

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, November 14, 2018, 2:03 p.m.

The Public Advocate (Ms. James)

Acting President Pro Tempore and Presiding Officer

Council Members

Corey D. Johnson, *Speaker*

| | | |
|-------------------------|---------------------|----------------------|
| Adrienne E. Adams | Mark Gjonaj | Keith Powers |
| Alicia Ampry-Samuel | Barry S. Grodenchik | Antonio Reynoso |
| Inez D. Barron | Robert F. Holden | Donovan J. Richards |
| Joseph C. Borelli | Ben Kallos | Carlina Rivera |
| Justin L. Brannan | Andy L. King | Ydanis A. Rodriguez |
| Fernando Cabrera | Peter A. Koo | Deborah L. Rose |
| Margaret S. Chin | Karen Koslowitz | Helen K. Rosenthal |
| Andrew Cohen | Rory I. Lancman | Rafael Salamanca, Jr |
| Costa G. Constantinides | Bradford S. Lander | Ritchie J. Torres |
| Robert E. Cornegy, Jr | Stephen T. Levin | Eric A. Ulrich |
| Laurie A. Cumbo | Mark D. Levine | Paul A. Vallone |
| Chaim M. Deutsch | Alan N. Maisel | James G. Van Bramer |
| Ruben Diaz, Sr. | Steven Matteo | Jumaane D. Williams |
| Daniel Dromm | Carlos Menchaca | Kalman Yeger |
| Rafael L. Espinal, Jr | I. Daneek Miller | |
| Mathieu Eugene | Francisco P. Moya | |
| Vanessa L. Gibson | Bill Perkins | |

Medical Leave: Council Members Ayala and Treyger.

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

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

There were 49 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Pastor Bishop Earl W. McKay from the Church of God of Prophecy, located at 85 East 165th Street Bronx, New York 10452.

Great, thank you, great and gracious God
 we come before you today with grateful heart sounds,
 saying thank you for your loving kindness,
 thank you for preserving us through the night,
 for waking us up this morning to see another day.
 Out of gratitude we desire to do your will today
 and so we ask that you grant guidance to all
 who by providence are assembled here today.
 Guide this illustrious Council that you have selected, elected,
 and called out from among then populace
 to serve this great city of New York.
 Grant each council person discernment and discretion
 in all their discussions and deliberations and decisions.
 Grant that in these difficult times discussions and deliberations
 will be done with utmost dignity and reciprocal respect.
 Grant each wisdom as they seek to serve with equity
 the interests of each citizen, rich or poor,
 housed or homeless, powerful or powerless.
 And oh Lord do attend to their deepest personal needs
 and the needs of their families
 as they selflessly and sometimes thanklessly serve the needs of others.
 These favors we solicit of you
 with hopeful and grateful hearts.
 Amen.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) asked for a Moment of Silence for the following:

The Speaker (Council Member Johnson) acknowledged the November 7, 2018 Borderline Bar and Grill mass shooting in Thousand Oaks, California where twelve innocent individuals, including a sheriff sergeant first responder, were shot and killed. He noted that most of the victims were college students and that one of the deceased had survived the 2017 Las Vegas mass shooting. The Speaker (Council Member Johnson) read out the names of the twelve who were killed: Sheriff Sergeant Ron Helus, Noel Sparks, Dan Manrique, Justin Meek, Alaina Housely, Telemachus Orfanos, Cody Coffman, Sean Adler, Mark Meza, Jr., Blake Dingman, Jacob Dunham, and Kristina Morisette. He offered his thoughts and prayers to the deceased and their loved ones but emphasized that thoughts and prayers were not enough and he concluded by calling for gun control.

The Speaker (Council Member Johnson) also acknowledged the November 2018 wildfires that had ravaged California and killed 48 individuals at that point in the time with many others reported missing. He offered his prayers to those affected by this tragedy.

The Speaker (Council Member Johnson) also noted that New Yorker Kam Po Lau, 63, a school bus driver, lost his life on October 17, 2018 during the course of his employment.

A Moment of Silence was observed at this point.

* * *

LAND USE CALL-UPS

M-114

By The Chair of the Land Use Committee (Council Member Salamanca):

Pursuant to Rule 11.20(b) 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 Application Nos. C 180486 PCK, C 180488 ZSK, and C 180490 ZSK (Marcus Garvey Village) shall be subject to Council review. These applications are related to Application Nos. C 180485 HAK, C 180487 ZRK, and C 180489 ZMK.

Coupled on Call-Up Vote.

M-115

By Council Member Kallos:

Pursuant to Rule 11.20(b) of the Council and §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an enclosed sidewalk café located at 300 East 86th Street, Borough of Manhattan, Council District 5, Community District 8, Application No. 20195184 TCM shall be subject to review by the Council.

Coupled on Call-Up Vote.

M-116

By Council Member Powers:

Pursuant to Rule 11.20(b) of the Council and §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an enclosed sidewalk café located at 1022 Madison Avenue, Borough of Manhattan, Council District 5, Community District 4, Application No. 20195183 TCM shall be subject to review by the Council.

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 – Adams, Ampy-Samuel, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Ulrich, Vallone, Van Bramer, Williams, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **49**.

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 Finance**

Report for Int. No. 1144

Report of the Committee on Finance in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in fourteen business improvement districts.

The Committee on Finance, to which the annexed proposed local law was referred on October 17, 2018 (Minutes, page 3870), respectfully

REPORTS:

On November 14, 2018, the Committee on Finance will hold a hearing on Intro. No. 1144, *A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in fourteen business improvement districts*, sponsored by Council Member Dromm (by request of the Mayor). These increases, which have been requested by the Business Improvement Districts (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.

On October 31, 2018, the Committee adopted Resolution 564 that set November 14, 2018 as the date to consider a local law that would increase the annual expenditures of 14 BIDs, as of July 1, 2018. Today, the Committee will hear from all persons interested in the legislation, which would increase the amount to be expended annually in the 14 BIDs.

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

| BID Name | Yr. Est. | Last Increase Yr | Current Authorized Assessment Cap | Proposed Authorized Assessment Cap | \$ Increase Request | | Increase Schedule | CM District (s) | SBS Justification |
|------------------------|----------|------------------|-----------------------------------|------------------------------------|---------------------|-----------------------|-------------------|---|--|
| | Yrs | Increase Amount | | | Total % Increase | Annualized % Increase | | Supporting Councilmember | |
| 125th Street | 1994 | 2014 | \$1,005,793 | \$1,240,462 | \$234,669.00 | | One-time | 9 | Assessment increase will expand marketing program and hire a director to manage communications and events; expand sanitation program with purchasing and replacing bins, and provide additional service for holidays and anticipated snow days; revamped holiday lights design; increased promotional activities for holiday lighting event; and purchase new street banners. 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. |
| | 24 | \$57,973 | | | 23.33% | 5.83% | | 1x \$234,669 | |
| Bay Ridge Fifth Avenue | 2006 | 2016 | \$427,000 | \$534,000 | \$107,000.00 | | One-time | 43 | Assessment increase will expand merchant marketing program; improve seasonal marketing efforts including hosting additional public events and revamp holiday lighting; add streetscape elements; and expand business support 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. |
| | 12 | \$89,000 | | | 25.06% | 12.53% | | 1x \$107,000 | |
| Chinatown | 2012 | N/A | \$1,300,000 | \$1,800,000 | \$500,000.00 | | Phased | 1 | Assessment increase will restore sanitation hours from 33,000/year to 35,800/year after being cut to accommodate for increase in minimum wage; expand merchant marketing and neighborhood branding programs; host additional street fairs and special events; launch public safety services to address perceived increase in crime; and add permanent and temporary streetscape elements. Additionally, funds will pay for rented office |
| | 6 | N/A | | | 38.46% | 6.41% | | 1x \$250,000 (19%) 1x \$250,000 | |

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November 14, 2018

(16%)

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.

| BID Name | Yr. Est. | Last Increase Yr | Current Authorized Assessment Cap | Proposed Authorized Assessment Cap | \$ Increase Request | | Increase Schedule | CM District (s) | SBS Justification |
|-------------------------------|----------|------------------|-----------------------------------|------------------------------------|---------------------|-----------------------|--|----------------------------|--|
| | Yrs | Increase Amount | | | Total % Increase | Annualized % Increase | | Supporting Councilmember | |
| Court-Livingston-Schermerhorn | 2007 | 2017 | \$907,000 | \$1,400,000 | \$493,000.00 | | One-time | 33 | Assessment increase will fund installation and maintenance of public space improvements including new big belly placements, tree guards, horticulture, street seats, plaza activations, and conduct a public realm study. 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. |
| | 11 | \$207,000 | | | 54.36% | 9.09% | 1x \$493,000 | Levin | |
| Flatiron 23rd Street | 2006 | 2013 | \$2,200,000 | \$3,250,000 | \$1,050,000.00 | | Phased | 2,3,4 | Assessment increase will expand beautification projects and repair streetscape elements; expand Summer series and holiday programming; expand security program on a seasonal basis for summer programming; host additional merchant networking events; and expand existing homeless outreach program; increase staff from 5 to 6 full time to oversee expanded programming. 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. |
| | 12 | \$600,000 | | | 47.73% | 9.55% | 1x \$550,000 (25%) 1x 250,000 (9%) 1x 250,000 (8%) | Rivera, Johnson, Powers | |
| Fashion Center | 1993 | 2016 | \$8,800,000 | \$13,000,000 | \$4,200,000.00 | | Phased | 3.4 | Assessment increase will fund enhancement of programming on pedestrian plazas, new marketing initiatives, capital projects, and replacing streetscape elements in pedestrian plazas. 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. In addition, a portion of this assessment increase will be |
| | 25 | \$1,000,000 | | | 47.73% | 23.86% | 1x \$2,200,000 (25%) 1x | Johnson, Powers | |

4251

November 14, 2018

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|--|--|--|--|--|--|--|
| | | | | | \$1,000,000 (9%) 1x \$1,000,000 (8%) | used to fund programming and technical assistance to recognize and support the continued presence of the garment industry in the district. |
|--|--|--|--|--|--|--|

| BID Name | Yr. Est. | Last Increase Yr | Current Authorized Assessment Cap | Proposed Authorized Assessment Cap | \$ Increase Request | | Increase Schedule | CM District (s) | SBS Justification |
|----------------|----------|------------------|-----------------------------------|------------------------------------|---------------------|-----------------------|-------------------|--------------------------|--|
| | Yrs | Increase Amount | | | Total % Increase | Annualized % Increase | | Supporting Councilmember | |
| Graham Avenue | 1987 | 2002 | \$137,638 | \$250,000 | \$112,362.00 | | Phased | 33, 34 | Assessment increase will allow the BID to hire additional staff from 1.5 to 2.5 to maintain and expand current and proposed programs including streetscape program, farmers market, and public events in the summer; expand local outreach programming during the L-Train closure; purchase new banners and holiday decorations; maintain street plantings and new tree pits; and restore 5 murals. 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. |
| | 31 | \$12,513 | | | 81.64% | 5.10% | | | |
| Grand Street | 1985 | 2014 | \$226,460 | \$324,360 | \$97,900.00 | | One-time | 34 | Assessment increase will increase full-time staff from 1 to 2 to manage communications and events and expand sanitation program to account for increasing foot traffic from shuttle bus stops along Grand Street during L-train 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. |
| | 33 | \$45,292 | | | 43.23% | 10.81% | | | |
| Lincoln Square | 1997 | 2013 | \$2,500,000 | \$3,200,000 | \$700,000.00 | | Phased | 3, 6 | Assessment increase will expand holiday programming; expand Information Ambassador program; replace streetscape elements including, tables, chairs, umbrellas, and planters; enhance beautification program, and allocate additional staff time for fundraising for Winter's Eve. A portion of this increase will be used to sustain current levels |
| | 21 | \$500,000 | | | 28.00% | 5.60% | | | |

4253

November 14, 2018

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|--|--|--|--|--|--|--|---|--|
| | | | | | | | \$400,000 (15%) 1x \$200,000 (6%) | of programs and services impacted by rising contract costs associated with the increase in minimum wage. |
|--|--|--|--|--|--|--|---|--|

| BID Name | Yr. Est. | Last Increase Yr | Current Authorized Assessment Cap | Proposed Authorized Assessment Cap | \$ Increase Request | | Increase Schedule | CM District (s) | SBS Justification |
|-------------------------|----------|------------------|-----------------------------------|------------------------------------|---------------------|-----------------------|-------------------|--------------------------------|--|
| | Yrs | Increase Amount | | | Total % Increase | Annualized % Increase | | Supporting Councilmember | |
| Long Island City | 2005 | 2018 | \$800,000 | \$1,000,000 | \$200,000.00 | | One-time | 26 Van Bramer | Assessment increase will expand holiday lighting to the expanded district boundaries; enhance marketing services for retail and commercial businesses; expand visitor services; and provide additional retail business assistance. 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. Although the BID recently expanded, the expansion budget only covered the cost of expanding existing BID services into a new subdistrict and did not include an increase in budget to meet the demands of minimum wage increases, inflation, and other rising costs for the overall BID geography. |
| | 13 | \$350,000 | | | 25.00% | 25.00% | | | |
| Lower East Side | 1993 | 2015 | \$974,600 | \$1,300,000 | \$325,400.00 | | One-time | 1 Chin | Assessment increase will maintain new public spaces including Delancey Street bike lanes, planned pedestrian neck downs, and plazas in and around Essex Crossing; additional contracted staff for new power washing program; improve promotional efforts for merchants and neighborhood branding; and purchase and install new holiday lights. |
| | 25 | \$639,000 | | | 33.39% | 11.13% | | | |
| Park Slope Fifth Avenue | 2008 | N/A | \$300,000 | \$500,000 | \$200,000.00 | | Phased | 38, 39 Menchaca, Lander | Assessment increase will purchase and install new holiday lights; implement a new beautification program; provide part-time ambassadors on event nights at Barclays Center; and host additional promotions and sales days. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract |
| | 10 | N/A | | | 66.67% | 6.67% | | | |

