and time by which the option to cancel the sales contract may be exercised;*

- 6. A statement specifying that the second-hand automobile dealer may retain possession of and title to such vehicle until such consumer declines in writing the option to cancel the sales contract or forfeits such option;*

- 7. A statement that, when signed by the consumer, acknowledges receipt of the automobile contract cancellation option document and indicates whether such consumer has accepted or declined the option offered therein;*

- 8. A statement that, if signed by such consumer, will either execute the cancellation of the sales contract, provided all necessary conditions for such cancellation have been met, or decline such cancellation, provided further that the consumer has previously accepted the automobile contract cancellation option;*

- 9. A statement specifying that the consumer will execute documents reasonably necessary to effectuate the cancellation of the sales contract and the refund as reasonably required to comply with applicable law; and*

- 10. If the sales contract includes a trade-in automobile, a statement specifying the consumer's rights in connection with such automobile and the terms and conditions that apply if such consumer elects to use the trade-in automobile during the cancellation period.*

c. A consumer who has accepted an automobile contract cancellation option may exercise the option to cancel the sales contract no later than the dealer's close of business on the second business day following the day on which either the bill of sale or the retail installment contract was signed by such consumer, whichever such signing occurred later. A consumer shall forfeit the option to cancel the sales contract by failing to respond in writing to the business within such cancellation period.

d. A consumer's timely in-person delivery to the second-hand automobile dealer of the automobile contract cancellation option with such consumer's signature shall constitute sufficient written notice to such dealer of such consumer's exercise of the option to cancel the sales contract.

e. Upon delivery in person by a consumer of a written, signed statement exercising the option to cancel the sales contract in compliance with an automobile contract cancellation option, the second-hand automobile

dealer shall immediately cancel the contract and provide such consumer with a full refund, including any sales tax collected in connection with the purchase.

f. The second-hand automobile dealer shall provide a consumer with a copy of the contract cancellation option document containing such consumer's signature accepting or declining the terms of the option. If the consumer exercises such option, the dealer shall provide such consumer with a copy of the document submitted by such consumer exercising such option.

g. A consumer who accepts an automobile contract cancellation option as part of a sales contract in which a trade-in automobile is included shall pay a refundable deposit of \$100, and may:

1. Leave the trade-in automobile with the second-hand automobile dealer, who shall retain such automobile until the consumer exercises the option to cancel the sales contract or the option expires. If the consumer exercises the option to cancel the sales contract, such dealer shall keep the \$100 deposit and return the trade-in automobile to the consumer no later than the day on which the consumer exercises such option. If the consumer declines to exercise the option to cancel the sales contract, such dealer shall return the \$100 deposit to the consumer. If such dealer inadvertently sells or otherwise transfers title to the trade-in automobile as a result of bona fide error, notwithstanding reasonable procedures designed to avoid that error, such sale or transfer of title shall not be considered a violation of this paragraph, and the full refund described in subdivision e of this section shall include the retail market value of such trade-in automobile, or its value as stated in the sales contract, whichever is greater; or

2. Use the trade-in automobile during the cancellation period for a non-refundable fee of \$50 payable to the second-hand automobile dealer. During such cancellation period, the consumer shall be prohibited from driving more than 250 miles in the trade-in automobile and must return such automobile in the same condition as when such automobile was presented to such dealer as a trade-in automobile, excepting any reasonable wear and tear. If the consumer declines to exercise the option to cancel the sales contract, such dealer shall return the \$100 deposit to the consumer, provided that if the consumer does not comply with the terms and conditions governing the use of such trade-in automobile during the cancellation period, the dealer may either cancel the sales contract or keep such deposit. The dealer shall not be required to deliver the second-hand automobile to the consumer until the trade-in automobile has been delivered to the dealer.

h. A second-hand automobile dealer shall not increase the price of an automobile or impose a fee on a consumer in connection with the exercise of an automobile contract cancellation option except as provided in subdivision g of this section.

i. A second-hand automobile dealer shall not require that a consumer declines an automobile contract cancellation option or declines cancelling a sales contract as a condition for the purchase of a second-hand automobile.

§ 4. Title 20 of the administrative code of the city of New York is amended by adding a new section 20-268.3 to read as follows:

§ 20-268.3 *Second-hand automobile contract documents to be provided in advance.* In advance of execution of any contract between a second-hand automobile dealer and a customer for the sale of a second-hand automobile, including, but not limited to, a buyer's order, retail installment contract, bill of sale, automobile contract cancellation option document, or service contract, a second-hand automobile dealer shall provide to such consumer a copy of such contract, all documents incorporated or referenced in such contract, and all documents to be signed or initialed by such consumer in connection with such contract, in the language used by such dealer to negotiate the sale of such second-hand automobile.

§ 5. Title 20 of the administrative code of the city of New York is amended by adding a new section 20-268.5 to read as follows:

§ 20-268.5 *Second-hand automobile records and reports.* a. A second-hand automobile dealer shall maintain a physical or electronic copy of each of the following documents relating to the sale of a second-hand automobile for six years after the date of execution by the consumer of such documents:

1. The buyer's order, bill of sale, any retail installment contract, and any document incorporated by reference into the bill of sale or retail installment contract;
2. Every document signed or initialed by the consumer in connection with the sale transaction;
3. Every written disclosure provided to, and signed or initialed by, the consumer pursuant to this subchapter;

4. Each signed automobile contract cancellation option document, whether accepted or declined by the consumer; and

5. Each signed document cancelling a sales contract or declining to cancel a sales contract pursuant to an automobile contract cancellation option.

b. The department may inspect and audit all records required to be maintained pursuant to this section.

c. A second-hand automobile dealer shall maintain a report on consumer use of automobile contract cancellation options in a format to be prescribed by the commissioner by rule. The report shall be made available upon request of the commissioner but in no instance shall such request be made more than once annually. The report shall include:

1. The total number of consumers that accepted an automobile contract cancellation option in connection with their second-hand automobile purchase; and

2. The total number of consumers that canceled their second-hand automobile sales contracts pursuant to an automobile contract cancellation option.

§ 6. Title 20 of the administrative code of the city of New York is amended by adding a new section 20-268.6 to read as follows:

§ 20-268.6 *Legislative recommendations.* The commissioner may submit to the council and the mayor a report of legislative recommendations on the regulation of the second-hand automobile dealer industry. Such report, should the commissioner elect to submit it, may address (i) whether it is advisable to create additional enforcement tools to promote compliance with sections 20-268.1, 20-268.2, 20-268.3, 20-268.4 and 20-268.5 by licensees; (ii) the effect such sections have had on the prevalence of predatory practices in the second-hand automobile dealer industry; (iii) whether new predatory practices have emerged in the second-hand automobile dealer industry; (iv) whether additional disclosure or reporting requirements for second-hand automobile dealers would mitigate consumer harm; and (v) the effectiveness of the department's outreach and education efforts in this area.

§ 7. Subdivisions a and b of section 20-271 of the administrative code of the city of New York, as amended by local law number 44 for the year 2015, are amended to read as follows:

a. Every person licensed as a dealer in second-hand articles, who also sells new articles within the licensed premises, shall label all second-hand articles in such manner that the public will be informed that such articles are not new.

b. Every person required to be licensed as a second-hand automobile dealer pursuant to section 20-265 of this subchapter, who sells second-hand automobiles at retail, shall clearly and conspicuously post:

1. the total selling price, which shall include any administrative, service or other fee charged by the second-hand automobile dealer exclusive of all taxes and fees for securing a registration or certificate of title, of each second-hand automobile offered for sale at his or her place of business, by means of a sign on the dashboard of each such automobile or by means of a sign at the point of display of each such automobile; and

2. the total selling price of any add-on product offered for sale by means of a sign at the point of display of the second-hand automobile for which such product is available for purchase or at each location within the dealer's place of business where any such product is offered for sale. Such sign shall inform consumers that the purchase of any add-on product is optional *and that the purchase of an add-on product is not required to obtain financing.* [For purposes of this paragraph, "add-on product" shall mean vehicle service contracts, extended service contracts, prepaid maintenance packages, road service or club membership, theft protection, car alarm, auto immobilizer, vehicle identification number etching, mechanical breakdown, guaranteed auto protection, and credit life, accident or disability insurance.]

§ 8. Section 20-275 of the administrative code of the city of New York, as amended by local law number 44 for the year 2015, is amended to read as follows:

a. Any person who [shall violate] *violates* any of the provisions of this subchapter or any rule or regulation issued thereunder shall be guilty of a class A misdemeanor and upon the first conviction be subject to a fine of at least [five hundred dollars] \$500 and upon any subsequent conviction be subject to a fine of [one thousand dollars and/or] \$1,000, imprisonment of at least [fifteen] 15 days, *or both.*

b. Except as otherwise provided in this subchapter, any person who violates any of the provisions of this subchapter or any rule or regulation issued thereunder shall be subject to a civil penalty of not more than [five hundred dollars] \$500 for each violation; except that a person shall not be subject to such civil penalty for a first-time violation of section 20-270 or 20-271 of this subchapter or any rule or regulation issued thereunder,

if such person proves to the satisfaction of the department, within [thirty] 30 days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of section 20-270 or section 20-271 of this subchapter or any rule or regulation issued thereunder. The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within [fifteen] 15 days of receiving written notification of such determination.

c. Any person who violates section 20-268.1, 20-268.2, 20-268.3, 20-268.4, or 20-268.5 or any rule or regulation issued thereunder shall be subject to a civil penalty of not less than \$500 or more than \$1,000 for each violation.

d. The commissioner may suspend or revoke a second-hand automobile dealer license if the licensee violates section 20-268.1, 20-268.2, 20-268.3, 20-268.4, 20-268.5, or 20-271 or any rule or regulation issued thereunder, provided, however, that the commissioner shall suspend or revoke a second-hand automobile dealer license upon the third violation by the licensee within three years of the first violation.

e. The commissioner may order a second-hand automobile dealer to pay to a consumer up to 10% of the full refund amount owed the consumer per day for each day that the dealer fails to cancel the sales contract and provide such refund to the consumer in violation of subdivision e of section 20-268.2. In determining whether to order such payment and the amount of such payment, the commissioner shall consider, but is not limited to, the following factors:

- 1. Any prior violation of subdivision e of section 20-268.2 by such dealer;*
- 2. Any justification offered by the dealer for the delay in canceling the sales contract and providing such refund;*
- 3. The extent of the delay; and*
- 4. Any particular harm suffered by the consumer as a result of the delay.*

§ 9. Severability. If any portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

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

RAFAEL L. ESPINAL, Jr., *Chairperson*; VINCENT J. GENTILE, KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, September 14, 2017.

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. 1540-A

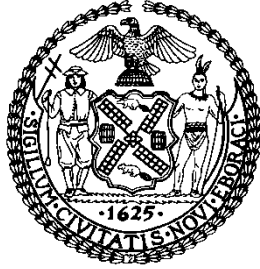
Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring second-hand automobile dealers to post and distribute a bill of rights to consumers

The Committee on Consumer Affairs, to which the annexed proposed amended local law was referred on April 5, 2017 (Minutes, page 993), respectfully

REPORTS:

(For text of the report, please see the Report of the Consumer Affairs for Int. No. 1539-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1540-A:



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

INTRO. NO: 1540-A
COMMITTEE: Consumer Affairs

TITLE: A local law to amend the administrative code of the City of New York, in relation to requiring second-hand automobile dealers to post and distribute a bill of rights to consumers

SPONSOR(S): Council Members Garodnick, Williams, Espinal, Gentile, Levin, Johnson, Salamanca, Richards, Menchaca, Koslowitz, Vacca, Constantinides, Rosenthal, Lander, Chin, Miller and Reynoso

SUMMARY OF LEGISLATION: This legislation would the Department of Consumer Affairs to create a consumer bill of rights to inform consumers of second-hand automobiles of certain rights and protections afforded to them by law. The law would further require secondhand automobile dealers to conspicuously post and provide the consumer bill of rights. The bill of rights must, at a minimum, inform consumers of their right to: 1) a two-day automobile contract cancellation option agreement; 2) seek financing from lenders other than the dealer; 3) purchase the automobile at the advertised price; 4) seek the dealer’s complaint history or to make a complaint by calling 311; 5) receive a Used Car Buyer Guide and to additional rights under New York State’s Used Car Lemon Law; 6) receive certain disclosures when signing a financing agreement; 7) not be required to purchase add-ons; and 8) receive an itemized list of the cost of any add-ons. For each executed contract, the secondhand automobile dealer would be required to obtain from the consumer an initialed or signed copy of the consumer bill of rights and retain it for six years. The dealer would also be required to provide the consumer bill of rights in the language used to negotiate the contract.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues resulting from 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 Department of Consumer Affairs would use existing resources to create the bill of rights and the remaining provisions of the law impose obligations on non-City entities.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst, Finance Division

ESTIMATE REVIEWED BY: Crilhien Francisco, Unit Head, Finance Division
Nathan Toth, Deputy Director, Finance Division
Rebecca Chasan, Counsel, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced by the Council on April 5, 2017 as Intro. No. 1540 and referred to the Committee on Consumer Affairs. A hearing was held by the Committee on Consumer Affairs on April 26, 2017 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1540-A, will be voted on by the Committee on Consumer Affairs at a hearing on September 14, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1540-A will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: August 30, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1540-A:)

Int. No. 1540-A

By Council Members Garodnick, Williams, Espinal, Gentile, Levin, Johnson, Salamanca, Richards, Menchaca, Koslowitz, Vacca, Constantinides, Rosenthal, Lander, Chin, Miller, Reynoso, Vallone and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to requiring second-hand automobile dealers to post and distribute a bill of rights to consumers

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new section 20-268.4 to read as follow:

§ 20-268.4 Second-hand automobile dealer to post consumer bill of rights.

a. On or before December 1, 2017, the department shall create a consumer bill of rights that informs consumers of second-hand automobiles of certain rights and protections that are afforded to them by law. The commissioner shall determine the contents of such bill of rights by rule, provided that the bill of rights shall contain, at a minimum, the following information:

1. Every second-hand automobile dealer in New York city is required to offer an automobile contract cancellation option to each consumer of a second-hand automobile;

2. A consumer of a second-hand automobile is not required to accept financing from a second-hand automobile dealer and has the right to pay for such automobile in cash or seek a loan from another lender;

3. A second-hand automobile dealer shall not sell a second-hand automobile at a price higher than the price advertised, quoted or posted on the automobile, and may not increase the price of the automobile on the basis that a consumer has secured financing from a third-party lender;

4. A consumer of a second-hand automobile may file a complaint against a second-hand automobile dealer or retrieve the 311 complaint history of a second-hand automobile dealer by calling 311 and referencing the license number of such dealer;

5. A consumer of a second-hand automobile is entitled to a buyer's guide, as required by section 455.2 of title 16 of the code of federal regulations, as well as warranties and rights described in section 198-b of the general business law;

6. A consumer of a second-hand automobile is entitled to specific disclosures, including a disclosure that states the lowest annual percentage rate offered to such consumer by a financing company solicited on the consumer's behalf by a dealer and any fees being charged by the second-hand automobile dealer in connection with the financing of a second-hand automobile;

7. A consumer of a second-hand automobile is not required to purchase any add-on product as a condition of purchasing or financing a second-hand automobile at an offered price; and

8. A second-hand automobile dealer shall provide to a second-hand automobile consumer, in writing, the itemized cost of each add-on product to be included in the retail installment contract, including the monthly and total cost of financing with and without each such add-on product.

b. 1. Every second-hand automobile dealer shall conspicuously post a consumer bill of rights in their place of business in a form and manner to be prescribed by the commissioner by rule.

2. Prior to the execution of any sales contract for the purchase of a second-hand automobile, and in a form and manner prescribed by the commissioner by rule, a second-hand automobile dealer shall separately provide a consumer with a copy of the consumer bill of rights, the receipt of which the consumer must acknowledge by signing or initialing in writing. Such dealer shall provide such consumer with a copy of the signed or initialed consumer bill of rights.

3. Every second-hand automobile dealer shall provide the consumer bill of rights to a consumer in the language in which the sales contract was negotiated, provided the commissioner has made a sample bill of rights available in such language.

§ 2. Severability. If any portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

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

RAFAEL L. ESPINAL, Jr., *Chairperson*; VINCENT J. GENTILE, KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, September 14, 2017.

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 Contracts

Report for Int. No. 1292-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 the acceptance of electronic vouchers.

The Committee on Contracts, to which the annexed proposed amended local law was referred on October 13, 2016 (Minutes, page 3344), respectfully

REPORTS:

I. INTRODUCTION

On September 26, 2017, the Committee on Contracts, chaired by Council Member Helen Rosenthal, held a second hearing on Proposed Introductory Bill Number 1292-A (Proposed Int. No. 1291-A), a local law to amend the New York city charter, in relation to requiring city agencies to accept procurement invoices electronically and voted. At this hearing, the Committee approved of this bill, by a vote of 5 in the affirmative, 0 in the negative, and 0 abstentions. The Committee previously heard Introductory Bill Number 1292 (Int. No. 1292) on April 27, 2017.

II. BACKGROUND

City agencies are responsible for the procurement of goods, services, and managing contracts with vendors.¹ While all city agencies have an internal protocol by which invoices are accepted and reviewed, their processes generally follow a linear path for expense contracts.² Vendors typically submit invoices in a paper format for services they have provided or goods they delivered, agencies then inspect the delivery or work, and after a review, the agency works with the vendor to make necessary revisions if need be and approves the invoice.³ The agency then manually enters the payment information into the City's Financial Management System (FMS) as a Payment Request.⁴ Finally, the City Comptroller releases the payment and an electronic funds transfer (EFT) or check is then issued to disburse payment to the vendor.⁵ The City is required by law to pay vendors it contracts with for goods and services electronically if their contracts are valued over \$25,000.⁶ Vendors that meet this threshold must enroll in the Vendor Payment Direct Deposit Program.⁷

The Procurement Policy Board Rules (PPB) established guidelines to simplify, clarify, and modernize the laws governing procurement by the City of New York.⁸ Pursuant to section 4-06 of the PPB, the City is required to process contract payments "efficiently and expeditiously" to assure payment in a timely manner to firms and organizations that contract with the City.⁹ If City agencies fail to make timely payments of an invoice, based on the "invoice received and acceptance date" an interest penalty begins to incur.¹⁰ The PPB rules also provide circumstances for which vendors are ineligible to receive interest on late invoice payments. Vendors are ineligible to receive interest payments if: a) the payment is delayed because of a disagreement between an agency and a vendor over the amount due, and/or issues concerning compliance with the terms of the contract; b) failure to make the contract payments is as a result of a lien, attachment, or other legal process against the vendor; c) amounts are temporarily withheld in accordance with the contract; or d) the amount in interest payment is less than 25 dollars.¹¹

¹ City of New York, Mayor's Office of Contract Services, *Agency Procurement Indicators: Fiscal Year 2016* (2016) available at <http://www1.nyc.gov/assets/mocs/downloads/pdf/IndicatorsReport/2016AgencyProcurementIndicators.pdf> pg. 5

² City Comptroller of New York "Request for Information (RFI) Electronic Contract Invoicing Solutions" December 2014 available at <http://comptroller.nyc.gov/wp-content/uploads/2014/12/Electronic-Invoicing-Solutions-RFI.pdf>

³ *Id.* See "Current State of Contract Invoicing" at pg. 4

⁴ *Id.*

⁵ *Id.*

⁶ City of New York, Department of Finance *Doing Business with NYC: Getting Paid* available at <http://www1.nyc.gov/site/finance/about/doing-business-with-nyc-getting-paid.page>

⁷ City of New York, Department of Finance, *Enroll in the Vendor Payment Direct Deposit Program* available at <http://www1.nyc.gov/site/finance/about/doing-business-with-nyc-direct-deposit-program.page>

⁸ City of New York, Procurement Policy Board Rules available at [http://home2.nyc.gov/html/mocs/ppb/downloads/pdf/PPB_Final_Updated_5_12_14%20\(3\).pdf](http://home2.nyc.gov/html/mocs/ppb/downloads/pdf/PPB_Final_Updated_5_12_14%20(3).pdf)

⁹ *Id.*

¹⁰ See PPB Rules §§ 4-06

¹¹ See PPB Rules §§ 4-06(d)

While the PPB provides guidelines for which City agencies must pay vendors promptly. Payment delays are common and occur for a myriad of reasons. While prompt payment standards are enforced by FMS, it relies solely on data entered manually by agencies.¹² Agencies enter the date that the invoice was received as well as the date the goods/services procured were accepted.¹³ To assess whether or not an agency is late in issuing a payment, the system tracks the later of these dates.¹⁴ In 2014, New York City Comptroller, Scott Stringer, solicited ideas from the technology community on the most effective ways to implement a new electronic processing system for contract invoices and payments made by City government vendors.¹⁵ According to the Comptroller, while billions of dollars are paid to vendors every year, the process by which the City pays them is “antiquated, opaque, and stuck in the world of paper”.¹⁶ The current system limits information sharing to vendors and does not provide visibility into the review process between invoice submission and the time a payment request is entered into FMS.¹⁷ Vendors currently do not have a way to see pending and approved invoices, and must rely on agency personnel to provide updates upon request.¹⁸ According to the Comptroller, current paper-based invoicing procedures can make it “difficult to enforce prompt payment standards”.¹⁹

Proposed Int. No. 1291-A would require each city agency to develop and implement programs to accept procurement vouchers electronically, to the extent practicable, and consistent with operational and fiscal needs. Proposed Int. No. 1291-A would also require the Procurement Policy Board to promulgate rules to facilitate the development and implementation of agency programs to accept electronic procurement vouchers.

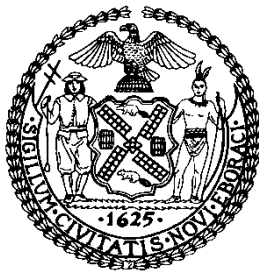
III. LEGISLATIVE ANALYSIS OF INT. NO. 1292

Section one of Proposed Int. No. 1292-A would create a new subdivision a in § 332 of the New York City Charter requiring all city agencies and departments to develop and implement programs to accept vouchers by electronic means, whenever practicable, and consistent with operational and fiscal needs.

Section one of Proposed Int. No. 1292-A would reorganize existing language in § 332 of the New York City Charter into a new subdivision b requiring the rules of the Procurement Policy Board to facilitate the development and implementation of agency and departmental programs to accept vouchers by electronic means.

Section two of Proposed Int. No. 1292-A states that the law takes effect 60 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 1292-A:)



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

**PROPOSED INTRO. NO: 1292-A
COMMITTEE: Contracts**

¹² City Comptroller of New York “Request for Information (RFI) Electronic Contract Invoicing Solutions” December 2014 available at <http://comptroller.nyc.gov/wp-content/uploads/2014/12/Electronic-Invoicing-Solutions-RFI.pdf>

¹³ *Id.*

¹⁴ *Id.*

¹⁵ City Comptroller of New York “Comptroller Stringer Taps Tech Community to Help Speed-Up Vendor Payments And End The Era of Paper-Based Contract Invoicing” December 5, 2014 available at <http://comptroller.nyc.gov/newsroom/comptroller-stringer-taps-tech-community-to-help-speed-up-vendor-payments-and-end-the-era-of-paper-based-contract-invoicing/>

¹⁶ *Id.*

¹⁷ *Supra* note 12 at pg. 3

¹⁸ *Id.* at pg 4

¹⁹ *Id.*

TITLE: A Local Law to amend the New York city charter, in relation to the acceptance of electronic vouchers.

SPONSORS: By Council Members Constantinides, Rosenthal, Gentile, Williams, Dromm, Salamanca, Garodnick, Vacca, Rodriguez, Levine, Maisel, Cornegy, Cumbo, Espinal, Richards, Torres, Vallone, Van Bramer, Mendez, Lancman, Cohen, Kallos, Johnson, Palma, Chin and Ulrich

SUMMARY OF LEGISLATION: Proposed Int. No. 1292-A would require all city agencies and departments, to the extent practicable and consistent with operational and fiscal needs, to accept electronic procurement vouchers from city vendors, rather than accepting such vouchers on printed paper.

Proposed Int. No. 1292-A would also require the Procurement Policy Board (PPB) to promulgate rules to facilitate the development and implementation of agency programs to accept electronic procurement vouchers.

EFFECTIVE DATE: This legislation would take effect 60 days after becoming law, except that city agencies and departments may take such measures as are necessary for its implementation before the effective date, including the promulgation of rules.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: Because the City has begun to facilitate the acceptance of electronic procurement vouchers, it is anticipated that this legislation would have no immediate fiscal impact on expenditures. Agencies would use existing resources to develop and implement electronic voucher processing where feasible.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

ESTIMATE PREPARED BY: John Russell, Unit Head

ESTIMATE REVIEWED BY: Eric Bernstein, Counsel
Regina Poreda Ryan, Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on October 13, 2016 as Intro. No. 1292 and was referred to the Committee on Contracts (Committee). The legislation was considered at a hearing on April 27, 2017 and was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1292-A, will be voted on by the Committee at a hearing on September 26, 2017. Upon

successful vote by the Committee, Proposed Intro. No. 1292-A will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: September 25, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1292-A:)

Int. No. 1292-A

By Council Members Constantinides, Rosenthal, Gentile, Williams, Dromm, Salamanca, Garodnick, Vacca, Rodriguez, Levine, Maisel, Cornegy, Cumbo, Espinal, Richards, Torres, Vallone, Van Bramer, Mendez, Lancman, Cohen, Kallos, Johnson, Palma, Chin, Koo, Deutsch, Menchaca and Ulrich.

A Local Law to amend the New York city charter, in relation to the acceptance of electronic vouchers

Be it enacted by the Council as follows:

Section 1. Section 332 of the New York city charter, as amended by local law 20 for the year 2004, is amended to read as follows:

§ 332. *Payments procedure. a. Electronic voucher processing. All city agencies and departments shall, to the extent practicable and consistent with operational and fiscal needs, develop and implement programs to accept vouchers by electronic means.*

b. The procurement policy board shall promulgate rules for the expeditious processing of payment vouchers by city agencies and departments including (i) the maximum amount of time allowed for the processing and payment of such vouchers from the later of (a) the date such vouchers are received by the agency, or (b) the date on which the goods, services or construction to which the voucher relates have been received and accepted by the agency, (ii) a program for the payment of interest, at a uniform rate, to vendors on vouchers not paid within the maximum amount of time pursuant to clause i of this subdivision, (iii) a process for the allocation and charging of any such interest payments to the budget of the agency responsible for the delay leading to the interest payments and (iv) agency reporting on the promptness of such payments in such form and containing such information as the board shall prescribe. The board shall coordinate and publish such agency prompt payment reports. Such rules shall facilitate the development and implementation of programs pursuant to subdivision a of this section.

§ 2. This local law takes effect 60 days after it becomes law, except that city agencies and departments may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

HELEN K. ROSENTHAL, *Chairperson*; PETER A. KOO, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, I. DANEEK MILLER, Committee on Contracts, September 26, 2017.

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

Report for Res. No. 1639

Report of the Committee on Finance in favor of approving a Resolution concerning the increase in the annual expenditure for the Times Square, 34th Street, 82nd Street, Flatbush Avenue, Downtown-Lower Manhattan, Kings Highway, Church Avenue, East Mid-Manhattan, Fordham Road, DUMBO, and SoHo Business Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

The Committee on Finance, to which the annexed resolution was referred on September 7, 2017, (Minutes, page 3152) respectfully

REPORTS:

Resolution 1639 sets a date, time, and place for a public hearing to consider a local law that would increase the annual expenditures of 11 Business Improvement Districts (“BIDs”) as of July 1, 2017. The resolution sets October 17, 2017 at 10:00am in the City Council Committee Room, 2nd floor, City Hall, Manhattan as the date, time, and place for the hearing.

These increases, which have been requested by the BIDs and approved by the respective District Management Associations, would result in a higher assessment on all properties currently subject to the BIDs’ assessments as a result of the increase in the assessment rate.

Pursuant to §§ 25-410(b) and 25-416 of the Administrative Code, the BIDs may obtain an increase in its budget (i.e. the total amount allowed to be expended annually by the BIDs for improvements, services, maintenance, and operation) by means of the adoption of a local law amending the BID’s district plan. Such a local law may be adopted by the City Council after a determination that it is in the public interest to authorize such an increase in the maximum annual amount and that the tax and debt limits prescribed in § 25-412 of the Administrative Code will not be exceeded. Notice of the public hearing to consider such a local law must be published in at least one newspaper having general circulation in the district specifying the time when, and the place where, the hearing will be held and stating the increase proposed in the maximum amount to be expended annually.

Accordingly, the resolution also directs the District Management Associations of each of the BIDs to publish in a newspaper of general circulation in each district, not less than ten days prior to the public hearing, a notice stating the time and place of the public hearing and setting forth the increase in the amount to be expended annually in each of the BIDs.

The following BIDs have requested increases to their budgets, as indicated below:

BID Name	Current Authorized Assessment Cap	Proposed Authorized Assessment Cap	\$ Increase Request	CM District (s)	Increase Justification
			% Increase	Supporting Councilmember	
34th Street	\$10,885,000	\$12,640,000	\$1,755,000.00	3	Assessment increase will expand programming to new plaza; expand horticulture maintenance to seasonal displays; and repair, replace, and maintain aging street furniture and capital improvements. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			16.12%	Corey Johnson	
82nd Street	\$224,450	\$254,450	\$30,000.00	21, 25	Assessment increase will enhance marketing efforts and maintenance of new streetscape improvements. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			13.37%	Julissa Ferreras-Copeland, Daniel Dromm	
Church Avenue	\$188,500	\$203,000	\$14,500.00	40	Assessment increase will add an overnight graffiti-removal program to existing sanitation services. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			7.69%	Mathieu Eugene	
Downtown-Lower Manhattan	\$15,900,000	\$20,400,000	\$4,500,000.00	1	Assessment increase will expand core programming: sanitation, security, marketing, horticulture, and capital improvements as the continued increase in workers, residents, and visitors have stretched thin core programs. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			28.30%	Margaret Chin	
DUMBO	\$835,000	\$1,250,000	\$415,000.00	33	Assessment increase will expand sanitation program and hire additional workers; provide business support to merchants and increase street plantings to counter planned street construction externalities; and offset foregone plaza revenue during planned street construction. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			49.70%	Stephen Levin	
East Mid-Manhattan	\$2,200,000	\$3,500,000	\$1,300,000.00	4	Assessment increase will expand successful community special events; repair, replace, and maintain aging street furniture; improve seasonal marketing efforts; introduce sidewalk planter program; and expand existing homeless outreach services. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			59.09%	Daniel Garodnick	
Flatbush Avenue	\$314,520	\$386,000	\$71,480.00	40	Assessment increase will enhance marketing efforts with new banners; improve seasonal marketing efforts; and enhance graffiti removal program. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			22.73%	Mathieu Eugene	
Fordham Road	\$670,000	\$1,010,000	\$340,000.00	14, 15	Assessment increase will activate and maintain the recently-expanded Fordham Plaza; install security cameras and increase foot patrol on Fordham Plaza; increase staff capacity to enhance marketing efforts; and launch a business retention and attraction campaign. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			50.75%	Fernando Cabrera, Ritchie Torres	
Kings Highway	\$290,000	\$400,000	\$110,000.00	44, 48	Assessment increase will expand sanitation services to six days of service and add services to combat graffiti and illegal bill posting; rebrand district marketing campaign; and improve seasonal marketing efforts. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			37.93%	David Greenfield, Chaim Deutsch	
Soho-Broadway	\$550,000	\$900,000	\$350,000.00	1	Assessment increase will expand community development and planning programs by hiring full-time staff to manage communications, events, public space activation and planning research. Additionally, funds will pay for rented office space, which was previously donated. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			63.64%	Margaret Chin	
Times Square	\$12,638,972	\$14,347,293	\$1,708,321.00	4	Assessment increase will fund capital improvements at Duffy Square; repair, replace, and maintain aging street furniture; and restore plaza programming to prior funding levels temporarily reduced to cover increased contract costs to other programs. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			13.52%	Daniel Garodnick	

(The following is the text of Res. No. 1639:)

Res. No. 1639

Resolution concerning the increase in the annual expenditure for the Times Square, 34th Street, 82nd Street, Flatbush Avenue, Downtown-Lower Manhattan, Kings Highway, Church Avenue, East Mid-Manhattan, Fordham Road, DUMBO, and SoHo Business Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

By Council Member Ferreras-Copeland.

Whereas, pursuant to Chapter 4 of Title 25 of the Administrative Code of the City of New York or the predecessor of such Chapter (the "BID Law"), the City established the Times Square, 34th Street, 82nd Street, Flatbush Avenue, Downtown-Lower Manhattan, Kings Highway, Church Avenue, East Mid-Manhattan, Fordham Road, DUMBO and SoHo Business Improvement Districts, in the City of New York; and

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

Whereas, pursuant to Section 25-410(b) of the BID Law, an increase in the amount to be expended annually may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize the increase and that the tax and debt limits prescribed in Section 25-412 of the BID Law will not be exceeded; and

Whereas, the eleven Business Improvement Districts wish to increase the amount to be expended annually beginning on July 1, 2017 as follows: Times Square, \$14,347,293; 34th Street, \$12,640,000; 82nd Street, \$254,450; Flatbush Avenue, \$386,000; Downtown-Lower Manhattan, \$20,400,000; Kings Highway, \$400,000; Church Avenue, \$203,000; East Mid-Manhattan, \$3,500,000; Fordham Road, \$1,010,000; DUMBO, \$1,250,000; and SoHo, \$900,000; and

Whereas, pursuant to Section 25-410(b) of the BID Law, the City Council is required to give notice of the public hearing by publication of a notice in at least one newspaper having general circulation in the districts specifying the time when and the place where the hearing will be held and stating the proposed amount to be expended annually; now, therefore, be it

Resolved, that the Council of the City of New York, pursuant to Section 25-410(b) of the BID Law, hereby directs that October 17, 2017 is the date and the City Council Committee Room, 2nd floor, City Hall, Manhattan is the place and 10:00a.m. is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation, which would increase the amount to be expended annually in the eleven Business Improvement Districts; and be it further

Resolved, that on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the District Management Associations of Times Square, 34th Street, 82nd Street, Flatbush Avenue, Downtown-Lower Manhattan, Kings Highway, Church Avenue, East Mid-Manhattan, Fordham Road, DUMBO, and SoHo Business Improvement Districts are hereby authorized to publish in a newspaper of general circulation in each district, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and setting forth the increase in the amount to be expended annually in each of the eleven Business Improvement Districts.

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, September 27, 2017.

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

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

Report for Res. No. 1658

Report of the Committee on Finance in favor of a Resolution 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 27, 2017, 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 6, 2017, the Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”). 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”).

Analysis. This Resolution, dated September 27, 2017, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 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 discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, new designation and changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, and amends the description for the Description/Scope of Services of a certain organization receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2018 Expense Budget, as described in Chart 1; sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to certain initiatives in the Fiscal 2018 Expense Budget, as described in Charts 2-33; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary pursuant to the Fiscal 2017 Expense Budget, as described in Chart 34; sets forth the change in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2017 Expense Budget, as

described in Chart 35; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 36; sets forth the new designation and changes in the designation of certain organization receiving funding pursuant to certain initiatives in the Fiscal 2017 Expense Budget, as described in Charts 37-38; sets forth the change in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2016 Expense Budget, as described in Chart 39; amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, as described in Chart 40; amends the description for the Description/Scope of Services of a certain organization receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as described in Chart 41; sets forth the change in the amounts allocated to certain subcontractors by the organization receiving funding pursuant to the Job Training and Placement Initiative in accordance with the Fiscal 2018 Expense Budget as described in Chart 42; and sets forth the organizations receiving equipment funded by the Beating Hearts Initiative in accordance with the Fiscal 2018 Expense Budget as described in Chart 43.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget. One of these changes will require a budget modification.

Chart 3 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 4 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 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 5 sets forth the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 6 sets forth the new designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 7 sets forth the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 8 sets forth the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 9 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 10 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 11 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 12 sets forth the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 13 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 14 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Alternatives to Incarceration (ATIs) Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 15 sets forth the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 16 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 17 sets forth the new designation of a certain organization receiving funding pursuant to the Court-Involved Youth Mental Health Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 18 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Child Health and Wellness Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 19 sets forth the removal of funds from the agency administering funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 20 sets forth the new designation of a certain organization receiving funding pursuant to Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 21 sets forth the removal of funds from the agency administering funding pursuant to the Bail Fund Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 22 sets forth the new designation of a certain organization receiving funding pursuant to the Video Visitation Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 23 sets forth the removal of funds from the agency administering funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 24 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2018 Expense Budget. One of these changes will be effectuated upon a budget modification.

Chart 25 sets forth the change in the designation of the agency administering funding pursuant to the Home Loan Program Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 26 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 27 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 28 sets forth the new designation of certain organizations receiving funding pursuant to the Chamber on the Go and Small Business Assistance Initiative for Young Adults in accordance with the Fiscal 2018 Expense Budget.

Chart 29 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Support for Educators Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 30 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Wrap-Around Support for Traditional-Aged Foster Youth Initiative in accordance with the Fiscal 2018 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 31 sets forth the new designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 32 sets forth the new designation of a certain organization receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 33 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 34 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 35 sets forth the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 36 sets forth the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 37 sets forth the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 38 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 39 sets forth the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 40 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2018 Expense Budget.

Chart 41 amends the description for the Description/Scope of Services for a certain organization receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 42 sets forth the change in the amounts allocated to certain subcontractors by the organization receiving funding pursuant to the Job Training and Placement Initiative as designated in Schedule C for Fiscal 2018.

Chart 43 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2018.

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 2018, Fiscal 2017, and Fiscal 2016 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1658:)

Preconsidered Res. No. 1658

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 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the "Fiscal 2018 Expense Budget"); and

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 Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2016 with various programs and initiatives (the "Fiscal 2016 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018, Fiscal 2017, and Fiscal 2016 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 and Fiscal 2017 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 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 A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2018 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 2018 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Alternatives to Incarceration (ATIs) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2018 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 Court-Involved Youth Mental Health Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Child Health and Wellness Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the removal of funds from the agency administering funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the removal of funds from the agency administering funding pursuant to the Bail Fund Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Video Visitation Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the removal of funds from the agency administering funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the change in the designation of the agency administering funding pursuant to the Home Loan Program Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Chamber on the Go and Small Business Assistance Initiative for Young Adults in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Support for Educators Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Wrap-Around Support for Traditional-Aged Foster Youth Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 30; 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 2018 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 34; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 35; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 36; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 37; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 38; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 39; 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 pursuant to certain initiatives in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 40; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for a certain organization receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 41; and be it further

Resolved, That the City Council approves the change in the amounts allocated to certain subcontractors by the organization receiving funding pursuant to the Job Training and Placement Initiative as designated in Schedule C for Fiscal 2018, as set forth in Chart 42; 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 2018, as set forth in Chart 43.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Gibson	Fund for the City of New York, Inc. - Bronx Community Solutions **	13-2612524	DSS/HRA	(\$5,000.00)	069	107			
Gibson	Fund for the City of New York, Inc. - Bronx Community Solutions **	13-2612524	MOCJ	\$5,000.00	098	002			
Grodenschik	Lincoln Center for the Performing Arts, Inc. **	13-1847137	DCLA	(\$5,000.00)	126	022			
Grodenschik	Department of Education - Martin Van Buren High School - (School Rebranding) **	13-6400434	DOE	\$5,000.00	040	402			
Cohen	Innovative Charitable Initiatives, Inc. **	14-1813190	DCLA	(\$5,000.00)	126	003			
Cohen	Innovative Charitable Initiatives, Inc. - Public School 77X **	14-1813190	DOE	\$5,000.00	040	402			
Cohen	Riverdale Neighborhood House, Inc. **	13-1740024	DYCD	(\$25,000.00)	260	312			
Cohen	Riverdale Neighborhood House, Inc. - Telephone Reassurance Program **	13-1740024	DFTA	\$25,000.00	125	003			
Cornegy	National Black Leadership Commission on AIDS, Inc. **	13-3530740	DOHMH	(\$7,000.00)	816	112			
Cornegy	New York City Housing Authority - Tompkins Houses Resident Association **	13-6400434	NYCHA	\$7,000.00	098	002			
Levin	Department of Education - Frances Perkins Academy	13-6400434	DOE	(\$1,500.00)	040	402			
Levin	Department of Education - Automotive High School	13-6400434	DOE	\$1,500.00	040	402			
Cabrera	Community-Word Project, Inc. **	13-4114145	DCLA	(\$5,000.00)	126	003			
Cabrera	Green Guerillas, Inc. **	13-2903183	DPR	(\$5,000.00)	846	006			
Cabrera	Older Adults Technology Services (OATS), Inc. **	55-0882599	DFTA	(\$5,000.00)	125	003			
Cabrera	Read Alliance, Inc. **	13-4091062	DYCD	\$15,000.00	260	312			
Cabrera	Mosholu Preservation Corporation **	13-3109387	DYCD	(\$2,000.00)	260	005			
Cabrera	New York City Housing Authority - Bailey Houses **	13-6400434	NYCHA	\$2,000.00	098	002			
Cabrera	Department of Parks and Recreation **	13-6400434	DPR	(\$1,200.00)	846	006			
Cabrera	Wildlife Conservation Society - Bronx Zoo **	13-1740011	DCLA	\$1,200.00	126	007			
Vallone	St. Mel Leisure Club	11-1646313	DYCD	(\$5,000.00)	260	005			
Vallone	Roman Catholic Church of St. Mel	11-1646313	DYCD	\$5,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 2: Anti-Poverty Initiative - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Cornegy	Bed-Stuy Campaign Against Hunger, Inc. **	20-0934854	DYCD	(\$16,000.00)	260	005			
Cornegy	Bed-Stuy Campaign Against Hunger, Inc. **	20-0934854	DFTA	\$16,000.00	125	003			
Cabrera	Drama Club, Inc.	30-0836513	DYCD	(\$5,000.00)	260	312			
Cabrera	Read Alliance, Inc.	13-4091062	DYCD	\$5,000.00	260	312			

* Indicates pending completion of pre-qualification review.

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

CHART 3: Cultural After-School Adventure (CASA) - Fiscal 2018

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Cultural Affairs	136400434	DCLA	(\$680,000.00)	126	003
Cabrera	DreamYard Project, Inc. - PS 226	13-3759661	DCLA	\$20,000.00	126	003
Cabrera	Bronx Dance Theatre, Inc. - PS 109 Sedgwick	13-2999528	DCLA	\$20,000.00	126	003
Eugene	Research Foundation of CUNY - Creative Arts Team - Public School 249K	13-1988190	DCLA	\$20,000.00	126	003
Eugene	Brooklyn Music School - Public School 245K	11-6000202	DCLA	\$20,000.00	126	003
Eugene	Brooklyn Historical Society, The - STAR College High School at Erasmus Hall	11-1630813	DCLA	\$20,000.00	126	003
Eugene	Brooklyn Steppers, Inc., The - Public School 139K	27-1223035	DCLA	\$20,000.00	126	003
Eugene	Dancewave, Inc. - Middle School 61K	11-2726558	DCLA	\$20,000.00	126	003
Eugene	Museum of Contemporary African Diasporian Arts, Inc. - Middle School 246K	11-3526774	DCLA	\$20,000.00	126	003
Eugene	Ifetayo Cultural Arts Academy, Inc. - Public School 92K	11-3027538	DCLA	\$20,000.00	126	003
Eugene	Manhattan Class Company, Inc - High School for Public Service	13-3391844	DCLA	\$20,000.00	126	003
Eugene	Purelements: An Evolution in Dance - Public School 6K	20-5332584	DCLA	\$20,000.00	126	003
Eugene	Marquis Studios Ltd. - Public School 397K	13-3047206	DCLA	\$20,000.00	126	003
Eugene	Groundswell Community Mural Project, Inc. - IS 62K	11-3427213	DCLA	\$20,000.00	126	003
Eugene	Brooklyn Queens Conservatory of Music - Public School 217K	11-1532426	DCLA	\$20,000.00	126	003
Eugene	Brooklyn Arts Council, Inc. - Public School 399K	23-7072915	DCLA	\$20,000.00	126	003
Levin	Department of Cultural Affairs - PS 31	13-6400434	DCLA	\$20,000.00	126	003
Levin	Department of Cultural Affairs - Automotive High School	13-6400434	DCLA	\$20,000.00	126	003
Levin	Department of Cultural Affairs - PS 307K	13-6400434	DCLA	\$20,000.00	126	003
Levin	Intrepid Museum Foundation, Inc. - Juan Morel Campos	13-3062419	DCLA	\$20,000.00	126	003
Levin	Marquis Studios Ltd. - PS 54	13-3047206	DCLA	\$20,000.00	126	003
Levin	Brooklyn Arts Council, Inc. - PS 380	23-7072915	DCLA	\$20,000.00	126	003
Levin	Noel Pointer Foundation, Inc. - PS 38	11-3271472	DCLA	\$20,000.00	126	003
Levin	Midori Foundation, Inc. - PS 157	13-3682472	DCLA	\$20,000.00	126	003
Levin	Girl Be Heard Institute - Brooklyn Preparatory High School	27-1848709	DCLA	\$20,000.00	126	003
Levin	Dancewave, Inc. - MS 447	11-2726558	DCLA	\$20,000.00	126	003
Levin	Center for Arts Education, Inc. - PS 110	13-3938080	DCLA	\$20,000.00	126	003
Levin	Brooklyn Queens Conservatory of Music - PS 16	11-1532426	DCLA	\$20,000.00	126	003
Levin	Brooklyn Ballet, Inc. - MS 8	02-0569320	DCLA	\$20,000.00	126	003
Levine	Multicultural Music Group, Inc. - Mott Hall Middle School	13-3894314	DCLA	\$20,000.00	126	003
Levine	Creative Arts Workshops for Kids, Inc. - Hamilton Grange Middle School	13-3638436	DCLA	\$20,000.00	126	003
Levine	Community League of the Heights, Inc. - Public School 5M	13-2564241	DCLA	\$20,000.00	126	003
Rodriguez	Ballet Hispanico of New York, Inc. - Washington Heights Academy M366	13-2685755	DCLA	\$20,000.00	126	003
Torres	Ballet Hispanico of New York, Inc. - Public School 46X - Edgar Allen Poe School	13-2685755	DCLA	\$20,000.00	126	003
Ulrich	Young People's Chorus of New York City, Inc. - PS 90Q	11-3372980	DCLA	\$20,000.00	126	003

* Indicates pending completion of pre-qualification review.

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

CHART 4: A Greener NYC - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
Crowley	Chamber of Commerce Borough of Queens, Inc.	110559220	DYCD	(\$33,000.00)	260	005
	Department of Youth and Community Development **	13-6400434	DYCD	(\$197,000.00)	260	005
Grodenschik	Queens Botanical Garden Society, Inc. **	11-1635083	DCLA	\$5,000.00	126	011
Levin	Town Square, Inc.	56-2489014	DYCD	\$8,246.00	260	005
Levin	Gowanus Canal Conservancy, Inc.	26-0681729	DYCD	\$7,500.00	260	005
Levin	Brooklyn Greenway Initiative, Inc.	20-3283721	DYCD	\$6,254.00	260	005
Levin	Brooklyn Bridge Park Conservancy, Inc.	13-3277651	DYCD	\$10,000.00	260	005
Levin	HOPE Program, Inc., The	13-3268539	DYCD	\$15,000.00	260	005
Levin	City Growers, Inc.	45-2149344	DYCD	\$13,000.00	260	005
Levine	Waterfront Alliance, Inc.	13-4355067	DYCD	\$15,000.00	260	005
Levine	West Harlem Environmental Action, Inc.	13-3800068	DYCD	\$30,000.00	260	005
Maisel	New York City H2O	45-3860014	DYCD	\$10,000.00	260	005
Maisel	HOPE Program, Inc., The	13-3268539	DYCD	\$21,000.00	260	005
Maisel	Wildlife Conservation Society **	13-1740011	DCLA	\$29,000.00	126	007
Torres	Northwest Bronx Community and Clergy Coalition, Inc.	13-2806160	DYCD	\$40,000.00	260	005
Torres	New York Botanical Garden	13-1693134	DYCD	\$20,000.00	260	005
Ulrich	Queens Symphony Orchestra, Inc. **	11-2106191	DCLA	\$7,000.00	126	003
Ulrich	City Parks Foundation **	11-2106191	DPR	\$3,000.00	846	006

* 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 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Youth and Community Development	13-6400434	DYCD	(\$160,000.00)	260	005
Levine	New York United Jewish Association, Inc.	26-2647383	DYCD	\$20,000.00	260	005
Levine	Older Adults Technology Services (OATS), Inc.	55-0882599	DYCD	\$20,000.00	260	005
Maisel	Brooklyn Public Library	13-6400434	DYCD	\$15,000.00	260	005
Maisel	Brooklyn Public Library	13-6400434	DYCD	\$15,000.00	260	005
Maisel	New York United Jewish Association, Inc.	26-2647383	DYCD	\$30,000.00	260	005
Miller	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	005
Miller	Opportunities for a Better Tomorrow, Inc.	11-2934620	DYCD	\$20,000.00	260	005
Miller	Older Adults Technology Services (OATS), Inc.	55-0882599	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: Domestic Violence and Empowerment (DoVE) Initiative - Fiscal 2018

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Mayor's Office of Criminal Justice	13-6400434	MOCJ	(\$399,889.00)	098	002
Ferreras-Copeland	Fortune Society, Inc., The	13-2645436	MOCJ	\$15,000.00	098	002
Ferreras-Copeland	Urban Resource Institute	11-2561648	MOCJ	\$25,000.00	098	002
Lancman	Amudim Community Resources, Inc.	47-0984801	MOCJ	\$25,000.00	098	002
Menchaca	Fund for the City of New York, Inc.	13-2612524	MOCJ	\$25,000.00	098	002
Richards	Queens Law Associates Not-For-Profit Corporation	27-0364845	MOCJ	\$58,296.00	098	002
Salamanca	Urban Health Plan	23-7360305	MOCJ	\$5,000.00	098	002
Vacca	Women's Empowerment Self Defense Academy	27-0390465	MOCJ	\$25,000.00	098	002
Van Bramer	Child Center of New York, Inc., The	11-1733454	MOCJ	\$10,000.00	098	002
Levin	Day One New York, Inc.	06-1103000	MOCJ	\$27,000.00	098	002
Levin	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	MOCJ	\$6,000.00	098	002
Levin	New Destiny Housing Corporation	13-3778489	MOCJ	\$6,000.00	098	002
Levin	North Brooklyn Coalition Against Family Violence, Inc.	11-3431280	MOCJ	\$20,000.00	098	002
Levin	Sanctuary for Families, Inc.	13-3193119	MOCJ	\$6,000.00	098	002
Levin	Young Women's Christian Association of Brooklyn	11-1630919	MOCJ	\$30,000.00	098	002
Maisel	HOPE Program, Inc., The	13-3268539	MOCJ	\$10,000.00	098	002
Maisel	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	MOCJ	\$106,593.00	098	002

* Indicates pending completion of pre-qualification review.

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

CHART 7: Support Our Seniors - Fiscal 2018

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Department for the Aging	136400434	DFTA	(\$140,000.00)	125	003
Crowley	Rabbi Israel Meyer HaKohen Rabbinical Seminary of America	11-1752021	DFTA	\$20,000.00	125	003
Levin	New Economy Project	13-3842270	DFTA	\$12,000.00	125	003
Levin	Circuit Productions, Inc.	13-2881858	DFTA	\$18,000.00	125	003
Levin	Spanish Speaking Elderly Council - RAICES	11-2730462	DFTA	\$30,000.00	125	003
Miller	Allen Community Senior Citizens Center, Inc.	11-2326244	DFTA	\$13,000.00	125	003
Miller	National Sorority of Phi Delta Kappa Ruby S. Couche Big Sister Educational Action & Service	11-2501517	DFTA	\$12,000.00	125	003
Miller	India Home, Inc.	20-8747291	DFTA	\$15,000.00	125	003
Miller	Jamaica Service Program for Older Adults, Inc. (JSPOA)	51-0204121	DFTA	\$20,000.00	125	003

* Indicates pending completion of pre-qualification review.

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

CHART 8: Healthy Aging Initiative - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department for the Aging	13-6400434	DFTA	(\$106,470.00)	125	003
Levin	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	DFTA	\$17,745.00	125	003
Levin	Polish and Slavic Center, Inc.	11-2285970	DFTA	\$17,745.00	125	003
Levine	Riverstone Senior Life Services, Inc.	13-3355074	DFTA	\$17,745.00	125	003
Levine	West Side Federation for Senior and Supportive Housing, Inc.	13-2926433	DFTA	\$17,745.00	125	003
Miller	Merrill Park Civic Association of Springfield Gardens, Inc.	11-2304928	DFTA	\$11,830.00	125	003
Miller	Allen Community Senior Citizens Center, Inc.	11-2326244	DFTA	\$11,830.00	125	003
Miller	South Asian Council for Social Services	11-3632920	DFTA	\$11,830.00	125	003

* Indicates pending completion of pre-qualification review.

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

CHART 9: NYC Cleanup Initiative - Fiscal 2018

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Youth and Community Development	13-6400434	DYCD	\$4,989,979.00	260	005
Eugene	Wildcat Service Corporation	13-2725423	DYCD	\$48,059.00	260	005
Eugene	Horticultural Society of New York, Inc.	13-0854930	DYCD	\$21,059.00	260	005
Eugene	Association of Community Employment Programs for the Homeless, Inc.	13-3846431	DYCD	\$35,394.00	260	005
Eugene	Department of Sanitation **	13-6400434	DSNY	\$95,488.00	827	102
Levin	Department of Parks and Recreation **	13-6400434	DPR	\$6,500.00	846	006
Levine	Department of Parks and Recreation **	13-6400434	DPR	\$45,000.00	846	006
Torres	Horticultural Society of New York, Inc.	13-0854930	DYCD	\$100,000.00	260	005
Torres	Wildcat Service Corporation	13-2725423	DYCD	\$100,000.00	260	005
Cabrera	Wildcat Service Corporation **	13-2725423	DYCD	(\$25,000.00)	260	005
Cabrera	Department of Sanitation **	13-6400434	DSNY	\$25,000.00	827	109

* Indicates pending completion of pre-qualification review.

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

CHART 10: Parks Equity Initiative - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Parks and Recreation	13-6400434	DPR	(\$377,500.00)	846	006
CD28	Department of Parks and Recreation	13-6400434	DPR	\$78,500.00	846	006
Greenfield	Association of Community Employment Programs for the Homeless, Inc.	13-3846431	DPR	\$78,500.00	846	006
Johnson	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Johnson	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Johnson	Department of Parks and Recreation	13-6400434	DPR	\$38,500.00	846	006
Johnson	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Johnson	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Lander	Gowanus Canal Conservancy, Inc.	26-0681729	DPR	\$38,500.00	846	006
Levine	City Parks Foundation	13-3561657	DPR	\$10,000.00	846	006
Levine	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Levine	CITYarts, Inc.	13-2766701	DPR	\$15,000.00	846	006
Torres	Green Guerillas, Inc.	13-2903183	DPR	\$20,000.00	846	006
Torres	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Torres	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Torres	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Torres	City Parks Foundation	13-3561657	DPR	\$18,500.00	846	006
Crowley	Department of Parks and Recreation	13-6400434	DPR	(\$10,000.00)	846	006
Crowley	City Parks Foundation - Partnership for Parks (Forest Park)	13-3561657	DPR	\$10,000.00	846	006

* Indicates pending completion of pre-qualification review.

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

CHART 11: Food Pantries Initiative - Fiscal 2018

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
Brooklyn Delegation	Food Bank For New York City - Bed-Stuy Campaign Against Hunger	13-3179546	DYCD	(\$11,250.00)	260	005
Brooklyn Delegation	Bed-Stuy Campaign Against Hunger, Inc. - Food Pantry Initiative	20-0934854	DYCD	\$11,250.00	260	005
Queens Delegation	Food Bank For New York City - First Faith Baptist Church	13-3179546	DYCD	(\$12,000.00)	260	005
Queens Delegation	Food Bank For New York City - First Baptist Church	13-3179546	DYCD	\$12,000.00	260	005
Bronx Delegation	Food Bank For New York City - Harvest Fields Community Church	13-3179546	DYCD	(\$10,000.00)	260	005
Bronx Delegation	Coalition for the Homeless, Inc. - Food Pantry Initiative	13-3072967	DYCD	\$10,000.00	260	005
Bronx Delegation	Food Bank For New York City - City of Faith Church God	133179546	DYCD	(\$10,000.00)	260	005
	Department of Youth and Community Development	136400434	DYCD	(\$35,368.00)	260	005
Queens Delegation	South Asian Council for Social Services - Food Pantry Initiative	11-3632920	DYCD	\$8,000.00	260	005
Queens Delegation	Food Bank For New York City - Queens Jewish Community Council	13-3179546	DYCD	\$5,000.00	260	005
Queens Delegation	Kehilat Sephardim of Ahavat Achim - Food Pantry Initiative	11-3101774	DYCD	\$5,000.00	260	005
Queens Delegation	TSQ, Inc. - Food Pantry Initiative	11-2693305	DYCD	\$16,646.00	260	005
Bronx Delegation	Food Bank For New York City - Africa Redemption Alliance	13-3179546	DYCD	\$5,361.00	260	005
Bronx Delegation	Food Bank For New York City - Gethsemane Baptist Church	13-3179546	DYCD	\$5,361.00	260	005

* Indicates pending completion of pre-qualification review.

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

CHART 12: Neighborhood Development Grant Initiative - Fiscal 2018

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Small Business Services	13-6400434	DSBS	(\$110,000.00)	801	002
Barron	East New York Restoration Local Development Corporation	46-1763706	DSBS	\$22,000.00	801	002
Gibson	United Auto Merchants Association, Inc.	36-4615681	DSBS	\$22,000.00	801	002
Maisel	Brooklyn Alliance, Inc.	11-2145956	DSBS	\$22,000.00	801	002
Rosenthal	Broadway Mall Association, Inc.	13-3419786	DSBS	\$22,000.00	801	002
Ulrich	Chamber of Commerce Borough of Queens, Inc.	11-0559220	DSBS	\$22,000.00	801	002

* Indicates pending completion of pre-qualification review.

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

CHART 13: Cultural Immigrant Initiative - Fiscal 2018

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Cultural Affairs	136400434	DCLA	(\$492,000.00)	126	003
Barron	ARTs East New York, Inc.	270889467	DCLA	\$20,000.00	126	003
Barron	Purelements: An Evolution in Dance	205332584	DCLA	\$50,000.00	126	003
Barron	Victory Music and Dance Company, Inc.	472167056	DCLA	\$45,000.00	126	003
Cabrera	Renaissance Youth Center	134122438	DCLA	\$20,000.00	126	003
Cabrera	Spanish Theatre Repertory Company, Ltd.	132672755	DCLA	\$20,000.00	126	003
Cabrera	Community-Word Project, Inc.	134114145	DCLA	\$25,000.00	126	003
Cabrera	2020 Vision for Schools, Inc.	453023036	DCLA	\$10,000.00	126	003
Cabrera	Society of the Educational Arts, Inc.	113210593	DCLA	\$20,000.00	126	003
Eugene	Brooklyn Ballet, Inc.	020569320	DCLA	\$20,000.00	126	003
Eugene	West Indian American Day Carnival Association, Inc.	237176396	DCLA	\$10,000.00	126	003
Eugene	Council of Peoples Organization, Inc.	753046891	DCLA	\$15,000.00	126	003
Eugene	Make the Road New York	113344389	DCLA	\$20,000.00	126	003
Eugene	Catholic Charities Community Services, Archdiocese of New York	135562185	DCLA	\$20,000.00	126	003
Eugene	Sesame Flyers International, Inc.	112692485	DCLA	\$20,000.00	126	003
Eugene	Caribbean Cultural Theatre, Inc	830508237	DCLA	\$10,000.00	126	003
Levin	STREB, Inc.	133268549	DCLA	\$10,000.00	126	003
Levin	Museum of Food and Drink, The	203735162	DCLA	\$10,000.00	126	003
Levin	Asian American Arts Alliance	133480189	DCLA	\$15,000.00	126	003
Levin	Brooklyn Book Festival, Inc.	465328190	DCLA	\$20,000.00	126	003
Levin	Brooklyn Ballet, Inc.	020569320	DCLA	\$20,000.00	126	003
Levine	JLSC Educational Tour Bus, Inc.	134085631	DCLA	\$20,000.00	126	003
Levine	Mano a Mano: Mexican Culture Without Borders	562545700	DCLA	\$12,000.00	126	003
Torres	Girl Be Heard Institute	271848709	DCLA	\$20,000.00	126	003
Torres	Spanish Dance Arts Company	133286419	DCLA	\$20,000.00	126	003
Torres	Bronx River Art Center, Inc.	133261148	DCLA	\$20,000.00	126	003

* Indicates pending completion of pre-qualification review.

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

CHART 14: Alternatives to Incarceration (ATI's) Initiative - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
National Association on Drug Abuse Problems, Inc.	13-2814327	MOCJ	(\$50,000.00)	098	002	
National Association on Drug Abuse Problems (New York State), Inc.	13-3185808	MOCJ	\$50,000.00	098	002	

* Indicates pending completion of pre-qualification review.

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

CHART 15: Ending the Epidemic - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$5,555,000.00)	816	112	
African Services Committee, Inc.	13-3749744	DOHMH	\$28,800.00	816	112	
After Hours Project, Inc.	33-1007278	DOHMH	\$90,000.00	816	112	
Aid for AIDS International	13-3954568	DOHMH	\$50,000.00	816	112	
AIDS Center of Queens County, Inc.	11-2837894	DOHMH	\$180,000.00	816	112	
AIDS Service Center of Lower Manhattan	13-3562071	DOHMH	\$128,736.00	816	112	
Amida Care, Inc.	13-4154068	DOHMH	\$200,000.00	816	112	
APICHA Community Health Center	13-3706365	DOHMH	\$43,000.00	816	112	
Arthur Ashe Institute for Urban Health	11-3185372	DOHMH	\$15,000.00	816	112	
Bailey House, Inc.	13-3165181	DOHMH	\$28,800.00	816	112	
Bedford Stuyvesant Family Health Center, Inc.	11-2412205	DOHMH	\$66,600.00	816	112	
BOOM!Health	13-3599121	DOHMH	\$90,000.00	816	112	
Bridging Access to Care, Inc.	11-3031208	DOHMH	\$128,736.00	816	112	
CAMBA, Inc.	11-2480339	DOHMH	\$135,000.00	816	112	
Caribbean Women's Health Association, Inc.	13-3323168	DOHMH	\$129,800.00	816	112	
Community Health Action of Staten Island	13-3556132	DOHMH	\$90,000.00	816	112	
Community Health Project, Inc.	13-3409680	DOHMH	\$100,000.00	816	112	
Community Healthcare Network, Inc.	13-3083068	DOHMH	\$37,800.00	816	112	
Community Research Initiative on AIDS, Inc.	13-3632234	DOHMH	\$228,630.00	816	112	
Covenant House New York/Under 21	13-3076376	DOHMH	\$28,800.00	816	112	
Diaspora Community Services, Inc.	11-3122295	DOHMH	\$144,000.00	816	112	
Exponents, Inc.	13-3572677	DOHMH	\$89,175.00	816	112	
Gay Men's Health Crisis, Inc. (GMHC)	13-3130146	DOHMH	\$90,000.00	816	112	
Health and Hospitals Corporation - Elmhurst Hospital Center	13-2655001	DOHMH	\$94,000.00	816	112	
Health and Hospitals Corporation - Harlem Hospital Center	13-2655001	DOHMH	\$63,046.00	816	112	
Health and Hospitals Corporation - Metropolitan Hospital Center	13-2655001	DOHMH	\$84,000.00	816	112	
Health People, Inc.	51-0418243	DOHMH	\$172,800.00	816	112	
Housing Works, Inc.	13-3584089	DOHMH	\$345,094.00	816	112	
Department of Social Services **	13-6400434	DSS/HRA	\$90,000.00	069	107	
Interfaith Medical Center	11-2626155	DOHMH	\$187,200.00	816	112	
Iris House	13-3699201	DOHMH	\$118,111.00	816	112	
La Casa de Salud	13-3205023	DOHMH	\$33,720.00	816	112	
La Nueva Esperanza, Inc.	20-4393724	DOHMH	\$15,000.00	816	112	
Lesbian and Gay Community Services Center, Inc. (LGBT Center)	13-3217805	DOHMH	\$444,000.00	816	112	
Make the Road New York	11-3344389	DOHMH	\$37,800.00	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 15: Ending the Epidemic - Fiscal 2018 (Continued)

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Momentum Project, Inc., The	13-3556768	DOHMH	\$28,800.00	816	112	
Montefiore Medical Center	13-1740114	DOHMH	\$275,000.00	816	112	
New York Presbyterian Hospital	13-3957095	DOHMH	\$245,000.00	816	112	
Osborne Association, Inc., The	13-5563028	DOHMH	\$28,800.00	816	112	
Planned Parenthood of New York City, Inc.	13-2621497	DOHMH	\$112,000.00	816	112	
Project Hospitality, Inc.	13-3234441	DOHMH	\$90,000.00	816	112	
Public Health Solutions	13-5669201	DOHMH	\$350,000.00	816	112	
Research Foundation of SUNY	14-1368361	DOHMH	\$94,000.00	816	112	
Second Chance Resources Group	45-4345759	DOHMH	\$70,000.00	816	112	
St. Ann's Corner of Harm Reduction, Inc.	13-3724008	DOHMH	\$90,000.00	816	112	
Sunset Park Health Council, Inc.	20-2508411	DOHMH	\$85,000.00	816	112	
Transgender Legal Defense & Education Fund	04-3762842	DOHMH	\$37,240.00	816	112	
United Community Centers, Inc.	11-1950787	DOHMH	\$15,000.00	816	112	
Vocational Instruction Project Community	13-3224700	DOHMH	\$28,800.00	816	112	
Washington Heights Corner Projects, Inc.	20-8672015	DOHMH	\$90,000.00	816	112	
Women's Prison Association's Hopper Home	13-5596836	DOHMH	\$107,712.00	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 16: Maternal and Child Health Services - Fiscal 2018

Choices in Childbirth	20-2015286	DOHMH	(\$72,000.00)	816	113	
Urban Health Plan, Inc.	23-7360305	DOHMH	(\$121,320.00)	816	113	
Caribbean Womens Health Association, Inc.	13-3323168	DOHMH	\$193,320.00	816	113	

* Indicates pending completion of pre-qualification review.

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

CHART 17: Court-Involved Youth Mental Health Initiative - Fiscal 2018

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$83,000.00)	816	120	
New Alternatives for Children, Inc.	13-3149298	DOHMH	\$83,000.00	816	120	

* Indicates pending completion of pre-qualification review.

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

CHART 18: Child Health and Wellness Initiative - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
American Lung Association of the Northeast, Inc.	06-0646594	DOHMH	(\$78,000.00)	816	113	
American Lung Association	13-1632524	DOHMH	\$78,000.00	816	113	

* Indicates pending completion of pre-qualification review.

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

CHART 19: HIV/AIDS Faith Based Initiative - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene **	13-6400434	DOHMH	(\$169,000.00)	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 20: Senior Centers, Programs, and Enhancements - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Jamaica Service Program for Older Adults, Inc. (JSPOA) **	51-0204121	DFTA	\$169,000.00	125	003	

* Indicates pending completion of pre-qualification review.

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

CHART 21: Bail Fund - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Mayor's Office of Criminal Justice **	13-6400434	MOCJ	(\$45,000.00)	098	002	

* Indicates pending completion of pre-qualification review.

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

CHART 22: Video Visitation - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
New York Public Library **	13-6400434	NYPL	\$45,000.00	037	006	

* Indicates pending completion of pre-qualification review.

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

CHART 23: Discretionary Child Care Initiative - Fiscal 2018

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

* Indicates pending completion of pre-qualification review.

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

CHART 24: Crisis Management System - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
New Yorkers Against Gun Violence Education Fund, Inc. **	13-3808186	MOCJ	\$30,000.00	098	002	
SCAN-New York Volunteer Parent-Aides Association, Inc.	13-2912963	DOE	(\$40,000.00)	040	402	
SCAN-New York Volunteer Parent-Aides Association, Inc. - Bronx Writing Academy - 09X323	13-2912963	DOE	\$40,000.00	040	402	
Urban Youth Alliance International, Inc.	13-2969182	DOE	(\$40,000.00)	040	402	
Urban Youth Alliance International, Inc. - The Urban Assembly Bronx Academy Of Letters - 07X551	13-2969182	DOE	\$40,000.00	040	402	
Ifetayo Cultural Arts Academy, Inc. - MS the School for Integrated Learning - 17K354	11-3027538	DOE	(\$40,000.00)	040	402	
Ifetayo Cultural Arts Academy, Inc. - Ebbets Field Middle School - 17K352	11-3027538	DOE	\$40,000.00	040	402	

* Indicates pending completion of pre-qualification review.

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

CHART 25: Home Loan Program - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Social Services **	13-6400434	DSS/HRA	(\$750,000.00)	069	107	
Housing Preservation and Development **	13-6400434	HPD	\$750,000.00	806	009	

* Indicates pending completion of pre-qualification review.

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

CHART 26: Communities of Color Nonprofit Stabilization Fund - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Asian American Federation of New York	133572287	DYCD	(\$170,000.00)	260	005	
Department of Youth and Community Development	136400434	DYCD	(\$2,915,000.00)	260	005	
Asian-American Coalition for Children and Families, Inc.	133682471	DYCD	\$655,666.00	260	005	
Hispanic Federation, Inc.	133573852	DYCD	\$1,224,667.00	260	005	
New York Urban League, Inc.	131671035	DYCD	\$1,204,667.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 27: Art a Catalyst for Change - Fiscal 2018

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Cultural Affairs **	13-6400434	DCLA	(\$72,000.00)	126	003	
Black Girls Rock, Inc. **	68-0635936	DYCD	\$72,000.00	260	312	
Victory Music and Dance Company, Inc. - Essence School	47-2167056	DCLA	(\$18,000.00)	126	003	
Man Up! Inc. - High School for Civil Rights	03-0553092	DCLA	\$18,000.00	126	003	
Purelements: An Evolution in Dance - Public School 306K	20-5332584	DCLA	(\$18,000.00)	126	003	
Man Up! Inc. - Academy for Young Writers	03-0553092	DCLA	\$18,000.00	126	003	
Groove With Me, Inc. - Junior High School 162	13-3919147	DCLA	(\$18,000.00)	126	003	
Groove With Me, Inc. - Urban Assembly of Bronx Academy of Letters	13-3919147	DCLA	\$18,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 28: Chamber on the Go and Small Business Assistance - Fiscal 2018

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Small Business Services	136400434	DSBS	(\$85,000.00)	801	002	
Accion East, Inc.	11-3317234	DSBS	\$3,000.00	801	002	
Asian Americans For Equality, Inc.	13-3187792	DSBS	\$3,000.00	801	002	
Bedford Stuyvesant Restoration Corporation	11-6083182	DSBS	\$3,000.00	801	002	
Bronx Overall Economic Development Corporation	13-3079387	DSBS	\$3,000.00	801	002	
Brooklyn Alliance, Inc.	11-2145956	DSBS	\$3,000.00	801	002	
Business Outreach Center Network, Inc.	11-3306111	DSBS	\$3,000.00	801	002	
Caribbean American Chamber of Commerce and Industry, Inc.	11-2903423	DSBS	\$3,000.00	801	002	
Chamber of Commerce Borough of Queens, Inc.	11-0559220	DSBS	\$3,000.00	801	002	
Harlem Business Alliance, Inc.	13-3591350	DSBS	\$3,000.00	801	002	
Manhattan Chamber of Commerce Foundation	13-4016593	DSBS	\$3,000.00	801	002	
New Bronx Chamber of Commerce, The	37-1443165	DSBS	\$3,000.00	801	002	
New York Women's Chamber of Commerce, Inc.	14-1845651	DSBS	\$3,000.00	801	002	
Queens Economic Development Corporation	11-2436149	DSBS	\$3,000.00	801	002	
Staten Island Chamber of Commerce Foundation, Inc.	13-4069282	DSBS	\$3,000.00	801	002	
Urban Justice Center	13-3442022	DSBS	\$3,000.00	801	002	
National Gay & Lesbian Chamber of Commerce - New York	13-4219714	DSBS	\$40,000.00	801	002	*

* Indicates pending completion of pre-qualification review.

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

CHART 29: Support for Educators Initiative - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Education **	13-6400434	DOE	(\$660,000.00)	040	402	
Border Crossers, Inc.	26-2671377	DOE	\$50,000.00	040	402	
New York University	13-5562308	DOE	\$250,000.00	040	402	
Department of Education **	13-6400434	DOE	\$360,000.00	040	401	

* Indicates pending completion of pre-qualification review.

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

CHART 30: Wrap-Around Support for Traditional-Aged Foster Youth - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Children's Aid Society, The **	13-5562191	DSS/HRA	(\$90,000.00)	069	103	
Children's Aid Society, The **	13-5562191	ACS	\$90,000.00	068	006	
Graham Windham **	13-2926426	DSS/HRA	(\$90,000.00)	069	103	
Graham Windham **	13-2926426	ACS	\$90,000.00	068	006	
Forestdale, Inc. **	11-1631747	DSS/HRA	(\$70,000.00)	069	103	
Forestdale, Inc. **	11-1631747	ACS	\$70,000.00	068	006	
Sheltering Arms Children and Family Services, Inc. **	13-3709095	DSS/HRA	(\$70,000.00)	069	103	
Sheltering Arms Children and Family Services, Inc. **	13-3709095	ACS	\$70,000.00	068	006	
Jewish Board of Family and Children's Services, Inc. **	13-5564937	DSS/HRA	(\$115,000.00)	069	103	
Jewish Board of Family and Children's Services, Inc. **	13-5564937	ACS	\$115,000.00	068	006	
SCO Family of Services **	11-2777066	DSS/HRA	(\$45,000.00)	069	103	
SCO Family of Services **	11-2777066	ACS	\$45,000.00	068	006	
City Living NY, Inc. **	47-4998799	DSS/HRA	(\$20,000.00)	069	103	
City Living NY, Inc. **	47-4998799	ACS	\$20,000.00	068	006	

* Indicates pending completion of pre-qualification review.

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

CHART 31: Adult Literacy Initiative - Fiscal 2018

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Youth and Community Development **	13-6400434	DYCD	(\$1,760,704.00)	260	005	
East Side House, Inc.	13-1623989	DYCD	\$50,000.00	260	005	
BronxWorks, Inc.	13-3254484	DYCD	\$35,704.00	260	005	
SCO Family of Services	11-2777066	DYCD	\$100,000.00	260	005	
Chinese American Planning Council	13-6202692	DYCD	\$30,000.00	260	005	
Catholic Charities Community Service, Archdiocese of N Y	13-5562185	DYCD	\$100,000.00	260	005	
Asian Americans for Equality	13-3187792	DYCD	\$50,000.00	260	005	
New Immigrant Community Empowerment (NICE)	11-3560625	DYCD	\$50,000.00	260	005	
Haitian Americans United For Progress	11-2423857	DYCD	\$50,000.00	260	005	
The Korean American Family Service Center	13-3609811	DYCD	\$30,000.00	260	005	
Central Queens YM & YWHA, Inc	11-1633509	DYCD	\$50,000.00	260	005	
Sunnyside Community Service, Inc.	51-0189327	DYCD	\$30,000.00	260	005	
Greater Ridgewood Youth Council, Inc.	11-2518141	DYCD	\$50,000.00	260	005	
Southern Queens Park Association, Inc.	11-2432846	DYCD	\$50,000.00	260	005	
Fordham University	13-1740451	DYCD	\$100,000.00	260	005	
Academy of Medical and Public Health Services (AMPHS)	27-2206293	DYCD	\$100,000.00	260	005	
NYC City College of Technology (RFCUNY), Adult Education Program; CUNY **	13-1988190	CUNY	\$100,000.00	042	001	
Northern Manhattan Improvement Corporation	13-2972415	DYCD	\$100,000.00	260	005	
NYU Lutheran	13-3971298	DYCD	\$100,000.00	260	005	
Jacob A. Riis Neighborhood Settlement	11-1729398	DYCD	\$100,000.00	260	005	
Queens Borough Public Library **	13-6400434	QBPL	\$100,000.00	039	001	
LaGuardia Community College -	13-1988190	CUNY	\$100,000.00	042	001	
Make the Road New York	11-3344389	DYCD	\$100,000.00	260	005	
Urban Health Plan	23-7360305	DYCD	\$185,000.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 32: Immigrant Opportunities Initiative - Fiscal 2018

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Social Services	13-6400434	DSS/HRA	(\$24,000.00)	069	107	
Comprehensive Development, Inc.	13-3861648	DSS/HRA	\$24,000.00	069	107	*

* Indicates pending completion of pre-qualification review.