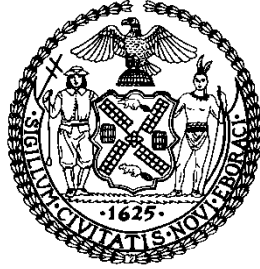
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|--|--|--|--|--|--|--|------------------------|--|---|
| | | | | | | | 1x \$40,000 (9%) | | costs associated with the increase in minimum wage. |
| | | | | | | | 1x \$25,000 (5%) | | |

| BID Name | Yr. Est. | Last Increase Yr | Current Authorized Assessment Cap | Proposed Authorized Assessment Cap | \$ Increase Request | | Increase Schedule | CM District (s) | SBS Justification |
|--------------------|----------|------------------|-----------------------------------|------------------------------------|---------------------|-----------------------|---|--------------------------|--|
| | Yrs | Increase Amount | | | Total % Increase | Annualized % Increase | | Supporting Councilmember | |
| Steinway Street | 1991 | 2015 | \$400,000 | \$520,000 | \$120,000.00 | | Phased | 26 | Assessment increase will develop and implement a comprehensive social media marketing plan; install and maintain planters, tree pits, and greenspaces; and maintain existing streetscape amenities. 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. |
| | 27 | \$75,000 | | | 30.00% | 10.00% | 1x \$60,000 (15%) 1x \$60,000 (13%) | Van Bramer | |
| Westchester Square | 2012 | N/A | \$320,000 | \$425,920 | \$105,920.00 | | Phased | 13 | Assessment increase will add security program, in response to merchants' request, to address quality of life issues in the square; expand sanitation program for additional snow removal; and relocate to new office space from losing previous space at discount rent. 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. |
| | 6 | N/A | | | 33.10% | 5.52% | 1x \$32,000 (10%) 1x \$35,200 (10%) 1x \$38,720 (10%) | Gjonaj | |

(The following is the text of the Fiscal Impact Statement for Int. No. 1144:)



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

FISCAL IMPACT STATEMENT

INTRO. NO.: 1144

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in fourteen business improvement districts.

SPONSORS: Council Member Dromm (by request of the Mayor)

SUMMARY OF LEGISLATION: The proposed local law amends the Administrative Code of the city of New York to increase the budget amounts of fourteen Business Improvement Districts (“BIDs”) referred to as “the BIDs,” throughout the City. The budgets are funded by special assessments on properties within the BID and pay for additional services beyond those which the City provides. The special assessments are collected with the City’s property tax collection system and passed through to the BIDs.

EFFECTIVE DATE: This local law would take effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2018.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2019

FISCAL IMPACT STATEMENT:

| | Effective FY19 | FY Succeeding Effective FY20 | Full Fiscal Impact FY19 |
|-------------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues (+) | \$0 | \$0 | \$0 |
| Expenditures (-) | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES AND EXPENDITURES: There will be no net impact on revenues or expenditures resulting from the enactment of this legislation. The BID assessments are charges separate from the City’s property tax levy and thus do not impact the General Fund. The assessments are levied on the businesses located in the impacted BIDs. The BIDs’ budgets for Fiscal 2019 will increase from the Fiscal 2018 amounts (see below) as a result of this legislation.

| BID Name | Authorized Assessment | Requested Assessment |
|--------------------------------------|------------------------------|-----------------------------|
| Steinway Street | \$400,000 | \$520,000 |
| Graham Avenue | \$137,638 | \$250,000 |
| Lower East Side | \$974,600 | \$1,300,000 |
| Fashion Center | \$8,800,000 | \$13,000,000 |
| Grand Street | \$226,460 | \$324,360 |
| 125th Street | \$1,005,793 | \$1,240,462 |
| Lincoln Square | \$2,500,000 | \$3,200,000 |
| Madison/23rd/Flatiron/Chelsea | \$2,200,000 | 3,250,000 |
| Queens Plaza/Court Square | \$800,000 | \$1,000,000 |
| Bay Ridge 5th Avenue | \$427,000 | \$534,000 |
| Court-Livingston-Schermerhorn | \$907,000 | \$1,400,000 |
| Park Slope Fifth Avenue | \$300,000 | \$500,000 |
| Chinatown | \$1,300,000 | \$1,800,000 |
| Westchester Square | \$320,000 | \$425,920 |

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: BID special assessments

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Small Business Services

ESTIMATE PREPARED BY: Aliya Ali, Principal Finance Analyst, Finance Division

ESTIMATE REVIEWED BY: Crilhen Francisco, Unit Head, Finance Division
Nathan Toth, Deputy Director, Finance Division
Regina Poreda Ryan, Deputy Director, Finance Division
Rebecca Chasan, Senior Counsel, Finance Division

LEGISLATIVE HISTORY: Intro. No. 1144 was introduced to the full Council on October 17, 2018 and referred to Committee on Finance. On November 14, 2018, the Committee on Finance will consider and vote on Intro.

No. 1144. Upon successful vote by the Committee, the legislation will be voted on by the full Council on November 14, 2018.

DATE PREPARED: November 9, 2018.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 1144:)

Int. No. 1144

By Council Member Dromm (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in fourteen business improvement districts

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-420.1 of the administrative code of the city of New York, as amended by local law number 3 for the year 2015, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Steinway Street business improvement district beginning on July 1, [2014] 2018, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [four hundred thousand dollars (\$400,000)] *five hundred twenty thousand dollars (\$520,000)*.

§ 2. Subdivision a of section 25-425 of the administrative code of the city of New York, as amended by local law number 30 for the year 2002, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Graham Avenue business improvement district beginning on July 1, [2002] 2018, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one hundred thirty-seven thousand six hundred thirty-eight dollars (\$137,638)] *two hundred fifty thousand dollars (\$250,000)*.

§ 3. Subdivision a of section 25-428.1 of the administrative code of the city of New York, as amended by local law number 118 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Lower East Side business improvement district beginning on July 1, [2013] 2018, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [nine hundred seventy-four thousand six hundred dollars (\$974,600)] *one million three hundred thousand dollars (\$1,300,000)*.

§ 4. Subdivision a of section 25-432.1 of the administrative code of the city of New York, as amended by local law number 135 for the year 2016, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Fashion Center business improvement district beginning on July 1, [2016] 2018, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not

be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [eight million eight hundred thousand dollars (\$8,800,000)] *thirteen million dollars (\$13,000,000)*.

§ 5. Subdivision a of section 25-436 of the administrative code of the city of New York, as amended by local law number 118 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Grand Street business improvement district beginning on July 1, [2013] *2018*, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two hundred twenty-six thousand four hundred sixty dollars (\$226,460)] *three hundred twenty-four thousand three hundred sixty dollars (\$324,360)*.

§ 6. Subdivision a of section 25-437.1 of the administrative code of the city of New York, as amended by local law number 3 for the year 2015, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the 125th Street business improvement district beginning on July 1, [2014] *2018*, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one million five thousand seven hundred ninety-three dollars (\$1,005,793)] *one million two hundred forty thousand four hundred sixty-two dollars (\$1,240,462)*.

§ 7. Subdivision a of section 25-450.1 of the administrative code of the city of New York, as amended by local law number 118 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Lincoln Square business improvement district beginning on July 1, [2013] *2018*, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two million five hundred thousand dollars (\$2,500,000)] *three million two hundred thousand dollars (\$3,200,000)*.

§ 8. Subdivision a of section 25-463.1 of the administrative code of the city of New York, as added by local law number 3 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Madison/23rd/Flatiron/Chelsea business improvement district beginning on July 1, [2012] *2018*, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two million two hundred thousand dollars (\$2,200,000)] *three million two hundred fifty thousand dollars (\$3,250,000)*.

§ 9. Subdivision a of section 25-467.1 of the administrative code of the city of New York, as amended by local law number 1 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Queens Plaza/Court Square business improvement district beginning on July 1, [2016] *2018*, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [eight hundred thousand dollars (\$800,000)] *one million dollars (\$1,000,000)*.

§ 10. Subdivision a of section 25-471.1 of the administrative code of the city of New York, as added by local law number 17 for the year 2016, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Bay Ridge 5th Avenue business improvement district beginning on July 1, [2015] *2018*, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not

be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [four hundred twenty-seven thousand dollars (\$427,000)] *five hundred thirty-four thousand dollars (\$534,000)*.

§ 11. Subdivision a of section 25-472.1 of the administrative code of the city of New York, as added by local law number 135 for the year 2016, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Court-Livingston-Schermerhorn business improvement district beginning on July 1, [2016] *2018*, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [nine hundred seven thousand dollars (\$907,000)] *one million four hundred thousand dollars (\$1,400,000)*.

§ 12. The administrative code of the city of New York is amended by adding a new section 25-476.1 to read as follows:

§ 25-476.1 *Park Slope Fifth Avenue business improvement district. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Park Slope Fifth Avenue business improvement district beginning on July 1, 2018, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of five hundred thousand dollars (\$500,000).*

b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the Park Slope Fifth Avenue business improvement district plan.

§ 13. The administrative code of the city of New York is amended by adding a new section 25-483.1 to read as follows:

§ 25-483.1 *Chinatown business improvement district. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Chinatown business improvement district beginning on July 1, 2018, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of one million eight hundred thousand dollars (\$1,800,000).*

b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the Chinatown business improvement district plan.

§ 14. The administrative code of the city of New York is amended by adding a new section 25-484.1 to read as follows:

§ 25-484.1 *Westchester Square business improvement district. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Westchester Square business improvement district beginning on July 1, 2018, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of four hundred twenty-five thousand nine hundred twenty dollars (\$425,920).*

b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the Westchester Square business improvement district plan.

§ 15. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2018.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, November 14,

2018. *Other Council Members Attending: Council Members Chin and Lander.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 612

Report of the Committee on Finance in favor of approving a Resolution amending and restating the resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for fiscal 2019 to the state board of real property tax services pursuant to section 1803-a of the real property tax law.

The Committee on Finance, to which the annexed preconsidered resolution was referred on November 14, 2018, respectfully

REPORTS:

Introduction. Section 1803-a, Real Property Tax Law, requires the City Council to certify to the State Board of Real Property Tax Services (the "SBRPTS") certain calculations used in the process of updating the class shares from the previous year. These calculations are made every year by the Council to reflect the following changes in each class of real property:

- a. Changes in the market value of taxable real property (as determined by SBRPTS sample studies),
- b. Physical changes as a result of new construction or demolitions,
- c. Changes in taxable status, and
- d. Transfers of real property among the four classes of real property as a result of changes in use or for other reasons.

Under SBRPTS regulations, the Council must update the class shares by making two separate certifications. The action to be taken in the above-referenced resolution constitutes the first step of establishing the class shares of the four classes of taxable real property in the City to which the tax levy for the Fiscal 2019 budget will be applied. The purpose of this step is to give effect to the latest class equalization rates required by Article 18, Real Property Tax Law. Using these rates, new estimates of market values for each class are calculated.

The second step, certifying the "adjusted base proportions", is the subject of a separate resolution that takes account of all the changes that are included in the final assessment roll, after Tax Commission review of taxpayer protests. Attached hereto, as Exhibit A, are definitions of terms that are used in the analysis below.

Analysis. The class equalization rates described above produce prospective current base proportions that show increases in Classes 1 and 2 above the Fiscal 2018 adjusted base proportion, or "class shares" (as shown in column R of SBRPS Form RP-6700 attached to the above-captioned resolution), and decreases in the class shares of Classes 3 and 4. Pursuant to Section 1803-a(1)(c) of the Real Property Tax Law if the increase in any class exceeds 5 percent, the Council is directed to shift the excess (and only the excess) to any other class or classes so long as the shift does not cause the current base proportion of any other class to increase by more than 5 percent. However, pursuant to an amendment to the Real Property Tax Law enacted during the 2018 session and codified in Section 1803-a(1)(dd) of the Real Property Tax Law, the City is authorized to limit the increase for Fiscal 2019 so that the current base proportion of any class does not exceed the adjusted base proportion of the previous year by 0.5 percent. Class 1 and 2 exceed this cap. Therefore, in the above-captioned resolution, the excess above 0.5 percent from Classes 1 and 2 are shifted to Classes 3 and 4.

As shown in the chart below, the shift of the increase from Classes 1 and 2 to Classes 3 and 4 will result in the Fiscal 2019 current base proportions of all four classes to show the following changes from their adjusted base proportions in Fiscal 2018.

| Class | Percent Change Before Shifting Excess to Classes 3 & 4 | Percent Change After Shifting Excess to Classes 1 & 2 |
|-------|--|---|
| 1 | + 6.6 | + 0.5 |
| 2 | + 1.1 | + 0.5 |
| 3 | - 14.5 | - 5.6 |
| 4 | - 1.1 | + 0.2 |

However, these "current base proportions" must still be adjusted for the physical changes and transfers among classes, which are contained in the final assessment roll. These adjustments will be made in a separately amended and restated resolution constituting the Council's second step. The "adjusted base proportions" thus derived will be the class shares used for allocating the real property tax levy for Fiscal 2019.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 612:)

Res. No. 612

Resolution amending and restating the resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for fiscal 2019 to the state board of real property tax services pursuant to section 1803-a of the real property tax law.

By Council Member Dromm.

Whereas, On February 26, 2018, the State Board of Real Property Tax Services (the "SBRPTS") certified the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2019 assessment rolls, required by Article 18, Real Property Tax Law; and

Whereas, Section 1803-a (1), Real Property Tax Law, requires the Council to compute and certify, to the SBRPTS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2019 assessment rolls, pursuant to Section 1212, Real Property Tax Law; and

Whereas, On June 14, 2018, the Council adopted a resolution computing and certifying the base percentage, current percentage and current base proportion of each class of real property for Fiscal 2019 to the State Board of Real Property Tax Services pursuant to Section 1803-a, Real Property Tax Law (the "June 14th Resolution"); and

Whereas, The June 14th Resolution reflects a five percent cap on any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion; and

Whereas, After the adoption of the June 14th Resolution, Section 1803-a, Real Property Tax Law, was amended to lower the percent of increase in the current base proportion as compared with the previous year's adjusted base proportion to 0.5 percent;

NOW, THEREFORE, be it resolved by the Council of the City of New York as follows:

Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2019. (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base percentage for the City's Fiscal 2019 assessment rolls as shown on SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2019 assessment rolls, pursuant to Section 1212, Real Property Tax Law.

Section 2. Effective Date. This resolution shall take effect immediately.

ATTACHMENT:

ATTACHMENT: Exhibit A - the CBP Certificate

(For text of the Exhibit A Chart, known as the "CBP Certificate", please refer to the legislation section of the New York City Council website <https://council.nyc.gov> and search in the attachments section of the [Res. No. 612 of 2018](#))

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS; Committee on Finance, November 14, 2018. *Other Council Members Attending: Council Members Chin and Lander.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 613

Report of the Committee on Finance in favor of approving a Resolution amending and restating the resolution computing and certifying adjusted base proportion of each class of real property for fiscal 2019 to the state board of real property tax services pursuant to section 1803-a of the real property tax law.

The Committee on Finance, to which the annexed preconsidered resolution was referred on November 14, 2018, respectfully

REPORTS:

Introduction. The above-captioned resolution completes the certification procedure required by Section 1803-a, Real Property Tax Law, to establish the class shares used in levying the real property taxes for the adopted Fiscal 2019 budget.

On June 14, 2018, the Council adopted a resolution computing and certifying the current base proportions for Fiscal 2018 (the "CBP Resolution"). After the adoption of the CBP Resolution, Section 1803-a, Real Property Tax Law, was amended to lower the percent of increase in the current base proportion as compared with the previous year's adjusted base proportion from 5.0 percent to 0.5 percent, which altered the calculations contained in the CBP Resolution. Pursuant to this amendment to state law, the Council will vote to adopt a resolution on November 14, 2018, amending and restating the CBP Resolution. On June 14, 2018, the Council also adopted a resolution computing and certifying the adjusted base proportion of each class of real property for Fiscal 2019 (the "ABP Resolution"). The above-captioned resolution amends and restates the ABP Resolution to reflect the changes in the proposed November 14, 2018 CBP Resolution.

The current base proportion for each class of real property takes into account the market value changes in the class occurring between the assessment roll for the base period, 1989, and the latest roll for which the State Board of Real Property Tax Services ("SBRPTS") has established class equalization rates, 2017. The CBP Resolution modified the class shares for the Fiscal 2019 property tax levy accordingly. The remaining step, to be taken in the above-captioned resolution, adjusts these current base proportions to take account of the various physical changes (such as demolitions, new construction, changes in exempt status and transfers among classes) that are reflected in the new final assessment roll. The computations called for in the SBRPTS procedure are designed to separate the effects of these physical changes from equalization changes made by local assessors.

Analysis. The calculations shown on the SBRPS Form RP-6702 attached to the above-captioned resolution modify the share for each class to reflect physical changes. For Fiscal 2019, all property tax classes show modest physical changes. The Fiscal 2019 adjusted base proportions for Classes 1 and 4 show modest declines of an average of 1.1 percent from the Fiscal 2019 current based proportions. Classes 2 and 3, on the other hand, see increases due to physical changes pushing their adjusted base percentage about 0.5 percent and 4.8 percent, respectively, over their current base proportions (see exhibit A of the above-captioned resolution).

However, the changes from the adjusted base proportions from Fiscal 2018 to Fiscal 2019, as reported in the table below, show decreases for Classes 1, 3 and 4, while Class 2 sees an increase.

| Comparison of Class Shares for Fiscal 2018 and Fiscal 2019 | | | |
|--|-------------|-------------|----------------|
| Class | Fiscal 2018 | Fiscal 2019 | Percent Change |
| 1 | 14.8429 | 14.6808 | -1.09 |
| 2 | 37.4190 | 37.8078 | +1.04 |
| 3 | 6.2975 | 6.2255 | -1.14 |
| 4 | 41.4406 | 41.2859 | -0.37 |
| Total | 100.0000 | 100.0000 | |

The tax rates resulting from the use of class shares, or adjusted base proportions, shown above for Fiscal 2019 are compared to the Fiscal 2018 tax rates in the following table.

| Comparison of Tax Rates for Fiscal 2018 and Fiscal 2019 (Per \$100 Assessed Value) | | | |
|---|-------------|-------------|---------------|
| Class | Fiscal 2018 | Fiscal 2019 | \$ Difference |
| 1 | \$20.385 | \$20.919 | \$0.53 |
| 2 | 12.719 | 12.612 | -0.11 |
| 3 | 11.891 | 12.093 | 0.20 |
| 4 | 10.514 | 10.514 | 0.00 |

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 613:)

Res. No. 613

Resolution amending and restating the resolution computing and certifying adjusted base proportion of each class of real property for fiscal 2019 to the state board of real property tax services pursuant to section 1803-a of the real property tax law.

By Council Member Dromm.

Whereas, On May 25, 2018, pursuant to Section 1514 of the Charter of the City of New York, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for the fiscal year beginning on July 1, 2018 and ending on June 30, 2019 ("Fiscal 2019"), a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516, Real Property Tax Law (the "Fiscal 2019 Assessment Rolls"); and

Whereas, Section 1803-a (5), Real Property Tax Law, requires the Council subsequent to the filing of the final Fiscal 2019 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2019 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

Whereas, Within five (5) days upon determination of the Adjusted Base Proportions, Section 1803-a (6), Real Property Tax Law, requires the Council to certify, to the State Board of Real Property Tax Services ("SBRPTS"), the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from the additions to or removals from the Fiscal 2019 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from changes other than those referred to above; and

Whereas, On June 14, 2018, the Council adopted a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2019 pursuant to Section 1803-a (1), Real Property Tax Law (the "Current Base Proportion Resolution"); and

Whereas, After the June 14th adoption of the Current Base Proportion Resolution, Section 1803-a, Real Property Tax Law, was to lower the percent of increase in the current base proportion as compared with the previous year's adjusted base proportion to 0.5 percent; and

Whereas, Pursuant to the amendment to Section 1803-a, Real Property Tax Law, on November 14, 2018, the Council adopted a resolution computing and certifying the base percentage, current percentage and current base proportion of each class of real property for Fiscal 2019 to the SBRPTS pursuant to Section 1803-a, Real Property Tax Law;

NOW, THEREFORE, be it resolved by The Council of The City of New York as follows:

Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2019. (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from the additions to or removals from the Fiscal 2019 Assessment Rolls as described in Section 1803-a (5), Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from changes other than those described in Section 1803-a (5), Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPTS no later than five (5) days after the date hereof.

Section 2. Effective Date. This resolution shall take effect immediately.

ATTACHMENT: Exhibit A - the ABP Certificate

(For text of the Exhibit A Chart, known as the "ABP Certificate", please refer to the legislation section of the New York City Council website at <https://council.nyc.gov> and search in the attachments section of the [Res. No. 613 of 2018 file](#))

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS; Committee on Finance, November 14, 2018. *Other Council Members Attending: Council Members Chin and Lander.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 614

REPORT OF THE COMMITTEE OF FINANCE IN FAVOR OF APPROVING A RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF,

FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2018 AND ENDING ON JUNE 30, 2019, BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK

The Committee on Finance, to which the annexed preconsidered resolution was referred on November 14, 2018, respectfully

REPORTS:

(For text of the Committee Report, please refer to the legislation section of the New York City Council website at <http://council.nyc.gov> and search for “Committee Report” in the attachment section to the [Res. No. 614 of 2018 file](#))

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 614:)

Res. No. 614

RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2018 AND ENDING ON JUNE 30, 2019, BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK

By Council Member Dromm.

(For text of the [Tax-Fixing Resolution Res No. 614 of 2018](#), please refer to the legislation section of the New York City Council website at <http://council.nyc.gov> and search for “Res. No. 614” in the attachment section for the [Res. No. 614 of 2018 file](#))

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS; Committee on Finance, November 14, 2018. *Other Council Members Attending: Council Members Chin and Lander.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 615

Report of the Committee on Finance in favor of approving a Resolution concerning the establishment of the Throggs Neck Business Improvement District in the Borough of the Bronx and setting the date, time and place for the public hearing to hear all persons.

The Committee on Finance, to which the annexed preconsidered resolution was referred on November 14, 2018, respectfully

REPORTS:

BACKGROUND

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

The proposed Throggs Neck BID (hereinafter the “District”) is located in South East portion of the borough of the Bronx, in the neighborhood of Throggs Neck, and in Bronx Community Board 10. The proposed District extends along both sides of East Tremont Avenue from Bruckner Boulevard to Miles Avenue. The proposed District is a low-density residential area of 180 properties with substantial commercial overlay: 141 of the 180 properties are partially or wholly commercial. The businesses include a range of food service establishments, such as: health care facilities, cosmetic services, medical offices, insurance businesses, law services, financial services, supermarkets, laundromats, apparel establishments, florists, and entertainment.

The District will be managed by the Throggs Neck BID District Management Association. Services to be provided within the District include: maintenance/sanitation; marketing/retail attraction; and administration and advocacy. The BID’s proposed first year budget is \$340,000, which is also its maximum legal assessment.

| SERVICES | AMOUNT |
|---|------------------|
| Maintenance/Sanitation | \$112,500 |
| Marketing/Retail Attraction | \$103,000 |
| Administration and Advocacy | \$124,500 |
| TOTAL FIRST CONTRACT YEAR BUDGET | \$340,000 |

The District’s assessment will be based on linear front footage. All properties within the District devoted in whole or in part to retail, commercial use, will be assessed \$36 per front foot per year, plus an additional \$300 if the parcel occupies a corner and an additional \$300 for each floor of commercial usage above the first floor. Government and not-for-profit owned property are exempt from assessment. Residential properties will be assessed \$1 per year. All vacant parcels zoned for commercial or mixed-use shall be assessed at \$300/year, doubled for corner parcels.

The average annual assessment for the District would be approximately \$2,411, the median assessment would be approximately \$1,855, the minimum assessment would be approximately \$37, and the highest assessment would be approximately \$12,912.

PRECONSIDERED RESOLUTION NO. 615

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

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

The hearing on the local law and the District Plan will be held on November 28, 2018 at 10:00 a.m. in City Council Committee Room, City Hall, 2nd Floor, to hear all persons interested in the establishment of the District.

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

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 615:)

Res. No. 615

Resolution concerning the establishment of the Throggs Neck Business Improvement District in the Borough of the Bronx and setting the date, time and place for the public hearing to hear all persons.

By Council Member Dromm.

Whereas, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated May 16, 2018, provided for the preparation of a district plan (“the Plan”) for the Throggs Neck Business Improvement District (“the District”) in the Borough of the Bronx; and

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

Whereas, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on June 6, 2018 and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community board for the community district in which the proposed District is located (Bronx Community Boards Number 10, hereinafter “the Community Board”) on June 6, 2018; and

Whereas, the CPC submitted the Plan to the Bronx Borough President on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the Community Board notified the public of the Plan in

accordance with the requirements established by the CPC; and

Whereas, on June 27, 2018, the Community Board voted to approve the establishment of the District; and

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

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

Whereas, pursuant to section 25-405(c) of the Law, a copy of the CPC's report, together with the original Plan, was transmitted for filing with the City Clerk on August 28, 2018; and

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

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

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

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

Resolved, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that November 28, 2018 is the date and 10:00 a.m. is the time and the City Council Committee Room, City Hall, 2nd Floor, is the place for a public hearing ("the Public Hearing") to hear all persons interested in the establishment of the District; and be it further

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

Resolved, that SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing; and be it further

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

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, November 14, 2018.

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 616

Report of the Committee on Finance in favor of a Resolution approving a Resolution authorizing an increase in the amount to be expended annually in the Hudson Square Business Improvement District, and an extension of the Hudson Square Business Improvement District boundaries, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Hudson Square Business Improvement District.

The Committee on Finance, to which the annexed preconsidered resolution was referred on November 14, 2018, respectfully

REPORTS:

BACKGROUND

Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (hereinafter the “Law”), the Mayor and the Council are authorized to establish and extend Business Improvement Districts (hereinafter “BIDs”) in New York City and thereafter amend each BID’s district plan or authorize an increase in annual expenditures. BIDs, which are specifically established areas, use the City’s property tax collection mechanism to approve a special tax assessment with which to fund additional services that would enhance the area and improve local business. The additional services are normally in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks, etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising). The District Management Association of a BID carries out the activities described in the BID’s District Plan.