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

CHART 33: Naturally Occurring Retirement Communities (NORCs) - Fiscal 2018

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Department for the Aging	13-6400434	DFTA	(\$2,233,995.00)	125	003	
Rochdale Village Social Services, Inc.	11-3397470	DFTA	(\$253,000.00)	125	003	
Jewish Association for Services for the Aged (JASA) - Rochdale Village NORC	13-2620896	DFTA	\$253,000.00	125	003	
Bay Ridge Center, Inc. - Bay Ridge NORC Planning	80-0559714	DFTA	\$100,000.00	125	003	
Bergen Basin Community Development Corporation d/b/a Millennium Development -	11-3199040	DFTA	\$250,000.00	125	003	
Bronx Jewish Community Council, Inc. - Amalgamated Housing (BJCCAmPark)	13-2744533	DFTA	\$15,000.00	125	003	
BronxWorks, Inc. - Riverpark Towers NORC	13-3254484	DFTA	\$20,000.00	125	003	
Cooper Square Community Development Committee, Inc. - Cooper Square NNORC	13-2666211	DFTA	\$60,000.00	125	003	
Edith and Carl Marks Jewish Community House of Bensonhurst - Good Neighbors NNORC	11-1633484	DFTA	\$129,000.00	125	003	
Goddard Riverside Community Center - West Side NORC	13-1893908	DFTA	\$20,000.00	125	003	
HANAC, Inc. - Ravenswood NORC	11-2290832	DFTA	\$20,000.00	125	003	
Hudson Guild - Elliot-Chelsea NORC	13-5562989	DFTA	\$20,000.00	125	003	
Isabella Geriatric Center, Inc. - El Corazon NORC	13-3623808	DFTA	\$129,400.00	125	003	
Isabella Geriatric Center, Inc. - River Terrace NNORC	13-3623808	DFTA	\$80,000.00	125	003	
Jacob A. Riis Neighborhood Settlement, Inc. - Queensbridge NNORC	11-1729398	DFTA	\$191,000.00	125	003	
Jamaica Service Program for Older Adults, Inc. (JSPOA) - JSPOA NORC	51-0204121	DFTA	\$5,000.00	125	003	
Jewish Association for Services for the Aged (JASA) - 1199 Plaza NORC	13-2620896	DFTA	\$99,000.00	125	003	
Jewish Association for Services for the Aged (JASA) - Roy Reuther	13-2620896	DFTA	\$100,000.00	125	003	
Jewish Association for Services for the Aged (JASA) - Bushwick/Hylan NORC (JASA)	13-2620896	DFTA	\$20,000.00	125	003	
Jewish Association for Services for the Aged (JASA) - JASA Trumps United	13-2620896	DFTA	\$20,000.00	125	003	
Jewish Association for Services for the Aged (JASA) - Co-Op City Services Program	13-2620896	DFTA	\$20,000.00	125	003	
Jewish Association for Services for the Aged (JASA) - Dreiser Loop	13-2620896	DFTA	\$20,000.00	125	003	
Jewish Association for Services for the Aged (JASA) - Penn South Program for Seniors (Mutual Redevelopment Houses)	13-2620896	DFTA	\$20,000.00	125	003	
Jewish Home Lifecare Manhattan - Cadman Towers	13-1624033	DFTA	\$40,000.00	125	003	
Lincoln Square Neighborhood Center, Inc. -	13-1825918	DFTA	\$20,000.00	125	003	
Phipps Neighborhoods, Inc. - Phipps Plaza West NORC	13-2707665	DFTA	\$20,000.00	125	003	
Samuel Field YM & YWHA, Inc. - NORC Without Walls (WOW)	11-3071518	DFTA	\$70,000.00	125	003	
Samuel Field YM & YWHA, Inc. - Deepdale CARES	11-3071518	DFTA	\$20,000.00	125	003	
SBH Community Service Network, Inc. (Sephardic Bikur Cholim) - Sephardic Bikur Holim Community Service Network NORC	23-7406410	DFTA	\$115,000.00	125	003	
Selfhelp Community Services, Inc. - Northridge/Brulene/Southridge NNORC	13-1624178	DFTA	\$41,000.00	125	003	
Selfhelp Community Services, Inc. - Queensview NORC	13-1624178	DFTA	\$20,000.00	125	003	
Selfhelp Community Services, Inc. - Fresh Meadows	13-1624178	DFTA	\$20,000.00	125	003	
Shorefront YM-YWHA of Brighton-Manhattan Beach, Inc. - Shorefront NNORC	11-3070228	DFTA	\$229,595.00	125	003	
Stanley M. Isaacs Neighborhood Center, Inc. -	13-2572034	DFTA	\$20,000.00	125	003	

Stonewall Community Development Corporation - SI LGBTQ Neighborhood NORC	46-2796863	DFTA	\$20,000.00	125	003	
Visiting Nurse Service of New York Home Care, Inc. - Chinatown NNORC	13-1624211	DFTA	\$260,000.00	125	003	

* Indicates pending completion of pre-qualification review.

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

CHART 34: Local Initiatives - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Kallos	Manhattan Chamber of Commerce Foundation, Inc.	13-4016593	DSBS	(\$2,500.00)	801	002			
Kallos	Department of Small Business Services	13-6400434	DSBS	\$2,500.00	801	002			
Van Bramer	Queen of Angels Church	111723787	DYCD	(\$3,500.00)	260	312			
Van Bramer	Queen of Angels R.C. Church	111723787	DYCD	\$3,500.00	260	312			
Matteo	YPIS of Staten Island, Inc.	23-7085239	DYCD	(\$1,000.00)	260	005			
Matteo	New York Center for Interpersonal Development, Inc.	23-7085239	DYCD	\$1,000.00	260	005			
Vallone	St. Mel's Church	11-1646313	DYCD	(\$5,000.00)	260	005			
Vallone	Roman Catholic Church of St. Mel	11-1646313	DYCD	\$5,000.00	260	005			
Gibson	New York City Coalition Against Hunger, Inc.	13-3471350	DYCD	(\$5,000.00)	260	005			
Gibson	Hunger Free America	13-3471350	DYCD	\$5,000.00	260	005			
Johnson	New York City Coalition Against Hunger, Inc.	13-3471350	DYCD	(\$5,000.00)	260	005			
Johnson	Hunger Free America	13-3471350	DYCD	\$5,000.00	260	005			
Kallos	New York City Coalition Against Hunger, Inc.	13-3471350	DYCD	(\$5,000.00)	260	005			
Kallos	Hunger Free America	13-3471350	DYCD	\$5,000.00	260	005			
Levin	New York City Coalition Against Hunger, Inc.	13-3471350	DYCD	(\$2,500.00)	260	005			
Levin	Hunger Free America	13-3471350	DYCD	\$2,500.00	260	005			
Palma	New York City Coalition Against Hunger, Inc.	13-3471350	DYCD	(\$10,000.00)	260	005			
Palma	Hunger Free America	13-3471350	DYCD	\$10,000.00	260	005			
Speaker	New York City Coalition Against Hunger, Inc.	13-3471350	DYCD	(\$50,000.00)	260	005			
Speaker	Hunger Free America	13-3471350	DYCD	\$50,000.00	260	005			
Williams	New York City Coalition Against Hunger, Inc.	13-3471350	DYCD	(\$3,500.00)	260	005			
Williams	Hunger Free America	13-3471350	DYCD	\$3,500.00	260	005			
Miller	St Albans Chamber of Commerce Inc.	11-2947196	DSBS	(\$5,000.00)	801	002			
Miller	St. Albans Chamber of Commerce, Inc.	11-2947196	DSBS	\$5,000.00	801	002			

* Indicates pending completion of pre-qualification review.

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

CHART 35: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Rose	YPIS of Staten Island, Inc.	23-7085239	DYCD	(\$5,000.00)	260	005			
Rose	New York Center for Interpersonal Development, Inc.	23-7085239	DYCD	\$5,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 36: Local Initiatives - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
King	Amateur Athletic Unions Of The Us, Inc.	46-3197831	DYCD	(\$5,000.00)	260	312			
King	Amateur Athletic Unions Of The Us, Inc. Velocity Track Club New Y46-3197831		DYCD	\$5,000.00	260	312			

* Indicates pending completion of pre-qualification review.

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

CHART 37: Food Pantries- Fiscal 2017

Borough	Organization	EIN	Agency	Amount	Agy	U/A *
Queens Delegation	Church of St Margaret Mary	11-1990941	DYCD	(\$24,970.00)	260	005
Queens Delegation	R C Church of St. Margaret Mary	11-1990941	DYCD	\$24,970.00	260	005

* Indicates pending completion of pre-qualification review.

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

CHART 38: Healthy Aging Initiative- Fiscal 2017

Borough	Organization	EIN	Agency	Amount	Agy	U/A *
Barron	East New York Restoration Local Development Corporation	46-1763706	DYCD	(\$17,745.00)	260	005
Barron	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	DYCD	\$17,745.00	260	005

* Indicates pending completion of pre-qualification review.

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

CHART 39: Food Pantries- Fiscal 2016

Member	Organization	EIN	Agency	Amount	Agy	U/A *
Bronx Delegation	St. Luke's Senior Community Program	13-2747442	DYCD	(\$9,322.00)	260	005
Bronx Delegation	St. Luke's Episcopal Church	13-2747442	DYCD	\$9,322.00	260	005

* Indicates pending completion of pre-qualification review.

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

CHART 40: Purpose of Funds Changes - Fiscal 2018

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Anti-Poverty	Koo	Vietnam Veterans of America, Inc. - Queens Chapt11-2629339		DYCD	(\$5,000.00)	Funds to support veterans, including access to benefits, homeless services, annual programming and funerals for indigent veterans.	
Anti-Poverty	Koo	Vietnam Veterans of America, Inc. - Queens Chapt11-2629339		DYCD	\$5,000.00	Funds to support veterans, including access to benefits, homeless services, annual programming, funerals for indigent veterans and operational costs.	
Local	Deutsch	Holocaust Survivors Charity, Inc.	11-3792091	DFTA	(\$6,500.00)	Funding for educational lectures on various health related issues and exercise programs.	
Local	Deutsch	Holocaust Survivors Charity, Inc.	11-3792091	DFTA	\$6,500.00	Funding to support the Holocaust Survivors Charity educational and social gatherings as well as food pantry program.	
NYC Cleanup	Cumbo	Association of Community Employment Programs f13-3846431		DYCD	(\$100,000.00)	For sanitation, pickup, and beautification services in District 7	
NYC Cleanup	Cumbo	Association of Community Employment Programs f13-3846432		DYCD	\$100,000.00	For sanitation, pickup, and beautification services in District 35	
NYC Cleanup	Cumbo	Myrtle Avenue Commercial Revitalization and Dev31-1706307		DYCD	(\$45,000.00)	Funding to support the Fort Greene & Farragut Fresh Pantry	
NYC Cleanup	Cumbo	Myrtle Avenue Commercial Revitalization and Dev31-1706307		DYCD	\$45,000.00	For sanitation, pickup, and beautification services in District 35	
Parks Equity	Crowley	Maspeth Town Hall, Inc.	23-7259702	DPR	(\$15,000.00)	funds will support a community day in Juniper Valley Park	
Parks Equity	Crowley	Maspeth Town Hall, Inc.	23-7259702	DPR	\$15,000.00	funds will be used for community events in Juniper Valley Park and Maurice Park	
Parks Equity	Crowley	Greater Ridgewood Youth Council, Inc.	11-2518141	DPR	(\$30,000.00)	Parks Equity Initiative in D30 Evergreen and Vito Marenzano Park	
Parks Equity	Crowley	Greater Ridgewood Youth Council, Inc.	11-2518141	DPR	\$30,000.00	Funds will be used for Community events in Evergreen Park and the Glendale Playground	
Parks Equity	Crowley	New York City H2O	45-3860014	DPR	(\$13,500.00)	Water Engineering Classes and visit water sites including The Ridgewood Reservoir for schools and adults of D30	
Parks Equity	Crowley	New York City H2O	45-3860014	DPR	\$13,500.00	Funds will be used for tours of Ridgewood Reservoir and other D30 waterbodies.	
Youth	Gibson	Lead by Example and Reverse the Trend	472765517	DYCD	(\$5,000.00)	Funds will be used to provide workshops, seminars, community services, and field trips for at-risk youth.	
Youth	Gibson	Lead by Example and Reverse the Trend	472765517	DYCD	\$5,000.00	Funds will support the Mentor Program through sports and recreational activities, field trips, youth stipends, as well as equipment, uniforms, and school supplies.	

* Indicates pending completion of pre-qualification review.

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

CHART 41: Purpose of Funds - Fiscal 2017

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Johnson	Institute for Immigrant Concerns	46-2034228	DYCD	(\$5,000.00)	To support additional ESOL levels and staff including ESOL Instructors, a Bilingual Administrative Assistant, an Employment Readiness Counselor, enhanced community networking, referral services and instructional materials.	
Local	Johnson	Institute for Immigrant Concerns	46-2034228	DYCD	\$5,000.00	Funds will be used to pay for space rental costs and CIP.	

* Indicates pending completion of pre-qualification review.

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

CHART 42: Job Training and Placement Initiative - Fiscal 2018 ***

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Non-Traditional Employment for Women	13-3272001	DSBS	(\$25,000.00)	801	011	
St. Nick's Alliance Corporation	51-0192170	DSBS	\$25,000.00	801	011	

*** In Schedule C \$5,154,200 was designated to Consortium for Worker Education - Jobs to Build On (CWE), \$4.46m of which CWE subcontracted to service provider partners. The Subcontractors and the amount that CWE allocated to each was listed in Schedule C. CWE is changing the allocation originally provided to two subcontractors and this chart reflects that change.

CHART 43: Beating Hearts Initiative - Fiscal 2018

Member	Organization	EIN Number	*
Gibson	Miracle Revival Temple	13-3421363	
Koo	Friends of Pack and Troop 253, Inc.	81-3355590	
Lander	SFX Youth Sports	11-1633532	
Lander	SFX Youth Sports	11-1633532	
Barron	Community Board 5	13-6400434	
Barron	The Brooklyn Saints Football Organization	27-1894472	
Barron	St. Paul Community Baptist Church	11-2453951	
Barron	Victory Music & Dance	47-2167056	
Matteo	Moore Catholic High School	27-0672195	
Matteo	Holy Trinity Greek Orthodox	13-3192971	
Matteo	SI Legacy Girls Softball INC	47-5354849	
Matteo	Staten Island Slim Down	27-3795443	
Rosenthal	West Side Little League	13-3339708	
Torres	Serviam Gardens	26-0698139	
Torres	Serviam Towers	26-1494876	
Torres	Centerlight Heath Care	13-3600807	
Torres	Thomas Guess Neighborhood Senior Center	13-6400434	

*****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.**

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, September 27, 2017.

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

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

Report for Res. No. 1659

Report of the Committee on Finance in favor of a Resolution approving the rescindment of a term and condition included in the Fiscal 2018 Expense Budget.

The Committee on Finance, to which the annexed preconsidered resolution was referred on September 27, 2017, respectfully

REPORTS:

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

TO: Honorable Melissa Mark-Viverito
Speaker

Honorable Julissa Ferreras-Copeland
Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division
Nathan Toth, Deputy Director, Finance Division
Regina Poreda Ryan, Deputy Director, Finance Division
Paul Scimone, Deputy Director, Finance Division
Rebecca Chasan, Counsel, Finance Division
Eric Bernstein, Counsel, Finance Division

DATE: September 27, 2017

SUBJECT: A budget modification (MN-1) for Fiscal Year 2018 to implement changes in the City's expense budget.

INITIATION: By letter dated September 27, 2017, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds between various agencies to implement changes in the City's expense budget.

BACKGROUND: MN-1 reallocates appropriations that were reflected in the Fiscal 2018 Adopted

Budget to fund City Council local initiatives, as well as other discretionary programs.

FISCAL IMPACT: MN-1 represents the reallocation of appropriations. The net effect of this modification is zero.

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 1659

Resolution approving the rescindment of a term and condition included in the Fiscal 2018 Expense Budget.

By Council Member Ferreras-Copeland.

Whereas, On June 6, 2017, the Council of the City of New York (“City Council”) adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”); and

Whereas, The Fiscal 2018 Expense Budget adopted by the City Council included several terms and conditions attached to units of appropriation in the budget; and

Whereas, One such term and condition, attached to unit of appropriation number 107 in the Fiscal 2018 Expense Budget for the Department of Social Services, provides that “Eligibility for legal representation provided through funds in unit of appropriation 107 for unrepresented, detained individuals in removal proceedings occurring in immigration court in New York City shall be based solely on income”; now, therefore, be it

Resolved, The City Council rescinds the term and condition attached to unit of appropriation 107 in the Fiscal 2018 Expense Budget for the Department of Social Services. Such rescindment shall apply to both the expense and contract budgets for fiscal year 2018.

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, September 27, 2017.

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

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

Report for M-548

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the transfer of City funds between various agencies in Fiscal Year 2018 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-1).

The Committee on Finance, to which the annexed preconsidered communication was referred on September 27, 2017 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on September 27, 2017, the Committee on Finance considered a communication, dated September 27, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit “1” (the “Modification”), to modify units of appropriation and transfer city funds between various agencies in the Fiscal Year 2018 expense budget as adopted by the Council on June 6, 2017, pursuant to Section 107(b) of the Charter of the City of New York (the “Charter”).

Analysis. The Council annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 6, 2017, the Council adopted the expense budget for Fiscal Year 2017 (the “Fiscal 2017 Expense Budget”). This Modification reallocates appropriations that were reflected in the Fiscal 2018 Expense Budget to fund City Council initiatives, as well as other discretionary programs.

The net effect of the Modification is zero. For more detail on the funding transfer between agencies, see Appendix A of the report attached hereto as Exhibit “1”.

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

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

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

Preconsidered Res. No. 1661

RESOLUTION APPROVING THE MODIFICATION (MN-1) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

By Council Member Ferreras-Copeland.

WHEREAS, At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on September 27, 2017, the Committee on Finance considered a communication, dated September 27, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit “1” (the “Modification”), to modify units of appropriation and transfer city funds between various agencies in the Fiscal Year 2018 expense budget as adopted by the Council on June 6, 2017, pursuant to Section 107(b) of the Charter of the City of New York

(the "Charter"); and

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

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

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

ATTACHMENT:

(For text, please see the New York Council website at <http://council.nyc.gov>; also please refer to the following link at <http://nyc.legistar1.com/nyc/attachments/a516df65-e88e-44fe-953f-67b2b9f11167.pdf>)

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, September 27, 2017.

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

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

Report for M-549

Report of the Committee on Finance in favor of a Resolution approving a Communication from the Office of Management & Budget regarding a Resolution approving the modification of the Fiscal 2018 Capital Budget and Capital Program proposed by the Mayor pursuant to Section 216 of the Charter of the City of New York.

The Committee on Finance, to which the annexed preconsidered communication was referred on September 27, 2017 and which same communication item was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York on September 27, 2017, the Committee on Finance considered a communication, dated September 27, 2017, from the Office of Management and Budget of the Mayor of The City of New York, of a proposed request (the "Modification"), attached hereto as Exhibit "1", to modify the Fiscal 2018 Capital Budget and Capital Program (as defined below) pursuant to Section 216 of the Charter of the City of New York (the "Charter").

Analysis. The Council annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") and appropriations for capital projects (the "capital budget") and capital program covering appropriations for capital projects for the ensuing three years ("capital program") pursuant to Section 254 of the Charter. On June 6, 2017, the Council adopted the expense budget and capital budget for Fiscal Year 2018 (the "Fiscal 2018 Adopted Budget"), as well as the capital program. This Modification

reallocates appropriations that were reflected in the Fiscal 2018 Adopted Budget within and between various agencies to reallocate City Council appropriations in the Fiscal 2018 Capital Budget.

The net effect of the Modification is zero. For more detail on the funding transfer between agencies, see Schedule A of the modification attached hereto as Exhibit "1".

Procedure. Pursuant to section 216 of the Charter, upon receipt of a recommendation in writing from the Mayor or a Borough President, the City Council may amend the capital budget or capital program in the same manner as the adoption of the capital budget and capital program as set forth in section 254 of the Charter. The Council may approve the proposed amendment as submitted, or increase or decrease the amounts of funds proposed to be appropriated, so long as funds are available within the capital budget and the applicable program category of the capital program.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the Modification pursuant to Section 216 of the Charter. Such resolution would take effect as of the date of adoption.

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

TO: Honorable Melissa Mark-Viverito
Speaker

Honorable Julissa Ferreras-Copeland
Chairwoman, Finance Committee

FROM: Latonia McKinney, Director
Rebecca Chasan, Counsel, Finance Division
Eric Bernstein, Counsel, Finance Division
Nathan Toth, Deputy Director, Finance Division

DATE: September 27, 2017

SUBJECT: A capital budget modification for Fiscal 2018 to reallocate appropriations in the Fiscal 2018 Adopted Capital Budget

INITIATION: As requested by the City Council, the Director of the Office of Management and Budget by letter dated September 27, 2017, submitted to the Council pursuant to section 216 of the New York City Charter a request for approval to transfer funds in the Fiscal 2018 Adopted Capital Budget.

BACKGROUND: This modification reallocates appropriations that were reflected in the Fiscal 2018 Adopted Capital Budget to fund City Council initiatives.

FISCAL IMPACT: This modification represents the transfer of funds within and between agencies. The net effect of this modification is zero.

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 1662

RESOLUTION APPROVING THE MODIFICATION OF THE FISCAL 2018 CAPITAL BUDGET AND CAPITAL PROGRAM PROPOSED BY THE MAYOR PURSUANT TO SECTION 216 OF THE CHARTER OF THE CITY OF NEW YORK.

By Council Member Ferreras-Copeland.

WHEREAS, At a meeting of the Committee on Finance of the City Council of the City of New York (the "Council") on September 27, 2017, the Committee on Finance considered a communication, dated September 27, 2017, from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit "1" (the "Modification"), to modify the Fiscal 2018 capital budget and the capital program as adopted by the Council on June 6, 2017, pursuant to Section 216 of the Charter of the City of New York (the "Charter"); and

WHEREAS, Pursuant to Section 216 of the Charter, upon receipt of a recommendation from the Mayor or a Borough President, the City Council may amend the capital budget or capital program in the manner provided in such section;

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

1. **Approval of Modification.** The Council hereby approves, pursuant to Section 216 of the Charter, the actions proposed by the Mayor as set forth in the Modification.
2. **Effective Date.** This resolution shall take effect as of the date hereof.

[ATTACHMENT:](#)

(For text, please see the New York Council website at <http://council.nyc.gov>; also please refer to the following link at <http://nyc.legistar1.com/nyc/attachments/85760df7-a851-4a5a-9821-56d3d07968cb.pdf>)

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, September 27, 2017.

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.

Preconsidered L.U. No. 754

Report of the Committee on Finance in favor of a Resolution approving Noonan Plaza, Block 2518, Lot 1; Bronx, Community Board No. 4, Council District No. 16.

The Committee on Finance, to which the annexed Land Use item was referred on September 27, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

September 27, 2017

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

FROM: Eric Bernstein, Counsel, Finance Division
Rebecca Chasan, Counsel, Finance Division

RE: Finance Committee Agenda of September 27, 2017 - Resolutions approving tax exemptions for one Land Use item (Council District 16)

Item 1: Noonan Plaza

Noonan Plaza is a fully occupied, 283-unit, Section 8 development, located on West 168th Street in the Bronx, which is currently owned by the HP Noonan Plaza Housing Development Fund Company, Inc. (HDFC) and Noonan Plaza Housing LLC (LLC), which holds the beneficial interest and operates the development (together, the “owner”). The owner entered into a Mark Up to Market Housing Assistance Payments (HAP) contract with the United States Department of Housing and Urban Development (HUD) upon acquisition of the development in November 2016.

Under the proposed project, the owner will finance the rehabilitation of the development with a private loan, private equity, and additional loans from the New York City Department of Housing Preservation and Development (HPD) and the New York State Housing Finance Agency. The owner will enter into a 40-year regulatory agreement with HPD restricting the use of the development to low-income rental housing. Eligible tenants will receive Section 8 rental assistance. HPD requests that the Council approve a partial Article XI tax exemption that is coterminous with the term of the new regulatory agreement that will help preserve affordability of the low-income residential units.

Summary:

- Borough – Bronx
- Block 2518, Lot 1
- Council District – 16
- Council Member – Gibson
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 283 (including one superintendent’s unit)
- Type of Exemption-Article XI Tax Exemption, Partial, 40-year term
- Population – Section 8 rental households

- Sponsor – HP Noonan Plaza HDFC, Park Management Inc.
- Purpose – Preservation
- Cost to the City –
 - NPV of Exemption Benefits: \$18.62M
- Housing Code Violations-
 - Class A: 4
 - Class B: 8
 - Class C: 6
- Anticipated AMI targets: 50%

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

Res. No. 1663

Resolution approving an exemption from real property taxes for property located at (Block 2518, Lot 1) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 754).

By Council Member Ferreras-Copeland.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated September 6, 2017 that the Council take the following action regarding a housing project located at (Block 2518, Lot 1) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - (a) “Company” shall mean Noonan Plaza Housing LLC.
 - (b) “Effective Date” shall mean the date that HPD and the Owner enter into the Regulatory Agreement.
 - (c) “Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - (d) “Exemption Area” shall mean the real property located in the Borough of Bronx City and State of New York, identified as Block 2518, Lot 1 on the Tax Map of the City of New York.
 - (e) “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, (iii) the date upon which the Exemption Area ceases to be

- owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
- (f) "HDFC" shall mean HP Noonan Plaza Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - (g) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - (h) "Owner" shall mean, collectively, the HDFC and the Company.
 - (i) "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments as follows: (a) commencing upon the Effective Date and during each year thereafter until the second anniversary of the Effective Date, in the amount of \$1,000; and (b) commencing upon the second anniversary of the Effective Date and during each year thereafter until the Expiration Date, in the sum of (i) \$1,000 plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the housing project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the second anniversary of the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
4. Notwithstanding any provision hereof to the contrary:
- (a) The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - (b) The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.

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

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, September 27, 2017.

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

Report of the Committee on Health

Report for Int. No. 139-C

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the regulation of non-tobacco smoking products, and to amend the fire code of the city of New York, and the New York city mechanical code, in relation to the operation of non-tobacco hookah establishments.

The Committee on Health, to which the annexed proposed amended local law was referred on March 12, 2014 (Minutes, page 637), respectfully

REPORTS:

I. INTRODUCTION

On September 26th, 2017, the Committee on Health, chaired by Council Member Corey Johnson, held a vote on three bills related to the sale or use of shisha and other smoking products. Earlier versions of Proposed Int. No. 139-C were heard in this Committee on February 25, 2016, and again on April 27, 2017. The original versions of Int. Nos. 1075 and 1076 were heard in this Committee on February 25, 2016. On September 26th, 2017, the Committee passed Proposed Int. No. 139-C, Proposed Int. No. 1075-A, and Proposed Int. No. 1076-A by a vote of 7 in the affirmative, zero in the negative, and zero abstentions.

II. BACKGROUND

Hookahs are water pipes that are used to smoke shisha, which is composed of herbs, molasses and, frequently, tobacco. Hookah smoking is a social experience and is typically done in groups with either one or a limited number of mouthpieces.

Although many perceive hookah smoking to be a safer alternative to cigarette smoking, hookah smoking and cigarette smoking share many of the same health concerns.¹ Common health risks include: lung cancer, stomach cancer, bladder cancer, oral cancer, esophageal cancer, reduced lung function, clogging of the arteries, heart disease, and decreased fertility.² The hookah mouthpieces are often passed around from person to person, which increases the risk of transmitting infectious diseases such as tuberculosis, herpes, influenza, and hepatitis.³ Tobacco-containing shisha contains the addictive drug nicotine, and despite common beliefs, very little nicotine is filtered out when the smoke passes through the water in the pipe.⁴ Lower birth rates appear to be associated with mothers who smoked hookah during pregnancy.⁵ A study conducted at University of California, San Francisco, compared the practices of smoking cigarettes versus smoking hookah and found that hookah exposes users to higher levels of carbon monoxide than cigarettes and to higher levels of benzene, long associated with leukemia risk.⁶ Furthermore, hookah smoking typically requires the heating of charcoal in order to heat the shisha. The charcoal used to heat the shisha can raise health risks by producing high levels of carbon monoxide, metals, and cancer-causing chemicals.⁷ Studies show that smoke from both nontobacco shisha and tobacco-based shisha contains carbon monoxide and other toxic agents known to increase the risks for smoking-related cancers, heart disease, and lung disease.⁸

Just as with cigarette smoking, hookah use poses a risk through second-hand smoke. The smoke emissions are created from both the tobacco and the charcoals used to heat the tobacco.⁹ A 2016 New York University (NYU) School of Medicine study found that New York City hookah bars have elevated concentrations of indoor air pollutants, including carbon monoxide, that appear to cause adverse health effects in employees.¹⁰

Furthermore, the number of youth participating in hookah smoking has been increasing.¹¹ Small studies of college students in the United States have found past-year use of hookah ranging from 22 to 40 percent.¹² According to the American Lung Association, in a national survey of 12th graders, 17 percent reported smoking a hookah within the past year.¹³

New York City's Smoke-Free Air Act prohibited smoking in workplaces, including restaurants and bars, but allows the selling and smoking of nontobacco shisha. However, an undercover investigation in 2015 conducted by DOHMH in partnership with NYU found all 13 of the hookah establishments studied were illegally selling shisha-containing tobacco.¹⁴

III. ANALYSIS OF PROPOSED INT. NO. 139-C

This bill would add non-tobacco shisha to the City's Smoke Free Air Act. It would allow existing non-tobacco smoking establishments, often called hookah bars, to continue operating if they derive a majority of their income from hookah-related products, obtain a permit from DOHMH, and meet a variety of requirements and operating standards detailed below.

Non-tobacco smoking establishments would be denied a permit to operate if they were found to be serving tobacco-containing shisha after this bill went into effect. They would also be responsible for reimbursing the

¹ Centers for Disease Control and Prevention, *Smoking & Tobacco Use: Hookahs* (Sept. 14, 2015) http://www.cdc.gov/tobacco/data_statistics/fact_sheets/tobacco_industry/hookahs/

² *Id.*

³ American Lung Association, *Hookah Smoking: A Growing Threat to Public Health*, <http://www.lung.org/assets/documents/tobacco/hookah-policy-brief-updated.pdf>

⁴ *Id.*

⁵ *Id.*

⁶ Jeffrey Norris, *Smoking from Hookah Not a Harmless Alternative to Cigarettes*, University of California San Francisco (Apr. 17, 2013) <https://www.ucsf.edu/news/2013/04/105236/smoking-hookah-not-harmless-alternative-cigarettes>

⁷ Centers for Disease Control and Prevention, *supra* note 1

⁸ *Id.*

⁹ *Id.*

¹⁰ Sherry Zhou et al., *Secondhand hookah smoke: an occupational hazard for hookah bar employees*, *Tobacco Control* (Jan. 25, 2016) <http://tobaccocontrol.bmj.com/content/26/1/40>

¹¹ Centers for Disease Control and Prevention, *supra* note 1

¹² Office of the Surgeon General, *Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General*, U.S. Dept. of Health and Human Services (2012) <http://www.surgeongeneral.gov/library/reports/preventing-youth-tobacco-use/full-report.pdf>

¹³ American Lung Association, *supra* note 3

¹⁴ NYC Department of Health and Mental Hygiene, *Undercover Health Department Investigation Found 13 Hookah Bars in Violation of The Smoke-Free Air Act*, Press Release # 001-15 (Jan. 7, 2015) <https://www1.nyc.gov/site/doh/about/press/pr2015/pr001-15.page>

City for the costs of retaining any experts (i.e. scientists) necessary to prove this violation, which typically would involve testing in a laboratory for the presence of tobacco.

Non-tobacco smoking establishments would have 180 days from the effective date of this bill to apply for a permit to operate. DOHMH would be authorized to charge \$25 for a permit. Permits would be valid for one year and would not be assignable from the original person to whom it is granted. In other words, once that person no longer wished or was no longer able to operate the non-tobacco smoking establishment, they would not be able to transfer the right to do so to another person or entity. Instead, the permit would cease to exist upon its expiration, and no replacement permit would be issued to another person or entity.

In order to obtain a permit under the provisions of the legislation, the establishment would be required to prove that 50% or more of their gross sales in the previous calendar year were from the on-site sale of non-tobacco smoking products, that they have been in operation since before the date of enactment of this local law, they do not owe any penalties for violations of the Smoke Free Air Act or Tobacco Product Regulation Act, and that they have not been found to have served shisha containing tobacco since the effective date of this local law or otherwise had their permit revoked.

Non-tobacco smoking establishments would be required to be open only to individuals of 21 years of age or older, with identification always required for anyone reasonably appearing to be below the age of 30. Penalties for violations of this provision would be \$200 per violation on the first day, \$500 for violations on a subsequent day, and the revocation of the non-tobacco permit of the establishment for second or more violations as well.

Non-tobacco smoking establishments would be required to clean and sanitize the hookah pipes provided to customers in a manner consistent with procedures promulgated by DOHMH by rule.

Proposed Int. No. 139-C would also amend the Mechanical Code to clarify that the ventilation standards for smoking lounges apply to non-tobacco smoking establishments.

Proposed Int. No. 139-C would also amend the Fire Code, which currently prohibits smoking in any commercial space, to allow smoking in non-tobacco smoking establishments in accordance with the other provisions of this bill. Non-tobacco smoking establishments would be required to obtain a permit from FDNY, with solid or liquid flammable and combustible materials under the supervision of a person holding a certificate of fitness from FDNY at all times. Charcoal would be required to be stored in the same manner as solid fuel used for commercial cooking operations, and prepared for use in an enclosed stationary furnace or oven vented to the outdoors, or in an electric heater vented by means of a hood. A fire extinguisher with at least a 5-B rating would be required to be provided in a non-tobacco smoking establishment in each smoking area. Decorations would be required to be flame-resistant in accordance with existing Fire Code flame resistant material standards.

DOHMH would be required under Proposed Int. No. 139-C to education businesses that sell non-tobacco smoking products about their obligations under this bill.

This bill would take effect 180 days after its enactment, except that the education requirements on DOHMH would take effect immediately and be repealed in one year, and the ventilation requirements of the Mechanical Code would take effect in three years.

Technical changes were made to this bill since it was last heard on April 27, 2017.

IV. ANALYSIS OF PROPOSED INT. NO. 1075-A

Proposed Int. No. 1075-A would require signage at non-tobacco smoking establishments. The signage would warn of the health risks associated with smoking, with the size, style and content of the signs set by DOHMH by rule. These signs would be required to be posted in any room or area where smoking is permitted, and at the entrance of the establishment.

This bill would take effect 180 days after its enactment.

This bill changed significantly from when it was previously heard. The previous version of the bill also include a signage requirement, but went further by establishing smoking and non-smoking areas in restaurants that permit the use of non-tobacco shisha. This latter portion of the bill has been removed in the amended version being heard today.

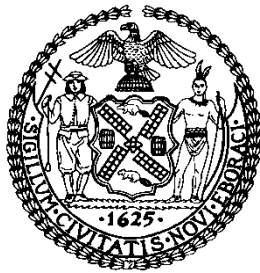
V. ANALYSIS OF PROPOSED INT. NO. 1076-A

Proposed Int. No. 1076-A would raise the minimum age for the purchase of non-tobacco smoking products, including shisha that doesn't contain tobacco and herbal cigarettes that do not contain tobacco from 18 to 21. It would also raise the minimum age for the purchase of pipes, water pipes, rolling papers, and other smoking-related paraphernalia from 18 to 21.

This bill would take effect 180 days after enactment.

Proposed Int. No. 1076-A was amended since it was originally heard to take effect 180 days, rather than 90 days after, enactment, and to include non-tobacco smoking products other than tobacco-free shisha, rolling papers, and pipes. Technical amendments were also made.

(The following is the text of the Fiscal Impact Statement for Int. No. 139-C:)



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

PROPOSED INTRO. NO: 139-C

COMMITTEE: Health

TITLE: A local law to amend the administrative code of the city of New York, in relation to the regulation of non-tobacco smoking products, and to amend the fire code of the city of New York, and the New York city mechanical code, in relation to the operation of non-tobacco hookah establishments

SPONSOR(S): Council Members Gentile, Koo, Vacca, Cabrera, Johnson, Torres, Rodriguez, King, Dromm, Palma, Richards, Treyger, Greenfield, Mendez, Eugene, Barron, Maisel, Salamanca, Lander, Cohen, Rosenthal, Mealy, Miller, Rose, Cumbo, Koslowitz, Vallone and Ulrich

SUMMARY OF LEGISLATION: The proposed legislation would render it unlawful for a person to operate a non-tobacco hookah establishment without a permit from the Department of Health and Mental Hygiene (DOHMH). In order to obtain and renew such a permit, a person would need to demonstrate that the establishment generated fifty percent or more of its total annual gross sales during the preceding calendar year from the on-site sale of non-tobacco smoking products. The person would also need to demonstrate that the establishment had been operating as a non-tobacco hookah establishment since at least the date of enactment of this legislation and had not been found to have served shisha containing tobacco or nicotine during this time. Finally, the person would need to demonstrate that the establishment did not owe a civil penalty or have a revoked permit pertaining to non-tobacco hookah. The local law would give entities that in good faith believe themselves to be non-tobacco hookah establishments 180 days from the date this local law becomes effect to apply to DOHMH for a permit.

The legislation would also render it unlawful for a person to permit an individual under 21 years of age to enter a non-tobacco hookah establishment during operating hours. Entry into such an establishment would be permitted only to an individual who demonstrates, through a driver's license or other photographic identification card issued by a government entity or educational institution, that the individual is at least 21 years of age, unless the individual reasonably appears to be at least thirty years of age. The legislation would establish civil penalties of \$200 for the first violation of this provision and not more than \$200 for each

additional violation found the same day, and \$500 for the second and each subsequent violation at the same place of business, as well as require revocation of the establishment's license for violations of this provision on two or more occasions.

The legislation would also require non-tobacco hookah establishments to clean and sanitize the interior of the bowl, stem, hose, base, and any other part of paraphernalia provided to customers for smoking non-tobacco smoking products, in accordance with rules promulgated by DOHMH. The legislation would establish civil penalties of \$100 for the first violation of this provision and not more than \$100 for each additional violation found the same day, as well as \$200 for each subsequent violation at the same place of business.

Lastly, the legislation amends the New York City mechanical code and the New York City fire code to include and clarify requirements relating to non-tobacco hookah establishments.

EFFECTIVE DATE: This legislation would take effect 180 days after becoming law except that section seventeen (requiring DOHMH to educate businesses about their obligations under the law) takes effect immediately and is deemed repealed one year after it becomes law, section ten (prescribing certain civil penalties) takes effect on the same day as Proposed Intro. 1076-A, and sections twelve and thirteen (making certain changes to the New York City mechanical code) take effect three years after becoming law. Furthermore, the Health Commissioner and Fire Commissioner may take actions, including the promulgation of rules, prior to the effective date of the local law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY 19	Full Fiscal Impact FY18
Revenues	\$3,000	\$0	\$3,000
Expenditures	\$0	\$0	\$0
Net	\$3,000	\$0	\$3,000

IMPACT ON REVENUES: It is anticipated that this legislation would result in approximately \$3,000 in Fiscal 2018. The legislation would enable DOHMH to charge a fee of \$25 dollars for a permit to operate a non-tobacco hookah establishment; this non-transferrable permit would be valid for one year. There were 121 hookah establishments in New York City in 2015, according to a study published in *JMIR Public Health and Surveillance*. Given the 180-day time limit, and assuming an October enactment date, the hookah establishments would apply for a permit in Fiscal 2018 and generate \$3,000.

Although the bill allows for the issuance of civil penalties, the City anticipates full compliance with the legislation and, therefore, does not expect any revenue from violations.