The Hudson Square BID was first established in 2008 and is bounded by Canal Street to the south, West Houston Street to the north, and 6th Avenue to the east, and Greenwich Street to the west in Speaker Corey Johnson’s district in Manhattan. The Hudson Square BID was established primarily to address issues presented by the area’s increased commercial and residential popularity with its proximity to the Holland Tunnel. In October 2013, the District Plan was amended for the establishment of the Special Hudson Square Zoning District to create a new assessment class (Class F) for residential properties developed under the new special zoning district.

The BID is currently requesting that the Council approve the following changes to the District Plan:

- 1) an extension of the BID boundaries further west along Canal Street to West Street and further north from West Houston to Clarkson Street; and
- 2) a \$1,400,000 increase in its annual assessment from \$2,500,000 to \$3,900,000.

Boundary Expansion

The proposed boundary expansion would expand the existing BID to include an additional 58 buildings, 392 tax lots with 64 commercial and mix-use properties, 86 commercial tenants, 318 residential properties, and eight government/not-for-profit properties.

According to the Hudson Square BID Steering Committee, the purpose of the BID expansion is to conform to the boundaries of the larger Hudson Square neighborhood. By doing so, it is anticipated to increase foot traffic in the western part of the neighborhood, as well as throughout the entire BID area, during the weekend and evening hours. Additionally, it is anticipated that the expansion will address the unique challenges posed by the Holland Tunnel and the West Side Highway, which have demanded for the BID’s traffic management and pedestrian safety services within the expansion area.

Increase in Annual Expenditures

The Hudson Square BID is proposing to increase its annual expenditures from \$2,500,000 to \$3,900,000, a \$1,400,000 increase in its annual assessment. This budget would support the full range of services provided by the BID which includes, but is not limited, to the following: the traffic management and pedestrian safety program comprises 22% of the first-year budget with the expansion; streetscape planning and design comprises 29% of the extended first-year budget; retail and marketing services comprise of 18% of the extended first-year budget; and administration and advocacy comprises of 11% of the extended first-year budget and includes a salaried staff, including an executive director, a community liaison, clerical and booking support, and other special staff or consultants. Additionally, the BID maintains capital improvements that it installs in public spaces and employs either in-house or contract workers and specialized equipment to complete the work. The following is a breakdown of the high, low, median, and average assessments expected to be paid by fully assessed properties under the proposed assessment:

| | Assessment Amount |
|---------|--------------------------|
| High | \$ 275,548.07 |
| Low | \$ 64.32 |
| Median | \$ 1,017.19 |
| Average | \$ 18,932.08 |

PRECONSIDERED RES. NO. 616

This Preconsidered Resolution is required by law to set the public hearing date, time, and place for the consideration of the local law which would amend the district plan of the Hudson Square BID. The public hearing will be held on November 28, 2018, in the City Council Committee Room, 2nd Floor, City Hall at 10:00 a.m. before the Committee on Finance.

Because the proposal involves an amendment to the BID’s District Plan that would increase the amount it expends annually and change the method of assessment, the Preconsidered Resolution directs the Hudson Square District Management Association to, not less than ten nor more than thirty days before the date of the public hearing, mail a copy of the Preconsidered Resolution or a summary thereof to each owner of real property within the BID at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the BID, and to the tenants of each building within the BID. The Preconsidered Resolution also directs Small Business Services to arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the public hearing. The Preconsidered Resolution further directs the Hudson Square District Management Association to publish in a newspaper having general circulation in the BID, not less than ten days prior to the public hearing, a notice stating the time and place of the public hearing and stating the increase in the amount to be expended annually in the BID.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 616:)

Res. No. 616

Resolution authorizing an increase in the amount to be expended annually in the Hudson Square Business Improvement District, and an extension of the Hudson Square Business Improvement District boundaries, and setting the date, time and place for the public hearing of the local law authorizing such

changes as set forth in the amended District Plan of the Hudson Square Business Improvement District.

By Council Member Dromm.

Whereas, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated May 16, 2018, provided for the preparation of an amended district plan (“the Amended Plan”) for the Hudson Square Business Improvement District (“the District”) in the Borough of Manhattan; and

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

Whereas, pursuant to authority granted by the Law, the District was established by Local Law No. 101 for the year 2005; and

Whereas, pursuant to Section 25-410(b) of the Law, an amendment to the District Plan that provides for 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 such increase and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded; and

Whereas, the District wishes to increase the amount to be expended annually in the District to \$3,900,000 and to extend the District; and

Whereas, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted an amended District Plan (“the Amended Plan”) for the District to the City Planning Commission (“the CPC”) on June 1, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the City Council on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Council Members representing the council districts in which the district is located on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to Manhattan Community Board 2 (the “Community Board”), in which the proposed extended district is located, on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Manhattan Borough President on June 6, 2018; and

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

Whereas, on June 21, 2018, the Community Board held a public hearing and voted to approve the extension of the District; and

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

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Manhattan Borough President, to the City Council and to the Council Members representing the council districts in which the proposed district is located; and

Whereas, pursuant to section 25-405(c) of the Law, a copy of the CPC’s report, the Original Plan, and the Amended Plan were transmitted for filing with the City Clerk on August 28, 2018; and

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

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

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

Whereas, pursuant to Section 25-406(b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for extension, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited

real property within the area included in the District proposed for extension, file objections to the Amended Plan with the City Clerk within the thirty-day objection period, the District will not be extended; now, therefore, be it

Resolved, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that November 28, 2018 is the date and 10:00 a.m. is the time and the City Council Committee Meeting Room, 2nd Floor, City Hall is the place for a public hearing (“the Public Hearing”) to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually in the District and an extension of the District; and be it further

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

Resolved, that SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing; and be it further

Resolved, that in the event that the Hudson Square District Management Association mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law; and be it further

Resolved, that on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the Hudson Square District Management Association is hereby authorized to publish in a newspaper having general circulation in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the increase in the amount to be expended annually in the District.

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, November 14, 2018.

On motion of the Speaker (Council Member Johnson), 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 For-Hire Vehicles

Report for Int. No. 304-A

Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to create a task force to study the sale prices of taxicab medallions.

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 488), respectfully

REPORTS:

INTRODUCTION

On November 13, 2018, the Committee on For-hire Vehicles, chaired by Council Member Ruben Diaz Sr., will hold a hearing on Proposed Int. No. 304-A, a local law to create a task force to study the sale prices of taxicab medallions; Proposed Int. No. 1062-A, a local law to amend the administrative code of the city of New York, in relation to risk of loss on payments for trips dispatched by high-volume for-hire services; Proposed Int. No. 1068-A, a local law to amend the administrative code of the city of New York, in relation to financial education for persons considering purchases or leases of for-hire vehicles or taxicab licenses; Proposed Int. No. 1079-A, a local law to amend the New York city charter, in relation to creating an office of inclusion within the New York city taxi and limousine commission; Proposed Int. No. 1081-A, a local law to amend the administrative code of the city of New York, in relation to driver assistance services; and Proposed Int. No. 1096-A, a local law in relation to deductions from certain for-hire driver earnings. The first hearing on this legislation was held on September 17, 2018, at which the Committee heard testimony from the New York City Taxi and Limousine Commission (“TLC”) and other interested stakeholders.

BACKGROUND

Medallions

In 1937, in response to “an overabundance of taxis that depressed driver earnings and congested city streets,” New York City’s Board of Aldermen, the predecessor to the City Council, adopted the Haas Act, which instituted the taxi medallion system that persists to this day.¹ The Act imposed a moratorium on the issuance of new taxicab licenses, effectively capping the number of taxis on the streets.² Crucially, the Act allowed for the transfer of licenses, or “medallions,” between owners as long as the City approved of the new owner’s qualifications.³ This transferability, combined with a limit on the overall number of medallions allowed, caused a taxi medallion to become a valuable asset. Medallion taxis are the only vehicles allowed to pick up street hails throughout all five boroughs, with the exclusive right to pick up street hails in the “exclusionary zone” (below East 96th and West 110th Streets in Manhattan as well as JFK and LaGuardia airports) and fares are set by the City.⁴

When medallions first began being traded after World War II, the average price was \$2,500.⁵ In subsequent decades, the price of a medallion increased exponentially. Between 2004 and 2012 the average annual price of independent medallions increased 260 percent while the average annual price of mini-fleet medallions increased 321 percent over the same time period.⁶ By 2013, the average price of an independent medallion was approximately \$967,000 and approximately \$1.15 million for a mini-fleet medallion.⁷ Medallion prices reached a peak of about \$1.3 million in 2013 and 2014, though industry experts have cautioned that those values may have been inflated.⁸

The medallion price is not directly set by the City, but by a combination of factors including, the availability of financing, the demand for taxi service, the fare and tip amounts, the market for a medallion, the

¹ Bruce Schaller and Gorman Gilbert, *Villain or Bogeyman? New York’s Taxi Medallion System*, available at <http://www.schallerconsult.com/taxi/taxi2.htm>

² Id.

³ Id.

⁴ TLC, *Taxicab Rate of Fare*, available at http://www.nyc.gov/html/tlc/html/passenger/taxicab_rate.shtml

⁵ Id.

⁶ Id.

⁷ Id.

⁸ Winnie Hu, *Yellow Cab, Long a Fixture of City Life, Is for Many a Thing of the Past*, N.Y. Times, Jan. 15, 2017, available at https://www.nytimes.com/2017/01/15/nyregion/yellow-cab-long-a-fixture-of-city-life-is-for-many-a-thing-of-the-past.html?_r=0 Also note: Prior to the passage of Local Law 59 of 2017, there were two types of medallions: independent and mini-fleet, the law eliminated the distinction. Historically, mini-fleet medallions had to be owned in groups of at least two, with many mini-fleet medallion owners maintaining a fleet of taxi vehicles leased to drivers on a per shift basis. On the other hand, the owner of an independent medallion could only own one medallion and typically operated as an owner-driver who owned both the medallion and the taxi vehicle.

anticipated return on investment and the potential cost of operating a medallion taxi.⁹ By many accounts, the medallion market today is significantly different than just a few years ago. In 2011, the State authorized the City to sell 2,000 new medallions. Between November 2013 and March 2014, the TLC auctioned 400 medallions, but no further sales have occurred since, however the resale market has seen activity.¹⁰ A review of postings on nycitycab.com of medallions for sale during June through July of 2018 reveal asking prices between \$100,000 and \$425,000.¹¹

In May 2018, TLC Commissioner Meera Joshi testified at the Council's executive budget hearing, and indicated that the City removed estimated medallion revenue from the fiscal year 2019 budget and they are delaying the sale of medallions beyond the five year financial plan.¹² Commissioner Joshi indicated that the five year delay would allow the City to monitor the market for a longer period of time before they decide to sell any additional medallions.¹³ Commissioner Joshi indicated that one of the obstacles impacting the auctioning of medallions in the City is tied to the availability of financing.¹⁴ For many years, the practice among lenders was to accept a very small down payment and issue a very large loan, but more recently, credit unions have been seized by the federal government for unsound banking practices and several are facing mounting debt due to overdue payments.¹⁵ Despite this, the number of secondary market transactions have increased, but the resale price of the medallions has decreased, with many being sold for all cash.¹⁶ In 2017, the Council passed Local Law 58 of 2017, which lowered the medallion transfer tax from 5 percent to .5 percent and this may have contributed to the recent increase in the number of transactions.¹⁷ There are currently a total of 13,587 medallions.¹⁸

Industry members and observers cite a variety of factors behind the decline in the taxi medallion price, in particular the increased competition for both passengers and drivers from app-based for-hire vehicle services such as Uber and Lyft. The impact of these changes can be seen throughout the yellow taxi industry. Many taxis now sit idle instead of being operated and serving passengers.¹⁹ Total yellow taxi trips per day in April 2017 were down 15.8 percent compared to April 2016 and down 33.7 percent compared to April 2010.²⁰

In recent years, the Council and the TLC have taken a series of steps to alleviate constraints on the taxi industry and to help them compete for customers. The Council also passed Local Law 51 of 2016 which created a universal license for taxi and for-hire vehicle (FHV) drivers, eliminating the separate licenses that existed previously and allowing medallion owners to recruit from a much bigger pool of drivers. The TLC has also extended the taxi vehicle retirement schedule to seven years, allowed all medallion owners to choose whether to have a partition or in-vehicle camera system in their taxis, and permitted the use of used vehicles.²¹ In August of 2017, TLC announced that, for the first time, a taxi fleet had decided to participate in a pilot program that allows drivers to use a percentage of their per shift earnings to pay for their taxi lease instead of

⁹ N.Y.C 2014 Taxicab Fact Book, available at http://www.nyc.gov/html/tlc/downloads/pdf/2014_tlc_factbook.pdf

¹⁰ Council Finance Division, *Report on the Fiscal 2017 Preliminary Budget and the Fiscal 2016 Preliminary Mayor's Management Report - Taxi and Limousine Commission*, March 2, 2016 and <http://www.nydailynews.com/new-york/city-sets-sale-taxi-medallions-plummets-article-1.3982966>

¹¹ <http://nycitycab.com/Business/TaxiMedallionList.aspx> accessed on Sept. 12, 2018.

¹² Testimony of N.Y.C TLC Commission Meera Joshi, Fiscal Year 2019 Executive Budget Hearing, (May 10, 2018) available at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3490373&GUID=A45BF34A-11A7-4373-9846-AA0EB218136D&Options=&Search=>

¹³ Id.

¹⁴ Id.

¹⁵ Aaron Elstein, *First Uber victim: State regulators seize taxi-medallion lender*, Sept. 18, 2015, available at <http://www.crainsnewyork.com/article/20150918/BLOGS02/150919849/new-york-state-seizes-taxi-medallion-lender-montauk-credit-union>

¹⁶ Id at 12.

¹⁷ Id at 12.

¹⁸ New York City Preliminary Mayor's Management Report for Fiscal Year 2018, available at <http://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2017/tlc.pdf>

¹⁹ Hu, supra note 8.

²⁰ N.Y.C. TLC Yellow Taxi Monthly Indicators, available at http://www.nyc.gov/html/tlc/html/technology/aggregated_data.shtml.

²¹ Testimony of TLC Chair Meera Joshi before the Committee on Transportation, Id at 12.

having to pay a flat fee up front.²² In the spring of 2018, the TLC passed an upfront pricing pilot to make taxis more competitive with FHV. The pilot will permit passengers who use Curb or Arro (the City's two taxi apps) to receive an upfront fare estimate that is separate from the meter.²³ One of the competitive advantages that app-technology has provided passengers' with is the ability to receive a fare quote. And most recently, the Council passed Local Law 147 of 2018, which will pause the issuance of FHV licenses for a year.

Despite the changes made to mitigate some of challenges the taxi industry is facing, medallion owners are still struggling to make payments on their medallions due to the decreasing number of trips. As a result of financial difficulties, the taxi and for-hire vehicle industries have been met with tragedies in the past several months, as six members from various sectors took their lives. One of the individuals who recently took his life, Yu Mein "Kenny" Chow, a medallion owner, committed suicide because he was facing financial trouble.²⁴ Reports indicated that he owed \$700,000 on his taxi medallion, which he purchased in 2011.²⁵ Similarly, Nicanor Ochisor, a medallion owner and driver, reportedly took his life on March 16, 2018 because of the debt he was facing.²⁶

Taxi and FHV Driver Assistance

Impact from the growth in app-based for-hire services has been felt not only in the taxi sector, but also in the traditional black car and livery sectors. During September 2017 to February 2018, app company trips increased by 60 percent, as compared to the same time the previous year, while the non-app FHV companies experienced a 13 percent trip decline, yellow taxi trips fell by 9 percent, and trips by green taxis decreased by 25 percent.²⁷ Even the 10 largest livery car companies, which at the end of 2017 had an average of 240 affiliated cars each experienced a 19 percent decrease in combined trip volume—between the first quarter of 2016 and the last quarter of 2017.²⁸ Drivers in each of the sectors have struggled to make a living as competition for passengers has increased. In addition to the two medallion owners who committed suicide, four drivers from other sectors also took their lives in the past several months.

On February 5, 2018, Doug Schifter, a livery driver, committed suicide outside of City Hall. Hours before the incident, Mr. Schifter wrote about his experience as a driver, indicating that he had to work more than 100 hours a week to make ends meet. Mr. Schifter blamed former Mayor Michael Bloomberg and Mayor Bill de Blasio for allowing a proliferation of vehicles on the streets, and blamed the TLC for the fines it imposed.²⁹ This incident uncovered the previous death of another TLC driver, Danilo Corporan Castillo, who took his life on December 20, 2017 after a TLC hearing where he was facing the possibility of having his license revoked.³⁰ After the death of Mr. Schifter, there were several deaths of TLC drivers. Subsequently, Alfredo Perez, a livery driver, took his own life, though little is known as to why.³¹ In June 2018, Abduel Saleh, a taxi driver, who

²² N.Y.C. T.L.C., Press Release, "Yellow Taxi Drivers Can Now Lease on Commission: The TLC's Fair Share Pilot Announces First Participant," Aug. 28, 2017, available at http://www.nyc.gov/html/tlc/downloads/pdf/press_release_08_28_17.pdf

²³ N.Y.C TLC Flex Fare Pilot, available at http://home.nyc.gov/html/tlc/html/technology/flex_pass.shtml

²⁴ Nikita Stewart and Luis Ferre-Sadurni, *Another Taxi Driver Takes his Life. That's Five in Five Months*. N.Y Times, May 27, 2018 available at <https://www.nytimes.com/2018/05/27/nyregion/taxi-driver-suicide-nyc.html>

²⁵ Jake Offenhartz, Missing Cabbie Faces 'Economic Devastation' from \$700,000 in Taxi Medallion Debt, Gothamist, May 23, 2018, available at http://gothamist.com/2018/05/23/missing_cabbie_medallion_debt.php

²⁶ Danielle Furfaro and Max Jaeger, *Cabbie blamed Uber, Lyft for financial woes before hanging himself*, N.Y. Post, March 21, 2018, available at <https://nypost.com/2018/03/21/cabbie-blamed-uber-lyft-for-financial-woes-before-hanging-himself/>

²⁷ James Parrott and Michael Reich, *An Earnings Standard for New York City's App-based Drivers: Economic Analysis and Policy Assessment*, (July 2018) available at

<https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5b3a3aaa0e2e72ca74079142/1530542764109/Parrott-Reich+NYC+App+Drivers+TLC+Jul+2018jul1.pdf>

²⁸ Id.

²⁹ Gina Bellafante, *A Driver's Suicide Reveals the Dark Side of the Gig Economy*, N.Y. Times, Feb. 6, 2018, available at <https://www.nytimes.com/2018/02/06/nyregion/livery-driver-taxi-uber.html>.

³⁰ Dan Rivoli, Edgar Sandoval, *Leonard Greene, Distraught Livery Driver Killed Himself Weeks Before Second City Hall Suicide*, N.Y Daily News, Feb. 6, 2018, available at <http://www.nydailynews.com/new-york/distraught-driver-killed-weeks-city-hall-suicide-article-1.3803684>.

³¹ Noah Manskar, *Uber, Lyft Pushing Cabbies to Suicide, Taxi Drivers Say*, Patch, March 28, 2018 available at <https://patch.com/new-york/new-york-city/uber-lyft-pushing-cabbies-suicide-taxi-drivers-say>

leased his cab, took his life because he was having trouble making his lease payments and despite working 12-hour shifts he was bringing home less and less money.³²

Given these recent tragedies there have been public calls for financial and health services for drivers. TLC has expressed concerns that drivers may be unaware of the expenses that go into driving a passenger vehicle in New York City and may not realize the cost of insurance, vehicle maintenance or even the price of gas. TLC has started to hand out flyers that indicate the various expenses and fees that are involved with driving a taxi and a for-hire vehicle.³³

The Taxi Workers Alliance (TWA), which represents taxi and for-hire vehicle drivers has indicated that driving many hours a day, often alone, can lead to depression. This coupled with financial hardship, has taken a toll on drivers' mental health.³⁴ A 2011 study of 34 drivers, conducted by NYU and the TWA, found that half of the drivers felt depressed.³⁵ While the City has taken steps to regulate app-driver earnings, there is still a concern about healthcare services.³⁶

A survey by the Independent Drivers Guild (IDG), which represents app-drivers, found that 22% of drivers had household incomes of less than \$30,000 per year and found that 27% do not have healthcare.³⁷ Additionally, a recent study found that 40% of app based drivers were on Medicaid.³⁸

In general, the only benefit drivers receive that is akin to those offered from employers to employees is workers compensation. For the purposes of workers compensation, under State law taxi drivers are treated as employees if they lease a medallion from an owner and must be provided workers' compensation and disability benefits.³⁹ This disability coverage—provided by medallion owners—gives an injured driver 50 percent of their weekly earnings, up to \$170 per week.⁴⁰

FHV drivers are currently covered by two separate funds created pursuant to State law. Black car drivers are eligible for coverage through the New York Black Car Operator's Injury Compensation Fund, which is authorized to add a surcharge to all fares to cover the cost of disability insurance, workers' compensation coverage, and costs of managing the fund.⁴¹ The Fund provides two-thirds of a driver's average weekly earnings, as well as medical benefits such as hospitalization and prescriptions.⁴² Livery drivers are covered by the far less comprehensive New York State Independent Livery Drivers Benefit Fund.⁴³ However, unlike the fund established for black car drivers, the livery fund only provides catastrophic coverage. In order to qualify for workers' compensation, a livery driver must lose a limb, become paralyzed, suffer total and permanent loss of vision or hearing, or be a victim of a crime while out on a dispatched trip.⁴⁴

For- Hire Vehicle Leases

Further complicating the issue of driver expenses is the issue of vehicle lease arrangements, particularly among app drivers. In New York City, it has been reported that app companies have partnerships with

³² Dan Rivoli, *Sixth Cab Driver Commits Suicide amid Financial Struggles*, N.Y Daily News, (June 15, 2018), available at <http://www.nydailynews.com/new-york/ny-metro-taxi-driver-suicide-20180615-story.html>

³³ N.Y.C TLC, "Thinking About Driving an FHV?" and "Thinking About Driving a Yellow Taxi?" available at http://www.nyc.gov/html/tlc/downloads/pdf/thinking_about_driving_fhv.pdf and http://www.nyc.gov/html/tlc/downloads/pdf/thinking_about_driving_yellow_taxi.pdf

³⁴ Dan Goldberg and Dana Rubinstein, *After Spate of Suicides, city looks for ways to address drivers mental health*, Politico (July 3, 2018) available at <https://www.politico.com/states/new-york/city-hall/story/2018/07/02/after-spate-of-suicides-city-looks-for-ways-to-address-drivers-mental-health-496685>

³⁵ Id.

³⁶ Independent Drivers Guild *Progress toward a Fair For-hire Vehicle Industry*, (2017), available at <https://drivingguild.org/wp-content/uploads/2017/11/Progress.pdf>

³⁷ Id.

³⁸ Id at 26.

³⁹ N.Y. State Workers' Compensation Law § 2(3).

⁴⁰ *Ahmed v. City of New York*, 129 A.D.3d 435, 437 (N.Y. App. Div. 2015).

⁴¹ N.Y. Executive Law §§ 160-cc-160oo.

⁴² The Black Car Fund, Claimant Benefits, <http://www.nybcf.org/claimant-benefits/> (last accessed September 13, 2018).

⁴³ N.Y. State Workers' Compensation Law §§ 309.1-309.3.

⁴⁴ *Id.* at § 309.3(a)(3).

dealerships that offer vehicle financing options to drivers with low credit scores.⁴⁵ The companies have payment plans for drivers that charge as high as \$500 per week and that require drivers to sign a payment deduction authorization that allows the dealer to take the fees directly from the driver's earnings.⁴⁶ Before making these arrangements, drivers are often incentivized with the promise that they will own their vehicle within three years. However, the driver may end up paying more than the actual sticker price of the vehicle.⁴⁷ A report released by the IDG, found that drivers who lease or rent their vehicles report mean annual expenses up to \$35,000 and drivers who own their vehicles or have a loan had an average annual cost of \$30,000.⁴⁸

Credit Card Payments

Accounts from app drivers have indicated that some app companies will sometimes withhold payment from the drivers if the passenger is suspected of entering a false payment. While it appears that some companies already carry out preliminary payment method checks involving fraud detection mechanisms – if a passenger enters false payment information, the passenger will not be permitted to fully set up an account and will thus be unable to request trips.⁴⁹ Furthermore, it appears from blog comments that some app companies already assume the risk of loss with respect to digital payments.⁵⁰ It is possible, however, that the contracts drivers have with companies may include terms that place the risk of loss with respect to digital payments on the drivers, but such contracts are not accessible online. In the TLC rules, if a passenger in a taxi is not able to make a payment a taxi driver is told to drive to the nearest police precinct.⁵¹

Office of Inclusion

Recent reports have indicated that there is a preference among residents of the outer boroughs and people of color to use app-based FHV's as opposed to taxis, because of feeling discriminated against by taxis. Service refusals are an explicit violation of TLC rules and drivers are subject to monetary penalties. For the first offense drivers may face penalties between \$200 and \$500.⁵² If a second offense occurs in a 24 month period a driver may face a penalty between \$350 and \$1,000 and license suspension, and for a third offense within 36 months a driver could face a \$1,000 penalty and license revocation.⁵³ Despite the consequences of refusing a trip, yellow taxi drivers have developed a reputation of refusing to stop for people of color or refusing passengers based on their destination.⁵⁴

⁴⁵ Griswold, Alison, Inside Uber's unsettling alliance with some of New York's shadiest car dealers, (June 27, 2017), available at <https://qz.com/1013882/ubers-rental-and-lease-programs-with-new-york-car-dealers-push-drivers-toward-shady-subprime-contracts/>.

⁴⁶Id.

⁴⁷ Id.

⁴⁸ IDG Report, Id at 35.

⁴⁹ See also Uber Help, *I Have an Outstanding Payment*, Uber, <https://help.uber.com/h/bc89e5b1-20d0-4c79-a157-396cec3c673b> (last visited May 17, 2018) (stating that if a charge from Uber is declined by a passenger's payment method, the passenger may be temporarily unable to request rides).

⁵⁰ See Quora, *What Happens if Uber Payment is Declined After My Ride?*, Quora, <https://www.quora.com/What-happens-if-Uber-payment-is-declined-after-my-ride> (last visited May 17, 2018) (including blog responses indicating that Uber still pays a driver even if the passenger fails to pay Uber). Uber's terms of use also states, "If your primary Account payment method is determined to be expired, invalid or otherwise not able to be charged, you agree that Uber may use a secondary payment method in your Account, if available" and states that generally "Charges you incur will be owed and paid directly to Uber or its affiliates where Uber is solely liable for any obligations to Third Party Providers."). Uber, *U.S. Terms of Use* (effective Dec. 13, 2017), <https://www.uber.com/legal/terms/us/>.

⁵¹ RNYC 35 RCNY § 80-17 (c)

⁵² §19-507 (b) (1) (a)

⁵³ Id.