IMPACT ON EXPENDITURES: It is estimated that this bill would not have an impact on expenditures because the relevant City agencies would utilize existing resources to implement and enforce the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Health and Mental Hygiene

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, NYC Council Finance Division
Crilhien R. Francisco, Unit Head, NYC Council Finance Division
Eric Bernstein, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on March 12, 2014 and was referred to the Committee on Health (Committee). The bill was subsequently amended after introduction. The Committee held a hearing on the amended version, Proposed Intro. No. 139-A, on February 25, 2016 and the bill was laid over. The bill was subsequently amended a second time, and the Committee held a second hearing on the amended legislation, Proposed Intro. No. 139-B, on April 27, 2017. The bill was again laid over after this hearing. The bill was subsequently amended a third time, and the Committee will vote on the amended legislation, Proposed Intro. No. 139-C, at a hearing on September 26, 2017. Upon successful vote by the Committee, the full Council will vote on the legislation on September 27, 2017.

DATE PREPARED: September 12, 2017.

(For text of Int. Nos. 1075-A and 1076-A and their Fiscal Impact Statements, please see, respectively, the Reports of the Committee on Health for Int. Nos. 1075-A and 1076-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int. Nos. 139-A, 1075-A, and 1076-A.

(The following is the text of Int. No. 139-C:)

Int. No. 139-C

By Council Members Gentile, Koo, Vacca, Cabrera, Johnson, Torres, Rodriguez, King, Dromm, Palma, Richards, Treyger, Greenfield, Mendez, Eugene, Barron, Maisel, Salamanca, Lander, Mealy, Cohen, Rosenthal, Miller, Rose, Cumbo, Koslowitz, Vallone, Menchaca and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the regulation of non-tobacco smoking products, and to amend the fire code of the city of New York, and the New York city mechanical code, in relation to the operation of non-tobacco hookah establishments

Be it enacted by the Council as follows:

Section 1. Legislative findings. The Council finds that smoking is a leading cause of preventable premature death in New York City, killing thousands of New Yorkers every year and increasing the risks of lung cancer, heart disease, and many other health hazards. The City responded to this threat by enacting the Smoke-Free Air Act in 1988, amending it in 2002 to restrict tobacco smoking in various indoor and outdoor public places, and strengthening it several times since 2002. The Smoke-Free Air Act remains a central part of the City's comprehensive program to reduce exposure to environmental toxicants produced by smoking and to reduce and prevent tobacco use.

Despite substantial progress in reducing both environmental smoke exposure and smoking rates among adults and youth, the use of water-pipes, or hookah smoking, is increasing and threatens the progress the City has made to reduce tobacco use by residents and visitors to the City. The number of establishments in the City advertising hookah on Yelp! is almost five times higher than it was in 2012. Disturbingly, hookah is especially popular among the City's youth. Between 2008 and 2016, the percentage of middle school students in the City who have smoked hookah increased from 2.9 percent to 5.6 percent. As of 2016, the percentage of high school students who have smoked hookah is 16.4 percent. The increase in younger New Yorkers' hookah smoking is particularly troubling because some studies suggest youth who smoke hookah may be more likely to try cigarettes.

The Council finds that hookah smoking, regardless of whether the shisha contains tobacco, poses significant health risks to smokers and nonsmokers, including employees at establishments that serve hookah. All hookah smoking involves burning charcoal, which is used to heat the shisha. The charcoal alone creates health hazards for smokers and those exposed to secondhand smoke by emitting carbon monoxide, fine particulate matter, and various toxicants. In addition, non-tobacco shisha has been shown to emit harmful substances in equal or greater quantities as tobacco-containing shisha, including carbon monoxide, polycyclic aromatic hydrocarbons, fine particulate matter, tar, and volatile aldehydes. While risks associated with non-tobacco hookah smoking are clear, air quality in the City's hookah establishments is complicated further by

evidence that many hookah establishments have been found to be violating the Smoke-Free Air Act by serving shisha that contains tobacco. In addition to the toxicants emitted by non-tobacco shisha, tobacco-containing shisha has been shown to emit phenols, nicotine, and NNAL, a tobacco-specific nitrosamine. Thus, unsuspecting patrons of hookah establishments may be consuming tobacco unwittingly, in addition to the harmful substances emitted by charcoal and tobacco shisha.

The Council further finds that regulating non-tobacco smoking would promote enforcement of the City's Smoke-Free Air Act and Fire Code. Regulating non-tobacco hookah establishments would also likely strengthen the City's ability to promote compliance with the Smoke-Free Air Act by preventing non-tobacco hookah establishments from serving tobacco-containing shisha to unsuspecting consumers. Moreover, reasonable precautionary regulations will minimize the risk that hookah pipes and charcoals may contribute to the creation of fire hazards.

The Council hereby declares that this local law responds to the significant health hazards posed by hookah smoking in the following ways: (1) it protects the integrity of the City's Smoke-Free Air Act, which was intended to provide all New Yorkers with access to clean air in public places and workplaces, by discouraging smoking and reducing exposure to secondhand smoke for nonsmokers; (2) it continues the City's efforts to denormalize smoking and reduce tobacco dependence; and (3) it restricts access to establishments where hookah smoking can take place.

§ 2. Subdivision y of section 17-502 of the administrative code of the city of New York, as amended by local law number 5 for the year 1995, is amended to read as follows:

y. *"Smoking" means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, little cigar, pipe, water pipe, herbal cigarette, non-tobacco smoking product, or any similar form of lighted object or device [which contains tobacco] designed for human use or consumption by the inhalation of smoke.*

§ 3. Section 17-502 of the administrative code of the city of New York is amended by adding new subdivisions zz and aaa to read as follows:

zz. *"Non-tobacco smoking product" means any product that does not contain tobacco or nicotine and that is designed for human use or consumption by the inhalation of smoke, including but not limited to (i) pipes, water pipes, rolling papers, and any other component, part, or accessory of such product and (ii) shisha, as defined in subdivision z of section 17-702, provided that such shisha does not contain tobacco or nicotine.*

aaa. *"Non-tobacco hookah establishment" means an establishment that, as of the date of enactment of the local law that added this subdivision, generated fifty percent or more of its total annual gross sales during the preceding calendar year from the on-site sale of non-tobacco smoking products, and that has a permit issued by the department pursuant to section 17-513.5.*

§ 4. Paragraph 6 of subdivision a of section 17-503 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, is amended to read as follows:

6. Business establishments (other than retail tobacco stores) including, but not limited to, banks and other financial institutions, catering halls, offices where trade or vocational activity occurs or professional or consumer services are rendered and non-profit entities, including religious institutions; provided however, that this paragraph shall not apply to membership associations, *and provided further, however, that this paragraph shall not apply to the smoking of non-tobacco smoking products in non-tobacco hookah establishments.*

§ 5. Section 17-508 of the administrative code of the city of New York is amended by adding new subdivisions l and m to read as follows:

l. *When a person who has been issued a permit to operate a non-tobacco hookah establishment has been found to have been in violation of subdivision a of section 17-508 or subdivision 1 of section 1399-s of the public health law, the commissioner shall revoke the permit issued to such person to operate such non-tobacco hookah establishment.*

m. *A non-tobacco hookah establishment found to be in violation of subdivision a of section 17-508 or subdivision 1 of section 1399-s of the public health law shall be responsible for any expert costs relating to proving such violation. The recovery of the costs authorized by this subdivision shall be in addition to any other penalties imposed by this section or by any other provision of law.*

§ 6. The heading of section 17-513.1 of the administrative code of the city of New York, as added by local law number 47 for the year 2002, is amended to read as follows:

§ 17-513.1 Effective dates for membership associations, owner operated bars, [and] tobacco bars *and non-tobacco hookah establishments.*

§ 7. Section 17-513.1 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. Any entity that in good faith believes itself to be a non-tobacco hookah establishment shall have 180 days from the effective date of the local law that added this subdivision to apply to the department for a permit as a non-tobacco hookah establishment. No permit application shall be approved by the department for any entity that fails to meet any requirement for a permit contained in subdivision g of section 17-513.5. During the period of time from the effective date of the local law that added this subdivision until the expiration of 180 days, no provision of the local law that added this subdivision, except for the provisions of this section, shall apply to such entity.

§ 8. Chapter 5 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-513.5 to read as follows:

§ 17-513.5 Non-tobacco hookah establishments.

a. It shall be unlawful for a person to operate a non-tobacco hookah establishment without a permit from the department.

b. A permit issued pursuant to this section shall be valid for one year.

c. A permit issued pursuant to this section is not assignable or transferrable.

d. Where any person becomes the beneficial owner of 10 percent or more of the stock of an organization to which a permit has been granted pursuant to this section, if such person previously did not hold at least a 10 percent interest, such permit shall immediately become void.

e. Any permit issued pursuant to this section shall immediately become void upon the addition or termination of any general partner or upon the dissolution of a partnership that owns a non-tobacco hookah establishment.

f. The department may charge a fee of \$25 for a permit issued pursuant to this section.

g. To obtain and renew a permit issued pursuant to this section for a non-tobacco hookah establishment, a person shall demonstrate that:

1. such non-tobacco hookah establishment generated 50 percent or more of its total annual gross sales during the preceding calendar year from the on-site sale of non-tobacco smoking products;

2. such non-tobacco hookah establishment has been operating as a non-tobacco hookah establishment since at least the date of enactment of the local law that created this section, and has not expanded its size or changed its location on or after the date of enactment of the local law that added this section;

3. such non-tobacco hookah establishment has not been found to have served shisha containing tobacco or nicotine, in violation of subdivision a of section 17-508 or subdivision 1 of section 1399-s of the public health law, after the effective date of the local law that added this section;

4. such non-tobacco hookah establishment does not owe a civil penalty for a violation of any provision of this chapter or of chapter 7 of title 17; and

5. the permit of such non-tobacco hookah establishment issued pursuant to this section has not been revoked pursuant to subdivision l of section 17-508 or subdivision b of section 17-716.

§ 9. The heading of subchapter 2 of chapter 7 of title 17 of the administrative code of the city of New York, as amended by local law number 69 for the year 2009, is amended to read as follows:

SUBCHAPTER 2

REGULATION OF THE SALE OF FLAVORED TOBACCO PRODUCTS AND REGULATION OF AGE OF ENTRY TO NON-TOBACCO HOOKAH ESTABLISHMENTS

§ 10. Section 17-716 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 2017 amending the administrative code of the city of New York, in relation to prohibiting the sale of non-tobacco smoking products to minors and young adults, and repealing subdivision f of section 17-713 and section 17-714 of the administrative code of the city of New York, relating to the sale of herbal cigarettes to individuals under eighteen years of age, as proposed in introduction number 1076-A for the year 2016, is amended by adding new subdivisions b and c to read as follows:

b. Any person who violates subdivision a of section 17-719 shall be liable for a civil penalty of two hundred dollars for the first violation, and not more than two hundred dollars for each additional violation

found on the same day; and five hundred dollars for the second violation and each subsequent violation at the same place of business. A proceeding to recover any such civil penalty shall be commenced by the service of a notice of violation returnable to any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings. When a person has been found to be in violation of subdivision a of section 17-719 on two or more occasions at a non-tobacco hookah establishment, the commissioner shall revoke the non-tobacco hookah establishment permit issued to such person pursuant to section 17-513.5.

c. Any person found to be in violation of subdivision b of section 17-719 shall be liable for a civil penalty of one hundred dollars for the first violation and not more than one hundred dollars for each additional violation found on the same day, and two hundred dollars for each subsequent violation at the same place of business. A proceeding to recover any such civil penalty shall be commenced by the service of a notice of violation returnable to any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

§ 11. Chapter 7 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-719 to read as follows:

§ 17-719 Requirements relating to non-tobacco hookah establishments.

a. It shall be unlawful for a person to permit an individual under 21 years of age to enter a non-tobacco hookah establishment during operating hours. Entry into such non-tobacco hookah establishment shall be permitted only to an individual who demonstrates, through a driver's license or other photographic identification card issued by a government entity or educational institution, that the individual is at least 21 years of age. Such identification need not be required of any individual who reasonably appears to be at least 30 years of age, provided, however, that such appearance shall not constitute a defense in any proceeding alleging the granting of permission to enter such an establishment to an individual under 21 years of age.

b. Non-tobacco hookah establishments, as defined in section 17-502, shall clean and sanitize the interior of the bowl, stem, hose, base, and any other part of paraphernalia provided to customers for smoking non-tobacco smoking products, as defined in section 17-502, in accordance with rules promulgated by the department.

§ 12. Section 403.3 of the New York city mechanical code, as amended by local law number 141 for the year 2013, is amended to read as follows:

403.3 Outdoor airflow rate. Ventilation systems shall be designed to have the capacity to supply the minimum outdoor airflow rate determined in accordance with this section. The occupant load utilized for design of the ventilation system shall not be less than the number determined from the estimated maximum occupant load rate indicated in Table 403.3. Ventilation rates for occupancies not represented in Table 403.3 shall be those for a listed occupancy classification that is most similar in terms of occupant density, activities and building construction; or shall be determined by an approved engineering analysis. The ventilation system shall be designed to supply the required rate of ventilation air continuously during the period the building is occupied, except as otherwise stated in other provisions of the code.

With the exception of [smoking lounges] *non-tobacco hookah establishments*, the ventilation rates in Table 403.3 are based on the absence of smoking in occupiable spaces. Where smoking is anticipated in a space other than a [smoking lounge] *non-tobacco hookah establishment*, the ventilation system serving the space shall be designed to provide ventilation over and above that required by Table 403.3 in accordance with accepted engineering practice.

§ 13. Table 403.3 of the New York city mechanical code is amended to read as follows:

OCCUPANCY CLASSIFICATION	PEOPLE OUTDOOR AIRFLOW RATE	AREA OUTDOOR AIRFLOW RATE	DEFAULT OCCUPANT DENSITY #/1000	EXHAUST AIRFLOW RATE CFM/FT ^{2a}
Correctional facilities				
Cells without plumbing fixtures	5	0.12	25	—

with plumbing fixtures ^g	5	0.12	25	1.0
Dining halls (see food and beverage service)	—	—	—	—
Guard stations	5	0.06	15	—
Day room	5	0.06	30	—
Booking/waiting	7.5	0.06	50	—
Dry cleaners, laundries				
Coin-operated dry cleaner	15	—	20	—
Coin-operated laundries	7.5	0.06	20	—
Commercial dry cleaner ¹	30	—	30	—
Commercial laundry	25	—	10	—
Storage, pick up	7.5	0.12	30	—
Education				
Auditoriums	5	0.06	150	—
Corridors (see public spaces)	—	—	—	—
Media center	10	0.12	25	—
Sports locker rooms ^g	—	—	—	0.5
Music/theater/dance	10	0.06	35	—
Smoking lounges ^b	60	—	70	—
Day care (through age 4)	10	0.18	25	—
Classrooms (ages 5-8)	10	0.12	25	—
Classrooms (age 9 plus)	10	0.12	35	—
Lecture classroom	7.5	0.06	65	—
Lecture hall (fixed seats)	7.5	0.06	150	—
Art classroom	10	0.18	20	0.7
Science laboratories ^{g, k}	10	0.18	25	1.0
Wood/metal shops ^g	10	0.18	20	0.5
Computer lab	10	0.12	25	—
Multiuse assembly	7.5	0.06	100	—
Locker/dressing rooms ^g	—	—	—	0.25
Food and beverage service				
Bars, cocktail lounges	7.5	0.18	100	—
Cafeteria, fast food	7.5	0.18	100	—
Dining rooms	7.5	0.18	70	—
Kitchens (cooking) ^b	—	—	—	0.7
<u>Non-tabacco smoking establishments^b</u>	<u>60</u>	<u>—</u>	<u>70</u>	<u>—</u>
Hospitals, nursing and convalescent homes				
Autopsy rooms ^b	—	—	—	0.5
Medical procedure rooms	15	—	20	—
Operating rooms	30	—	20	—
Patient rooms	25	—	10	—
Physical therapy	15	—	20	—
Recovery and ICU	15	—	20	—
Hotels, motels, resorts and dormitories				

Multipurpose assembly	5	0.06	120	—
Bathrooms/toilet—private ^g	—	—	—	25/50 ^f
Bedroom/living room	5	0.06	10	—
Conference/meeting	5	0.06	50	—
Dormitory sleeping areas	5	0.06	20	—
Gambling casinos	7.5	0.18	120	—
Lobbies/prefunction	7.5	0.06	30	—
Laboratories^j				
Biological	—	1.0	—	1.0
Chemical	—	1.0	—	1.0
Industrial and nonteaching	—	1.0	—	1.0
Nonproduction chemical labs	—	1.0	—	1.0
Offices				
Conference rooms	5	0.06	50	—
Office spaces	5	0.06	5	—
Reception areas	5	0.06	30	—
Telephone/data entry	5	0.06	60	—
Main entry lobbies	5	0.06	10	—
Private dwellings, single and multiple				
Garages, common for multiple	—	—	—	0.75
Garages, separate for each dwelling ^b	—	—	—	100 cfm per car
Kitchens ^b	—	—	—	25/100 ^f
Living areas ^{c,i}	0.35 ACH but not less than 15 cfm/person	—	Based upon number of bedrooms. First bedroom, 2; each additional bedroom, 1	—
Toilet rooms and bathrooms ^g	—	—	—	20/50 ^f
Public spaces				
Corridors	—	0.06	—	—
Elevator car	—	—	—	1.0
Shower room (per shower head) ^g	—	—	—	50/20 ^f
Smoking lounges ^b	60	—	70	—
Toilet rooms – public ^g	—	—	—	50/70 ^e
Places of religious worship	5	0.06	120	—
Courtrooms	5	0.06	70	—
Legislative chambers	5	0.06	50	—
Libraries	5	0.12	10	—

Museums (children's)	7.5	0.12	40	—
Museums/galleries	7.5	0.06	40	—
Retail stores, sales floors and showroom floors				
Sales (except as below)	7.5	0.12	15	—
Dressing rooms	—	—	—	0.25
Mall common areas	7.5	0.06	40	—
Shipping and receiving	—	0.12	—	—
Smoking lounges <u>and non-tobacco smoking establishments^b</u>	60	—	70	—
Storage rooms	—	0.12	—	—
Warehouses (see storage)	—	—	—	—
Specialty shops				
Automotive motor-fuel dispensing	—	—	—	1.5
Barber	7.5	0.06	25	0.5
Beauty and nail salons ^{b, h}	20	0.12	25	0.6
Embalming room ^b	—	—	—	2.0
Pet shops (animal areas) ^b	7.5	0.18	10	0.9
Supermarkets	7.5	0.06	8	—
Sports and amusement				
Disco/dance floors	20	0.06	100	—
Bowling alleys (seating areas)	10	0.12	40	—
Game arcades	7.5	0.18	20	—
Ice arenas without combustion	—	0.30	—	0.5
Gym, stadium, arena (play area)	—	0.30	—	—
Spectator areas	7.5	0.06	150	—
Swimming pools (pool and deck)	—	0.48	—	—
Health club/aerobics room	20	0.06	40	—
Health club/weight room	20	0.06	10	—
Storage				
Repair garages, enclosed parking	—	—	—	0.75
Warehouses	—	0.06	—	—
Theaters				
Auditoriums (see education)	—	—	—	—
Lobbies	5	0.06	150	—
Stages, studios	10	0.06	70	—
Ticket booths	5	0.06	60	—
Transportation				
Platforms	7.5	0.06	100	—
Transportation waiting	7.5	0.06	100	—
Workrooms				
Bank vaults/safe deposit	5	0.06	5	—
Darkrooms	—	—	—	1.0
Copy, printing rooms	5	0.06	4	0.5
Meat processing ^c	15	—	10	—
Pharmacy (prep. area)	5	0.18	10	—
Photo studios	5	0.12	10	—
Computer (without printing)	5	0.06	4	—

For SI: 1 cubic foot per minute = 0.0004719 m³/s, 1 ton = 908 kg, 1 cubic foot per minute per square foot = 0.00508m³/(s m²),

$C = ((F) - 32) / 1.8$, 1 square foot = 0.0929m².

- a. Based upon net occupiable floor area.
- b. Mechanical exhaust required and the recirculation of air from such spaces is prohibited (see Section 403.2.1, Item 4).
- c. Spaces unheated or maintained below 50°F are not covered by these requirements unless the occupancy is continuous.
- d. Ventilation systems in enclosed parking garages shall comply with Section 404.
- e. Rates are per water closet or urinal. The higher rate shall be provided where periods of heavy use are expected to occur, such as toilets in theaters, schools and sports facilities. The lower rate shall be permitted where periods of heavy use are not expected.
- f. Rates are per room unless otherwise indicated. The higher rate shall be provided where the exhaust system is designed to operate intermittently. The lower rate shall be permitted where the exhaust system is designed to operate continuously during normal hours of use.
- g. Mechanical exhaust is required and recirculation is prohibited.
- h. For nail salons, the required exhaust shall include ventilation tables or other systems that capture the contaminants and odors at their source and are capable of exhausting a minimum of 50 cfm/ft² per station.
- i. For R-2 buildings less than 125 feet in height, outdoor ventilation air provided by mechanical means serving dwelling units designed to exceed 100 cfm per dwelling unit, whether intermittent or continuous, shall be required. For buildings 125 feet and greater, outdoor ventilation air shall be provided by mechanical means when the sum of the exhaust designed to exceed 75 cfm, whether continuous or intermittent, per dwelling unit. Manually operated openable exterior wall openings shall not be used to provide outside ventilation air except where calculations are submitted showing that such openings are located at or below the lowest calculated neutral pressure plane (calculated at the winter outdoor design temperature, and taking into account a composite mass flow air balance of the building including all mechanical systems.)
- j. During unoccupied hours the ventilation rate and exhaust rates may be reduced to 0.5 cfm/ft².
- k. When an educational science laboratory is occupied and hoods are not in use and hazardous materials are not present, then ventilation rates shall be consistent with actual use of the space, but not less than 0.5 cfm/ft².

1. See Section 502.6 for additional requirements.

§ 14. Section 105.6 of chapter 1 of the New York city fire code, as amended by local law number 148 for the year 2013, is amended by adding the following permit to the list of required permits, to read as follows:

Non-tobacco hookah establishments. A permit is required to maintain or operate a non-tobacco hookah establishment pursuant to Chapter 5 of Title 17 of the Administrative Code and FC310.7.

§ 15. Section 310.2 of chapter 3 of the New York city fire code, as amended by local law number 148 for the year 2013, is amended to read as follows:

310.2 Prohibitions. It shall be unlawful to:

1. smoke in any area in which smoking is prohibited, as set forth in this section or elsewhere in this code.
2. place or discard, or cause to be placed or discarded, any lighted pipe, cigar, cigarette or other type of smoking paraphernalia or material where it can cause the ignition of combustible material or combustible waste, or otherwise cause an unwanted fire.
3. smoke in any building, structure, premises or part thereof where flammable or combustible materials or explosives are manufactured, stored, handled, used or transported.
4. smoke in the following occupancies and spaces:
 - 4.1. Cellars and basements, except in R-3 occupancies.
 - 4.2. Group A occupancies and public gathering places, *except for smoking non-tobacco smoking products in a non-tobacco hookah establishment in accordance with FC310.7.*
 - 4.3. Group M occupancies, *except for smoking non-tobacco smoking products in a non-tobacco hookah establishment in accordance with FC310.7.*

4.4. Hospitals, nursing homes, rehabilitation facilities and similar medical facilities housing the ill, aged and infirm[, except within designated smoking rooms when in compliance with the requirements of the Title 17 of the Administrative Code, the New York City Health Code and rules promulgated by the commissioner].

4.5. On any bulkhead, dock, drydock, shipyard, pier, wharf, warehouse or shed on the waterfront.

4.6. On board any ship, barge, ferry, lighter, carfloat, scow, and all other similar floating watercraft or equipment whether berthed or moored at a dock, wharf, pier, or to a marine vessel made fast thereto or in a shipyard.

4.7. Factories as set forth in Section 283 of the New York State Labor Law.

4.8. As otherwise prohibited by this code or the rules.

§ 16. Section 310.7 of chapter 3 of the New York city fire code, as added by local law number 26 for the year 2008, is amended to read as follows:

310.7 [Reserved] Non-tobacco hookah establishments. *Smoking of non-tobacco smoking products is allowed in non-tobacco hookah establishments lawfully operating pursuant to Chapter 5 of Title 17 of the Administrative Code (as those terms are defined therein), provided that such establishments are designed, installed, operated and maintained in accordance with the following requirements:*

310.7.1. Permits. *Permits shall be required as set forth in FC105.6.*

310.7.2 Supervision. *The storage of coal and other solid or liquid flammable and combustible materials in non-tobacco hookah establishments shall be under the general supervision of a person holding a certificate of fitness. The handling and use of charcoal and other solid or liquid flammable and combustible materials in non-tobacco hookah establishments shall be under the personal supervision of a person holding a certificate of fitness.*

310.7.3 Use of charcoal or other material for smoking paraphernalia. *Where smoking paraphernalia requires the use of lighted charcoal or any other solid or liquid flammable or combustible material, such material shall be stored, handled and used in accordance with this section and the rules.*

310.7.3.1 Smoking paraphernalia. *Smoking paraphernalia shall comply with such safety measures as may be prescribed in the rules to minimize the risk of fire associated with the use of such paraphernalia.*

310.7.3.2 Storage of charcoal. *Charcoal shall be stored in the same manner as solid fuel used for commercial cooking operations, as set forth in FC 609.5.2 and the rules. Other flammable or combustible materials shall be stored in compliance with the requirements of this code or the rules.*

310.7.3.3 Preparation, handling and disposal of charcoal and other materials. *Charcoal shall be prepared for use in an enclosed stationary furnace or oven vented to the outdoors in accordance with the Construction Codes, in an approved vessel heated by an electric element and vented by means of a hood, or in a room with an approved ventilation system, as set forth in the rules. Lighted charcoal and ashes, cinders and other fire debris, and other combustible waste shall be handled and disposed of in such manner as may be prescribed in the rules to minimize the risk of fire.*

310.7.3.4 Portable fire extinguishers. *In addition to complying with the requirements of FC906, a portable fire extinguisher with at least a 5-B rating shall be provided and maintained in a non-tobacco hookah establishment in the charcoal preparation area and in each area in which non-tobacco smoking products are smoked.*

310.7.3.5 Decorations. *Decorations in non-tobacco hookah establishments shall be flame-resistant in accordance with FC805 and the rules.*

§ 17. The department of health and mental hygiene shall educate businesses that sell non-tobacco smoking products, as defined in subdivision zz of section 17-502 of the administrative code of the city of New York, or which permit the smoking of such non-tobacco smoking products, about their obligations pursuant to this local law and any rules promulgated thereto.

§ 18. This local law takes effect 180 days after it becomes law, except that:

(i) section seventeen of this local law takes effect immediately, and is deemed repealed 1 year after it becomes law;

(ii) subdivision b of section 17-716 of the administrative code of the city of New York, as added by section ten of this local law, takes effect on the same day as a local law for the year 2017 amending the administrative code of the city of New York in relation to prohibiting the sale of non-tobacco smoking products to minors and young adults, and repealing subdivision f of section 17-713 and section 17-714 of the

administrative code of the city of New York, relating to the sale of herbal cigarettes to individuals under eighteen years of age, as proposed in introduction number 1076-A for the year 2016, takes effect;

(iii) section 403.3 of the New York city mechanical code and table 403.3 of such mechanical code, as amended by sections twelve and thirteen of this local law, respectively, take effect 3 years after enactment of this local law; and

(iv) the department of health and mental hygiene and the fire commissioner may take such actions, including the promulgation of rules, as are necessary for timely implementation of this local law, prior to the effective date of this local law.

COREY D. JOHNSON, *Chairperson*; ROSIE MENDEZ, JAMES VACCA, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, INEZ D. BARRON; Committee on Health, September 26, 2017. *Other Council Members Attending: Council Members Gentile, Kallos and Rodriguez*

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. 1075-A

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring signage warning of the health risks associated with smoking shisha.

The Committee on Health, to which the annexed proposed amended local law was referred on February 5, 2016 (Minutes, page 332), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 139-C printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1075-A:



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

PROPOSED INTRO. NO.: 1075-A

COMMITTEE: Health

TITLE: A local law to amend the administrative code of the city of New York, in relation to requiring signage warning of the health risks associated with smoking shisha

SPONSOR(S): Council Members Rodriguez and Vacca

SUMMARY OF LEGISLATION: The proposed legislation would require every non-tobacco hookah establishment to prominently and conspicuously display at its entrance, and in any room or area where non-tobacco smoking products are smoked, a sign warning of the health risks associated with smoking non-tobacco smoking products. Regarding the size, style, and content of such signs, the bill would require these establishments to adhere to rules promulgated by the commissioner of the Department of Health and Mental Hygiene (DOHMH).

EFFECTIVE DATE: This legislation would take effect 180 days after becoming law, except that DOHMH may take such measures as are necessary for the implementation of the law prior to such date, including the promulgation of rules.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that this legislation would not have an impact on revenues.

IMPACT ON EXPENDITURES: It is estimated that this bill would not have an impact on expenditures because DOHMH would utilize existing resources to implement the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Health and Mental Hygiene

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, NYC Council Finance Division
Crielhien R. Francisco, Unit Head, NYC Council Finance Division
Eric Bernstein, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on February 5, 2016 and was referred to the Committee on Health (Committee). The Committee held a hearing on February 25, 2016 and the bill was laid over. The bill was subsequently amended, and the Committee will vote on the amended legislation, Proposed Int. No. 1075-A, at a hearing on September 26, 2017. Upon successful vote by the Committee, the full Council will vote on the legislation on September 27, 2017.

DATE PREPARED: September 12, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1075-A:)

Int. No. 1075-A

By Council Members Rodriguez, Vacca, Rosenthal, Levine and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to requiring signage warning of the health risks associated with smoking shisha

Be it enacted by the Council as follows:

Section 1. Legislative findings. The Council finds that smoking is a leading cause of preventable premature death in New York City, killing thousands of New Yorkers every year and increasing the risks of lung cancer, heart disease, and many other health hazards.

Despite substantial progress in reducing both environmental smoke exposure and smoking rates among adults and youth, the use of water-pipes, or hookah smoking, is increasing and threatens the progress the City has made to reduce tobacco use by residents and visitors to the City. The Council finds that hookah smoking, regardless of whether the shisha contains tobacco, poses significant health risks to smokers and nonsmokers, including employees at establishments that serve hookah. Studies show that hookah smokers often poorly understand or underestimate the associated risks, particularly youth users. Common misconceptions regarding hookah include the following: shisha does not contain tobacco, shisha is not addictive, water filters out harmful chemicals, and hookah smoking is a healthy alternative to cigarettes. Based on the effectiveness of health warnings in other settings, the Council finds that health warnings in establishments serving hookah are an effective way to educate consumers about the risks associated with smoking hookah. Placing these warnings inside establishments serving hookah may correct common misperceptions regarding these risks.

The Council hereby declares that this local law responds to the significant health hazards posed by hookah smoking by providing for factual warnings and education on the health hazards posed by hookah smoking.

§ 2. Section 17-506 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. A non-tobacco hookah establishment shall prominently and conspicuously display at its entrance, and in any room or area where non-tobacco smoking products are smoked, a sign warning of the health risks associated with smoking non-tobacco smoking products. The size, style, and content of such signs shall be determined in accordance with rules promulgated by the commissioner.

§ 3. This local law takes effect 180 days after it becomes law, except that the department of health and mental hygiene may take such actions, including the promulgation of rules, as are necessary for the timely implementation of this local law, prior to such effective date.

COREY D. JOHNSON, *Chairperson*; ROSIE MENDEZ, JAMES VACCA, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, INEZ D. BARRON; Committee on Health, September 26, 2017. *Other Council Members Attending: Council Members Gentile, Kallos and Rodriguez.*

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. 1076-A

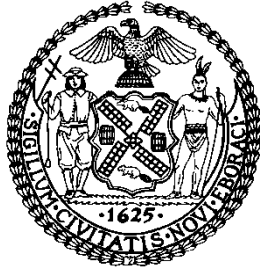
Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of non-tobacco smoking products to minors and young adults, and to repeal subdivision f of section 17-713 and section 17-714 of the administrative code of the city of New York, relating to the sale of herbal cigarettes to individuals under eighteen years of age.

The Committee on Health, to which the annexed proposed amended local law was referred on February 5, 2016 (Minutes, page 332), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 139-C printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1076-A:



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

PROPOSED INTRO. NO: 1076-A

COMMITTEE: Health

TITLE: A local law to amend the administrative code of the city of New York, in relation to prohibiting the sale of non-tobacco smoking products to minors and young adults, and to repeal subdivision f of section 17-713 and section 17-714 of the administrative code of the city of New York, relating to the sale of herbal cigarettes to individuals under eighteen years of age

SPONSOR(S): Council Members Rodriguez, Vacca, Gentile and Vallone

SUMMARY OF LEGISLATION: The proposed legislation would prohibit any person operating a place of business wherein non-tobacco smoking products are sold from selling non-tobacco smoking products to individuals under twenty-one years of age. In order to purchase such products, the bill would require an individual to demonstrate, through a driver's license or other photographic identification card issued by a government entity or educational institution, that he or she is at least twenty-one years of age, unless the individual reasonably appears to be at least thirty years of age. Such appearance would not constitute a defense in any proceeding alleging the sale of non-tobacco smoking products to an individual under twenty-one years of age. The legislation would also require these establishments to post in a conspicuous place a sign, in accordance with the rules of the Department of Health and Mental Hygiene (DOHMH), advising persons about the minimum age requirements for the purchase of non-tobacco smoking products.

EFFECTIVE DATE: This legislation would take effect 180 days after becoming law except that DOHMH may take such measures as are necessary for the implementation of the law prior to such date, including the promulgation of rules.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that this legislation would not have an impact on revenues.

IMPACT ON EXPENDITURES: It is estimated that this bill would not have an impact on expenditures because DOHMH would utilize existing resources to implement the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Health and Mental Hygiene

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, NYC Council Finance Division
Crielhien R. Francisco, Unit Head, NYC Council Finance Division
Eric Bernstein, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on February 5, 2016 and was referred to the Committee on Health (Committee). The Committee held a hearing on February 25, 2016 and the bill was laid over. The bill was subsequently amended, and the Committee will vote on the amended legislation, Proposed Int. No. 1075-A, at a hearing on September 26, 2017. Upon successful vote by the Committee, the full Council will vote on the legislation on September 27, 2017.

DATE PREPARED: September 12, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1076-A:)

Int. No. 1076-A

By Council Members Rodriguez, Vacca, Gentile, Vallone, Rosenthal, Levine and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of non-tobacco smoking products to minors and young adults, and to repeal subdivision f of section 17-713 and section 17-714 of the administrative code of the city of New York, relating to the sale of herbal cigarettes to individuals under eighteen years of age

Be it enacted by the Council as follows:

Section 1. Section 17-702 of the administrative code of the city of New York is amended by adding new a subdivision cc to read as follows:

cc. "Non-tobacco smoking product" means any product that does not contain tobacco or nicotine and that is designed for human use or consumption by the inhalation of smoke, including but not limited to (i) pipes, water pipes, rolling papers, and any other component, part, or accessory of such product and (ii) shisha, as defined in subdivision (z) of this section, provided that such shisha does not contain tobacco or nicotine.

§ 2. Section 17-706 of the administrative code of the city of New York, as amended by local law number 144 for the year 2017, is amended to read as follows:

§ 17-706 Sale of cigarettes, tobacco products, liquid nicotine, [or] electronic cigarettes, *or non-tobacco smoking products* to minors and young adults prohibited.

a. Any person operating a place of business wherein cigarettes, tobacco products, or liquid nicotine are sold or offered for sale is prohibited from selling such cigarettes, tobacco products, or liquid nicotine to

individuals under twenty-one years of age. Sale of cigarettes, tobacco products, or liquid nicotine in such places shall be made only to an individual who demonstrates, through a driver's license or other photographic identification card issued by a government entity or educational institution, that the individual is at least twenty-one years of age. Such identification need not be required of any individual who reasonably appears to be at least thirty years of age, provided, however, that such appearance shall not constitute a defense in any proceeding alleging the sale of cigarettes, tobacco products, or liquid nicotine to an individual under twenty-one years of age.

a-1. Any person operating a place of business wherein electronic cigarettes are sold or offered for sale is prohibited from selling such electronic cigarettes to individuals under twenty-one years of age. Sales of electronic cigarettes in such places shall be made only to an individual who demonstrates, through a driver's license or other photographic identification card issued by a government entity or educational institution, that the individual is at least twenty-one years of age. Such identification need not be required of any individual who reasonably appears to be at least thirty years of age, provided, however, that such appearance shall not constitute a defense in any proceeding alleging the sale of electronic cigarettes to an individual under twenty-one years of age.

b. Any person operating a place of business wherein non-tobacco [shisha, pipes, or rolling papers] *smoking products* are sold or offered for sale is prohibited from selling such non-tobacco [shisha, pipes, or rolling papers] *smoking products* to individuals under [eighteen] *twenty-one* years of age. Sale of non-tobacco [shisha, pipes, or rolling papers] *smoking products* in such places shall be made only to an individual who demonstrates, through a driver's license or other photographic identification card issued by a government entity or educational institution, that the individual is at least [eighteen] *twenty-one* years of age. Such identification need not be required of any individual who reasonably appears to be at least [twenty-five] *thirty* years of age, provided, however, that such appearance shall not constitute a defense in any proceeding alleging the sale of non-tobacco [shisha, pipes, or rolling papers] *smoking products* to an individual under [eighteen] *twenty-one* years of age.

c. Any person operating a place of business wherein cigarettes, tobacco products, liquid nicotine, electronic cigarettes, [herbal cigarettes, non-tobacco shisha, pipes, or rolling papers] *or non-tobacco smoking products* are sold or offered for sale shall post in a conspicuous place a sign, in accordance with the rules of the department, advising persons about the minimum age requirements for the purchase of such items.

§ 3. Subdivision f of section 17-713 of the administrative code of the city of New York is REPEALED.

§ 4. Section 17-714 of the administrative code of the city of New York is REPEALED.

§ 5. Section 17-716 of the administrative code of the city of New York, as amended by local law number 146 for the year 2017, is amended to read as follows:

§ 17-716 Violations and penalties. a. [Any person who violates section 17-714 of this subchapter or any rules promulgated hereunder shall be liable for a civil penalty of not less than five hundred dollars, nor more than two thousand dollars for each violation.

b.] Any person who violates section 17-715 of this subchapter shall be liable for a civil penalty of not more than one thousand dollars for the first violation, and not more than one thousand dollars for each additional violation found on that day; and not more than two thousand dollars for the second violation at the same place of business within a three-year period, and not more than two thousand dollars for each additional violation found on that day; and not more than five thousand dollars for the third and all subsequent violations at the same place of business within a three-year period. In addition, for a third violation occurring on a different day and all subsequent violations occurring on different days at the same place of business within a three-year period, any person who engages in business as a retail dealer, as such term is defined in section 20-201, shall be subject to the mandatory suspension of his or her license, issued pursuant to section 20-202, for such place of business, for a period not to exceed one year. Such license shall be suspended at the same hearing at which a retail dealer is found liable for a third violation or subsequent violations at the same place of business within a three-year period.

§ 6. Paragraph 3 of subdivision a of section 20-206 of the administrative code of the city of New York, as amended by local law number 95 for the year 2015, is amended to read as follows:

3. violated the provisions of *subdivision a or b of section [17-714] 17-706* of this code or any rules promulgated thereunder; or

§ 7. This local law takes effect 180 days after it becomes law, except that the department of health and mental hygiene may take such actions, including the promulgation of rules, as are necessary for the timely implementation of this local law, prior to such effective date.

COREY D. JOHNSON, *Chairperson*; ROSIE MENDEZ, JAMES VACCA, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, INEZ D. BARRON; Committee on Health, September 26, 2017. *Other Council Members Attending: Council Members Gentile, Kallos and Rodriguez.*

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. 934-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 the creation of a real time enforcement unit in the department of buildings.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on September 30, 2015 (Minutes, page 3582), respectfully

REPORTS:

Introduction

On September 19, 2017, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, will hold a hearing for the purposes of conducting a vote on Proposed Int. No. 934-A, Proposed Int. No. 1359-A, Proposed Int. No. 1366-A and Proposed Int. No. 1447-C.

The Committee previously heard Int. No. 934 on April 18, 2016 and received testimony from representatives of the Department of Buildings (DOB), the Manhattan Borough President, housing advocates, legal services providers and members of the real estate industry. More information about this bill is available online at <https://goo.gl/RKMT8e>.

The Committee previously heard Int. No. 1359 and Int. No. 1366 on November 22, 2016 and received testimony from representatives of the Department of Housing Preservation and Development (HPD), the Department of Finance, housing advocates, legal services providers and members of the real estate industry. More information about these bills is available online at <https://goo.gl/wxyU73>.

The Committee previously heard Int. No. 1447 on January 31, 2017 and received testimony from representatives of DOB, members of the real estate and construction industries, and other interested members of the public. More information about this bill is available online at <https://goo.gl/VG8sRm>.

Proposed Int. No. 934-A

This bill would create a Real Time Enforcement Unit (RTEU) in DOB. The RTEU is tasked with monitoring occupied multiple dwellings with permits for alteration of 10% or more of existing floor surface area of the building, or an addition to the building. The RTEU will also inspect immediately hazardous complaints related to work without a permit in occupied dwellings within 12 hours, and for all other complaints related to work without a permit in occupied dwellings, such inspections shall be conducted within ten days of receipt of the complaint. The RTEU shall also conduct initial inspections of 5% of occupied multiple dwellings with valid permits for an alteration or addition within 20 days of commencement of work. This legislation takes effect 120 days after it becomes law.

Proposed Int. No. 1359-A

This bill would require HPD to audit buildings receiving benefits under the 421-a tax exemption program to determine whether such buildings are complying with the applicable affordability requirements. This legislation takes effect one year after it becomes law.

Proposed Int. No. 1366-A

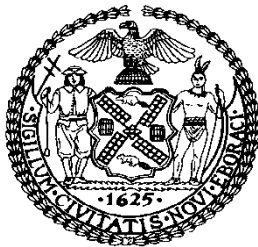
This bill would require HPD to audit buildings receiving benefits under the 421-a tax exemption program to determine whether such buildings are in compliance with applicable rent registration requirements. This legislation takes effect one year after it becomes law.

Proposed Int. No. 1447-C

This bill would establish site safety training requirements for workers at certain construction sites. Such workers would be required to receive between 40 and 55 hours of training. The content of such training would be determined by DOB. The bill would also create a task force that includes representatives of the construction industry, minority and women-owned businesses, and day laborers, who would make recommendations regarding the content of such training. Such training requirements will be phased-in over time, with the full training being required, at the latest, by September 1, 2020, depending on the capacity to provide the training to the workers who would need such training.

Additionally, this bill would, among other things, create a program to provide training to individuals who do not have equal access, create civil penalties for violations of the training requirements, and require DOB to report on such violations.

(The following is the text of the Fiscal Impact Statement for Int. No. 934-A:)



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

PROPOSED INTRO. NO: 934-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation of a real time enforcement unit in the department of buildings

SPONSORS: Levin, Reynoso, Chin, Espinal, Johnson, Kallos, Levine, Menchaca, Rosenthal, Gentile, Koo, Lander, Lancman, Rodriguez, Van Bramer, Rose, Richards, Mendez, Cumbo, Cohen, Crowley, Williams, Grodenchik, Cabrera, Dromm, Vacca, Koslowitz, Garodnick, Maisel, Cornegy, Vallone, King, Mealy, Miller, Gibson, Perkins, Torres, Ferreras-Copeland, and Ulrich

SUMMARY OF LEGISLATION: Proposed Intro. No. 934-A would create a Real Time Enforcement Unit in the Department of Buildings (“DOB”), which would be responsible for enforcing the construction codes with respect to 1) occupied multiple dwellings with complaints related to work without a permit, and 2) occupied multiple dwellings with valid permits for alteration of 10 percent or more of the existing floor area or an

addition to the building. For the former, the Real Time Enforcement Unit would be responsible for receiving and tracking complaints, and for the latter it would be responsible for monitoring such dwellings. For complaints against occupied multiple dwellings with complaints related to work without a permit, the Real Time Enforcement Unit would be required to conduct inspections within 12 hours for immediately hazardous complaints and within ten days for all other complaints. It would be authorized to issue notices of violation or stop work orders as necessary. Additionally, the Real Time Enforcement Unit would conduct inspections of at least five percent of occupied multiple dwellings with valid permits for the alteration of 10 percent or more of the existing floor surface area of the building or an addition to the building. Such inspections would be required within 20 days of commencement of work, and periodic re-inspections would be required until the completion of such work.

Lastly, the bill would require DOB to publish an annual report on the effectiveness of the Real Time Enforcement Unit which would be posted online.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law, except that the Commissioner of Buildings may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	\$0	\$0	\$0
Expenditures	\$4,182,570	\$8,365,141	\$8,365,141
Net	\$4,182,570	\$8,365,141	\$8,365,141

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

IMPACT ON EXPENDITURES: Under the proposed legislation, DOB estimates that it would need to complete approximately 25,700 inspections annually for immediately hazardous and non-hazardous complaints related to work without a permit, pursuant to the inspection timeframes indicated in the bill. In addition, DOB reports that the agency would need to complete about 6,140 inspections annually for the inspection of occupied multiple dwellings with valid permits for alterations and additions pursuant to the inspection timeframes indicated in the bill. Although the legislation does not mandate that DOB hire new staff to meet the provisions of this bill, the agency has informed the Council that it would need an additional 36 field inspectors to perform the increased number of inspections and enforcement actions required under the bill. DOB estimates that it would need an additional 23 staff members to support the work of the field inspectors, including: inspectorial support staff, attorneys, analytical staff, chief inspectors, supervisory inspectors, and other staff. The total annual cost of these additional staff members is estimated to be \$8,365,141, including fringe benefits and OTPS costs. For Fiscal 2018, the prorated cost would be \$4,182,570.

Lastly, it is anticipated that the reporting, impact assessments and other administrative requirements of this legislation would be implemented using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Buildings

Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Sarah Gastelum, Principal Legislative Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Nathan Toth, Deputy Director
Rebecca Chasan, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on September 30, 2015 as Intro. No. 934 and was referred to the Committee on Housing and Buildings (Committee). A hearing was held by the Committee on April 18, 2016, and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 934-A, will be considered by the Committee on September 20, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: September 19, 2017.

(For text of Int. Nos. 1359-A, 1366-A, 1447-C and their Fiscal Impact Statements, please see the Reports of the Committee on Housing and Buildings for, respectively, Int. Nos. 1359-A, 1366-A, and 1447-C printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int. Nos. 934-A, 1359-A, 1366-A, and 1447-C.

(The following is the text of Int. No. 934-A:)

Int. No. 934-A

By Council Members Levin, Reynoso, Chin, Espinal, Johnson, Kallos, Levine, Menchaca, Rosenthal, Gentile, Koo, Lander, Lancman, Rodriguez, Van Bramer, Rose, Richards, Mendez, Cumbo, Cohen, Crowley, Williams, Grodenchik, Cabrera, Dromm, Vacca, Koslowitz, Garodnick, Maisel, Cornegy, Vallone, King, Mealy, Miller, Gibson, Perkins, Torres, Ferreras-Copeland and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a real time enforcement unit in the department of buildings

Be it enacted by the Council as follows:

Section 1. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding section 28-103.27 to read as follows:

§ 28-103.27 Real Time Enforcement Unit. *There is hereby established within the department a real time enforcement unit. Such unit and an agency that is delegated authority by the commissioner shall be responsible for enforcing the construction codes with respect to:*

- 1. occupied multiple dwellings with complaints related to work without a permit; and*
- 2. occupied multiple dwellings with valid permits for (i) the alteration of 10 percent or more of the existing floor surface area of the building or (ii) an addition to the building.*

§ 28-103.27.1 Tracking complaints related to work without a permit. *The real time enforcement unit shall receive and track all complaints related to work without a permit in occupied multiple dwellings. The unit shall retain records of such complaints.*

§ 28-103.27.2 Monitoring occupied multiple dwellings with permits for alteration or addition. *The real time enforcement unit shall monitor all occupied multiple dwellings with valid permits for (i) the alteration of 10 percent or more of the existing floor surface area of the building or (ii) an addition to the building. Owners of such buildings shall notify the department in writing at least 72 hours prior to the commencement of any work pursuant to such permits.*

§ 28-103.27.3 Inspections. *For immediately hazardous complaints related to work without a permit in occupied multiple dwellings, the real time enforcement unit shall conduct inspections of such occupied multiple dwellings within 12 hours of the receipt of such complaints, except that complaints received after 8:00 p.m. shall be inspected by 10:00 a.m. on the following day. For all other complaints related to work without a permit in occupied multiple dwellings, such unit shall conduct inspections of such multiple dwelling within ten days of receipt of such complaints. The real time enforcement unit shall also conduct initial inspections of no fewer than five percent of occupied multiple dwellings with valid permits for alteration or addition as described in section 28-103.26.2, within 20 days of commencement of work for such alterations or additions and shall conduct periodic unannounced inspections thereafter until such work is complete. The unit shall be available to conduct inspections seven days a week, between the hours of 8:30 a.m. and 10:00 p.m.*

§ 28-103.27.4 Violations. *The real time enforcement unit shall issue notices of violation or stop work orders as necessary.*

§ 28-103.27.5 Report. *The department shall publish online an annual report with the following information related to the effectiveness of the real time enforcement unit: (i) the number of complaints received disaggregated by building; (ii) the average time taken to respond to complaints; (iii) the number of monitored occupied multiple dwellings with valid permits for alteration or addition as described in section 28-103.26.2; (iv) the number of initial and periodic inspections conducted disaggregated by building; and (v) the number and type of violations issued disaggregated by building.*

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

JUMAANE D. WILLIAMS, Chairperson; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ERIC A. ULRICH; Committee on Housing and Buildings, September 26, 2017. *Other Council Members Attending: Council Members Gentile, Kallos and Rodriguez.*

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. 1359-A

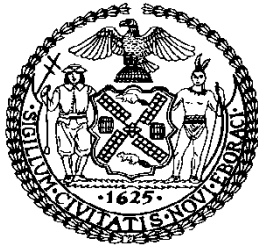
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on November 16, 2016 (Minutes, page 3782), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 934-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1359-A:



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

PROPOSED INTRO. NO: 1359-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program

SPONSORS: Council Members Levin, Williams, Rodriguez, Rosenthal, Menchaca, Richards, Gentile, Chin, Cohen and the Public Advocate (Ms. James)

SUMMARY OF LEGISLATION: Proposed Intro. No. 1359-A would require the Department of Housing Preservation and Development (HPD) to audit at least 20 percent of all buildings receiving benefits under the 421-a tax exemption program annually to determine whether such buildings are in compliance with applicable affordability requirements. The legislation would also require HPD to take action to bring non-compliant buildings into compliance, including but not limited to the commencement of tax exemption revocation proceedings. Additionally, the bill would require the Department of Finance to report to the Speaker and the Mayor no less than quarterly on a plan and timeline for revocation of 421-a benefits for those buildings for which the Department received a final notice of revocation of benefits from HPD due to noncompliance with applicable affordability or rent registration requirements.

EFFECTIVE DATE: This local law would take effect one year 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.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation. The Fiscal 2018 Preliminary Budget provided \$401,971 to HPD for the hiring of eight full-time employees, including an Executive Director, two enforcement attorneys, four paralegals and one administrative position to support application processing, enforcement, and compliance actions for buildings receiving 421(a) benefits. This funding was baselined through Fiscal 2021. An additional \$298,856 was added in Fiscal 2018 for temporary staff to support work related to 421(a) application processing and enforcement. Thus, it is anticipated that existing resources would be used by HPD to implement the provisions of this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Principal Legislative Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Nathan Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on November 16, 2016, as Intro. No. 1359 and was referred to the Committee on Housing and Buildings. A joint hearing was held by the Committee on Housing and Buildings and the Committee on Finance on November 22, 2016, and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 1359-A, will be considered by the Committee on Housing and Buildings on September 20, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: September 19, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1359-A:)

Int. No. 1359-A

By Council Members Levin, Williams, Rodriguez, Rosenthal, Menchaca, Richards, Gentile, Chin, Cohen, Kallos and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 15 to read as follows:

CHAPTER 15

AUDITS FOR COMPLIANCE WITH 421-A TAX EXEMPTION AFFORDABILITY REQUIREMENTS

§ 26-1501 Definitions.

§ 26-1502 Audits.

§ 26-1503 Results of audit.

§ 26-1501 Definitions. For the purposes of this chapter:

Affordability requirement. The term “affordability requirement” means any requirement that one or more dwelling units within a building receiving benefits under section 421-a of the real property tax law be occupied by or available for occupancy by individuals or families whose incomes at the time of initial occupancy do not exceed the applicable percentage under such law of the area median income for the primary metropolitan statistical area as determined by the United States department of housing and urban development or its successors from time to time for a family of four, as adjusted for family size.

Department. The term “department” means the department of housing preservation and development.

§ 26-1502 Audits. The department shall audit no fewer than 20 percent of all buildings that have completed construction and are receiving benefits under section 421-a of the real property tax law annually to determine whether the owners of such buildings are in compliance with all applicable 421-a affordability requirements.

§ 26-1503 Results of audit. Where an audit performed pursuant to section 26-1502 reveals that a building owner is not in compliance with the applicable affordability requirements, the department shall take action to bring such building into compliance, which action may include, but need not be limited to, commencing tax exemption revocation proceedings.

§ 2. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-140 to read as follows:

§ 11-140 Report on revocations. Not less than quarterly, the department of finance shall report to the speaker of the council and to the mayor a plan and a timeline for revocation of benefits under section 421-a of the real property tax law for each designated building for which such department received, during the reporting period, a final notice of revocation of such benefits for noncompliance with applicable affordability requirements or applicable rent registration requirements from the department of housing preservation and development pursuant to chapters 15 and 16 of title 26 of the code.

§ 3. This local law takes effect one year 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.

JUMAANE D. WILLIAMS, Chairperson; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ERIC A. ULRICH; Committee on Housing and Buildings, September 26, 2017. *Other Council Members Attending: Council Members Gentile, Kallos and Rodriguez.*

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. 1366-A

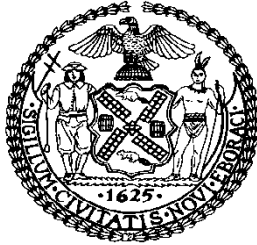
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the rent registration requirements of the 421-a tax exemption program.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on November 16, 2016 (Minutes, page 3787), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 934-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1366-A:



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

PROPOSED INTRO. NO: 1366-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the rent registration requirements of the 421-a tax exemption program

SPONSORS: Council Members Williams, Levin, Rodriguez, Rosenthal, Menchaca, Richards, Mendez, Gentile, Chin, Cohen and the Public Advocate (Ms. James)

SUMMARY OF LEGISLATION: Proposed Intro. No. 1366-A would require the Department of Housing Preservation and Development (HPD) to audit at least 20 percent of all buildings receiving benefits under the 421(a) tax exemption program annually to determine whether such buildings are in compliance with applicable rent registration requirements. The legislation would also require HPD to take action to bring non-compliant buildings into compliance, including but not limited to the commencement of tax exemption revocation proceedings.

EFFECTIVE DATE: This local law would take effect one year 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.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation. The Fiscal 2018 Preliminary Budget provided \$401,971 to HPD for the hiring of eight full-time employees, including an Executive Director, two enforcement attorneys, four paralegals and one administrative position to support application processing, enforcement, and compliance actions for buildings receiving 421(a) benefits. This funding was baselined through Fiscal 2021. An additional \$298,856 was added in Fiscal 2018 for temporary staff to support work related to 421(a) application processing and enforcement. Thus, it is anticipated that existing resources would be used by HPD to implement the provisions of this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Principal Legislative Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Nathan Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on November 16, 2016 as Intro. No. 1366 and was referred to the Committee on Housing and Buildings. A joint hearing was held by the Committee on Housing and Buildings and the Committee on Finance on November 22, 2016, and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 1366-A, will be considered by the Committee on Housing and Buildings on September 20, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: September 19, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1366-A:)

Int. No. 1366-A

By Council Members Williams, Levin, Rodriguez, Rosenthal, Menchaca, Richards, Mendez, Gentile, Chin, Cohen, Kallos and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the rent registration requirements of the 421-a tax exemption program

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 16 to read as follows:

CHAPTER 16

AUDITS FOR COMPLIANCE WITH 421-A TAX EXEMPTION RENT REGISTRATION REQUIREMENTS

§ 26-1601 Definitions.

§ 26-1602 Audits.

§ 26-1603 Results of audit.

§ 26-1601 Definitions. For the purposes of this chapter:

Department. The term “department” means the department of housing preservation and development.

Rent registration requirement. The term “rent registration requirement” means any requirement that one or more dwelling units within a building receiving benefits under section 421-a of the real property tax law be fully subject to rent stabilization for a prescribed period, including, but not limited to, the requirement that such units be registered as rent stabilized with the state division of housing and community renewal.

Rent Stabilization. The term “rent stabilization” means, collectively, the rent stabilization law of 1969, the rent stabilization code, and the emergency tenant protection act of 1974, together with any successor statutes or regulations addressing substantially the same matter.

§ 26-1602 Audits. The department shall audit no fewer than 20 percent of all buildings that have completed construction and are receiving benefits under section 421-a of the real property tax law annually to determine whether the owners of such buildings are in compliance with all applicable rent registration requirements.

§ 26-1603 Results of audit. Where an audit performed pursuant to section 26-1602 reveals that a building owner is not in compliance with the applicable rent registration requirements, the department shall take action to bring such building into compliance, which action may include, but need not be limited to, commencing tax exemption revocation proceedings.

§ 2. This local law takes effect one year 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.

JUMAANE D. WILLIAMS, Chairperson; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ERIC A. ULRICH; Committee on Housing and Buildings, September 26, 2017. *Other Council Members Attending: Council Members Gentile, Kallos and Rodriguez.*

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. 1447-C

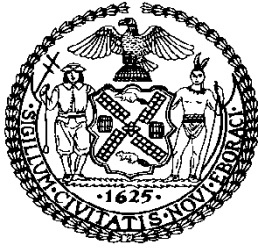
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to construction site safety training and repealing section 3310.10.2 of the New York city building code.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on January 18, 2017 (Minutes, page 212), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 934-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1447-C:



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

PROPOSED INTRO. NO: 1447-C

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to construction site safety training and repealing section 3310.10.2 of the New York city building code

SPONSORS: Williams, Menchaca, Kallos, Crowley, Lancman, Miller, Dromm, Salamanca, Torres, Constantinides, Johnson, Rose, Reynoso, Levin, Espinal, Grodenchik, Koslowitz, Rodriguez, Eugene, Maisel, Vacca, Gentile, Cabrera, Treyger, Palma, King, Ferreras-Copeland, Van Bramer, Levine, Garodnick, Richards, Rosenthal, Gibson, Cohen, Cornegy, Lander, Chin, Cumbo, Vallone, Barron, Perkins, Deutsch, Mendez, Koo, Borelli and Ulrich, and the Public Advocate (Ms. James), (by request of the Manhattan Borough President)

SUMMARY OF LEGISLATION: Proposed Intro. No. 1447-C would establish site safety training requirements for workers at construction and demolition sites, as well as requiring the development of a program to provide equal access to required construction site safety training. The content and number of hours of training, which could be between 40 and 55 hours, would be determined by the Department of Buildings (“DOB”). The legislation would also create a 15-member task force that would include representatives of the construction industry, minority and women-owned businesses, and day laborers, who would make recommendations regarding the content of such training. Construction workers would be required to begin receiving site safety training, which would include a combination of training programs approved by the United States Department of Labor Occupational Safety and Health Administration (OSHA) and additional site safety training credits as determined and specified by DOB by March 1, 2018. Such training requirements would be phased-in over time, however, full compliance with site safety training would be required, at the earliest, by May 1, 2019, or a later date established by DOB, but not later than September 1, 2020. The legislation would also require DOB to periodically audit safety site training providers, issue violations to building site owners, permit holders and workers for non-compliance with site safety training requirements, and conduct unannounced inspections to determine compliance.

Lastly, the bill would require DOB to publish an annual report on the implementation of the site safety training program which would be posted online.

EFFECTIVE DATE: This local law would take effect immediately except that section eleven of this local law would take effect on March 1, 2018.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	See below	See below	See below
Expenditures	See below	See below	See below
Net	See below	See below	See below

IMPACT ON REVENUES: Under the legislation, DOB would impose penalties up to \$5,000 to building site owners, permit holders and construction workers for violations related to the site safety training requirements under this legislation, although full compliance with the legislation is anticipated. Furthermore, at the time of this writing, the number of violations that would be issued as a result of enforcement inspections is not yet known, though the collection of such penalties would likely have a positive impact on revenue collections. Under the legislation, DOB may also establish by rule a program that would reduce fees and penalties resulting from violations of the site safety training requirements under certain circumstances. This would likely have a negative impact on revenue collections, however at the time of this writing, these figures are not yet known, and thus are not included in this cost estimate.

IMPACT ON EXPENDITURES: This legislation would require the creation of a program to provide equal access to construction site safety training through a program yet to be developed by the Department of Small Business Services, or another agency or office designated by the Mayor. This estimate assumes that non-City entities would largely bear the costs of providing site safety training in accordance with the legislation, although at the time of this writing, the structure of such program is not yet known. However, in the event that the City elects to provide funding and resources for a program that would provide equal access to construction site safety training for individuals who do not have equal access to such training, preliminary estimates suggest that the development of such a program could assist about 4,000 workers at an estimated cost of between \$4 million to \$5 million annually. Additionally, while DOB would be required to conduct follow-up inspections at building sites found to be in violation of the site safety training requirements outlined in the legislation, it is not yet known how many additional enforcement inspections would be required. Based on the most recent data available in the Mayor's Management Report, of the 156,508 inspections conducted by DOB inspectors in Fiscal 2017, only 24.6 percent of such inspections resulted in violations. Thus, the provision of enforcement inspections is not likely to have a demonstrable impact on DOB resources.

Lastly, it is anticipated that the reporting and other administrative requirements of this legislation would be implemented using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund.

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

ESTIMATE PREPARED BY: Sarah Gastelum, Principal Legislative Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on January 18, 2017 as Intro. No. 1447 and was referred to the Committee on Housing and Buildings (Committee). A hearing was held by the Committee on January 31, 2017, and the bill was laid over. The legislation was subsequently amended, and then amended a second and third time, and this version, Proposed Intro. No. 1447-C, will be voted on by the Committee on September 20, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1447-C will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: September 20, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1447-C:)

Int. No. 1447-C

By Council Members Williams, Menchaca, Kallos, Crowley, Lancman, Miller, Dromm, Salamanca, Torres, Constantinides, Johnson, Rose, Reynoso, Levin, Espinal, Grodenchik, Koslowitz, Rodriguez, Eugene, Maisel, Vacca, Gentile, Cabrera, Treyger, Palma, King, Ferreras-Copeland, Van Bramer, Levine, Garodnick, Richards, Rosenthal, Gibson, Cohen, Cornegy, Lander, Chin, Cumbo, Vallone, Barron, Perkins, Deutsch, Mendez, Koo, Borelli, Ulrich and the Public Advocate (Ms. James) (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to construction site safety training and repealing section 3310.10.2 of the New York city building code

Be in enacted by the Council as follows:

Section 1. Chapter 5 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-509 to read as follows:

§ 22-509 Construction site safety training courses. The department, or an agency or office designated by the mayor, shall by March 1, 2018 develop a program to provide equal access to construction site safety training required by section 3321 of the New York city building code. Such program shall address the needs of individuals who do not have equal access to such training.

§ 2. Article 103 of title 28 of the administrative code of the city of New York is amended by adding new sections 28-103.28, 28-103.29 and 28-103.30 to read as follows:

§ 28-103.28 Site safety training (SST) task force. The commissioner shall convene and provide staff for an SST task force in accordance with the following:

1. Such task force shall be composed as follows:

1.1. The commissioner, or the designee of such commissioner, shall serve as the chairperson of such task force.

1.2. The task force shall consist of 14 members, in addition to the chairperson. Seven of the additional members of such task force shall be appointed by the mayor or the mayor's designee, and seven of the additional members of such task force shall be appointed by the speaker of the council. Such task force shall include members who represent (i) parts of the construction industry that are represented by labor unions or labor organizations, (ii) parts of such industry that are not represented by such unions or organizations, (iii) minority-owned business enterprises or women-owned business enterprises that are certified in accordance with section 1304 of the New York city charter and primarily engaged in construction work and (iv) day laborers.

1.3 All members of the task force shall have significant experience (i) in a construction or demolition related field or (ii) developing or providing construction site safety training, except that one of the members appointed by the mayor pursuant to Item 1.2 may be a municipal officer with experience related to the program to be established pursuant to section 22-509 of the code.

2. Such task force shall meet at least quarterly each year for the first two years of its existence and at least annually for three years thereafter.

3. *Such task force shall from time to time on its own initiative or upon request of the commissioner provide the commissioner with recommendations relating to training required by section 3321 of the New York city building code.*
4. *Such task force shall establish a mechanism for receiving and reviewing recommendations from the public relating to training required by such section.*
5. *By no later than March 1, 2018, such task force shall provide the commissioner with recommendations relating to the amount of additional SST credits required for satisfying item 1.1 of the definition of limited SST card and the topics that such additional SST credits must cover. Such task force shall consider, but need not include in its recommendations, the following topics insofar as such topics relate to safeguarding the public from potential dangers posed by building sites:*
 - 5.1. *Fall protection.*
 - 5.2. *Personal protection equipment.*
 - 5.3. *Safely working with machines.*
 - 5.4. *Working with hazardous chemicals or other materials.*
 - 5.5. *OSHA and its role in construction industry safety and health.*
 - 5.6. *Handling heavy materials and proper lifting techniques.*
 - 5.7. *Exit routes, emergency action plans, fire prevention and fire protection.*
 - 5.8. *Confined space awareness.*
 - 5.9. *Walking and working surfaces.*
 - 5.10. *Electrical safety.*
 - 5.11. *Hazard communication.*
 - 5.12. *Concrete operations.*
 - 5.13. *Demolition work.*
 - 5.14. *Excavation work.*
 - 5.15. *Construction and demolition work at major building sites.*
 - 5.16. *Material handling.*
 - 5.17. *Material hoisting.*
 - 5.18. *Site perimeter protection.*
 - 5.19. *Sidewalk sheds and fences.*
 - 5.20. *Steel erection.*

5.21. *Tenant and occupant protection.*

5.22. *Ladders and stairs.*

5.23. *Drug and alcohol awareness.*

5.24. *Asbestos awareness.*

5.25. *Lead awareness.*

5.26. *First aid, including cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) use.*

§ 28-103.29 Reporting regarding implementation of section 3321 of the New York city building code. *No later than three months after the end of each fiscal year, the commissioner shall report to the mayor and the speaker of the council, and make publicly available online, a report on implementation of section 3321 of the New York city building code. In addition to any information the commissioner deems relevant, such report shall include:*

1. *The number of SST providers in existence at the end of such fiscal year.*
2. *The number of SST cards issued in such fiscal year.*
3. *The number of temporary SST cards issued in such fiscal year.*
4. *The number of violations of such section issued in such fiscal year, disaggregated by violation type.*
5. *A list of building sites where violations of such section were issued and, for each such site, the following information disaggregated by violation type:*
 - 5.1. *The number of follow-up inspections conducted pursuant to section 28-204.1.1.*
 - 5.2. *The average frequency of such follow-up inspections.*
 - 5.3. *The number of violations of section 3321 of the New York city building code issued as a result of such inspections.*
6. *A description of the enforcement mechanisms used by the department to ensure the integrity of training provided by SST providers in connection with section 3321 of the New York city building code and that such training satisfies the requirements of such section and any rules or department requirements relating to such training.*

§ 28-103.30 Audits of training provided in connection with section 3321 of the New York city building code. *In addition to any other enforcement mechanisms, the department shall periodically audit SST providers and training provided in connection with section 3321 of the New York city building code by such providers in order to ensure the integrity of such training and compliance with such section and any rules or department requirements relating to such training.*

§ 3. Article 105 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-105.12.9 to read as follows:

§ 28-105.12.9 Safety training required. *No permit for construction or demolition work for which training is required by section 3321 of the New York city building code shall be issued or renewed until the applicant has certified that all workers who will be working under such permit will have the requisite training throughout the duration of such permit.*

§ 4. Article 112 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-112.12 to read as follows:

§ 28-112.12 Reduction in fees or penalties for sponsoring site safety training. *The commissioner shall establish by rule a program for reducing the amount of any fee to be imposed upon a person or any civil penalty to be imposed upon a person for a violation, other than an immediately hazardous violation, where one or more of the following conditions is satisfied:*

1. *Such person demonstrates, in a form and manner established by the commissioner, that such person has paid, either directly or indirectly, for the costs of one or more workers to obtain the training needed to comply with section 3321 of the New York city building code or has otherwise arranged for such workers to receive such training at no cost to such workers, provided that this shall not include any worker trained pursuant to an agreement that such person was required to enter into pursuant to section 28-204.1.1 or any worker trained under a program developed pursuant to section 22-509.*
2. *The fee or penalty to be imposed upon such person relates to a building site for which the owner of such site, or a person acting on such owner's behalf, demonstrates, in a form and manner established by the commissioner, that such owner or such person acting on such owner's behalf has paid, either directly or indirectly, for the costs of one or more workers to obtain the training needed to comply with section 3321 of the New York city building code or has otherwise arranged for such workers to receive such training at no cost to such workers, provided that this shall not include any worker trained pursuant to an agreement such person was required to enter into pursuant to section 28-204.1.1 or any worker trained under a program developed pursuant to section 22-509.*

§ 5. Section 28-201.2.1 of the administrative code of the city of New York is amended by adding a new item 20 to read as follows:

20. A second or subsequent violation of section 3321.1 of the New York city building code.

§ 6. Section 28-202.1 of the administrative code of the city of New York, as amended by local law number 59 for the year 2016, is amended to read as follows:

§ 28-202.1 Civil penalties. Except as otherwise specified in this code or other law, violations of this code, the 1968 building code, the zoning resolution or other laws or rules enforced by the department shall be punishable by civil penalties within the ranges set forth below:

1. For immediately hazardous violations, a civil penalty of not less than one thousand dollars nor more than \$25,000 may be imposed for each violation. In addition to such civil penalty, a separate additional penalty may be imposed of not more than \$1,000 for each day that the violation is not corrected. The commissioner may by rule establish such specified daily penalties.
2. For major violations, a civil penalty of not more than \$10,000 may be imposed for each violation. In addition to such civil penalty, a separate additional penalty may be imposed of not more than \$250 for each month that the violation is not corrected. The commissioner may by rule establish such specified monthly penalties.
3. For lesser violations, a civil penalty of not more than \$500 may be imposed for each violation.

Exceptions:

1. The owner, lessee, occupant, manager or operator of a building affected by a natural or man-made disaster, as determined by the commissioner, shall not be subject to a civil penalty for a violation involving such building if (i) notice of such violation is issued by the department during the 90-day period immediately after such disaster or, in the case of a major natural or man-made disaster as determined by the commissioner, during the six-month period immediately after such disaster, and (ii) such violation is corrected on or before 40 days after such disaster period or such greater amount of time as determined by the commissioner for such violation. The notice of such violation shall state that such violation is subject to this exception and shall set forth the procedure and time period for correcting such violation without incurring a civil penalty. This exception shall not apply to immediately hazardous violations, violations charged as aggravated violations or violations without connection to such disaster, as determined by the department.
2. The owner, lessee, occupant, manager or operator of a building where a violation occurs shall not be subject to a civil penalty for such violation if (i) such violation was connected to a natural or man-made disaster, as determined by the commissioner, and (ii) such building is undergoing, or scheduled or under evaluation for, work or acquisition through a city-operated disaster recovery program responding to such disaster.
3. The owner, lessee, occupant, manager or operator of a building shall not be subject to a civil penalty for a violation resulting from work done by a city employee, or by a third party under contract with the city, in response to a natural or man-made disaster, provided that such violation is corrected on or before 60 days after the issuance of such violation, or such greater amount of time as determined by the commissioner for such violation. If such owner, lessee, occupant, manager or operator of a building can demonstrate to the satisfaction of the department that a city employee or third party under contract with the city has committed to correcting such violation then such violation shall be rescinded, without penalty. The notice of such violation shall state that such violation is subject to this exception and shall set forth the procedure and time period for correcting such violation without incurring a civil penalty. This exception shall not apply to immediately hazardous violations or violations charged as aggravated violations.
4. The minimum civil penalty for a violation of section 28-408.1 or section 28-410.1 of this code shall be \$2,500 for a first violation and \$5,000 for a second violation, in addition to any separate daily penalty imposed pursuant to item 1 of this section.
5. For a violation of section 28-210.1:
 - 5.1. Unless exception 5.2 applies, the minimum civil penalty for a violation of section 28-210.1 in any building involving the illegal conversion, maintenance or occupancy of three or more dwelling units above the number of dwelling units that is legally authorized by the certificate of occupancy or if no certificate of occupancy is required as evidenced by official records shall be \$15,000. Each dwelling unit above the number that is legally authorized by the certificate of occupancy or if no certificate of occupancy is required as evidenced by official records shall constitute a separate offense that shall be charged separately and shall be punishable by a separate civil penalty. Provided, however, that the penalties for multiple violations of this exception may be based on the same evidence; and
 - 5.2. The owner of a building shall not be subject to a civil penalty for a violation of section 28-210.1 in such building if such owner can show the following:
 - 5.2.1. Such violation was the first such violation issued for such building or was issued within 30 days after such first violation;
 - 5.2.2. At the time such violation was issued or, if such violation was issued within 30 days after such first violation was issued, the time such first violation was issued, a registration for such building has been properly filed with the department of housing preservation and

development in accordance with article two of subchapter 4 of the housing maintenance code; and

5.2.3. At the time such violation was issued or, if such violation was issued within 30 days after such first violation was issued, the time such first violation was issued, such owner reasonably did not know of, or could not reasonably have known of such illegal conversion, the maintenance thereof or occupancy thereof and takes lawful immediate and diligent steps to cure said violation.

6. *The minimum civil penalty for a violation of section 3321.1 of the New York city building code shall be \$5,000. The department may by rule provide that, for a first violation of such section or a first set of such violations that occur substantially at the same time, the minimum penalty may be reduced to \$2,500.*
7. *The minimum civil penalty for a violation of section 3321.2 of the New York city building code shall be \$2,500.*

§ 7. Article 204 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-204.1.1 to read as follows:

§ 28-204.1.1 Violations of section 3321 of the New York city building code. *In addition to any other penalties or remedies provided by law or rule, the following items shall apply to violations of section 3321 of the New York city building code:*

1. *Upon determining that a worker at a building site is not in compliance with section 3321.1 of the New York city building code:*
 - 1.1. *The commissioner shall issue a notice of violation to the owner of such site, each permit holder responsible for ensuring that such worker complies with such section at such site and the person who employed or otherwise engaged such worker at such site if such person can reasonably be identified. Each such worker shall constitute a separate violation that shall be noticed and charged separately and shall be punishable by a separate civil penalty. It shall be an affirmative defense to such a violation that such worker provided such owner, permit holder or the person who employed or otherwise engaged such worker at such site with an SST card, SST supervisor card, limited SST card, temporary SST card or documentation establishing training in compliance with such section, as appropriate, that reasonably appeared to be valid and applicable to such worker and such owner, permit holder or such person reasonably relied thereon.*
 - 1.2. *In addition to the requirements of any other law or rule, such violation shall not be deemed corrected until the commissioner determines that, for each such worker, the recipient of such violation shows, in a form and manner established by the commissioner, that such owner, a person acting on behalf of such owner, a permit holder responsible for ensuring that such worker complies with such section at such site or the person who employed or otherwise engaged such worker at such site has entered into a binding agreement that satisfies each of the following conditions:*
 - 1.2.1. *Pursuant to such agreement, such owner, a person acting on behalf of such owner or a permit holder responsible for ensuring that such worker complies with such section at such site or the person who employed or otherwise engaged such worker at such site shall pay, either directly or indirectly, for the costs of such worker to obtain the training required to comply with such section or will otherwise arrange for such worker to receive such training at no cost to such worker.*

- 1.2.2. Pursuant to such agreement, and provided that such worker is diligently endeavoring to complete the training required by such section, such worker shall continue to be employed or otherwise engaged under the same terms and conditions that applied before such determination by the commissioner until (i) such worker successfully completes the training required to comply with such section, (ii) work for which such worker was employed or otherwise engaged at such site concludes or (iii) 60 days elapses after such determination, whichever occurs earlier, except that, during such period, such worker shall be paid as if such worker were working at such site 40 hours each week at the same hourly or effective hourly wage such worker was paid before such determination by the commissioner.
2. Upon determining that a permit holder at a building site has not maintained a daily log in compliance with section 3321.2 of the New York city building code, a notice of violation shall be issued to the owner of such site and such permit holder. Failure to maintain such a log establishes a rebuttable presumption that each worker for whom such permit holder is responsible for ensuring compliance with section 3321 of the New York city building code is not compliant with such section and shall result in the issuance of notices of violation under Item 1.
 3. Upon a finding by the office of administrative trials and hearings, acting pursuant to section 1049-a of the New York city charter, or a court of competent jurisdiction that a second or subsequent violation of section 3321 of the New York city building code has occurred at a building site, the commissioner shall conduct at least one unannounced inspection of such site at least once every three months to determine compliance with such section. Such inspections shall continue until at least two consecutive inspections do not result in the issuance of a notice of violation of such section.
 4. Upon a finding by the office of administrative trials and hearings, acting pursuant to section 1049-a of the New York city charter, or a court of competent jurisdiction that the owner of a building site, a permit holder at such site or a person employing or otherwise engaging workers at such site has violated section 3321 of the New York city building code and such violation is a second or subsequent violation of such section by such owner, permit holder or person, the commissioner shall conduct at least one unannounced inspection of (i) each building site owned by such owner, if such violation is a second or subsequent violation by such owner, (ii) each building site where such permit holder works, if such violation is a second or subsequent violation by such permit holder and (iii) each building site where such person works, if such violation is a second or subsequent violation by such person.