⁵⁴ William Neuman, *New York Office to Address Discrimination by Taxis and For-Hire Vehicles*, N.Y Times, (July 31, 2018) available at <https://www.nytimes.com/2018/07/31/nyregion/uber-taxis-minorities-bias-refusal-nyc.html>

ANALYSIS OF PROPOSED INT. NO. 304-A

Section one of Proposed Int. No. 304-A would create a task force to study the sale prices of taxi medallions. The task force would review the sale price of taxi medallions in the preceding 20 years, potential future sale prices of medallions, and the impact of such sales on the city's budget. Following the review, the task force would have to recommend changes to laws, rules, regulations, and policies with respect to such medallions.

Subdivision b states that the task force would have 9 members as follows:

- The Commissioner of the TLC, or their designee.
- A taxicab medallion owner who is not a taxicab driver, as appointed by the Speaker of the Council.
- A taxicab medallion owner who also drives a taxi, as appointed by the Speaker of the Council.
- An individual who represents an institution that lends money for the purpose of purchasing or financing taxicab medallions, as appointed by the Speaker of the Council.
- The Public Advocate, or their designee.
- One member, as appointed by the Mayor.
- 3 members, as appointed by the Speaker of the Council, one of whom shall be a member of the Council and will serve as Chair.

The task force members to be appointed by the Mayor and the Speaker of the Council would have to be appointed within sixty days of the enactment of the local law. No later than six months following its establishment, the task force would have to issue a report to the Mayor and the Council detailing its activities and recommendations. Immediately after submitting such report, the task force would cease to exist.

Section two of Proposed Int. No. 304-A states that the local law would take effect immediately upon its enactment and would be repealed upon the submission of the report required in subdivision d of section 1.

ANALYSIS OF PROPOSED INT. NO. 1062-A

Section one of Proposed Int. No. 1062-A would add new section 19-552 which would state that if any payment for a completed trip dispatched by a high volume for-hire service fails, such high volume for-hire service shall ensure that the driver receives the entire amount owed to such driver for such completed trip.

Subdivision b would state that a high volume for-hire service may refuse to deposit funds to a driver for rendering services upon reasonable belief that the driver's account is associated with fraudulent activity.

Subdivision c would state that for any high-volume for-hire service that violates that the section will be liable for a civil penalty of not less than \$250 nor more than \$500 for each offense.

Section two of Proposed Int. No. 1062-A would state that the local law would take effect 120 days after it becomes law, except that the TLC could take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

ANALYSIS OF PROPOSED INT. NO. 1068-A

Section one of Proposed Int. No. 1068-A would amend 19-551 of the Code by adding new subdivision b.

Subdivision b would require the TLC, in consultation with the Department of Consumer Affairs (DCA) and any other agencies identified by the Mayor, to engage in outreach and education efforts that are intended to inform individuals who are considering whether to enter into purchase, rental, lease or loan agreements for the purpose of obtaining vehicles for use as for-hire vehicles, and individuals who are considering whether to purchase, refinance or lease a taxicab license, about the costs and benefits of entering into such arrangements and transactions. The outreach and education efforts would include providing written materials describing the common terms of such arrangements and transactions and access to counseling in order to help an individual understand the terms of such arrangements and transactions. These materials would be available in English and

in the six languages most commonly spoken by limited English and in the six languages most commonly spoken by drivers, as those languages are determined by TLC, and in any other languages TLC determines to be appropriate. The materials would be available on the TLC's website.

Section two of Proposed Int. No. 1068-A states that the local law would take effect on the same date as proposed by introduction number 1081-A for the year, takes effect.

ANALYSIS OF PROPOSED INT. NO. 1079-A

Section one of Proposed Int. No. 1070-A would amend chapter 65 of the Charter by adding a new section 2305 related to the creation of the office of inclusion.

New section 2305 would provide the following definitions:

- The term "director" means the director of the office of inclusion.
- The term "driver" means any driver licensed by the TLC.
- The term "office" means the office of inclusion.

Subdivision b would state that the TLC would establish an office of inclusion and that a director would head the office.

Subdivision c would state that the director would have the power and duty to:

1. Compile and report statistics relating to driver demographics, disaggregated by ethnicity or race, gender and other categories as appropriate.
2. Compile and report statistics relating to discrimination against passengers on the basis of ethnicity or race, gender, disability, and other categories as appropriate
3. Examine and address issues related to discrimination in the for-hire vehicle industry, including but not limited to refusals by drivers to provide service to passengers or prospective passengers on the basis of race, color, ethnicity, disability, gender, sexual orientation or destination.
4. Develop policies and best practices to ensure greater representation of drivers from members of underserved communities.
5. Develop and implement trainings for drivers addressing anti-discrimination and cultural sensitivity towards passengers and prospective passengers. Such trainings would include best practices on how drivers can meet the needs of passengers with disabilities including but not limited to caring for mobility devices, communicating with persons who are hearing impaired and altering passengers with visual impairments awaiting a ride once the vehicle has arrived.
6. Assess the feasibility of a driver-to-driver mentorship and cultural awareness program and may implement one or more such program as warranted.
7. Expand public awareness regarding such refusals by drivers to provide service to passengers or prospective passengers, through means such as, but not limited to, running a public awareness campaign and conducting outreach to community groups whose members have experienced service refusals.
8. Provide one or more mechanisms by which passengers and prospective passengers can submit complaints directly to the commission, and ensure service refusal complaints are processed by the appropriate authorities.
9. Serve as a resource to support the needs of persons with disabilities in receiving services from vehicles licensed by the TLC.
10. Any other relevant duties as the TLC deems appropriate.

Subdivision d would state that within 12 months of the effective date of the local law that added this section, and annually thereafter, the director would post on the city's website and submit to the mayor and the speaker of the council a report containing, at a minimum, the findings required by paragraphs 1 and 2 of subdivision c of this section. The report would also contain information on the programs and resources

described in paragraphs 4, 5, 6, 7 and 8 of subdivision c of this section, including statistics on how many people utilized these programs and resources.

Section two of Proposed Int. No. 1079-A would state that the local law would take effect 90 days after it becomes law and subdivision d of section 2305 would expire and be deemed repealed four years after the effective date of the local law that added the section.

ANALYSIS OF PROPOSED INT. NO. 1081-A

Section one of Proposed Int. 1081-A would add new section 19-551 and would state that the TLC in consultation with DCA, small business services and any other agencies designated by the Mayor would provide services and information to assist the drivers, or vehicle owners of a vehicle licensed by the TLC including but not limited to financial counseling, mental health services and referrals to non-profit organizations or other entities that may provide additional assistance to such drivers or owners. TLC may provide such services and information through the unit that issues licenses, their website, or other means as the commission deems appropriate.

Section two of Proposed Int. No. 1081-A would state that this local law would take effect 180 days after it becomes law.

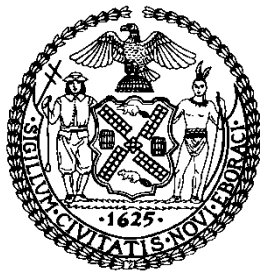
ANALYSIS OF PROPOSED INT. NO. 1096-A

Section one of Int. No. 1096 would amend subparagraph (a) of paragraph 3 of subdivision c of section 19-548 by removing lease fees as part of the required description that high volume for-hire service proposes to charge a either the for-hire vehicle owner or the driver, or both, that must be reported to the TLC.

Proposed Int. No 1096-A would add that the high volume for-hire service will not charge or deduct from any for-hire vehicle owner or driver any charge that violates the rules of the TLC, regardless is the charge has been filled with the TLC, and any automatically recurring payment for the rental, lease or purchase of a for-hire vehicle authorized pursuant to a contract entered into after the effective date of the local law that added this clause unless such automatically reoccurring payment is optional and has been elected by the driver.

Section two of Proposed Int. No. 1096-A states that this local law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 304-A:)



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

PROPOSED INTRO. NO: 304-A

COMMITTEE: For-Hire Vehicle

TITLE: A local law to create a task force to study the sale prices of taxicab medallions.

SPONSORS: Council Members Rodriguez, Gjonaj, Adams, Cohen, and Holden

SUMMARY OF LEGISLATION: Proposed Intro. 304-A would establish a task force to study the sale prices of taxicab medallions. The task force would review the sale prices of taxicab medallions in the preceding 20 years, potential future sale prices of medallions, and the impact of such sales on the City's budget. The task force would then recommend changes to laws, rules, and regulations, and policies related to the medallions. The tasks force's recommendations would be due to the Mayor and the Council within six months following

its establishment.

EFFECTIVE DATE: This local law would take effect immediately and is deemed repealed upon the submission of the required report.

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 anticipated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used by the administering agency to comply with this local law.

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: John Basile, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 304 on January 31, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee on September 17, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 304-A, will be considered by the Committee on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 304-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 9, 2018.

(For text of Int. No. 304-A, please see below; for text of the remaining bills and their Fiscal Impact Statements, please see the Reports of the Committee on For-Hire Vehicles for Int. Nos. 1062-A, 1068-A, 1079-A, 1081-A, and 1096-A, respectively, printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int. Nos. 304-A, 1062-A, 1068-A, 1079-A, 1081-A, and 1096-A.

(The following is the text of Int. No. 304-A:)

Int. No. 304-A

By Council Members Rodriguez, Brannan, Gjonaj, Adams, Cohen, Holden and Levin.

A Local Law to create a task force to study the sale prices of taxicab medallions

Be it enacted by the Council as follows:

Section 1. Taxicab medallion sale prices task force. a. There is hereby established a task force to study the sale prices of taxicab medallions. Such task force shall review the sale prices of taxicab medallions in the preceding 20 years, potential future sale prices of medallions and the impact of such sales on the city's budget. Following such review, the task force shall recommend changes to laws, rules, regulations and policies with respect to such medallions.

b. The task force shall have 9 members who shall be:

1. the commissioner of the taxi and limousine commission, or a designee of such commissioner;
2. a taxicab medallion owner who is not a taxicab driver, as appointed by the speaker of the council;
3. a taxicab medallion owner who is a taxicab driver, as appointed by the speaker of the council;
4. an individual who represents an institution that lends money for the purpose of purchasing or financing taxicab medallions, as appointed by the speaker of the council;
5. the public advocate or a designee of such public advocate;
6. one member, as appointed by the mayor; and
7. three members, as appointed by the speaker of the council, one of whom shall be a member of the council who shall serve as chair.

c. The members to be appointed by the mayor and the speaker of the council shall be appointed within 60 days of the effective date of this local law.

d. No later than 6 months following its establishment, the task force shall issue a report to the mayor and the council detailing its activities and recommendations. Immediately after submitting such report, the task force shall cease to exist.

§ 2. This local law takes effect immediately and is deemed repealed upon the submission of the report required by subdivision d of section 1 of this local law.

RUBEN DIAZ, *Chairperson*; DEBORAH L. ROSE, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 1062-A

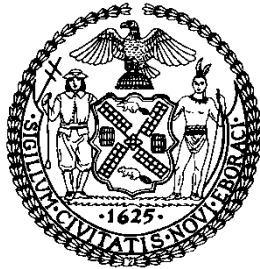
Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to risk of loss on payments for trips dispatched by high-volume for-hire services.

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on August 8, 2018 (Minutes, page 3250), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on For-Hire Vehicles for Int. No. 304-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1062-A:



**THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
 FISCAL IMPACT STATEMENT
 PROPOSED INTRO. NO: 1062-A
 COMMITTEE: For-Hire Vehicle**

TITLE: A local law to amend the administrative code of the city of New York, in relation to risk of loss on payments for trips dispatched by high-volume for-hire services

SPONSORS: Council Members Grodenchik, Holden, Rose, Kallos and Adams

SUMMARY OF LEGISLATION: Proposed Intro. 1062-A would require drivers for high-volume for-hire services to be paid the full amount for a trip regardless of whether the payment transaction fails, unless the driver’s account is associated with fraudulent activity. The bill would impose a civil penalty of not less than \$250 and up to \$500 for each violation.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law except that the Commissioner of the Taxi and Limousine Commission could take measures necessary to the implementation of the local law before such 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 as full compliant to the requirement of the bill is anticipated.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used by the administering agency to comply with this local law.

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: John Basile, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1062 on August 8, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee on September 17, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1062-A, will be considered by the Committee on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 1062-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 9, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1062-A:)

Int. No. 1062-A

By Council Members Grodenchik, Holden, Rose, Kallos, Adams and Levin

A Local Law to amend the administrative code of the city of New York, in relation to risk of loss on payments for trips dispatched by high-volume for-hire services

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-552 to read as follows:

§ 19-552 *Risk of loss on trip payments. a. Notwithstanding any inconsistent regulations, provisions of law or provisions of any contract entered into after the effective date of the local law that added this section, if a payment transaction for a completed trip dispatched by a high-volume for-hire service fails, such high-volume for-hire service shall ensure that the driver receives the entire amount owed to such driver for such completed trip.*

b. Notwithstanding subdivision a of this section, a high-volume for-hire service may refuse to deposit funds to a driver for rendering services upon a reasonable belief that the driver's account is associated with fraudulent activity.

c. Any high-volume for-hire service that violates this section is liable for a civil penalty of not less than \$250 nor more than \$500 for each offense.

§ 2. This local law takes effect 120 days after it becomes law, except that the New York city taxi and limousine commission shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

RUBEN DIAZ, *Chairperson*; DEBORAH L. ROSE, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 1068-A

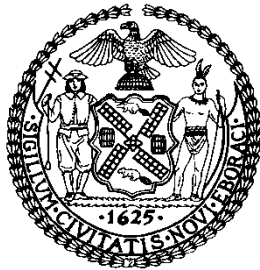
Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to financial education for persons considering purchases or leases of for-hire vehicles or taxicab licenses.

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on August 8, 2018 (Minutes, page 3261), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on For-Hire Vehicles for Int. No. 304-A printed in these Minutes)

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



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

PROPOSED INTRO. NO: 1068-A

COMMITTEE: For-Hire Vehicle

TITLE: A local law to amend the administrative code of the city of New York, in relation to financial education for persons considering purchases or leases of for-hire vehicles or taxicab licenses.

SPONSORS: Council Members Levin, Holden, Yeger, Rose, Lander, Cohen

SUMMARY OF LEGISLATION: Proposed Intro. 1068-A would require the Taxi and Limousine Commission to engage in financial education and outreach for taxi and for-hire vehicle drivers concerning financial arrangements relating to taxi medallions and for-hire vehicles. Such outreach and education efforts may include written materials describing the common terms of such arrangements and transactions. The commission would make any written materials available online and in the six languages most commonly spoken by drivers.

EFFECTIVE DATE: This local law would take effect on the same date as a local law amending the administrative code of the city of New York, in relation to driver assistance services, as proposed by introduction number 1081-A for the year 2018, takes effect.

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 anticipated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used by the administering agency to comply with this local law.

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: John Basile, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1068 on August 8, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee on September 17, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1068-A, will be considered by the Committee on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 1068-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 9, 2018.

Accordingly, this Committee recommends its adoption, as amended.

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

Int. No. 1068-A

By Council Members Levin, Holden, Yeger, Rose, Lander and Cohen.

A Local Law to amend the administrative code of the city of New York, in relation to financial education for persons considering purchases or leases of for-hire vehicles or taxicab licenses

Be it enacted by the Council as follows:

Section 1. Section 19-551 of the administrative code of the city of New York, as added by a local law of the city of New York, relating to driver assistance services, as proposed in introduction number 1081-A for the year 2018, is amended by adding a new subdivision b to read as follows:

b. Financial education for drivers. The commission, in consultation with the department of consumer affairs and any other agencies designated by the mayor, shall engage in outreach and education efforts that are intended to inform individuals who are considering whether to enter into purchase, rental, lease or loan agreements for the purpose of obtaining vehicles for use as for-hire vehicles, and individuals who are considering whether to purchase, refinance or lease a taxicab license, about the costs and benefits of entering into such arrangements and transactions. Such outreach and education efforts may include written materials describing the common terms of such arrangements and transactions and identifying resources intended to help an individual understand the terms of such arrangements and transactions. The commission shall make any materials designed for the purposes of conducting such outreach and education available in English and in the six languages most commonly spoken by drivers, as those languages are determined by the commission, and in any other languages the commission determines to be appropriate. The commission shall make such materials available on the commission's website.

§ 2. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, in relation to driver assistance services, as proposed by introduction number 1081-A for the year 2018, takes effect.

RUBEN DIAZ, *Chairperson*; DEBORAH L. ROSE, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 1079-A

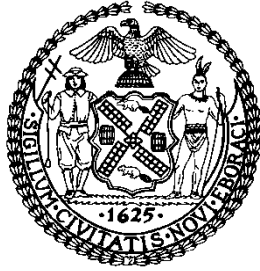
Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to creating an office of inclusion within the New York city taxi and limousine commission.

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on August 8, 2018 (Minutes, page 3268), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on For-Hire Vehicles for Int. No. 304-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1079-A:



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

FISCAL IMPACT STATEMENT

**PROPOSED INTRO. NO: 1079-A
COMMITTEE: For-Hire Vehicle**

TITLE: A local law to amend the administrative code of the city of New York, in relation to creating an office of inclusion within the New York city taxi and limousine commission

SPONSORS: Council Members Richards, Adams, Rose, Cumbo, Levin, Ampry-Samuel, Diaz, Miller, Holden, Ayala, Kallos, Lander and Cohen

SUMMARY OF LEGISLATION: Proposed Intro. 1079-A would establish an Office of Inclusion within the New York City Taxi and Limousine Commission, headed by a director. The Office would be responsible for promoting diversity, inclusion and cultural sensitivity in the taxi and for-hire vehicle industries, and for raising awareness about issues surrounding service refusal by, at least, running a public awareness campaign. The director would be required to submit an annual report online, to the Mayor, and Speaker of the Council on statistics relating to the demographics of drivers and relating to discrimination against passengers or prospective passengers on the basis of ethnicity or race, gender, disability and other categories as appropriate.

EFFECTIVE DATE: This local law would take effect 90 days after it becomes law, provided that subdivision imposing the reporting requirement, would expire and be repealed four years after the effective date of the local law that added this section.

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 | \$1,217,043 | \$651,130 | \$651,130 |
| Net | (\$1,217,043) | (\$651,130) | (\$651,130) |

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 estimated that this legislation would cost \$1.2 million in Fiscal 2019 and \$651,130 in Fiscal 2020 and the outyears. The legislation would require eight new positions with annual salaries totaling \$437,000 and annual fringe benefits totaling \$214,130. In addition, there would be a one-time cost of \$1 million in Fiscal 2019 for a public awareness campaign.

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: John Basile, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1079 on August 8, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee with the Taxi and Limousine Commission on September 17, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1079-A, will be considered by the Committee on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 1079-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 9, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1079-A:)

Int. No. 1079-A

By Council Members Richards, Adams, Rose, Cumbo, Levin, Ampry-Samuel, Diaz, Miller, Holden, Ayala, Kallos, Lander and Cohen.

A Local Law to amend the New York city charter, in relation to creating an office of inclusion within the New York city taxi and limousine commission

Be it enacted by the Council as follows:

Section 1. Chapter 65 of the New York city charter is amended by adding a new section 2305 to read as follows:

§ 2305. *Office of inclusion. a. Definitions. As used in this section, the following terms have the following meanings:*

Director. The term “director” means the director of the office of inclusion.

Driver. The term “driver” means any driver licensed by the commission.

Office. The term “office” means the office of inclusion.

b. The commission shall establish an office of inclusion. Such office shall be headed by a director.

c. The director shall have the power and duty to:

1. Compile and report statistics relating to driver demographics, disaggregated by ethnicity or race, gender, disability and other categories as appropriate;

2. Compile and report statistics relating to discrimination against passengers or prospective passengers on the basis of ethnicity or race, gender, disability and other categories as appropriate;

3. Examine and address issues related to discrimination in the taxi and for-hire vehicle industry, including but not limited to refusals by drivers to provide service to passengers or prospective passengers on the basis of ethnicity or race, disability, gender, sexual orientation or destination;

4. Develop policies and best practices to encourage greater representation of drivers from members of communities underserved by taxi and for-hire vehicle transportation services;

5. Develop and implement trainings for drivers that promote cultural sensitivity towards passengers and prospective passengers and educate drivers about discriminatory treatment in the taxi and for-hire vehicle industry. Such trainings shall be conducted by persons with experience. Such trainings shall include best practices on how drivers can meet the needs of passengers with disabilities, including but not limited to caring for mobility devices, communicating with persons who are hearing impaired and alerting passengers with visual impairments awaiting a ride once the vehicle has arrived;

6. Assess the feasibility of driver-to-driver mentorship and cultural awareness programs which the commission may implement as warranted;

7. Expand public awareness regarding service refusals by drivers through means such as, but not limited to, running a public awareness campaign and conducting outreach to community groups whose members have experienced service refusals;

8. Provide one or more mechanisms by which passengers and prospective passengers can submit complaints of discrimination directly to the commission, and ensure such complaints are processed by the appropriate authorities;

9. Serve as a resource to support the needs of persons with disabilities in receiving services from vehicles licensed by the commission; and

10. Perform any other relevant duties as the commission deems appropriate.

d. Within 12 months of the effective date of the local law that added this section, and annually thereafter for the next three years, the director shall post on the commission's website and submit to the mayor and the speaker of the council a report containing, at a minimum, the findings required by paragraphs 1 and 2 of subdivision c of this section. The report shall also contain information on the programs and resources described in paragraphs 4, 5, 6, 7 and 8 of subdivision c of this section, including statistics on how many people utilized these programs and resources.

§ 2. This local law takes effect 90 days after it becomes law, provided that subdivision d of section 2305 of the New York city charter, as added by section one of this local law, shall expire and be repealed four years after the effective date of the local law that added this section.

RUBEN DIAZ, *Chairperson*; DEBORAH L. ROSE, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 1081-A

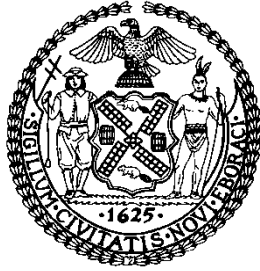
Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to driver assistance services.

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on August 8, 2018 (Minutes, page 3270), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on For-Hire Vehicles for Int. No. 304-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1081-A:



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

**FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 1081-A
COMMITTEE: For-Hire Vehicle**

TITLE: A local law to amend the administrative code of the city of New York, in relation to driver assistance services
SPONSORS: Council Members Salamanca, Holden, Kallos, and Cohen

SUMMARY OF LEGISLATION: Proposed Intro. 1081-A would require the Taxi and Limousine Commission (TLC) to provide TLC-licensed drivers assistance including financial counseling, mental health counseling and referrals to nonprofit organizations for additional services.

EFFECTIVE DATE: This local law would take effect 180 days after it becomes law.

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 anticipated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used by the administering agency to comply with this local law.

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: John Basile, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1081 on August 8, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee on September 17, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1081-A, will be considered by the Committee on

November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 1081-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 9, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1081-A:)

Int. No. 1081-A

By Council Members Salamanca, Holden, Kallos, Cohen, Levin and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to driver assistance services

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-551 to read as follows:

§ 19-551 Driver assistance. a. Driver assistance services. The commission, in consultation with the department of consumer affairs, the department of small business services and any other agencies designated by the mayor, shall provide services and information to assist drivers, or owners of vehicles, licensed by the commission including but not limited to financial counseling, mental health services and referrals to non-profit organizations or other entities that may provide additional assistance to such drivers or owners. The commission may provide such services and information through the unit that issues licenses, the website of the commission, or such other means as the commission deems appropriate.

§ 2. This local law takes effect 180 days after it becomes law.

RUBEN DIAZ, *Chairperson*; DEBORAH L. ROSE, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 1096-A

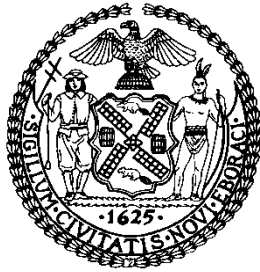
Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to deductions from certain for-hire driver earnings

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on September 12, 2018 (Minutes, page 3465), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on For-Hire Vehicles for Int. No. 304-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1096-A:



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 1096-A
COMMITTEE: For-Hire Vehicle**

TITLE: A local law to amend the administrative code of the city of New York, in relation to deductions from certain for-hire driver earnings
SPONSORS: Council Members Diaz and Grodenchik

SUMMARY OF LEGISLATION: Proposed Intro. 1096-A would require applicants for a license to provide high-volume for-hire service in the City to affirm that the applicant will not make automatic deductions from driver earnings to make payments for the rental, lease or purchase of a for-hire vehicle, unless the automatic deduction is optional and has been chosen by the driver.

EFFECTIVE DATE: This local law would take effect immediately.

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 anticipated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used by the administering agency to comply with this local law.

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: John Basile, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1096 on September 12, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee on September 17, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1096-A, will be considered by the Committee on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 1096-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 9, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1096-A:)

Int. No. 1096-A

By Council Members Diaz and Grodenchik.

A Local Law to amend the administrative code of the city of New York, in relation to deductions from certain for-hire driver earnings

Be it enacted by the Council as follows:

Section 1. Subparagraph (a) of paragraph 3 of subdivision c of section 19-548 of the administrative code of the city of New York, as added by local law number 149 for the year 2018, is amended to read as follows:

(a) Provides a description of all deductions, including any commissions[, lease fees and] or other charges such high-volume for-hire service proposes to charge either the for-hire vehicle owner or the driver, or both, as applicable, including an estimate of the average gross hourly earnings of a driver, based upon actual or anticipated trips and fares, and affirms that, except for charges or deductions required by the rules of the commission, it will not charge or deduct from any for-hire vehicle owner or driver (i) any charge that has not been filed with the commission, (ii) any charge that violates the rules of the commission, regardless of whether such charge has been filed with the commission, and (iii) any automatically recurring payment for the rental, lease or purchase of a for-hire vehicle authorized pursuant to a contract entered into after the effective date of the local law that added this clause, unless such automatically recurring payment is optional and has been elected by the driver; and

§ 2. This local law takes effect immediately.

RUBEN DIAZ, *Chairperson*; DEBORAH L. ROSE, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 231

Report of the Committee on Land Use in favor of approving Application No. C 180346 PSX submitted by the New York City Department of Health and Mental Hygiene and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 2050 Bartow Avenue (Block 5141, p/o Lot 1085) for use as a full service animal shelter, veterinary clinic and accompanying office space facility, Borough of the Bronx, Community District 10, Council District 12. 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 11.20(b) of the Council and Section 197-d(b)(3) of the New York City Charter.

The Committee on Land Use, to which the annexed Land Use item was referred on September 26, 2018 (Minutes, page 3767) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 10

C 180346 PSX

City Planning Commission decision approving an application submitted by the Department of Health and Mental Hygiene and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 2050 Bartow Avenue (Block 5141, p/o Lot 1085) for a full-service animal shelter, veterinary clinic and accompanying office space.

INTENT

To approve the site selection of property located at 2050 Bartow Avenue (Block 5141, portion of Lot 1085) for use as a full-service animal shelter, veterinary clinic and accompanying office space.