§ 8. Section BC 202 of the New York city building code is amended by adding a definition for “OSHA” in appropriate alphabetical order:

OSHA. *The United States Department of Labor Occupational Safety and Health Administration.*

§ 9. Section 3302.1 of the New York city building code is amended by adding definitions for “100-HOUR TRAINING PROGRAM,” “ACTIVELY PROCTORED ONLINE TRAINING,” “LIMITED SITE SAFETY TRAINING (SST) CARD,” “OSHA 10-HOUR CLASS,” “OSHA 30-HOUR CLASS,” “SITE SAFETY TRAINING (SST) CARD,” “SITE SAFETY TRAINING (SST) CREDIT,” “SITE SAFETY TRAINING (SST) FULL COMPLIANCE DATE,” “SITE SAFETY TRAINING (SST) PROVIDER,” “SITE SAFETY TRAINING (SST) SECOND COMPLIANCE DATE,” “SITE SAFETY TRAINING (SST) SUPERVISOR CARD,” “SITE SAFETY TRAINING (SST) TASK FORCE” and “TEMPORARY SITE SAFETY TRAINING (SST) CARD” in appropriate alphabetical order:

100-HOUR TRAINING PROGRAM. *A program that (i) includes 100 or more hours of training in technical subjects relating to a construction trade, including an apprenticeship program registered with the New York State Department of Labor, (ii) is approved by OSHA, the United States Department of Labor, the New York State Department of Education or the New York State Department of Labor and (iii) provides training that the department determines is equivalent to or exceeds the training required to comply with Section 3321.*

ACTIVELY PROCTORED ONLINE TRAINING. *Online training that satisfies each of the following conditions:*

1. *The person responsible for conducting such training confirms the identification of the person taking such training in a manner established by the department.*
2. *While such training is being conducted, the site of such training is actively observed by or on behalf of the person responsible for conducting such training.*
3. *Such training complies with any other requirements the department establishes by rule.*

LIMITED SITE SAFETY TRAINING (SST) CARD. *A card that is issued before the SST full compliance date, in a form and manner established by the department and that satisfies each of the following conditions:*

1. *Such card is issued by an SST provider to a person who submits an application to such provider demonstrating, in a form and manner established by the department, that such applicant satisfies the requirements of Item 1.1, 1.2 or 1.3:*
 - 1.1. *Such applicant has successfully completed (i) an OSHA 10-hour class and (ii) 20 additional SST credits specified by the department, including eight SST credits relating to safeguarding against the dangers posed by falling workers and objects.*
 - 1.2. *Such applicant has successfully completed an OSHA 30-hour class.*
 - 1.3. *Such applicant has successfully completed a 100-hour training program.*
2. *If such applicant completed the training to comply with Item 1.1, 1.2 or 1.3 but did not complete such training within the five years preceding submission of such application, such applicant has, in the one-year period preceding submission of such application, completed at least eight SST credits specified by the department.*
3. *Such card is issued by an SST provider who does not require applicants to submit any information except for (i) the information necessary to establish that the requirements in Item 1 have been satisfied, as specified by the department, (ii) a photograph of the applicant and (iii) such additional information as the department may allow by rule.*
4. *Such card expires on the day before the SST full compliance date and is not renewable.*

OSHA 10-HOUR CLASS. *A class that includes 10 or more hours in construction industry safety and health that is intended for workers and satisfies the following conditions:*

1. *Such class is (i) approved by OSHA and conducted in accordance with the OSHA outreach training program or (ii) an equivalent 10 or more hour class approved by the department.*
2. *Such class consists of in-person training, actively proctored online training or, if such training is conducted before the effective date of the local law that added this definition, online training.*

OSHA 30-HOUR CLASS. *A class that includes 30 or more hours in construction industry safety and health that is intended for supervisors and satisfies the following conditions:*

1. *Such class is (i) approved by OSHA and conducted in accordance with the OSHA outreach training program or (ii) an equivalent 30 or more hour class approved by the department.*

2. *Such class consists of in-person training, actively proctored online training or, if such training is conducted before the effective date of the local law that added this definition, online training.*

SITE SAFETY TRAINING (SST) CARD. *A card that is issued in a form and manner established by the department and that satisfies each of the following conditions:*

1. *Such card is issued by an SST provider to a person who submits an application to such provider demonstrating, in a form and manner established by the department, that such applicant satisfies the requirements of Item 1.1, 1.2 or 1.3:*
 - 1.1. *Such applicant has successfully completed (i) an OSHA 10-hour class and (ii) 30-45 additional SST credits specified by the department, including eight SST credits relating to safeguarding against the dangers posed by falling workers and objects.*
 - 1.2. *Such applicant has successfully completed (i) an OSHA 30-hour class and (ii) 10-25 additional SST credits specified by the department, including eight SST credits relating to safeguarding against the dangers posed by falling workers and objects.*
 - 1.3. *Such applicant has successfully completed a 100-hour training program.*
2. *If such applicant completed the training to comply with Item 1.1, 1.2 or 1.3 but did not complete such training within the five years preceding submission of such application, such applicant has, in the one-year period preceding submission of such application, completed at least eight SST credits specified by the department.*
3. *Such card is issued by an SST provider who does not require applicants to submit any information except for (i) the information necessary to establish that the requirements in Item 1 have been satisfied, as specified by the department, (ii) a photograph of the applicant and (iii) such additional information as the department may allow by rule.*
4. *Such card expires five years after issuance and is renewable upon a showing by the applicant that such applicant has, in the one-year period preceding submission of such renewal application, successfully completed eight SST credits specified by the department.*

SITE SAFETY TRAINING (SST) CREDIT. *One hour of training that satisfies each of the requirements of Item 1, 2 and 3:*

1. *Such training relates to a topic identified by department rule.*
2. *If such training is conducted on or after the effective date of the local law that added this definition, such training is in-person training or actively proctored online training.*
3. *If such training is conducted on or after March 1, 2018, such training is conducted by an SST provider.*

SITE SAFETY TRAINING (SST) FULL COMPLIANCE DATE. *Five months after the SST second compliance date, or, if the department publishes a finding that there is insufficient capacity to provide the training required by Section 3321 of the New York city building code to the workers who would need such training, a later date established by the department, provided that such date is not later than September 1, 2020.*

SITE SAFETY TRAINING (SST) PROVIDER. *A person who satisfies the requirements of Items 1 and 2:*

1. *Such person satisfies at least one of the following conditions:*
 - 1.1. *Such person has (i) successfully completed all applicable OSHA or department requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes and is authorized to conduct such classes and (ii) if such person is conducting training for SST credits other than training that is part of an OSHA 10-hour class or OSHA 30-hour class, such person demonstrates sufficient knowledge of this chapter in a form and manner established by the department. Such person shall not be required to possess a degree, certificate, license or demonstrate any professional standing beyond showing that such person has completed all applicable OSHA or department requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes and that such person is authorized to conduct such classes.*
 - 1.2. *Such person is providing training through a 100-hour training program.*
 - 1.3. *Such person has been approved by the department to conduct a 40-hour course approved by the department pursuant to Article 402 of Chapter 4 of Title 28 of the Administrative Code.*
 - 1.4. *Such person satisfies alternative requirements that the department establishes by rule.*
2. *On and after the SST full compliance date, such person has certified to the department that such person satisfies at least one of the following conditions:*
 - 2.1. *Such person has a language access plan for training that relates to SST credits such person offers and such plan complies with requirements established by an agency or office designated by the mayor.*
 - 2.2. *Such person satisfies each of the following conditions:*
 - 2.2.1. *Such person is able to provide instruction in a language that students understand.*
 - 2.2.2. *If a student's vocabulary is limited, such person will accommodate that limitation.*
 - 2.2.3. *Such person is fluent in the training language or will use translators or interpreters and any such translators or interpreters will have a background in occupational safety and health.*

SITE SAFETY TRAINING (SST) SECOND COMPLIANCE DATE. *December 1, 2018, or, if the department publishes a finding that there is insufficient capacity to provide the training required by Section 3321 of the New York city building code to the workers who would need such training, a later date established by the department, provided that such date is not later than June 1, 2019.*

SITE SAFETY TRAINING (SST) SUPERVISOR CARD. *A card that satisfies each of the following conditions:*

1. *Such card is issued in a form and manner established by the department to a person who demonstrates that such person has an SST card and has successfully completed an OSHA 30-hour class.*
2. *Such card expires five years after issuance and is renewable upon a showing by the applicant that such applicant has, in the one-year period preceding such submission of such renewal application, successfully completed 16 SST credits specified by the department.*

SITE SAFETY TRAINING (SST) TASK FORCE. *The task force established pursuant to Section 28-103.28 of the Administrative Code.*

TEMPORARY SITE SAFETY TRAINING (SST) CARD. *A card that is issued in a form and manner established by the department and that satisfies each of the following conditions:*

1. *Such card is issued by an SST provider to a person who demonstrates that such person has successfully completed an OSHA 10-hour class and who is a new entrant to the construction or demolition work force as determined by such provider pursuant to department rules.*
2. *Such card expires six months after issuance and is not renewable.*

§ 10. Section 3310.10 of the New York city building code is amended to read as follows:

3310.10 Orientation and training. All workers employed at a major building site shall receive orientation and training as required by this section *and section 3321.*

§ 11. Section 3310.10.2 of the New York city building code is **REPEALED**.

§ 12. Chapter 33 of the New York city building code is amended by adding a new section 3321 to read as follows:

**SECTION BC 3321
CONSTRUCTION SITE SAFETY TRAINING**

3321.1 Site safety training required. *In addition to any other applicable city, state or federal law or rule, each permit holder at a building site for which a construction superintendent, site safety manager or site safety coordinator is required shall be responsible for the following:*

1. *On and after March 1, 2018, and until the day before the SST second compliance date, ensuring that each construction or demolition worker employed or otherwise engaged at such site by the permit holder or performing subcontracted work for or on behalf of such permit holder has successfully completed (i) an OSHA 10-hour class, (ii) an OSHA 30-hour class or (iii) a 100-hour training program.*
2. *On and after the SST second compliance date, and until the day before the SST full compliance date, ensuring that (i) each such worker has an SST card, a limited SST card or a temporary SST card and (ii) each such worker who is serving as a site safety manager, site safety coordinator, concrete safety manager, construction superintendent or a competent person at such site has an SST supervisor card.*
3. *On and after the SST full compliance date, ensuring that (i) each such worker has an SST card or a temporary SST card and (ii) each such worker who is serving as a site safety manager, site safety coordinator, concrete safety manager, construction superintendent or a competent person at such site shall have an SST supervisor card.*

Exception: *The department may by rule establish alternative training requirements for workers who are (i) working on a building that is four stories or less in height or working on a new building that will, upon completion of such work, be four stories or less in height and (ii) engaged on a volunteer basis by a not-for-profit humanitarian organization that is registered with the New York state charities bureau.*

3321.2 Duties of permit holder. *On and after March 1, 2018, each permit holder at a building site shall be responsible for the following:*

1. *Ensuring that each construction or demolition worker employed or otherwise engaged at such site by or on behalf of such permit holder complies with the requirements of Section 3321.1.*

2. *Certifying to the department, in a form and manner established by the department, that the requirements of Section 3321 have been met.*
3. *Maintaining at such site a daily log, in a form and manner established by the department, that identifies each such worker and that includes, for each such worker, a copy of the SST card, SST supervisor card, limited SST card, temporary SST card or proof of compliance with Item 1 of Section 3321.1, as applicable.*
4. *Providing such log to the department upon request by the department.*

§ 13. This local law takes effect immediately except that section eleven of this local law takes effect on March 1, 2018.

JUMAANE D. WILLIAMS, Chairperson; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ERIC A. ULRICH; Committee on Housing and Buildings, September 26, 2017. *Other Council Members Attending: Council Members Gentile, Kallos and Rodriguez.*

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

Report of the Committee on Land Use

Report for L.U. No. 738

Report of the Committee on Land Use in favor of approving Application No. 20185040 HAK submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 5063, Lot 58, Borough of Brooklyn, Community Board 14, Council District 40.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2738) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 14

20185040 HAK

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for property located at Block 5063, Lot 58, Borough of Brooklyn, Community District 14, Council District 40.

INTENT

To approve a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for an exemption area that contains one multiple dwelling known as Caton Flats which will provide rental housing for low income families.

PUBLIC HEARING

DATE: September 5, 2017

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 25, 2017

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

In Favor:

Rodriguez, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Rose, Richards, Cohen, Kallos, Reynoso, Treyger, Grodenchik.

Against:

None

Abstain:

Barron

Williams

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

Res. No. 1664

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 5063, Lot 58, Borough of Brooklyn, (L.U. No. 738; Non-ULURP No. 20185040 HAK).

By Council Members Greenfield and Salamanca.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on August 4, 2017 its request dated July 31, 2017 that the Council approve an exemption from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") for property located at Block 5063, Lot 58, Community District No. 14, Borough of Brooklyn, Council District No. 40 (the "Exemption Area");

WHEREAS, upon due notice, the Council held a public hearing on the Project on September 5, 2017;

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

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. "Community Facility Space" shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - b. "Company" shall mean BRP Caton Flats LLC.
 - c. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - d. "Exemption" shall mean the exemption from real property taxation provided hereunder.
 - e. "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 5063, Lot 58 on the Tax Map of the City of New York.
 - f. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - g. "HDFC" shall mean Caton Flats Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.

- h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - i. “Owner” shall mean, collectively, the HDFC and the Company.
 - j. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use other than the Community Facility Space operated in accordance with the terms of the Regulatory Agreement), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
- a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that has a permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized for the portion of the Exemption Area that is covered by the Exemption under any existing or future local, state or federal law, rule or regulation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DEBORAH L. ROSE, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, MARK TREYGER; BARRY S. GRODENCHIK; Committee on Land Use, September 26, 2017.

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. 739

Report of the Committee on Land Use in favor of approving Application No. 20185042 HAQ submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for four properties located in the Borough of Queens, Community Districts 12 and 13, Council District 27.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2739) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:***SUBJECT*****QUEENS CBs - 12 and 13****20185042 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at 89-24 168th Place (Block 09801, Lot 2), 210-33 113th Avenue (Block 11131, Lot 6), 102-47 187th Street (Block 10366, Lot 143), and 110-60 Wood Street (Block 10411, Lot 6), Borough of Queens.

INTENT

To approve the project as an urban development action area Project and a real property tax exemption pursuant to Section 696 of Article 16 of the General Municipal Law.

PUBLIC HEARING**DATE:** September 25, 2017**Witnesses in Favor:** Three**Witnesses Against:** None***SUBCOMMITTEE RECOMMENDATION*****DATE:** September 25, 2017

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

In Favor:

Rodriguez, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Rose, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Treyger, Grodenchik.

Against:

None

Abstain:

None

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

Res. No. 1665

Resolution approving an Urban Development Action Area Project located at 89-24 168th Place (Block 09801, Lot 2), 210-33 113th Avenue (Block 11131, Lot 6), 102-47 187th Street (Block 10366, Lot 143), and 110-60 Wood Street (Block 10411, Lot 6), Borough of Queens; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure; and granting a real estate tax exemption pursuant to Article 16 of New York General Municipal Law (L.U. No. 739; 20185042 HAQ).

By Council Members Greenfield and Salamanca.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on August 4, 2017 its request dated August 4, 2017 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 89-24 168th Place (Block 09801, Lot 2), 210-33 113th Avenue (Block 11131, Lot 6), 102-47 187th Street (Block 10366, Lot 143), and 110-60 Wood Street (Block 10411, Lot 6), Community Districts 12 and 13, Borough of Queens (the "Project Area"):

1. Find that the present status of the Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption").

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

WHEREAS, upon due notice, the Council held a public hearing on the Project on September 25, 2017;

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

RESOLVED:

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

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 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 that HPD has submitted to the Council August 4, 2017, a copy of which is attached hereto.

The exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

a. All of the value of the buildings, structures, and other improvements situated on the Project Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the July 1st following the conveyance of the Project Area to the Sponsor, during the last ten years of which such exemption shall decrease in equal annual decrements.

b. The tax exemption granted hereunder shall terminate with respect to all or any portion of the Project Area if the Department of Housing Preservation and Development determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the Sponsor or the owner of such real property with, or for the benefit of, the City of New York. The Department of Housing Preservation and Development shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, MARK TREYGER; BARRY S. GRODENCHIK; Committee on Land Use, September 26, 2017.

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. 740

Report of the Committee on Land Use in favor of approving Application No. 20185043 HAQ submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for eighteen properties located in the Borough of Queens, Community Boards 10 and 12, Council District 28.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2739) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CBs - 10 and 12

20185043 HAQ

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for properties located at 116-02 139th Street (Block 11996, Lot 131), 117-31 135th Street (Block 11699, Lot 51), 129-23 135th Place (Block 11775, Lot 206), 129-41 135th Street (Block 11774, Lot 550), 129-59 135th Street (Block 11774, Lot 559), 130-15 135th Place (Block 11781, Lot 267), 130-16 149th Street (Block 12111, Lot 49), 131-15 Sutter Avenue (Block 11755, Lot 5), 133-16 Van Wyck Expwy (Block 11796, Lot 7), 133-18 134th Street (Block 11793, Lot 74), 147-06 Sutter Place (Block 12106, Lot 24), 107-34 Princeton Street (Block 10081, Lot 19), 111-14 169th Street (Block 10206, Lot 37), 115-41 147th Street (Block 11992, Lot 97), 150-22 118th Avenue (Block 12205, Lot 12), 167-08 110th Avenue aka Brinkerhoff Avenue (Block 10195, Lot 4), 114-47 Inwood Street (Block 11976, Lot 45), and 145-36 111th Avenue (Block 11962, Lot 43), Council District 28.

INTENT

To approve the project as an urban development action area Project and a real property tax exemption pursuant to Section 696 of Article 16 of the General Municipal Law.

PUBLIC HEARING**DATE:** September 25, 2017**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 25, 2017

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

In Favor:

Rodriguez, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Rose, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Treyger, Grodenchik.

Against:

None

Abstain:

None

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

Res. No. 1666

Resolution approving an Urban Development Action Area Project located 116-02 139th Street (Block 11996, Lot 131), 117-31 135th Street (Block 11699, Lot 51), 129-23 135th Place (Block 11775, Lot 206), 129-41 135th Street (Block 11774, Lot 550), 129-59 135th Street (Block 11774, Lot 559), 130-15 135th Place (Block 11781, Lot 267), 130-16 149th Street (Block 12111, Lot 49), 131-15 Sutter Avenue (Block 11755, Lot 5), 133-16 Van Wyck Expwy (Block 11796, Lot 7), 133-18 134th Street (Block 11793, Lot 74), 147-06 Sutter Place (Block 12106, Lot 24), 107-34 Princeton Street (Block 10081, Lot 19), 111-14 169th Street (Block 10206, Lot 37), 115-41 147th Street (Block 11992, Lot 97), 150-22 118th Avenue (Block 12205, Lot 12), 167-08 110th Avenue aka Brinkerhoff Avenue (Block 10195, Lot 4), 114-47 Inwood Street (Block 11976, Lot 45), and 145-36 111th Avenue (Block 11962, Lot 43), Borough of Queens; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure; and granting a real estate tax exemption pursuant to Article 16 of New York General Municipal Law (L.U. No. 740; 20185043 HAQ).

By Council Members Greenfield and Salamanca.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on August 4, 2017 its request dated August 4, 2017 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 116-02 139th Street (Block 11996, Lot 131), 117-31 135th Street (Block 11699, Lot 51), 129-23 135th Place (Block 11775, Lot 206), 129-41 135th Street (Block 11774, Lot 550), 129-59 135th Street (Block 11774, Lot 559), 130-15 135th Place (Block 11781, Lot 267), 130-16 149th Street (Block 12111, Lot 49), 131-15 Sutter Avenue (Block 11755, Lot 5), 133-16 Van Wyck Expwy (Block 11796, Lot 7), 133-18 134th Street (Block 11793, Lot 74), 147-06 Sutter Place (Block 12106, Lot 24), 107-34 Princeton Street (Block 10081, Lot 19), 111-14 169th Street (Block 10206, Lot 37), 115-41 147th Street (Block 11992, Lot 97), 150-22 118th Avenue (Block 12205, Lot 12), 167-08 110th Avenue aka Brinkerhoff Avenue (Block 10195, Lot 4), 114-47 Inwood Street (Block 11976, Lot 45), and 145-36 111th Avenue (Block 11962, Lot 43), Community Districts 10 and 12, Borough of Queens (the "Project Area"):

1. Find that the present status of the Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption").

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

WHEREAS, upon due notice, the Council held a public hearing on the Project on September 25, 2017;

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

RESOLVED:

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

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 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 that HPD has submitted to the Council August 4, 2017, a copy of which is attached hereto.

The exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

a. All of the value of the buildings, structures, and other improvements situated on the Project Area shall be exempt from local and municipal real property taxation, other than assessments for local improvements and land value, for a period of twenty years, during the last ten years of which such exemption shall decrease in equal annual decrements. Such exemption shall commence on the January 1st or July 1st (whichever shall first occur) following the date that Sponsor acquires the entire Project Area. Notwithstanding the foregoing, no exemption shall be granted hereunder if the cost of such rehabilitation is less than the assessed value of such building as determined in the tax year immediately preceding the grant of the tax exemption hereunder.

b. The tax exemption granted hereunder shall terminate with respect to all or any portion of the Project Area if HPD determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the Sponsor or the owner of such real property with, or for the benefit of, the City of New York or HUD. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, MARK TREYGER; BARRY S. GRODENCHIK; Committee on Land Use, September 26, 2017.

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. 741

Report of the Committee on Land Use in favor of approving Application No. 20185044 HAQ submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 11479, Lot 29, Borough of Queens, Community Board 10, Council District 32.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2739) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 10

20185044 HAQ

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at 103-16 Plattwood Avenue aka 103-16 109th Avenue (Block 11479, Lot 29), Council District 32.

INTENT

To approve the project as an urban development action area Project and a real property tax exemption pursuant to Section 696 of Article 16 of the General Municipal Law.

PUBLIC HEARING

DATE: September 25, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 25, 2017

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

In Favor:

Rodriguez, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Rose, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Treyger, Grodenchik.

Against:

None

Abstain:

None

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

Res. No. 1667

Resolution approving an Urban Development Action Area Project located at 103-16 Plattwood Avenue aka 103-16 109th Avenue (Block 11479, Lot 29), Borough of Queens; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure; and granting a real estate tax exemption pursuant to Article 16 of New York General Municipal Law (L.U. No. 741; 20185044 HAQ).

By Council Members Greenfield and Salamanca.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on August 4, 2017 its request dated August 4, 2017 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 103-16 Plattwood Avenue aka 103-16 109th Avenue (Block 11479, Lot 29), Community District 10, Borough of Queens (the "Project Area"):

1. Find that the present status of the Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption").

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

WHEREAS, upon due notice, the Council held a public hearing on the Project on September 25, 2017;

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

RESOLVED:

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

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 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 that HPD has submitted to the Council August 4, 2017, a copy of which is attached hereto.

The exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

- a. All of the value of the buildings, structures, and other improvements situated on the Project Area shall be exempt from local and municipal real property taxation, other than assessments for local improvements and land value, for a period of twenty years, during the last ten years of which such exemption shall decrease in equal annual decrements. Such exemption shall commence on the January 1st or July 1st (whichever shall first occur) following the date that Sponsor acquires the entire Project Area. Notwithstanding the foregoing, no exemption shall be granted hereunder if the cost of such rehabilitation is less than the assessed value of such building as determined in the tax year immediately preceding the grant of the tax exemption hereunder.
- b. The tax exemption granted hereunder shall terminate with respect to all or any portion of the Project Area if HPD determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the Sponsor or the owner of such real property with, or for the benefit of, the City of New York or HUD. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, MARK TREYGER; BARRY S. GRODENCHIK; Committee on Land Use, September 26, 2017.

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. 742

Report of the Committee on Land Use in favor of approving Application No. 20185048 HAK submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1788, Lot 53, Borough of Brooklyn, Community Board 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2739) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 3

20185048 HAK

Application submitted by the New York City Department of Housing Preservation and Development for approval of an amendment to a previously approved urban development action project and approval of a new real property tax exemption pursuant to Article 16 of the General Municipal Law for property located at Block 1788, Lot 53.

INTENT

To approve an amendment to a previously approved Urban Development Action Area Project changing the current owner of the property from Neighborhood Restore Housing Development Fund Corporation to an affiliated entity, Restoring Urban Neighborhoods, LLC and rehabilitating the Property from a four (4) family rental building to a three (3) family home.

PUBLIC HEARING

DATE: September 25, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 25, 2017

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

In Favor:

Rodriguez, Cohen, Treyger.

Against: **Abstain:**
None None

COMMITTEE ACTION

DATE: September 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Rose, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Treyger, Grodenchik.

Against: **Abstain:**
None None.

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

Res. No. 1668

Resolution approving an amendment to a previously approved Urban Development Action Area Project located at 580 Lafayette Avenue (Block 01788, Lot 53), Borough of Brooklyn, (L.U. No. 742; 20185048 HAK).

By Council Members Greenfield and Salamanca.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on August 4, 2017 its request dated July 31, 2017 that the Council approve an amendment to an Urban Development Action Area Project (the "Amended Project") located at 580 Lafayette Avenue (Block 1788/Lot 53), Community District 3, Borough of Brooklyn, Council District 36 (the "Transfer Area");

WHEREAS, HPD's requests for the amendment is related to a prior Urban Development Action Area Project adopted by the City Council July 25, 2012; Resolution No. 1461, L.U. No. 652, 20125706 HAK;

WHEREAS, the current owner, Neighborhood Restore Housing Development Fund Corporation will transfer the subject property to an affiliated entity, Restoring Urban Neighborhoods, LLC ("Sponsor"), which will rehabilitate the property as part of an existing project under the Small Homes Rehab-NYCHA Program (Southeastern Queens Vacant Homes Project, Cluster II, TPT Amendment);

WHEREAS, the Property will be rehabilitated as a three (3) family home instead of the four (4) family rental building;

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on September 25, 2017;

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

RESOLVED:

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

The Project shall be transferred and developed upon the terms and conditions set forth in the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto and made a part hereof. Adopted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, MARK TREYGER; BARRY S. GRODENCHIK; Committee on Land Use, September 26, 2017.

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. 751

Report of the Committee on Land Use in favor of approving Application No. C 170382 ZSM submitted by Broome Property Owner JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 and Section 13-451 of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 42 spaces in portions of a proposed mixed use building on property located at 100 Varick Street (Block 477, Lots 35, 42, 44, 46, 71-76 and 1001-1005), within the Special Hudson Square District, Borough of Manhattan, Community District 2, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use, to which the annexed Land Use item was referred on September 7, 2017 (Minutes, page 3163) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2

C 170382 ZSM

City Planning Commission decision approving an application submitted by Broome Property Owner JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 42 spaces on portions of the ground floor, second floor, third floor and the fourth floor of a proposed mixed use building on property located at 100 Varick Street (Block 477, Lots 35, 42, 44, 46, 71-76 and 1001-1005), in an M1-6 District, within the Special Hudson Square District.

INTENT

To approve the Special Permit which would allow forty-two (42) residential parking spaces within a mixed-use development at 100 Varick Street in the Hudson Square neighborhood of Manhattan Community District 2.

PUBLIC HEARING

DATE: September 25, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 25, 2017

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

In Favor:

Richards, Gentile, Garodnick, Williams, Reynoso.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Rose, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Treyger, Grodenchik.

Against:

None

Abstain:

None

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

Res. No. 1669

Resolution approving the decision of the City Planning Commission on ULURP No. C 170382 ZSM (L.U. No. 751), for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of

42 spaces on portions of the ground floor, second floor, third floor and the fourth floor of a proposed mixed use building on property located at 100 Varick Street (Block 477, Lots 35, 42, 44, 46, 71-76 and 1001-1005), in an M1-6 District, within the Special Hudson Square District, Community District 2, Borough of Manhattan.

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on August 25, 2017 its decision dated August 23, 2017 (the "Decision"), on the application submitted by Broome Property Owner JV, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 42 spaces on portions of the ground floor, second floor, third floor and the fourth floor of a proposed mixed use building on property located at 100 Varick Street (Block 477, Lots 35, 42, 44, 46, 71-76 and 1001-1005), in an M1-6 District, within the Special Hudson Square District, (ULURP No. C 170382 ZSM), Community District 2, Borough of Manhattan (the "Application");

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 Sections 13-45 and 13-451 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 25, 2017;

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

WHEREAS, it was determined by the New York City Department of City Planning to be a Type II action on May 3, 2017, requiring no further review under CEQR (CEQR No. 17DCP168M) (the "Type II Determination").

RESOLVED:

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

Pursuant to Sections 197-d and 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 170382 ZSM), incorporated by reference herein, the Council approves the Decision of the City Planning Commission subject to the following conditions:

1. The property that is the subject of this application (C 170382 ZSM) 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 SLCEArchitects, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-110	1 st Floor Plan	4/18/17
Z-120	2 nd Floor Plan	4/18/17
Z-130B	3 rd Floor Plan Special Permit	4/18/17

Z-140B

4th Floor Plan Special Permit

4/18/17

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. 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, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, MARK TREYGER; BARRY S. GRODENCHIK; Committee on Land Use, September 26, 2017.

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. 756

Report of the Committee on Land Use in favor of approving Application No. 20185065 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an amendment to a previously approved real property tax exemption extending the period from 10 years to 20 years for property located at Block 1749, Lot 61, Block 1750, Lots 57 and 58, Block 1751, Lot 50, Block 1644, Lot 65, Block 1785, Lot 8, Block 1783, Lots 10 and 109, Block 1796, Lots 21 and 41, Block 1806, Lots 37 and 111, Block 1807,

Lot 113, and Block 1796, Lot 4 (the “Exemption Area”) in Community Districts 8 and 9, Borough of Manhattan, Council District 11.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on September 27, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CBs - 8 and 9

20185065 HAM

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an amendment to a previously approved real property tax exemption extending the period from 10 years to 20 years for property located at Block 1749, Lot 61, Block 1750, Lots 57 and 58, Block 1751, Lot 50, Block 1644, Lot 65, Block 1785, Lot 8, Block 1783, Lots 10 and 109, Block 1796, Lots 21 and 41, Block 1806, Lots 37 and 111, Block 1807, Lot 113, and Block 1796, Lot 4 (the “Exemption Area”).

INTENT

To approve an amendment to a previously approved real property tax exemption pursuant to Section 696 of the General Municipal Law extending the period from ten to twenty years.

PUBLIC HEARING

DATE: September 25, 2017

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 25, 2017

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

In Favor:

Rodriguez, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Rose, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Treyger, Grodenchik.

Against:

None

Abstain:

None

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

Res. No. 1670

Resolution approving an amendment to a previously approved Urban Development Action Area Act tax exemption for properties located at 20 East 125th Street (Block 1749, Lot 61), 36 East 126th Street, (Block 1750, Lots 57 and 58), 50 East 127th Street aka 1991 Madison Avenue (Block 1751 Lot 50), 118 East 117th Street (Block 1644 Lot 65), 215 East 120th Street (Block 1785, Lot 8), 217 East 118th Street (Block 1783, Lot 109), 219 East 118th Street (Block 1783, Lot 10), 328 East 120th Street (Block 1796, Lot 41), 345 East 119th Street (Block 1796, Lot 21), 424 East 119th Street (Block 1806, Lot 37), 425 East 118th Street (Block 1806, Lot 111), 429 East 119th Street (Block 1807, Lot 113), and 2328 Second Avenue (Block 1796, Lot 4), in the Borough of Manhattan, Community District 11, Council Districts 8 and 9 (Preconsidered L.U. No. 756; 20185065 HAM).

By Council Members Greenfield and Salamanca.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on September 21, 2017 its request dated September 20, 2017 that the Council approve an amendment to a previously approved Urban Development Action Area tax exemption (the "Amended Tax Exemption") for a previously approved Urban Development Action Area Project located at 20 East 125th Street (Block 1749, Lot 61), 36 East 126th Street, (Block 1750, Lots 57 and 58), 50 East 127th Street aka 1991 Madison Avenue (Block 1751 Lot 50), 118 East 117th Street (Block 1644 Lot 65), 215 East 120th Street (Block 1785, Lot 8), 217 East 118th Street (Block 1783, Lot 109), 219 East 118th Street (Block 1783, Lot 10), 328 East 120th Street (Block 1796, Lot 41), 345 East 119th Street (Block 1796, Lot 21), 424 East 119th Street (Block 1806, Lot 37), 425 East 118th Street (Block 1806, Lot 111), 429 East 119th Street (Block 1807, Lot 113), and 2328 Second Avenue (Block 1796, Lot 4), Community District 11, Borough of Manhattan, Council Districts 8 and 9 (the "Exemption Area")

WHEREAS, the Exemption Area was previously approved as an Urban Development Action Area Project under Section 694 of the General Municipal Law;

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on September 25, 2017;

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

RESOLVED:

The Council approved the Amended Tax Exemption pursuant to Section 696 of the General Municipal Law as follows:

1. All of the value of the buildings, structures, and other improvements situated on each Exemption Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the July 1st following the date of conveyance by the City, during the last ten years of which such exemption shall decrease in equal annual decrements.
2. Notwithstanding any provision hereof to the contrary no partial exemption from real property taxation shall be provided hereunder unless HPD and the property owner, in their respective sole discretion, enter into an agreement requiring the property owner to occupy at least one unit as their primary residence during the entire term of the partial tax exemption granted hereunder.
3. The partial tax exemption granted hereunder shall terminate with respect to all or any portion of an Exemption Area if the Department of Housing Preservation and Development determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all agreements made by any owner of such real property with, or for the benefit of, the City of New York. The Department of Housing Preservation and Development shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, MARK TREYGER; BARRY S. GRODENCHIK; Committee on Land Use, September 26, 2017.

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. 1031-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law in relation to requiring the department of transportation to conduct a study of traffic congestion due to truck deliveries during daytime hours.

The Committee on Transportation, to which the annexed proposed amended local law was referred on December 16, 2015 (Minutes, page 4556), respectfully

REPORTS:

INTRODUCTION

On September 25, 2017, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will consider Proposed Int. No. 1031-A, a Local Law in relation to requiring the department of transportation to conduct a study of traffic congestion due to truck deliveries during daytime hours. This is the second hearing on this item. The first hearing on this item was held on June 5, 2017, at which the Committee heard testimony from the New York City Department of Transportation (“DOT”) and other interested stakeholders.

BACKGROUND

The Congestion Problem

In the summer of 2015, the Council passed, and the Mayor signed, Local Law 75 of 2015, which required the TLC to conduct a study on how growth in the taxi and for-hire vehicle (“FHV”) industries had impacted traffic, air quality, noise, and public health. In January 2016, the City released its For-Hire Vehicle Transportation Study (“FHV Study”)¹ The study found that traffic congestion in the Manhattan central business district (“CBD”) had gotten worse over the preceding five years, with average vehicle speeds falling nearly 10% in the preceding two years.² Worsening congestion not only has implications for drivers and taxi/FHV drivers and passengers, but also people who rely on buses, as well as businesses and individuals who rely on the delivery of goods via trucks.³ The study found that the recent decrease in vehicle speeds was caused primarily “by increased freight movement, construction activity, and population growth.”⁴ While all vehicle trips played a role in congestion, the study determined that app-based electronic dispatch (“e-dispatch”) FHV services were not contributing to the increased traffic congestion in the CBD because “increases in e-dispatch trips [were] largely substituting for yellow taxi trips.”⁵

In February 2017, transportation consultant and former DOT Deputy Commissioner for Traffic and Planning Bruce Schaller, who helped to produce the FHV Study, released a report which found that the city’s congestion situation had changed significantly since the release of the FHV Study.⁶ According to his report,

¹ City of New York Office of the Mayor, *For-Hire Vehicle Transportation Study*, Jan. 2016, available at <http://www1.nyc.gov/assets/operations/downloads/pdf/For-Hire-Vehicle-Transportation-Study.pdf>

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ Bruce Schaller, *Unsustainable? The Growth of App-Based Ride Services and Traffic, Travel and the Future of New York City*, Feb. 27, 2017, available at <http://www.schallerconsult.com/rideservices/unsustainable.pdf>; Report Overview, available at <http://www.schallerconsult.com/rideservices/unsustainable.htm#overv>

between June 2015 (the end of the period covered by the FHV Study) and the fall of 2016, e-dispatch passenger volumes tripled, to 500,000 riders per day, far outpacing the drop in yellow taxi trips, leading to large additions in overall taxi/FHV trip volumes.⁷ The Schaller report found that e-dispatch accounted for an additional 600 million miles of driving on City streets in 2016. Notably, the report found that “in 2015, and to an even greater extent in 2016, growth in taxi and for-hire ridership outpaced growth in transit (subway and bus) ridership” and is now the leading source of growth in non-personal vehicle travel in the city.⁸ This is significant because in the previous two decades the transit system was able to absorb nearly all of the growth of travel in the City generated by increases in population and economic activity, largely avoiding the increases in congestion that would have otherwise been inevitable.⁹

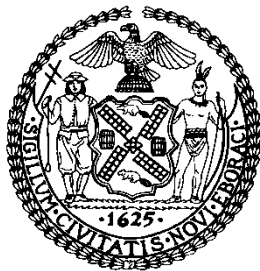
ANALYSIS OF PROPOSED INT. NO. 1031-A

Subdivision a of section one of Proposed Int. No. 1031-A would provide that the local law would define the term “truck deliveries” as the unloading of property at the curb from a motor vehicle designed, used, or maintained primarily for the transportation of property.

Subdivision b would require DOT to conduct a study of traffic congestion resulting from truck deliveries in Manhattan south of 59th street, between the East and Hudson Rivers, and in Brooklyn from Tillary Street on the north, Livingston Street on the south, through Cadman Plaza West extending into Court street on the west, and Flatbush Avenue on the east, which would include both sides of the street. The study would include traffic congestion from truck deliveries at all hours of the day, night, and overnight. It would also include, but is not limited to, an analysis of the feasibility and necessity of implementing measures to reduce traffic congestion resulting from truck deliveries in the designated area between the hours of 7 a.m. and 7 p.m. including the possibility of shifting truck deliveries between the hours of 7 a.m. and 7 p.m. to hours after 7 p.m. DOT would be required to implement measures deemed necessary to decrease traffic congestion resulting from truck deliveries as recommended by the study. DOT would have to post the study on its website and submit it to the Speaker of the Council no later than June 30, 2018.

Section two of Proposed Int. No. 1031-A would provide that this local law would take effect immediately upon its enactment.

(The following is the text of the Fiscal Impact Statement for Int. No. 1031-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 1031-A**

COMMITTEE: Transportation

TITLE: A Local Law in relation to requiring the department of transportation to conduct a study of traffic congestion due to truck deliveries during daytime hours

SPONSORS: Council Members Levine, Rodriguez, Cabrera, Gentile, Koo, Mealy, Mendez, Richards, Rose, Menchaca, Cohen and Rosenthal

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

SUMMARY OF LEGISLATION: Proposed Intro. 1031-A would require the Department of Transportation (DOT) to conduct a study of traffic congestion resulting from truck deliveries in Manhattan below 59th Street and in Downtown Brooklyn. The bill would require such study to include traffic congestion from truck deliveries at all hours of the day, night and overnight, and to include an analysis of the feasibility and necessity of implementing measures to reduce traffic congestion resulting from truck deliveries. Lastly, the bill would require DOT to implement feasible measures deemed necessary. The study would be due no later than June 30, 2018.

EFFECTIVE DATE: This local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: Because existing resources would be used to comply with this local law, it is estimated that the legislation would have no impact on expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1031 on December 16, 2015 and was referred to the Committee on Transportation (Committee). A hearing was held by the Committee on June 5, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1031-A, will be considered by the Committee on September 25, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1031-A will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: September 21, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1031-A:)

Int. No. 1031-A

By Council Members Levine, Rodriguez, Cabrera, Gentile, Koo, Mealy, Mendez, Richards, Rose, Menchaca, Cohen, Rosenthal, Chin, Greenfield and Kallos.

A Local Law in relation to requiring the department of transportation to conduct a study of traffic congestion due to truck deliveries during daytime hours

Be it enacted by the Council as follows:

Section 1. a. For purposes of this local law, the term “truck deliveries” means the unloading of property to the curb from a motor vehicle designed, used, or maintained primarily for the transportation of property.

b. The department of transportation shall conduct a study of traffic congestion resulting from truck deliveries in the Borough of Manhattan south of 59th Street, being bounded by the East River on the east and the Hudson River on the west, and in the Borough of Brooklyn from Tillary Street on the north and Livingston Street on the south through Cadman Plaza West extending into Court Street on the west and Flatbush Avenue on the east, inclusive of both sides of such streets. Such study shall include traffic congestion from truck deliveries at all hours of the day, night, and overnight. Such study shall include, but not be limited to, an analysis of the feasibility and necessity of implementing measures to reduce traffic congestion resulting from truck deliveries in the designated area between the hours of 7 a.m. and 7 p.m. including the possibility of shifting truck deliveries between the hours of 7 a.m. and 7 p.m. to hours after 7 p.m. The department shall implement feasible measures deemed necessary to decrease traffic congestion resulting from truck deliveries recommended by such study. No later than June 30, 2018, the department shall post on its website and submit to the speaker of the council the results of such study.

§ 2. This local law takes effect immediately.

YDANIS A. RODRIGUEZ, *Chairperson*; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, I. DANEEK MILLER, ANTONIO REYNOSO; DONOVAN J. RICHARDS; Committee on Transportation, September 25, 2017. *Other Council Members Attending: Council Member Grodenchik.*

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. 1375-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 requiring the department of transportation to provide notice of its approval of applications to open street segments or intersections that have been reconstructed or resurfaced within the previous five years.

The Committee on Transportation, to which the annexed proposed amended local law was referred on November 29, 2016 (Minutes, page 3950), respectfully

REPORTS:**INTRODUCTION**

On September 25, 2017, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will consider Proposed Int. No. 1375-A, A Local Law to amend the administrative code of the city of New

York, in relation to requiring the department of transportation to provide notice of its approval of applications to open street segments or intersections that have been reconstructed or resurfaced within the previous five years. This is the second hearing on this item. The first hearing on this item was held on June 22, 2017, at which the Committee heard testimony from the New York City Department of Transportation (“DOT”) and other interested stakeholders.

BACKGROUND

Protected Streets

Underneath the surface of New York City’s streets lies a complex network of water pipes, natural gas lines, sewers, power lines and telecommunications infrastructure, all of which require maintenance and unforeseen repairs.

¹ The repairs are typically done as a part of planned street reconstruction projects with funding allocated in the capital budget. These projects can range from milling and repaving to full reconstruction of the roadbed, sewer and water pipes. DOT also conducts street resurfacing projects that repair the surface of the roadway by replacing the top layer of asphalt pavement. Resurfacing includes remedies to potholes, bumps, and patches in the street.² According to DOT, resurfacing is a less expensive short-term method of maintaining the quality of existing streets and projects typically take less than one month to complete.³ After the completion of a street reconstruction project and a resurfacing project, these streets are designated “protected.” Under DOT rules, a protected street is a street segment or intersection that has been resurfaced or reconstructed within the last five years. These streets are “protected” because DOT prohibits any form of construction or “opening” of the street during this five-year period.⁴

In specific cases, DOT may find that emergency work must be authorized and a protected street can be opened. The request to open a protected street typically comes from a utility company or other government agency.⁵ Under the current law, in order to open a protected street during the five-year period, the entity requesting a permit must state the need for the work and a reason as to why such work was not completed during the capital reconstruction, and only then will DOT issue a permit.⁶

Street opening projects can be invasive and expensive. In 2014, Mayor Bill de Blasio convened an ‘Underground Infrastructure Working Group’ involving seven City agencies and utility companies in order to mitigate the disruptions that underground infrastructure projects cause.⁷ The working group’s goals involved short, medium and long-term solutions to improve emergency response times for underground street infrastructure repairs, improving street opening procedures, and improving the pace and schedule for upgrading and replacing the City’s underground infrastructure. The working group recommended offering incentives for private utilities to upgrade vulnerable infrastructure, especially leak prone gas lines.⁸ The working group also determined that the City would work with private utility companies to develop a tracking tool to monitor the progress in reducing vulnerable infrastructure.⁹ Despite these recommendations situations arise that require unforeseen street openings and in some instances, protected streets need to be opened.

Overall, in 2015, DOT issued 223,271 permits to open streets, half of them to utility companies.¹⁰ DOT issued an additional 16,641 permits to open utility holes and 22,504 permits were issued for emergencies,

¹ Rueb, Emily, *New York 101: Why are the Streets always under construction?*, N.Y. TIMES, August 8, 2016, available at <https://www.nytimes.com/interactive/2016/08/18/nyregion/new-york-101-streets-repair-and-maintenance.html>

² N.Y.C. Department of Transportation, Infrastructure: Protected Street Listing, available at <http://www.nyc.gov/html/dot/html/infrastructure/protectedst.shtml> (last accessed June 14, 2017).

³ *Id.*

⁴ Rules of the City of New York, Title 34 Chapter 2 §2-01

⁵ *Id.* at 2.

⁶ N.Y.C. Administrative Code §19-144

⁷ New York City Underground Infrastructure Working Group (June 2014), available at https://www1.nyc.gov/assets/home/downloads/pdf/press-releases/2014/infrastructure_report.pdf

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.* at 1.

mostly to Con Edison and for water and sewer repairs as well.¹¹ DOT keeps track of utilities and contractors to identify patterns of abuse and DOT inspectors will issue a summons if the incident was not a true emergency. In fiscal year 2015, DOT hired 34 additional inspectors to keep up with demand, for a total of 150 inspectors.¹² According to the Mayor's Management Report for fiscal year 2016, DOT surpassed its internal goal to resurface at least 1,200 lane miles as part of a \$1.6 billion investment to continue repaving roads over the next decade.¹³

ANALYSIS OF PROPOSED INT. NO. 1375-A

Section one of Proposed Int. No. 1375-A would amend subchapter 1 of chapter 1 of title 19 of the administrative code by adding new section 19-158.

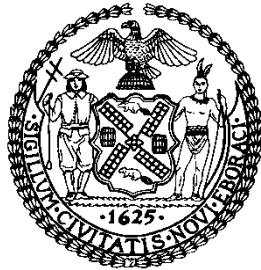
Subdivision a would require that upon approving an application for a permit to open a street segment or intersection that has been reconstructed or resurfaced within five years prior to the permit, DOT would provide notice, through electronic means, to the affected Borough President, the Council Member(s) of the affected Council District(s) and the District Manager(s) of the affected Community Boards.

Subdivision b would require the notice to include:

1. The name and contact information of the applicant;
2. The anticipated start and end dates of the work;
3. The location, nature and the extent of the work to be performed;
4. The permit type; and
5. The contact information for DOT where questions may be directed.

Section two of Proposed Int. No. 1375-A would state that the local law would take effect 60 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 1375-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 1375-A
COMMITTEE: Transportation**

¹¹ *Id.* at 1.

¹² *Id.*

¹³ N.Y.C. Mayor Bill de Blasio's Management Report, September 2016, available at http://www1.nyc.gov/assets/operations/downloads/pdf/mmr2016/2016_mmr.pdf

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to provide notice of its approval of applications to open street segments or intersections that have been reconstructed or resurfaced within the previous five years

SPONSORS: Council Members Matteo, Chin, Salamanca, Cohen and Ulrich (by request of the Staten Island Borough President)

SUMMARY OF LEGISLATION: Proposed Intro. 1375-A would require the Department of Transportation (DOT) to provide electronic notification to affected Council Members, Borough Presidents, and community boards of its approval of a permit application to open a street segment or intersection that has been reconstructed or resurfaced within the previous five years.

EFFECTIVE DATE: The local law would take effect 60 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: Because existing resources would be used by the Department to comply with this local law, it is estimated that this legislation would have minimal to no impact on expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1375 on November 29, 2016, and was referred to the Committee on Transportation (Committee). A hearing was held by the Committee on June 22, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1375-A, will be considered by the Committee on September 25, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1375-A will be submitted to the full Council for a vote on September 27, 2017.

DATE PREPARED: September 21, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1375-A:)

Int. No. 1375-A

By Council Members Matteo, Chin, Salamanca, Cohen, Rodriguez, Rose, Greenfield, Vallone, Kallos and Ulrich (by request of the Staten Island Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to provide notice of its approval of applications to open street segments or intersections that have been reconstructed or resurfaced within the previous five years

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-158 to read as follows:

§ 19-158 Notice requirement for work on resurfaced streets. a. Upon approving an application for a permit to open a street segment or intersection that has been reconstructed or resurfaced within five years prior to the date of such approval, the department shall provide notice, through electronic means, to the affected borough president, the council member(s) of the affected council district(s) and the district manager(s) of the affected community board(s).

b. Such notice shall include the following information:

- 1. The name and contact information of the applicant;*
- 2. The anticipated start and end dates of the work;*
- 3. The location, nature and extent of the work to be performed;*
- 4. The permit type; and*
- 5. Contact information for a department office where questions may be directed.*

§ 2. This local law takes effect 60 days after it becomes law.

YDANIS A. RODRIGUEZ, *Chairperson*; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, I. DANEEK MILLER, ANTONIO REYNOSO; DONOVAN J. RICHARDS; Committee on Transportation, September 25, 2017. *Other Council Members Attending: Council Member Grodenchik.*

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

GENERAL ORDER CALENDAR

Report for L.U. No. 733 & Res. No. 1671

Report of the Committee on Land Use in favor of approving Application No. C 170275 ZMM submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, changing from an M1-2 District to an C6-3 District property bounded by East 127th Street, First Avenue, East 126th Street, and Second Avenue, in the Borough of Manhattan, Community District 11, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2737) and which was previously brought before the Council at the September 7, 2017 Stated Meeting (Minutes, page 3017) and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 11

C 170275 ZMM

City Planning Commission decision approving an application submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, changing from an M1-2 District to an C6-3 District property bounded by East 127th Street, First Avenue, East 126th Street, and Second Avenue.

INTENT

To approve an amendment to the Zoning Map, which in conjunction with the related actions would facilitate a new mixed-use, mixed-income development comprising approximately 730 residential units with ground floor retail space, community facility space and a memorial to commemorate the Harlem African Burial Ground, which comprises a portion of the proposed project site which is located in the East Harlem neighborhood of Manhattan's Community District 11.

PUBLIC HEARING

DATE: August 21, 2017

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 5, 2017

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

In Favor:

Salamanca, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 6, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Grodenchik, Salamanca.

Against:

None

Abstain:

None

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

Res. No. 1671

Resolution approving the decision of the City Planning Commission on ULURP No. C 170275 ZMM, a Zoning Map amendment (L.U. No. 733).

By Council Members Greenfield and Salamanca.

WHEREAS, the City Planning Commission filed with the Council on July 28, 2017 its decision dated July 26, 2017 (the "Decision"), on the application submitted by the New York City Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6b, changing from an existing M1-2 District to a C6-3 District. This amendment in conjunction with the related actions would facilitate a new mixed-use, mixed-income development comprising approximately 730 residential units with ground floor retail space, community facility space and a memorial to commemorate the Harlem African Burial Ground, which comprises a portion of the proposed project site located in the East Harlem neighborhood of Manhattan, (ULURP No. C 170275 ZMM), Community District 11, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to applications N 170276 ZRM (L.U. No. 734), amendment to the text of the Zoning Resolution to designate a Mandatory Inclusionary Housing (MIH) area; C 170093 MMM (L.U. No. 735), an amendment to the City Map; and C 170278 PPM (L.U. No. 736), disposition of City-owned property;

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 21, 2017;

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 Final Generic Environmental Impact Statement (FGEIS) for which a Notice of Completion was issued on July 13, 2017 (CEQR No. 16DME011M), which identified significant adverse impacts with respect to historic and cultural resources – archaeological resources, transportation (traffic, buses, subways, and pedestrians) and construction activities related to noise;

RESOLVED:

Having considered the FGEIS with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS 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 thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable.

The Decision and the FGEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 170275 ZMM, incorporated by reference herein, the Council approves the Decision as follows:

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. 6b, from an M1-2 District to an C6-3 District, property bounded by East 127th Street, First Avenue, East 126th Street, and Second Avenue, as shown on a diagram (for illustrative purposes only) dated February 21, 2017, Community District 11, Borough of Manhattan.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, September 6, 2017.

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. 734 & Res. No. 1672

Report of the Committee on Land Use in favor of approving Application No. N 170276 ZRM submitted by the New York City Economic Development Corporation, 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, in the Borough of Manhattan, Community District 11, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2737) and which was previously brought before the Council at the September 7, 2017 Stated Meeting (Minutes, page 3018) and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 11

N 170276 ZRM

City Planning Commission decision approving an application submitted by the New York City Economic Development Corporation, 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.

INTENT

To approve the amendment to the text of the Zoning Resolution, which in conjunction with the related actions would facilitate a new mixed-use, mixed-income development comprising approximately 730 residential units with ground floor retail space, community facility space and a memorial to commemorate the Harlem African Burial Ground, which comprises a portion of the proposed project site which is located in the East Harlem neighborhood of Manhattan's Community District 11.

PUBLIC HEARING

DATE: August 21, 2017

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 5, 2017

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

In Favor:

Salamanca, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 6, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Grodenchik, Salamanca.

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on September 8, 2017. The City Planning Commission filed a letter dated September 18, 2017, with the Council on September 19, 2017, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1672

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 170276 ZRM, 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 in Community District 11, Borough of Manhattan (L.U. No. 734).

By Council Members Greenfield and Salamanca.

WHEREAS, the City Planning Commission filed with the Council on July 28, 2017 its decision dated July 26, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Economic Development Corporation, for an amendment of the text of the Zoning Resolution of the City of New York to modify Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate a new mixed-use, mixed-income development comprising approximately 730 residential units with ground floor retail space, community facility space and a memorial to commemorate the Harlem African Burial Ground, which comprises a portion of the proposed project site located in the East Harlem neighborhood of Manhattan, (Application No. N 170276 ZRM), Community District 11, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to applications C 170275 ZMM (L.U. No. 733), an amendment to the Zoning Map; C 170093 MMM (L.U. No. 735), an amendment to the City Map; and C 170278 PPM (L.U. No. 736), disposition of City-owned property;

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 21, 2017;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Generic Environmental Impact Statement (FGEIS) for which a Notice of Completion was issued on July 13, 2017 (CEQR No. 16DME011M), which identified significant adverse impacts with respect to historic and cultural resources – archaeological resources, transportation (traffic, buses, subways, and pedestrians) and construction activities related to noise;

RESOLVED:

Having considered the FGEIS with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS 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 thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision and the FGEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, 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 170276 ZRM, incorporated by reference herein, the Council approves the Decision with the following modifications:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- Matter in ~~double strikeout~~ is old, deleted by the City Council;
- Matter in double underline is new, added by the City Council;
- * * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

* * *

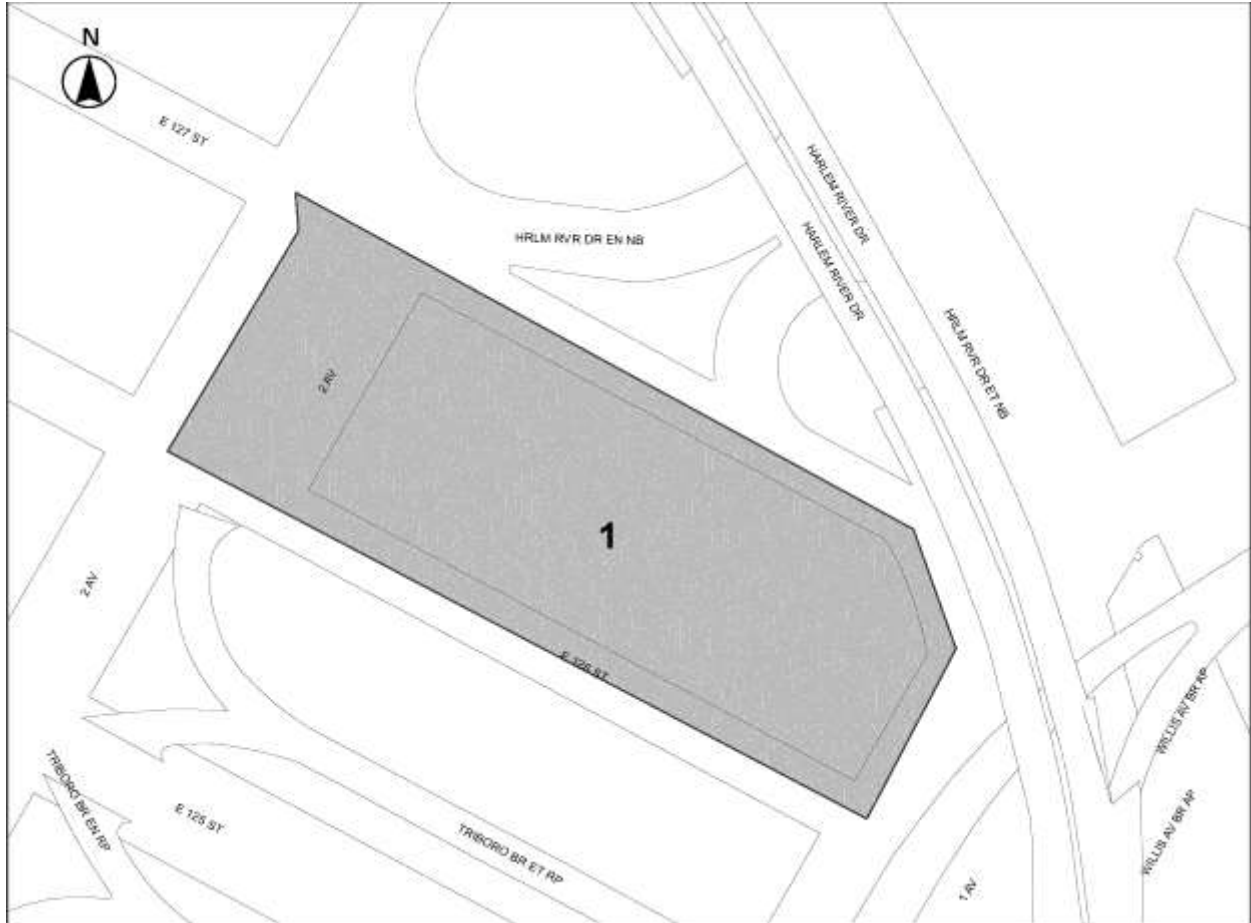
Manhattan Community District 11


* * *

In the C6-3 District within the area shown on the following Map 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~~ Deep Affordability Option

Portion of Community District 11, Manhattan

* * *

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, September 6, 2017.

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. 735 & Res. No. 1673

Report of the Committee on Land Use in favor of approving Application No. C 170093 MMM submitted by The New York City Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving: the elimination, discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street and the delineation of a sidewalk easement in the Borough of Manhattan, Community District 11, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2738) and which was previously brought before the Council at the September 7, 2017 Stated Meeting (Minutes, page 3020) and referred to the City Planning Commission, respectfully

REPORTS:***SUBJECT*****MANHATTAN CB - 11****C 170093 MMM**

City Planning Commission decision approving an application submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street;
- the delineation of a sidewalk easement;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in Community District 11, Borough of Manhattan, in accordance with Map No. 30251 dated February 17, 2017 and signed by the Borough President.

INTENT

To approve the amendment to the City Map, which in conjunction with the related actions would facilitate a new mixed-use, mixed-income development comprising approximately 730 residential units with ground floor retail space, community facility space and a memorial to commemorate the Harlem African Burial Ground, which comprises a portion of the proposed project site which is located in the East Harlem neighborhood of Manhattan's Community District 11.

PUBLIC HEARING**DATE:** August 21, 2017**Witnesses in Favor:** Four**Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION**DATE:** September 5, 2017

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

In Favor:

Salamanca, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 6, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Grodenchik, Salamanca.

Against:

None.

Abstain:

None.

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

Res. No. 1673

Resolution approving the decision of the City Planning Commission on ULURP No. C 170093 MMM, an amendment to the City Map (L.U. No. 735).

By Council Members Greenfield and Salamanca.

WHEREAS, the City Planning Commission filed with the Council on July 28, 2017 its decision dated July 26, 2017 (the "Decision"), on the application submitted by the New York City Economic Development Corporation, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street;
- the delineation of a sidewalk easement;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30251 dated February 17, 2017 and signed by the Borough President, (ULURP No. C 170093 MMM), Community District 11, Borough of Manhattan (the “Application”);

WHEREAS, the Application is related to applications C 170275 ZMM (L.U. No. 733), an amendment to the Zoning Map; N 170276 ZRM (L.U. No. 734), amendment to the text of the Zoning Resolution to designate a Mandatory Inclusionary Housing (MIH) area; and C 170278 PPM (L.U. No. 736), disposition of City-owned property;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 21, 2017;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Generic Environmental Impact Statement (FGEIS) for which a Notice of Completion was issued on July 13, 2017 (CEQR No. 16DME011M), which identified significant adverse impacts with respect to historic and cultural resources – archaeological resources, transportation (traffic, buses, subways, and pedestrians) and construction activities related to noise;

RESOLVED:

Having considered the FGEIS with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS 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 thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable.

The Decision and the FGEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 170093 MMM, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street;
- the delineation of a sidewalk easement;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 11, Borough of Manhattan, in accordance with Map No. 30251 dated February 17, 2017 and signed by the Borough President is approved; and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. 30251 dated February 17, 2017 providing for the discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street more particularly described as follows:

DISCONTINUING AND CLOSING A PORTION OF SECOND AVENUE BETWEEN EAST 126TH STREET AND EAST 127TH STREET

In the matter of discontinuing and closing a portion of Second Avenue between East 126th Street and East 127th Street, Borough of Manhattan, County of New York, City and State of New York, in accordance with Borough President Map No. 30251:

Starting at a Point of Beginning located on the northerly street line of East 126th Street, said point being distant 60 feet northerly along the projection of the easterly street line of Second Avenue, discontinued and closed, and 74 feet easterly along said southerly street line of East 126th Street from its intersection with the easterly street line of Second Avenue, as those streets were hereinbefore laid out on the City Map;

- 1) Running thence westerly, along the newly established northerly street line of East 126th Street, 49.00 feet to the intersection with the newly established easterly street line of Second Avenue;
- 2) Running thence northerly, along the newly established easterly street line of Second Avenue, said course forming an interior angle with the last mentioned course of 90 degrees 00 minute 00 second, 199.83 feet to the intersection with the newly established southerly street line of East 127th Street;
- 3) Running thence easterly, along the newly established southerly street line of East 127th Street, said course forming an interior angle with the last mentioned course of 90 degrees 00 minute 00 second, 49.00 feet to the former easterly street line of Second Avenue;
- 4) Running thence southerly, along the former easterly street line of Second Avenue, discontinued and closed, said course forming an interior angle with the last mentioned course of 90 degrees 00 minute 00 second, 199.83 feet to the Point or Place of Beginning.

The area described above consists of 9,791.67 square feet or 0.22 acres more or less, located in Section 108 of the New York County Land Map.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 30251 dated February 17, 2017 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, September 6, 2017.

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. 736 & Res. No. 1674

Report of the Committee on Land Use in favor of approving Application No. C170278 PPM submitted by the Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 2460 Second Avenue (Block 1803, Lot 1), pursuant to zoning, Borough of Manhattan, Community District 11, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on August 9, 2017 (Minutes, page 2738) and which was previously brought before the Council at the September 7, 2017 Stated Meeting (Minutes, page 3021) and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 11

C 170278 PPM

City Planning Commission decision approving an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one City-owned property located at 2460 Second Avenue (Block 1803, Lot 1), pursuant to zoning.

INTENT

To approve the disposition of Block 1803, Lot 1, which in conjunction with the related actions would facilitate a new mixed-use, mixed-income development comprising approximately 730 residential units with ground floor retail space, community facility space and a memorial to commemorate the Harlem African Burial Ground, which comprises a portion of the proposed project site which is located in the East Harlem neighborhood of Manhattan's Community District 11.

PUBLIC HEARING

DATE: August 21, 2017

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** September 5, 2017

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

In Favor:

Salamanca, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 6, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Grodenchik, Salamanca.

Against:

None.

Abstain:

None.

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on September 8, 2017. The City Planning Commission filed a letter dated September 18, 2017, with the Council on September 19, 2017, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1674

Resolution approving with modifications the decision of the City Planning Commission on Application No. C 170278 PPM, for the disposition of one city-owned property located at 2460 Second Avenue (Block 1803, Lot 1), pursuant to zoning, Community District 11, Borough of Manhattan (L.U. No. 736).

By Council Members Greenfield and Salamanca.

WHEREAS, the City Planning Commission filed with the Council on July 28, 2017 its decision dated July 26, 2017 (the "Decision"), pursuant to Section 197-c of the New York City Charter, regarding an application submitted by the New York City Department of Citywide Administrative Services, for the disposition of one city-owned property located at 2460 Second Avenue (Block 1803, Lot 1) (the "Disposition Area"), pursuant to zoning. This disposition in conjunction with the related actions would facilitate a new mixed-use, mixed-income development comprising approximately 730 residential units with ground floor retail space, community facility space and a memorial to commemorate the Harlem African Burial Ground, which comprises a portion of the proposed project site located in the East Harlem neighborhood of Manhattan, (Application No. C 170278 PPM), Community District 11, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to applications C 170275 ZMM (L.U. No. 733), an amendment to the Zoning Map; N 170276 ZRM (L.U. No. 734), amendment to the text of the Zoning Resolution to designate a Mandatory Inclusionary Housing (MIH) area; and C 170093 MMM (L.U. No. 735), an amendment to the City Map;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 21, 2017;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Generic Environmental Impact Statement (FGEIS) for which a Notice of Completion was issued on July 13, 2017 (CEQR No. 16DME011M), which identified significant adverse impacts with respect to historic and cultural resources – archaeological resources, transportation (traffic, buses, subways, and pedestrians) and construction activities related to noise;

RESOLVED:

Having considered the FGEIS with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS 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 thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable.

The Decision and the FGEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, 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, C 170278 PPM, incorporated by reference herein, the Council approves the Decision for the disposition of one

city-owned property located at 2460 Second Avenue (Block 1803, Lot 1), Borough of Manhattan, with the modification that the disposition is restricted to require the provision of a minimum of 18,000 square feet of publicly accessible open space, to be located to the maximum extent feasible, within the historic footprint of the Harlem African Burial Ground on the Disposition Area.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, September 6, 2017.

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

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Doris Williams	50 Columbia Street #11C New York, N.Y. 10002	2
Nicole Arzola	300 First Avenue #3C New York, N.Y. 10009	4
Joyce Martinez	3433 Dekalb Avenue #5D Bronx, N.Y. 10467	11
Detra Smith-Farrell	4018 Amundson Avenue Bronx, N.Y. 10466	12
Chris Kirka	2500 Hering Avenue Bronx, N.Y. 10469	13
Janis Liriano	2630 Kingsbridge Terrace #4K Bronx, N.Y. 10463	14
Linda M. DiBalsi	189-10 37th Avenue #L Flushing, N.Y. 11358	19

Donna Mitchell	114-17 203rd Street Queens, N.Y. 11412	27
Edith McKenzie	163-29 130th Avenue Queens, N.Y. 11434	28
Mayury Jimenez	100-21 87th Avenue Richmond Hill, N.Y. 11418	32
Emily Woisin	680 Manhattan Avenue #6 Brooklyn, N.Y. 11222	33
Alfredo A. Rodriguez Perez	22 Caton Place #4F Brooklyn, N.Y. 11218	39
Carol Y. Telfair	51 Malta Street #3 Brooklyn, N.Y. 11207	42
Brandon B. Bernard	1506 Albany Avenue Brooklyn, N.Y. 11210	45
David Dzneladze	2925 Brighton 8th Street #2A Brooklyn, N.Y. 11235	48
Valentina Gioffre	59 St. Edwards Lane Staten Island, N.Y. 10309	51

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Ann Roberts	380 Riverside Drive New York, N.Y. 10025	7
Stephanie Colbourne	535 Union Avenue #717 Bronx, N.Y. 10455	8
Roberta Jackson	500 Southern Blvd #1F Bronx, N.Y. 10455	8
Leslie G. Marcovitch	383 East 143rd Street#4B Bronx, N.Y. 10454	8
Lavada R. Becoate	1900 Lexington Avenue #15E New York, N.Y. 10035	9
Jean M. Hockaday	161 West 140th Street #63 New York, N.Y. 10030	9
Douglas C. Morrison-Hoskins	2488 Adam Clayton Powell Jr. Blvd #1 New York, N.Y. 10030	9

Kennetha Robinson	385 Edgecombe Avenue #56 New York, N.Y. 10031	9
Amarilis Ruiz	130 Gale Place #2C Bronx, N.Y. 10463	11
Linda S. Dicks-Walker	2942 Gunther Avenue Bronx, N.Y. 10469	12
Patricia Wilson	120 Casals Place #16 Bronx, N.Y. 10475	12
Olga Rodriguez	2097 Muliner Avenue #3 Bronx, N.Y. 10462	13
Arianna L. Walvin	2223 Wallace Avenue #1 Bronx, N.Y. 10467	13
Akisha S. Chambers	2155 Daly Avenue #2B Bronx, N.Y. 10460	15
Barbara Johnson	999 Aldus Street #2C Bronx, N.Y. 10459	17
Renee Bien-Aime	2121 St. Raymonds Avenue #7F Bronx, N.Y. 10462	18
Frankie Curry	950 Underhill Avenue #5B Bronx, N.Y. 10473	18
Jeanine Theresa Givens	1710 Seward Avenue #2A Bronx, N.Y. 10473	18
Christia Elisseou	166-10 Powells Cove Blvd Queens, N.Y. 11357	19
Neil Robert Berzak R.A.	195-04 56th Avenue Queens, N.Y. 11365	20
Sabrina D. Chow	138-35 Elder Avenue #11E Queens, N.Y. 11355	20
Maxwell Baerd	27-10 Newtown Avenue #4F Queens, N.Y. 11102	22
Valerie Chung	150-38 Union Turnpike #10A Flushing, N.Y. 11367	24
Marcita A. Suazo	139-68 Pershing Crescent Queens, N.Y. 11435	24

Athenia A. Parks	188-24 Williamson Avenue Queens, N.Y. 11413	27
Betty Gayle	164-01 Foch Blvd #2A Queens, N.Y. 11434	28
Maria A. Montalvo	62-21 69th Place Queens, N.Y. 11379	30
Charlesetta Brunson	69-15 Elizabeth Avenue Queens, N.Y. 11692	31
Barbara Walston	462 Beach 47th Street Far Rockaway, N.Y. 11691	31
Josephine A. Miele	161-36 85th Street Howard Beach, N.Y. 11414	32
Diana Vale	75-13 97th Avenue Ozone Park, N.Y. 11416	32
Shaquana J. Anderson	541 Wythe Avenue #14G Brooklyn, N.Y. 11212	33
Leonard A. Jackson	122 Ashland Place #7E Brooklyn, N.Y. 11201	35
Yvette Davis	910 Park Place #3C Brooklyn, N.Y. 11216	36
Elizabeth Russell	240 New Jersey Avenue #D4 Brooklyn, N.Y. 11207	37
Daniel Giansante	111 Pacific Street #2 Brooklyn, N.Y. 11201	39
Carrie Goodin	2015 Union Street Brooklyn, N.Y. 11232	41
Johnnymae McCrae	695 Alabama Avenue Brooklyn, N.Y. 11207	42
Martha Hamboussi	9021 3rd Avenue Brooklyn, N.Y. 11209	43
Aurelia S. Grey	8907 Avenue A Brooklyn, N.Y. 11236	45
Phillip Feigel	1327 East 54th Street Brooklyn, N.Y. 11234	46
Alla Veynblat	2662 West 2nd Street #5A Brooklyn, N.Y. 11223	47

Diana Avishalom	2528 East 19th Street #2 Brooklyn, N.Y. 11235	48
Hazel Kleiner	27 Tabb Place Staten Island, N.Y. 10302	49
Bruce Gonsky	89 Elson Street Staten Island, N.Y. 10314	50
Carolyn Rodriguez	71 Forest Street Staten Island, N.Y. 10314	50

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

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

- (1) **M-548 & Res 1661 -** Transfer City funds between various agencies in Fiscal Year 2018 to implement changes to the City's expense budget, **(MN-1)**.
- (2) **M-549 & Res 1662 -** Resolution approving the modification of the Fiscal 2018 Capital Budget and Capital Program proposed by the Mayor.
- (3) **Int 139-C -** Non-tobacco smoking products, and to amend the fire code of the city of New York, and the New York city mechanical code, in relation to the operation of non-tobacco hookah establishments.
- (4) **Int 934-A -** Creation of a real time enforcement unit in the department of buildings.
- (5) **Int 1031-A -** Department of transportation to conduct a study of traffic congestion due to truck deliveries during daytime hours.
- (6) **Int 1075-A -** Signage warning of the health risks associated with smoking shisha.

- (7) **Int 1076-A -** Prohibiting the sale of non-tobacco smoking products to minors and young adults, and to repeal subdivision f of section 17-713 and section 17-714.
- (8) **Int 1292-A -** Acceptance of electronic vouchers.
- (9) **Int 1359-A -** Auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program.
- (10) **Int 1366-A -** Auditing buildings for compliance with the rent registration requirements of the 421-a tax exemption program.
- (11) **Int 1375-A -** Department of transportation to provide notice of its approval of applications to open street segments or intersections that have been reconstructed or resurfaced within the previous five years.
- (12) **Int 1447-C -** Construction site safety training and repealing section 3310.10.2 of the New York city building code.
- (13) **Int 1539-A -** Sale and financing of used automobiles by second-hand automobile dealers.
- (14) **Int 1540-A -** Second-hand automobile dealers to post and distribute a bill of rights to consumers.
- (15) **Res 1639 -** Increase in the annual expenditure and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.
- (16) **Res 1658 -** New designation and changes in the designation of certain organizations to receive funding in the Expense Budget **(Transparency Resolution)**.
- (17) **Res 1659 -** Resolution approving the rescindment of a term and condition included in the Fiscal 2018 Expense

Budget.

- (18) **L.U. 733 & Res 1671 -** App. **C 170275 ZMM** Manhattan, Community District 11, Council District 8.
- (19) **L.U. 734 & Res 1672 -** App. **N 170276 ZRM** Manhattan, Community District 11, Council District 8.
- (20) **L.U. 735 & Res 1673 -** App. **C 170093 MMM** Manhattan, Community District 11, Council District 8.
- (21) **L.U. 736 & Res 1674 -** App. **C170278 PPM** Manhattan, Community District 11, Council District 8.
- (22) **L.U. 738 & Res 1664 -** App. **20185040 HAK** Brooklyn, Community Board 14, Council District 40.
- (23) **L.U. 739 & Res 1665 -** App. **20185042 HAQ** Queens, Community Districts 12 and 13, Council District 27.
- (24) **L.U. 740 & Res 1666 -** App. **20185043 HAQ** Queens, Community Boards 10 and 12, Council District 28.
- (25) **L.U. 741 & Res 1667 -** App. **20185044 HAQ** Queens, Community Board 10, Council District 32.
- (26) **L.U. 742 & Res 1668 -** App. **20185048 HAK** Brooklyn, Community Board 3, Council District 36.
- (27) **L.U. 751 & Res 1669 -** App. **C 170382 ZSM** Manhattan, Community District 2, Council District 3.
- (28) **L.U. 754 & Res 1663 -** Noonan Plaza, Block 2518, Lot 1; Bronx, Community Board No. 4, Council District No. 16.
- (29) **L.U. 756 & Res 1670 -** App. **20185065 HAM** Manhattan, Council District 11.
- (30) **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, Chin, Cohen, Constantinides, Crowley, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

The General Order vote recorded for this Stated Meeting was 42-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int. No. 139-C**:

Affirmative – Barron, Chin, Cohen, Crowley, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, , Maisel, Menchaca, Mendez, Miller, Palma, Perkins, Richards, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **37**.

Negative – Borelli, Constantinides, Levine, Reynoso and Matteo – **5**.

The following was the vote recorded for **Int. No. 1075-A and 1076-A**:

Affirmative – Barron, Chin, Cohen, Constantinides, Crowley, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **40**.

Negative – Borelli and Matteo – **2**.

The following was the vote recorded for **Int. No. 1539-A**:

Affirmative – Barron, Chin, Cohen, Constantinides, Crowley, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Greenfield, Grodenchik, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **39**.

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

The following was the vote recorded for **Int. No. 1540-A**:

Affirmative – Barron, Chin, Cohen, Constantinides, Crowley, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **40**.

Negative – Borelli and Matteo – **2**.

The following was the vote recorded for **L.U. No. 738 & Res. No. 1664**:

Affirmative – Borelli, Chin, Cohen, Constantinides, Crowley, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vacca, Vallone, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **40**.

Negative – Barron – **1**.

Abstention – Williams – **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int. Nos. 139-C, 934-A, 1031-A, 1075-A, 1076-A, 1292-A, 1359-A, 1366-A, 1375-A, 1447-C, 1539-A, and 1540-A.

INTRODUCTION AND READING OF BILLS

Int. No. 1708

By Council Members Constantinides, Johnson, Rosenthal, Miller, Cohen, Crowley, Koslowitz, Lancman, Maisel, Vallone, Gentile, Cornegy, Kallos, Koo and Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of nebulizers in schools

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 17-199.6 to read as follows:

§ 17-199.6 Provision of nebulizers in schools. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Nebulizer. The term “nebulizer” means an electric device used to deliver medications for the respiratory system.

Nurse. The term “nurse” has the same meaning as such term is defined in section 17-187.

Public health advisor. The term “public health advisor” has the same meaning as such term is defined in section 17-187.

School. The term “school” means a school of the city school district of the city of New York.

b. The department shall make a nebulizer available at no cost to every school. The nebulizer shall be maintained in working order by the department and placed in a manner that ensures ready and appropriate access for use, including during emergencies.

c. The department, in consultation with the department of education, shall make appropriate training available for school nurses and public health advisors on the use and operation of a nebulizer.

d. Nothing in this section shall be construed to constrain existing or future department of education policy on the provision or use of nebulizers in schools.

e. The commissioner shall promulgate rules for the implementation of this section.

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

Referred to the Committee on Health.

Int. No. 1709

By Council Members Constantinides, Johnson, Rosenthal, Miller, Cohen, Crowley, Koslowitz, Lancman, Maisel, Vallone, Cornegy, Kallos, Koo and Van Bramer

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the prevalence of asthma and associated hospitalizations in the city

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 17-199.6 to read as follows:

§ 17-199.6 Asthma Reporting. No later than September 30, 2018, and annually no later than September 30 of each year, the department shall submit to the speaker and post on its website, in the form of a geographical map of the city, and shall include in the mayor’s management report prepared pursuant to section 12 of the charter, the most recent fiscal year data available regarding the prevalence of asthma and associated hospitalizations. Such data shall be collected no less than annually and shall be disaggregated by age group, education, race or ethnicity, and community district, where available and statistically reliable.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 1710

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to backup of electronic information stored by city agencies

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 Chapter 9 to read as follows:

*CHAPTER 9
ELECTRONIC DATA BACKUP*

§ 10-901 Backup of electronic information. Any agency that stores electronic information shall back up such information on an external storage device, a remote server over the internet, or on other storage media, with regular frequency. Electronic information stored on a physical or virtual server shall be regularly tested and restored.

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

Referred to the Committee on Technology.

Preconsidered Res. No. 1658

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 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”); and

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018, Fiscal 2017, and Fiscal 2016 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 and Fiscal 2017 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 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 A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2018 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 2018 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Alternatives to Incarceration (ATIs) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2018 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 Court-Involved Youth Mental Health Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Child Health and Wellness Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the removal of funds from the agency administering funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the removal of funds from the agency administering funding pursuant to the Bail Fund Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Video Visitation Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the removal of funds from the agency administering funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the change in the designation of the agency administering funding pursuant to the Home Loan Program Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Chamber on the Go and Small Business Assistance Initiative for Young Adults in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Support for Educators Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Wrap-Around Support for Traditional-Aged Foster Youth Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 30; 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 2018 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 34; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 35; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 36; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 37; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 38; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 39; 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 pursuant to certain initiatives in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 40; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for a certain organization receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 41; and be it further

Resolved, That the City Council approves the change in the amounts allocated to certain subcontractors by the organization receiving funding pursuant to the Job Training and Placement Initiative as designated in Schedule C for Fiscal 2018, as set forth in Chart 42; 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 2018, as set forth in Chart 43.

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. 1658 printed in these Minutes).

Preconsidered Res. No. 1659

Resolution approving the rescindment of a term and condition included in the Fiscal 2018 Expense Budget.

By Council Member Ferreras-Copeland.

Whereas, On June 6, 2017, the Council of the City of New York (“City Council”) adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”); and

Whereas, The Fiscal 2018 Expense Budget adopted by the City Council included several terms and conditions attached to units of appropriation in the budget; and

Whereas, One such term and condition, attached to unit of appropriation number 107 in the Fiscal 2018 Expense Budget for the Department of Social Services, provides that “Eligibility for legal representation provided through funds in unit of appropriation 107 for unrepresented, detained individuals in removal proceedings occurring in immigration court in New York City shall be based solely on income”; now, therefore, be it

Resolved, The City Council rescinds the term and condition attached to unit of appropriation 107 in the Fiscal 2018 Expense Budget for the Department of Social Services. Such rescindment shall apply to both the expense and contract budgets for fiscal year 2018.

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

Res. No. 1660

Resolution urging the Governor to sign into law A5667A/S4769A, in relation to gravity knives.

By Council Member Gibson.

Whereas, Major retailers throughout New York State such as Walmart, Lowes, Ace Hardware, AutoZone, Benjamin Moore Paint, Dicks Sporting Goods, and Paragon Sports, as well as smaller local hardware stores sell thousands of folding knives that are designed and marketed as tools, not as illegal gravity knives; and

Whereas, Pursuant to Penal Law § 265.01(1), possessing a “gravity knife” is a Class A misdemeanor that carries a penalty of up to one year in jail; and

Whereas, Under P.L. § 265.02(1) if an alleged possessor of a gravity knife has ever previously been convicted of any felony or misdemeanor, possession is deemed a Class D felony, punishable by up to 7 years in prison; and

Whereas, While gravity knives are illegal under the current law, the NYPD does not arrest retailers who possess and sell folding knives, but have arrested tens of thousands of New Yorkers who purchase them; and

Whereas, In 2010 the New York County District Attorney’s Office (DANY) entered into deferred prosecution agreements with New York County retailers that were selling common folding knives that DANY claimed were illegal gravity knives; and

Whereas, Although the retailers were selling folding knives, not the gravity knives originally banned by the New York State Legislature, the retailers agreed to pay a total of 1.9 million dollars to defer prosecution; and

Whereas, None of the store managers or owners were arrested for possessing and selling what prosecutors and the NYPD considered illegal weapons; and

Whereas, Common folding knives continue to be available at major retailers and local hardware stores throughout New York City; and

Whereas, According to NYPD data, 86% of those arrested for possessing folding knives and charged with gravity knife possession in violation of Penal Law § 265.01(1) are black or Latino; and

Whereas, Such enforcement creates a disparity whereby NYPD treats folding knives as tools when displayed on the shelves of major retailers, but disproportionately as illegal weapons once in the hands of black and Latino New Yorkers; and

Whereas, According to NYPD arrest data, from 2000 to 2012, the police department made 69,999 arrests for alleged violations of Penal Law § 265.01(1), which criminalizes possession of a host of weapons including gravity knives; and

Whereas, The Legal Aid Society estimates that between 4,000 and 5,000 people are arrested in New York City every year for carrying a folding knife; and

Whereas, According to a 6-month sample of criminal complaints analyzed by The Legal Aid Society, less than 2% of those arrested for criminal possession of a gravity knife were charged with intent to use the knife unlawfully against another; and

Whereas, Folding knives are regularly used by construction workers, electricians, stockpersons, handymen, and other tradesmen professions; and

Whereas, While almost all prosecutors in New York State stopped bringing gravity knife prosecutions under the current statute, New York City has not; and

Whereas, The District Attorneys Association of the State of New York, acknowledged that prosecutors outside of New York City have never prosecuted a gravity knife case or at least not prosecuted a gravity knife case in 30 years; and

Whereas, In New York city, police and prosecutors categorize ordinary folding knives as illegal gravity knives; and

Whereas, The NYPD employs a wrist-flick test to determine whether a knife constitutes an illegal gravity knife; and

Whereas, If a police officer can force a folding knife open with the flick of a wrist, a defendant is considered guilty of gravity knife possession, even though the knife is not designed to open in that manner; and

Whereas, More importantly, often the hinge on regular folding knives loosens overtime, which may cause the knife to open with a flick of the wrist; and

Whereas, A5667A/S4769A sponsored by Assembly Member Dan Quart and Senator Diane Savino, would amend Penal Law § 265.01 to redefine “gravity knife”; and

Whereas, A5667A/S4769A has passed in both the New York State Assembly and the New York State Senate; and

Whereas, Pursuant to A5667A/S4769A, gravity knives are defined as “any knife which has a blade which is released from the handle or sheath *solely* by the force of gravity when released” and is “locked in place by means of a button, spring, lever or other device”; and

Whereas, A5667A/S4769A would also remove the reference to the “application of centrifugal force” from the definition, ending the subjective wrist flick test and preventing ordinary knives from being deemed as illegal gravity knives; now, therefore, be it

Resolved, That the Council of the City of New York urges the Governor to sign into law A5667A/S4769A, in relation to gravity knives.

Referred to the Committee on State and Federal Legislation.

Int. No. 1711

By Council Member Kallos.

A Local Law to amend the New York city charter, in relation to childcare services at public meetings

Be it enacted by the Council as follows:

Section 1. Chapter 47 of the New York city charter is amended to add a new section 1069.2 to read as follows:

§ 1069.2 *Childcare at public meetings. a. For the purposes of this section, the following terms shall have the following meanings:*

Administering agency. The term “administering agency” shall mean the administration for children’s services.

Child. The term “child” shall mean a natural person under the age of thirteen years.

Childcare Services. The term “childcare services” shall mean care for a child at a location in proximity to a covered meeting by either a provider licensed and registered pursuant to section 390 of the New York state social services law or a person or entity compliant with the standards established pursuant to subdivision c of this section.

Covered Meeting. The term “covered meeting” means any public meeting held by a mayoral agency at which testimony from the public is accepted, but does not include any event or activity for which the primary purpose is entertainment or recreation.

b. The administering agency shall, upon request in a form and manner to be determined by such agency, provide childcare services at all covered meetings. Such request shall be submitted no less than five business days prior to the covered meeting by a parent, step-parent or guardian that will be attending the covered meeting.

c. Any invitation, advertisement, poster or public notice for a covered meeting, whether in print or via electronic means, shall contain information on how a request for childcare services may be submitted and the deadline for when such a request must be received.

d. The department of health and mental hygiene shall establish, by rule, standards for the provision of childcare services provided pursuant to this section by any person or entity not required to be licensed or regulated by the New York state social services law. Such standards shall at minimum include provision for a criminal history screening, a check against the statewide central register of child abuse and maltreatment required levels of training or experience in childcare, and a ratio for the number of children to adults.

e. For any meeting, other than a covered meeting or an event or activity for which the primary purpose is entertainment or recreation, that is open to the public and held by a city governmental entity other than a mayoral agency, such city governmental entity may request that childcare services be provided for such meeting pursuant to subdivision b of this section, provided that a request from a parent, step-parent or guardian that will be attending the meeting has been received and that the administering agency is informed no less than five business days prior to the meeting.

f. The requirements of this section shall be limited by the appropriation of funds available for such purpose.

§ 2. This local law takes effect one year after becoming law.

Referred to the Committee on General Welfare.

Int. No. 1712

By Council Member Lancman, Menchaca, and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the mayor's office of criminal justice to report on the disposition of criminal cases

Be it enacted by the Council as follows:

Section 1. Title 9 of the administrative code of the city of New York is amended by adding a new section 9-303 read as follows:

§ 9-303 Arrest disposition report.

a. Definitions. As used in this section, the following terms have the following meanings:

Criminal enforcement action. The term "criminal enforcement action" means the charging of an offense by any agency of the city of New York.

Disposition. The term "disposition" means the final outcome of any criminal enforcement action, including but not limited to a refusal to prosecute by a district attorney, a conviction for any offense, the dismissal of any charges filed by a district attorney, or an adjournment in contemplation of dismissal. The term "disposition" does not include any appellate outcomes.

Offense. The term "offense" has the same meaning as that in section 10.00 of the penal law or any successor provision.

b. The office shall submit a quarterly summary of criminal enforcement actions and dispositions to the mayor, the council, local district attorney's offices, and the office of court administration, and post such summary to the department's website. This summary shall be submitted within 30 days of the beginning of each quarter of the fiscal year. This summary shall include but not be limited to the following information:

- 1. The number of criminal enforcement actions, disaggregated by agency.*
- 2. The number and percentage of criminal enforcement actions disaggregated by the type of offense alleged or charged by such agency, in the following categories: (a) felonies, (b) misdemeanors, and (c) non-criminal offenses.*
- 3. The number and percentage of criminal enforcement actions in which an accusatory instrument is filed, disaggregated by agency.*
- 4. The number and percentage of criminal enforcement actions in which the pre-trial release status is of the following types, in total and disaggregated by agency: (a) released without bail, (b) bail or bond fixed, or (c) remanded without bail.*
- 5. The number and percentage of dispositions of criminal enforcement actions in the following types, in total and disaggregated by agency: (a) charges dismissed or adjourned in contemplation of dismissal, (b) sentenced to a conditional discharge, (c) sentenced to an unconditional discharge, (d) sentenced to a fine only, (e) sentenced to probation, (f) sentenced to time served, (g) sentenced to a definite period of incarceration, or (h) sentenced to a determinate or indeterminate period of incarceration. For the purposes of this section, any sentence imposed subsequent to an original sentence being imposed shall be deemed only to have had the*

original sentence imposed, and any sentence that includes multiple types shall be deemed only to include the type that includes a period of incarceration.

6. The number and percentage of criminal enforcement actions in which the following types of offenses are charged or alleged, in total and disaggregated by agency: (a) class A felonies, (b) class B or C felonies, (c) class D or E felonies, (d) misdemeanors, or (e) non-criminal charges.

7. The number and percentage of criminal enforcement actions in which the following types of dispositions are reached, in total and disaggregated by agency: (a) conviction for class A felonies, (b) conviction for class B or C felonies, (c) conviction for class D or E felonies, (d) conviction for misdemeanors, (e) conviction for non-criminal charges, or (f) no conviction.

8. The number and percentage of criminal convictions obtained through verdict after trial.

9. The number and percentage of criminal enforcement actions in which the following types of offenses are charged or alleged, in total and disaggregated by agency: (a) class A felonies disaggregated by offense; (b) violent felonies as defined in section 70.02 of the penal law; (c) non-violent felonies as defined in section 70.02 of the penal law; (d) misdemeanors; or (e) non-criminal charges.

10. The number and percentage of criminal enforcement actions in which the following types of dispositions are reached, in total and disaggregated by agency: (a) conviction for class A felonies disaggregated by offense; (b) conviction for violent felonies as defined in section 70.02 of the penal law; (c) conviction for non-violent felonies as defined in section 70.02 of the penal law; (d) conviction for misdemeanors; (e) conviction for non-criminal charges, or (f) no conviction.

11. The number and percentage of criminal enforcement actions in which the following types of offense are charged or alleged, in total and disaggregated by agency:

(a) The following crimes as defined in the New York state penal law: (i) misdemeanor larceny as defined in sections 140.35, 155.25, and 165.40, (ii) misdemeanor drug possession as defined in section 220.03, (iii) misdemeanor assault as defined in sections 120.00, 120.14, 120.15, 121.11, and 265.01, (iv) misdemeanor harassment or violation of a court order as defined in sections 215.50 and 240.30, (v) misdemeanor theft of services as defined in section 165.15, (vi) misdemeanor trespass as defined in sections 140.10 and 140.15, (vii) misdemeanor criminal mischief or graffiti as defined in sections 145.00 and 145.60, (viii) misdemeanor sexual crimes as defined in sections 130.52, 130.55, and 135.60, (ix) misdemeanor resisting arrest or obstructing governmental administration as defined in sections 195.05 and 205.30, (x) misdemeanor marijuana possession as defined in sections 221.10 and 221.40, (xi) felony vehicular assault or vehicular manslaughter as defined in sections 120.03, 120.04, 120.04-a, 120.20, 120.25, 125.12, 125.13, and 125.14, (xii) felony assault as defined in sections 120.05, 120.06, 120.07, 120.08, 120.09, 120.10, 120.11, 120.12, and 120.13, (xiii) homicide offenses as defined in sections 125.10, 125.11, 125.15, 125.20, 125.21, 125.22, 125.25, 125.26, and 125.27, (xiv) felony sexual assault as defined in sections 130.25, 130.30, 130.35, 130.40, 130.45, 130.50, 130.53, 130.65, 130.65a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.90, 130.91, 130.95, and 130.96, (xv) kidnapping as defined in sections 135.10, 135.20, and 135.25, (xvi) burglary as defined in sections 140.20, 140.25, and 140.30, (xvii) arson as defined in sections 150.05, 150.10, 150.15, and 150.20, (xviii) robbery, grand larceny, and stolen property offenses as defined in sections 155.30, 155.35, 155.40, 155.42, 160.05, 160.10, 160.15, 165.45, 165.50, 165.52, and 165.54, (xix) felony violation of a court order as defined in sections 215.51 and 215.52, (xx) felony drug possession or sale as defined in sections 220.06, 220.09, 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41, 220.43, and 220.44, (xxii) firearm or weapons possession as defined in sections 265.01-A, 265.01-B, 265.02, 265.03, 265.04, 265.08, 265.09, 265.11, 265.12, 265.13, 265.14, 265.16, and 265.19.

(b) The following crimes as defined in the New York state vehicle and traffic law: (i) driving under the influence of alcohol as defined in section 1192, (ii) driving with a suspended license as defined in section 511.

(c) The following categories of offense: (i) any violation or non-criminal offense, (ii) any misdemeanor not specifically enumerated in this paragraph, (iii) any felony not specifically enumerated in this paragraph.

12. The information in paragraphs 1, 6, 7, and 11 of this subdivision disaggregated by the borough in which the inmate's case was pending. This data shall be listed separately and shall also be compared to the following crime rates disaggregated by borough:

(a) The number of crimes reported per capita;

(b) The number of class A felonies and violent felonies as defined in section 70.02 of the penal law reported per capita;

(c) The number of arrests per capita for criminal offenses; and

(d) The number of arrests for class A felonies and violent felonies as defined in section 70.02 of the penal law per capita.

c. No later than January 1, 2018, and no later than each January 1 thereafter, the office shall publish a report and make recommendations with respect to: 1. trends in dispositions; and 2. any related actions, including programming or training, necessary to address trends in dispositions.

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

Referred to the Committee on Public Safety,

Int. No. 1713

By Council Member Lander.

A Local Law to amend the New York city charter, in relation to establishing the office of civic engagement

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-D to read as follows:

§ 20-D *Office of Civic Engagement.* *a. The mayor shall establish an office of civic engagement. Such office may, but need not, be established in the executive office of the mayor, and may be established as a separate office within any other office of the mayor or within any department, the head of which is appointed by the mayor. Such office shall be headed by a coordinator who shall be appointed by the mayor or the head of such department.*

b. Powers and duties. The coordinator of the office of civic engagement shall:

1. advise the mayor, and any other elected city official upon request, in developing and implementing policy designed to increase public engagement in community and civic affairs;

2. advise and assist mayoral agencies in developing and implementing policy to: (a) increase utilization of social services offered by city agencies or not-for-profit organizations, (b) facilitate community service, volunteer, and student internship opportunities, and (c) establish programs that enable direct public input and participation in the repurposing of public space and infrastructure for collaborative community use;

3. implement a community ambassador program that trains local resident volunteers to offer and provide within their communities general assistance, information and referrals regarding available social services, and report hazards and emergencies to city agencies; and

4. review budget requests of all agencies for programs related to increased civic engagement and recommend to the mayor budget priorities among such programs, and assist the mayor in prioritizing such requests.

§ 2. This local law takes effect in 120 days after enactment.

Referred to the Committee on Governmental Affairs

Int. No. 1714

By Council Members Levin and Gibson.

A Local Law to amend the administrative code of the city of New York, in relation to an educational continuity unit

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-318 to read as follows:

§ 21-318 *Educational continuity unit. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Intake facility. The term “intake facility” means the location where families with children apply for temporary emergency housing with the department, such as the prevention assistance and temporary housing facility, or a successor entity.

Shelter applicants. The term “shelter applicants” means families with children in the process of applying for emergency shelter with the department at an intake facility.

b. Any intake facility shall have an educational continuity unit. The ability to meet with such unit during the process of applying for shelter shall be explained and offered to all shelter applicants. The responsibilities of the educational continuity unit shall include, but not be limited to, the following:

- 1. Staff availability during evening and weekend hours, in addition to regular business hours;*
- 2. Meet with shelter applicants to discuss the education of any school-aged children, including school access and educational continuity rights;*
- 3. Begin the process of arranging transportation and/or enrolling in a new school for any school-aged children;*
- 4. Inform shelter applicants of early childhood education options including subsidized child care, child care vouchers, and pre-kindergarten;*
- 5. Inform shelter applicants of the ability to screen children for early intervention services; and*
- 6. Provide shelter applicants written information on homeless students’ rights, which shall, at a minimum, include an explanation of students’ rights pursuant to the mckinney-vento homeless assistance act as established by sections 11432 and 11433 of title 42 of the United States code.*

c. Any information provided to shelter applicants by the educational continuity unit shall include contact information for relevant staff at the department of education.

§ 2. This local law takes effect 180 days after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 1715

By Council Members Richards and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to a solar power pilot program

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-126 to read as follows:

§ 3-126 *Solar powered pilot program. a. Definitions.*

Covered building. The term “covered building” means a building that contains one or more dwelling units.

Designated agency. The term “designated agency” means the office of long-term planning and sustainability or another agency or office designated by the mayor to administer the provisions of this section.

Dwelling unit. The term “dwelling unit” shall have the meaning ascribed to such term in the housing maintenance code.

b. The designated agency shall develop and conduct a pilot program in which a district-scale solar thermal heating system is used in conjunction with solar photovoltaic systems to provide all of the heating, hot water, cooling and electricity needs for covered buildings participating in such program.

c. The designated agency shall consider utilizing underground borehole thermal energy storage to store solar energy generated in connection with such program. If the designated agency determines that the use of

such storage means is not practicable or is otherwise undesirable, such agency shall set forth the reasons therefor in the findings required by subdivision e of this section.

d. The designated agency shall establish a procedure for selecting a suitable site which is the recipient of sufficient solar radiation for the covered buildings to successfully participate in such program.

e. The purchaser of a residential building that is part of the pilot program must enter into a regulatory agreement with the department of housing preservation and development requiring that the building and each dwelling unit offered for rent in such building be made and remain affordable to the occupant or subsequent purchaser thereof for the duration of such program, in a manner determined by such department.

f. In July of each year, the designated agency shall submit to the mayor and the speaker of the council, and make publicly available online, a report on the findings of such pilot.

§ 2. This local law takes effect immediately

Referred to the Committee on Environmental Protection.

Int. No. 1716

By Council Members Richards, Espinal and Gentile.

A Local Law to amend the New York city building code, in relation to requiring that the roofs of certain new buildings be partially covered in plants or solar panels

Be it enacted by the Council as follows:

Section 1. Chapter 15 of chapter 7 of title 28 of the administrative code of the city of New York is amended by adding a new section BC 1512 to read as follows:

Section BC 1512

GREEN ROOFS OR SOLAR PHOTOVOLTAIC PANELS/MODULES REQUIRED

1512.1 General. *Buildings or structures classified in accordance with section BC 302 of the New York city building code in occupancy groups A-1, A-2, A-3, A-4, E, F-1, F-2, I-1, I-2, R-1, R-2 or R-3 shall cover at least 50 percent of available rooftop space with a green roof system or solar photovoltaic panels/modules, or with a combination of both.*

Exception: *Available rooftop space shall not include:*

- 1. Any space required by the New York City Fire Code; and*
- 2. Any space occupied by mechanical equipment.*

1512.2 Installation. *The installation of green roof systems and solar photovoltaic panels/modules shall comply with the following:*

1512.2.1 Green roofs. *The design and installation of green roof systems shall comply with section 1507.16 of this chapter.*

1512.2.2 Solar photovoltaic panels/modules. *The design and installation of solar photovoltaic panels/modules shall comply with section 1511.1 of this chapter.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 1717

By Council Members Salamanca, Gentile, Menchaca and Palma.

A Local Law to amend the New York city charter, in relation to requiring attendance records of city agencies be kept at borough board meetings and community board meetings

Be it enacted by the Council as follows:

Section 1. Paragraph 11 of subdivision b of section 85 of the New York city charter is amended to read as follows:

(11) Keep a public record of its activities and transactions, including minutes of meetings, majority and minority reports, by-laws, *the attendance records of city agencies*, and all documents which the board is required by law to review; such documents shall, in accordance with law, be made available to elected officials upon request and for reasonable public inspection. *Attendance records of city agencies shall be presented annually in the form of a report to the mayor, public advocate, the borough president for the applicable borough and the member or members of the city council who represent an area of the borough; and*

§ 2. Paragraph 8 of subdivision d of section 2800 of the New York city charter is amended to read as follows:

(8) Request the attendance of agency representatives at meetings of the community board *and keep a record of such attendance. Such attendance records shall be presented annually in the form of a report to the mayor and public advocate, and to the borough president of the borough in which the community board is located and the member or members of the city council who represent the area covered by the community board;*

§ 3. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 1718

By Council Members Salamanca and Maisel.

A Local Law to amend the administrative code of the city of New York, in relation to authorizing the landmarks preservation commission to administer a historic preservation grant program

Be it enacted by the Council as follows:

Section 1. Title 25 of the administrative code of the city of New York is amended by adding a new section 25-323:

§ 25-323 *Historic preservation grant programs. a. The commission shall have the power to administer a program of grants with funds available from the local, state, and federal governments for the purpose of preserving, for the public benefit, structures which are designated or calendared individual landmarks, are located in designated historic districts, or contain interior landmarks.*

b. In administering a program of grants, the commission shall not discriminate against an organization on the basis of such organization's religious character or affiliation, or lack thereof, provided however, the

commission shall not make grants for the preservation of an interior room used as a place of worship, religious instruction, or proselytization.

§ 2. This local law takes effect immediately.

Referred to the Committee on Land Use.

Int. No. 1719

By Council Member Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to parking signs near stadiums and arenas

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.6 to read as follows:

§ 19-175.6 *Parking signs.* a. For purposes of this section, the term “stadium” means a stadium or arena in the city with a capacity of at least 5,000 spectators in which sporting and other events are performed and seating or standing room is assigned by issuance of tickets purchased by spectators.

b. Any department sign that imposes parking regulations contingent on the stadium being in use for an event shall include a link to the schedule on the department’s website described in subdivision c of this section.

c. The department shall maintain on its website a schedule for each stadium that includes the dates and times when parking regulations contingent on the stadium being in use for an event are in effect. The department shall update such schedule at least five days in advance of each event.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Int. No. 1720

By Council Member Treyger.

A Local Law in relation to the creation of a Hurricane Sandy recovery task force

Be it enacted by the Council as follows:

Section 1. a. There is hereby established a Hurricane Sandy recovery task force to analyze the recovery efforts made by city agencies in response to Hurricane Sandy and make specific recommendations to the mayor and council for preparing the city for future natural disasters.

b. For the purposes of this local law, the term “build it back program” means the disaster recovery program funded by a community development block grant pursuant to the disaster relief appropriations act of 2013 and implemented by the city for recovery of residential property damaged or destroyed in the severe storm known as Sandy that occurred on October 29 and October 30 in 2012.

c. Such task force shall consist of eleven members as follows:

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

(2) The commissioner of emergency management, or his or her designee, who shall serve ex officio;

(3) Six members appointed by the speaker of the council and three members appointed by the mayor provided that (i) at least one such member shall be an employee, member or director of, or otherwise affiliated with, a nonprofit organization that participated in Hurricane Sandy relief work; (ii) such members shall include at least one resident of each borough; (iii) two such members shall be, or shall have been, participants in the build it back

program; (iv) two such members shall be residents of public housing operated by the New York city housing authority; and (v) at least one such member shall have expertise in storm resiliency or recovery efforts.

d. An employee of the governor's office of storm recovery may participate in the task force.

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

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

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

h. Members of the task force shall serve without compensation and shall meet at least monthly.

i. No later than eight months after the effective date of this local law, the task force shall submit to the mayor and the speaker of the council a report which shall include, at a minimum,:

(1) An analysis of the damages and losses suffered by private property owners as a result of Hurricane Sandy and an analysis of the extent to which such damages have been repaired or such losses recovered;

(3) An analysis of the damages to city property and losses to the city, and an analysis of the extent to which such damages have been repaired or such losses recovered;

(4) Recommendations on how to best meet any remaining Hurricane Sandy recovery and rebuilding needs; and

(5) Recommendations on steps that could be taken by the city to improve the resiliency of its facilities and the resiliency of private property in high-risk flood zones, as identified by the flood emergency management administration flood insurance rate maps.

j. The task force shall dissolve upon submission of the report required by subdivision i of this local law.

§ 2. This local law takes effect immediately.

Referred to the Committee on Recovery and Resiliency.

Int. No. 1721

By Council Members Williams, Lander, Menchaca, Rosenthal and Levine,

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

Be it enacted by the Council as follows:

Section 1. Subparagraph a of paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, is amended to read as follows and new subparagraphs a-1 and a-2 are added to such paragraph to read as follows:

a. using force *or unlawful acts* against, [or] making express or implied threats *to use force or unlawful acts* [that force will be used] against, any person lawfully entitled to occupancy of such dwelling unit;

a-1. knowingly providing to any person lawfully entitled to occupancy of a dwelling unit false or misleading information relating to the occupancy of such unit or whether such unit is or will be maintained in a habitable and safe condition;

a-2. making a false statement or misrepresentation as to a material fact in any application or construction documents for a permit for work which is to be performed in the building containing such dwelling unit and which is governed by the New York city construction codes;

§ 2. Subparagraph b of paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, as amended by local law 164 for the year 2017, is amended to read as follows and new subparagraphs b-2, b-3 and b-4 are added to such paragraph to read as follows:

b. repeated *violations*, interruptions or discontinuances of [essential] services, or an interruption or discontinuance of [an essential] service for an extended duration or of such significance as to substantially impair the habitability of such dwelling unit;

b-1. an interruption or discontinuance of [an essential] service that (i) affects such dwelling unit and (ii) occurs in a building where repeated interruptions or discontinuances of [essential] services have occurred;

b-2. repeated failures to correct violations of this code or the New York city construction codes, relating to the dwelling unit and the common areas of the building containing such dwelling unit, within the time required for such corrections;

b-3. repeated false certification that a violation of this code or the New York city construction codes, relating to the building containing such dwelling unit, has been corrected;

b-4. engaging in conduct within the building which negatively affects the use and occupancy of the dwelling unit or the public areas which is in violation of section 28-105.1 of the code;

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

Referred to the Committee on Housing and Buildings.

Preconsidered L.U. No. 754

By Council Member Ferreras-Copeland:

Noonan Plaza, Block 2518, Lot 1; Bronx, Community Board No. 4, Council District No. 16.

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

Preconsidered L.U. No. 755

By Council Member Ferreras-Copeland:

Seagirt Apartments, Block 15610, Lot 1; Queens, Community District No. 14, Council District No. 31.

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

Preconsidered L.U. No. 756

By Council Member Greenfield:

Application No. 20185065 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an amendment to a previously approved real property tax exemption extending the period from 10 years to 20 years for property located at Block 1749, Lot 61, Block 1750, Lots 57 and 58, Block 1751, Lot 50, Block 1644, Lot 65, Block 1785, Lot 8, Block 1783, Lots 10 and 109, Block 1796, Lots 21 and 41, Block 1806, Lots 37 and 111, Block 1807, Lot 113, and Block 1796, Lot 4 (the "Exemption Area") in Community Districts 8 and 9, Borough of Manhattan, Council District 11.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions & Concessions).

Preconsidered L.U. No. 757

By Council Member Greenfield:

Application No. C 170180(A) ZMQ submitted by Stemmax Realty Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, changing from an M1-1 District to an R7A District, Borough of Queens, Community District 7, Council District 20.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 758

By Council Member Greenfield:

Application No. N 170181 ZRQ submitted by Stemmax Realty Inc. 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, Borough of Queens, Community District 7, Council District 20.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning & Franchises).

L.U. No. 759

By Council Member Greenfield:

Application No. C 160174 ZSR submitted by Josif A LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) greater than 10,000 square feet within a proposed multi-building commercial development on property located at 534 South Avenue (Block 1707, Lots 1 and 5), in an M1-1 District, Borough of Staten Island, Community District 1, Council District 49. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 760

By Council Member Greenfield:

Application No. C 150359 MMR submitted by Josif A LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map including authorization for any acquisition or disposition of real property related thereto, Borough of Staten Island, Community District 1, Council District 49. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 761

By Council Member Greenfield:

Application No. C 150278 ZMK submitted by Harrison Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, changing from an M3-1 District to R7A/C2-4, R7D/C2-4, and R8A/C2-4 Districts property located in the vicinity of Flushing Avenue and Union Avenue, Borough of Brooklyn, Community District 1, Council District 33.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 762

By Council Member Greenfield:

Application No. N 150277 ZRK submitted by Harrison Realty LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 33.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 763

By Council Member Greenfield:

Application No. 20185034 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Francisco & Francisco Inc., d/b/a Pop and Pour, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 200 Dyckman 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.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

<http://legistar.council.nyc.gov/Calendar.aspx>

A N N O U N C E M E N T S

Thursday, September 28, 2017

[Committee on General Welfare](#) jointly with the
[Committee on Youth Services](#)10:00 a.m.

Oversight - Safe and Accessible Shelters for Homeless Youth.

Int 1619 - By Council Members Johnson, Levin, Constantinides, Gentile and Menchaca - **A Local Law** to amend the administrative code of the city of New York, in relation to runaway youth and homeless youth who have been turned away from any shelter under the jurisdiction of the department of youth and community development.

Int 1699 - By Council Members Gibson, Johnson, Dromm, Menchaca, Mendez, Torres, Vacca, Van Bramer, Palma and Rosenthal - **A Local Law** to the administrative code of the city of New York, in relation to time frames for runaway and homeless youth shelter services.

Int 1700 - By Council Members Johnson, Torres, Dromm, Menchaca, Mendez, Vacca, Van Bramer, Palma and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to shelter for runaway and homeless youth.

Int 1705 - By Council Members Salamanca, Johnson, Dromm, Menchaca, Mendez, Torres, Vacca, Van Bramer and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to runaway and homeless youth entering department of homeless services shelters.

Int 1706 - By Council Members Torres, Johnson, Dromm, Menchaca, Mendez, Vacca, Van Bramer and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to runaway and homeless youth services for homeless young adults.

Council Chambers – City Hall

Stephen Levin, Chairperson
Mathieu Eugene, Chairperson

[Committee on Civil Rights](#)..... 1:00 p.m.

Oversight - Examining the rise in discriminatory harassment claims received by the Commission on Human Rights.

Committee Room – 250 Broadway, 16th Floor

Darlene Mealy, Chairperson

[Committee on Governmental Operations](#)..... 1:00 p.m.

Oversight - Agency Responses to Failures to Pay Civil Penalties: The Implementation of Local Law 47 of 2016.

Committee Room – 250 Broadway, 14th Floor

Ben Kallos, Chairperson

Monday, October 2, 2017

[Committee on Veterans](#) 1:00 p.m.

Oversight - Department of Veterans’ Services

Committee Room – City Hall

Eric Ulrich, Chairperson

Tuesday, October 10, 2017

[Subcommittee on Zoning & Franchises](#)..... 9:30 a.m.

See Land Use Calendar

Council Chambers – City Hall

Donovan Richards, Chairperson

[Committee on Youth Services](#) 10:00 a.m.

Oversight - Summer Youth Employment Program (SYEP)

Committee Room – 250 Broadway, 14th Floor

Mathieu Eugene, Chairperson

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#)..... 11:30 a.m.

See Land Use Calendar

Committee Room – City Hall

Peter Koo, Chairperson

[Subcommittee on Planning, Dispositions & Concessions](#)..... 1:00 p.m.

See Land Use Calendar

Committee Room – City Hall

Rafael Salamanca, Chairperson

Wednesday, October 11, 2017

[Committee on General Welfare](#) jointly with the
[Committee on Education](#) 10:00 a.m.

Oversight - Support for Homeless Students

Int 1497 - By Council Members Salamanca, Johnson, Levin and Cohen - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of education to report on students in temporary housing.

Committee Room – 250 Broadway, 16th Floor

Stephen Levin, Chairperson
Daniel Dromm, Chairperson

[Committee on Land Use](#) 11:00 a.m.

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Council Chambers – City Hall

David G. Greenfield, Chairperson

[Subcommittee on Zoning & Franchises](#)..... 12:00 p.m.

See Land Use Calendar

Council Chambers – City Hall

Donovan Richards, Chairperson

Monday, October 16, 2017

[Committee on Technology](#)..... 1:00 p.m.

Int 1696 - By Council Members Vacca, Rosenthal, Johnson, Salamanca and Gentile - **A Local Law** to amend the administrative code of the city of New York, in relation to automated processing of data for the purposes of targeting services, penalties, or policing to persons.

Committee Room – 250 Broadway, 14th Floor

James Vacca, Chairperson

Tuesday, October 17, 2017

★ Note Topic Addition

[Committee on Finance](#)..... 10:00 a.m.

Int 1698 - By Councils Member Ferreras-Copeland and Palma (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to in relation to authorizing an increase in the amount to be expended annually in eleven business improvement districts

★L.U. 755 - By Council Member Ferreras-Copeland - Seagirt Apartments, Block 15610, Lot 1; Queens, Community District No. 14, Council District No. 31.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall

Julissa Ferreras-Copeland, Chairperson

[Stated Council Meeting](#)

Ceremonial Tributes – 1:00 p.m.

Agenda – 1:30 p.m.

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) noted that she had returned from Puerto Rico the day before and saw first-hand the devastation that was wrought by a series of hurricanes which hit the Island. These hurricanes had also swept through the U.S. Virgin Islands and the Greater Caribbean. She had gone to Puerto Rico at the request of the Mayor of San Juan, Carmen Yulán Cruz, who had asked the City of New York for assistance. Mayor de Blasio had sent first responders and emergency personnel there to help their metropolitan areas set up emergency systems and distribution centers. The Speaker (Council Member Mark-Viverito) thanked Mayor de Blasio and the New York City Office of Emergency Management for their attention to this cause and expressed pride over their early response to this humanitarian crisis. She also criticized the slow response of the Federal government to the plight of three million U.S. citizens on the Island as an undeniable moral crisis. The Speaker (Council Member Mark-Viverito) thanked those who gave contributions, donations and volunteered their time and called it inspiring. She encouraged people to continue to aid in this mission of recovery and rebuilding.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) wished everyone a belated *Shanah Tovah* and an easy fast as the Jewish Holiday season begins.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Tuesday, October 17, 2017.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 119-D, 1013-A, 1148-A, 1237-A, 1348-A, 1439-A, 1451-A, 1452-A, 1500-B, 1512-A, 1514-A, and 1520-B, all adopted by the Council at the August 24, 2017 Stated Meeting, were signed into law by the Mayor on September 8, 2017 as, respectively, Local Law Nos. 166 to 177 of 2017.

Int. No. 1688, adopted by the Council at the August 24, 2017 Stated Meeting, was signed into law by the Mayor on September 19, 2017 as Local Law No. 178 of 2017.

Int. No. 135-A, adopted by the Council at the August 24, 2017 Stated Meeting, was returned unsigned by the Mayor on September 26, 2017 and was assigned subsequently as Local Law No. 179 of 2017. This bill had become law on September 24, 2017 pursuant to the City Charter due to the lack of Mayoral action within the Charter-prescribed thirty day time period.