PUBLIC HEARING

DATE: October 9, 2018

Witnesses in Favor: Forty-five

Witnesses Against: Seventeen

COMMITTEE ACTION

DATE: November 5, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None.

In connection herewith, Council Members Salamanca and Adams offered the following resolution:

Res. No. 623

Resolution approving the decision of the City Planning Commission on ULURP No. C 180346 PSX (L.U. No. 231), for the site selection of property located at 2050 Bartow Avenue (Block 5141, p/o Lot 1085) for a full-service animal shelter, veterinary clinic and accompanying office space, Borough of the Bronx, Community District 10.

By Council Members Salamanca and Adams.

WHEREAS, the City Planning Commission filed with the Council on September 26, 2018 its decision dated September 26, 2018 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the Department of Health and Mental Hygiene and the Department of Citywide Administrative Services, for the site selection of property located 2050 Bartow Avenue (Block 5141, p/o Lot 1085) for a full-service animal shelter, veterinary clinic and accompanying office space, Borough of the Bronx, Community District 10 (ULURP No. C 180346 PSX) (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, upon due notice, the Council held a public hearing on the Decision and Application on October 9, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued April 17, 2018 (CEQR No. 18DOH001X) (the "Negative Declaration").

RESOLVED:

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

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180346 PSX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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. 241

Report of the Committee on Land Use in favor of approving Application No. C 180390 HAX (599 Cortlandt Avenue) submitted by the Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 197-c of the New York City Charter for the designation of an Urban Development Action Area, an Urban Development Action Area Project and the disposition real property located at 599 Courtlandt Avenue (Block 2410, Lot 43), Borough of the Bronx, Community District 1, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3907) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB-1 - THREE RELATED APPLICATIONS SUBMITTED BY THE NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

C 180390 HAX (L.U. No. 241)

City Planning Commission decision approving an application pursuant to Article 16 of the General Municipal Law for designation of an Urban Development Action Area, an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter, the disposition of city-owned property located 599 Courtlandt Avenue (Block 2410, Lot 43), Community District 1, Borough of the Bronx, to a developer selected by HPD.

C 180391 PQX (L.U. No. 242)

City Planning Commission decision approving the acquisition of property located at 599 Courtlandt Avenue (Block 2410, Lot 43) pursuant to Section 197-c to facilitate an affordable housing development, Community District 1, Borough of the Bronx.

20195160 HAX (L.U. No. 243)

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for a real property tax exemption for property located at 599 Courtlandt Avenue (Block 2410, Lot 43).

INTENT OF CITY PLANNING COMMISSION DECISIONS AND HPD REQUEST

To designate an Urban Development Action Area; approve the project as an Urban development Action Area Project; approve the disposition of city-owned property located at 599 Courtlandt Avenue (Block 2410, Lot 43); and acquire property located at 599 Courtlandt Avenue (Block 2410, Lot 43 to facilitate the development of a four-story residential building containing residential and commercial space, and to exempt it from real property taxes.

PUBLIC HEARING

DATE: October 23, 2018

Witnesses in Favor: Five

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 1, 2018

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

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None.

COMMITTEE ACTION

DATE: November 5, 2018

The Committee recommends that the Council approve the decisions of the City Planning Commission and the HPD request.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 624

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 180390 HAX, for the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 599 Courtlandt Avenue (Block 2410, Lot 43), Borough of the Bronx, Community District 1, to a developer selected by HPD (L.U. No. 241; C 180390 HAX).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on October 15, 2018 its decision dated October 15, 2018 (the "Decision"), on the application (the "Application") submitted by HPD regarding city-owned property located at 599 Courtlandt Avenue (Block 2410, Lot 43) (the “Disposition Area”), approving:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of the Disposition Area as an Urban Development Action Area;
- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the "Project"); and
- c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by HPD;

to facilitate a four-story building containing residential, and commercial space, Community District 1, Borough of the Bronx, (ULURP No. C 180390 HAX);

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

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

WHEREAS, by letter dated October 11, 2018 and submitted to the Council on October 12, 2018, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summary for the Project (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on October 23, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 18HPD085X) issued on June 1, 2018 (the “Negative Declaration”);

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 180390 HAX) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

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

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

The Council approves the disposition of the Disposition Area pursuant to Section 197-d of the New York City Charter, to a developer to be selected by HPD for the development of the Project consistent with the Project Summary.

ATTACHMENT:

PROJECT SUMMARY

- 1. **PROGRAM:** NEIGHBORHOOD CONSTRUCTION PROGRAM
- 2. **PROJECT:** 599 Courtlandt
- 3. **LOCATION:** 599 Courtlandt Avenue
 - a. **BOROUGH:** Bronx
 - b. **COMMUNITY DISTRICT:** 1
 - c. **COUNCIL DISTRICT:** 17
 - d. **DISPOSITION AREA:**

| <u>BLOCK</u> | <u>LOT(S)</u> | <u>ADDRESS(ES)</u> |
|--------------|---------------|--------------------|
| 2410 | 43 | 599 Courtlandt Ave |
- 4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the

appraised value ("Land Debt"). For a period of at least thirty (30) years following completion of construction, the Land Debt will be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.

- 5. TYPE OF PROJECT:** New Construction
- 6. APPROXIMATE NUMBER OF BUILDINGS:** 1
- 7. APPROXIMATE NUMBER OF UNITS:** 8 dwelling units
- 8. HOUSING TYPE:** Rental
- 9. ESTIMATE OF INITIAL RENTS** Rents will be affordable to families with incomes between 60% and 100% of area median income (AMI). All units will be subject to rent stabilization. Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent.
- 10. INCOME TARGETS** Up to 130% of AMI.
- 11. PROPOSED FACILITIES:** Approximately 753 square feet of commercial space
- 12. PROPOSED CODES/ORDINANCES:** None
- 13. ENVIRONMENTAL STATUS:** Negative Declaration
- 14. PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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. 242

Report of the Committee on Land Use in favor of approving Application No. C 180391 PQX (599 Cortlandt Avenue) submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 599 Courtlandt Street (Block 2410, Lot 43) to facilitate an affordable housing development, Borough of the Bronx, Community District 1, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3907) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 241 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Members Salamanca and Adams offered the following resolution:

Res. No.. 625

Resolution approving the decision of the City Planning Commission on ULURP No. C 180391 PQX (L.U. No. 242), for the acquisition of property located at 599 Courtlandt Street (Block 2410, Lot 43) to facilitate an affordable housing development, Community District 1, Borough of the Bronx.

By Council Members Salamanca and Adams.

WHEREAS, the City Planning Commission filed with the Council on October 15, 2018 its decision dated October 15, 2018 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the New York City Department of Housing Preservation and Development, for the acquisition of property located at 599 Courtlandt Street (Block 2410, Lot 43) to facilitate an affordable housing development, (the "Site"), (ULURP No. C 180391 PQX), Community District 6, Borough of the Bronx (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, upon due notice, the Council held a public hearing on the Decision and Application on October 23, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 18HPD085X) issued on June 1, 2018 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180391 PQX, incorporated by reference herein, the Council approves the Decision.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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. 243

Report of the Committee on Land Use in favor of approving Application No. 20195160 HAX (599 Cortlandt Avenue) submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a new exemption of real property taxes for property located at Block 2410, Lot 43, Borough of the Bronx, Community District 1, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3907) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 241 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Members Salamanca and Kallos offered the following resolution:

Res. No. 626

Resolution approving a new tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2410, Lot 43, Community District 1, Borough of the Bronx, (L.U. No. 243; Non-ULURP No. 20195160 HAX).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 12, 2018 its request dated October 11, 2018 that the Council approve a new real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") for property located at Block 2410, Lot 43, Community District No. 1, Borough of the Bronx, Council District No. 17 (the "Exemption Area");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on October 23, 2018; and

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:

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

- (1) "Company" shall mean Courtlandt Development Group, LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
- (2) "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.
- (3) "Exemption" shall mean the exemption from real property taxation provided hereunder.
- (4) "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2410, Lot 43 on the Tax Map of the City of New York.
- (5) "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.
- (6) "HDFC" shall mean HP 599 Court Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
- (7) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
- (8) "Owner" shall mean, collectively, the HDFC and the Company.
- (9) "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.

- b. 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.
- c. Notwithstanding any provision hereof to the contrary:
 - (1) 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, and, where there has been an unauthorized conveyance or transfer of any interest in the Exemption Area, to the new owner of such interest in the Exemption Area, 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.
 - (2) 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 new 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.
 - (3) Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- d. 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 under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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. 250

Report of the Committee on Land Use in favor of approving Application No. 20195149 CCQ (St. Michael's Cemetery Land Acquisition) submitted by St. Michael's Cemetery pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law for approval to acquire from the New York City Department of Parks and Recreation and to use for cemetery purposes certain real property known as St. Michael's Park (the "Property"), located at Block 1016, Lot 225, Borough of Queens. Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3909) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB-1 - THREE APPLICATIONS RELATED TO ST. MICHAEL'S CEMETERY****20195149 CCQ (L.U. No. 250)**

Application submitted by St. Michael's Cemetery pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law for the acquisition and use for cemetery purposes property located Block 1016, Lot 225, Community District 1, Borough of Queens.

C 180174 ZMQ (L.U. No. 251)

City Planning Commission decision approving an application submitted by New York City Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 9c and 9d by establishing within a former park (St. Michael's Park) an R4 District bounded by the northwesterly boundary lines of a former park (St. Michael's Park), the southerly street line of Astoria Boulevard South, the northwesterly street line of Brooklyn Queens Expressway, and the northerly street line of 30th Avenue, Community District 1, Borough of Queens

C 180175 MMQ (L.U. No. 252)

City Planning Commission decision approving an application submitted by New York City Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of parkland within the area bounded by the Grand Central Parkway, 49th Street, 30th Avenue and the Brooklyn Queens Expressway; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Queens, in accordance with Map No. 5027 dated June 7, 2018 and signed by the Borough President.

INTENT

To facilitate the elimination and disposition of a 3.24-acre existing park parcel, which is currently under the jurisdiction and management of the New York City Department of Parks and Recreation, to the adjacent St. Michael's Cemetery in the Jackson Heights neighborhood of Queens, Community District 1.

PUBLIC HEARING

DATE: October 22, 2018

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 1, 2018

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission and the application submitted by St. Michael's Cemetery.

In Favor:

Moya, Lancman, Levin, Reynoso, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: November 5, 2018

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 627

Resolution approving the acquisition and use of property located at Block 1016, Lot 225, Borough of Queens for cemetery purposes as part of St. Michael's Cemetery (Application No 20195149 CCQ; L.U. No. 250).

By Council Members Salamanca and Moya.

WHEREAS, St. Michael's Cemetery filed with the Council on July 18, 2018 its application pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law, for the acquisition and use for cemetery purposes property located Block 1016, Lot 225, Borough of Queens. Community District 1 (Application No. 20195149 CCQ) (the "Application");

WHEREAS, the Application is related to ULURP Application Nos. C 180174 ZMQ (St. Michael's Park Rezoning) and C 180175 MMQ (St. Michael's Park Demapping) submitted by the New York City Department of Parks and Recreation; and

WHEREAS, the Application is subject to review and action by the Council pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law; and

WHEREAS, upon due notice, the Council held a public hearing on the Application on October 22, 2018; and

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

RESOLVED:

Pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law, the Council approves the request by St. Michael's Cemetery to acquire and use for cemetery purposes, including burials, property located at Block 1016, Lot 225, Borough of Queens, Community District 1, as more particularly described as follows:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate lying and being in the Borough of Queens, County of Queens, City and State of New York, bounded and described as follows:

Block 1016, Lot 25

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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. 251

Report of the Committee on Land Use in favor of approving Application No. C 180174 ZMQ (St. Michael's Park Rezoning) submitted by NYC Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 9c and 9d, by establishing within a former park (St. Michael's Park) an R4 District bounded by the northwesterly boundary lines of a former park (St. Michael's Park), the southerly street line of Astoria Boulevard South, the northwesterly street line of Brooklyn Queens Expressway, and the northerly street line of 30th Avenue, Borough of Queens. Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3909) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 250 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 628

Resolution approving the decision of the City Planning Commission on ULURP No. C 180174 ZMQ, a Zoning Map amendment (L.U. No. 251).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on October 10, 2018 its decision dated September 26, 2018 (the "Decision"), on the application submitted by New York City Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 9c and 9d, by establishing within a former park (St. Michael's Park) an R4 District bounded by the northwesterly boundary lines of a former park (St. Michael's Park), the southerly street line of Astoria Boulevard South, the northwesterly street line of Brooklyn Queens Expressway, and the northerly street line of 30th Avenue, Borough of Queens, Community District 1, (ULURP No. C 180174 ZMQ) (the "Application");

WHEREAS, the Application is related to Application Nos. 20195149 CCQ (St. Michael's Cemetery Land Acquisition), submitted by St. Michael's Cemetery, and C 180175 MMQ (St. Michael's Park Demapping) submitted by the New York City Department of Parks and Recreation; and

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 October 22, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 18DPR001Q) issued on September 15, 2017 (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180174 ZMQ, incorporated by reference herein, and the record established before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently, is hereby amended by changing the Zoning Map, Section Nos. 9c and 9d, by establishing within a former park (St. Michael’s Park) an R4 District bounded by the northwesterly boundary lines of a former park (St. Michael’s Park), the southerly street line of Astoria Boulevard South, the northwesterly street line of Brooklyn Queens Expressway, and the northerly street line of 30th Avenue, Borough of Queens, Community District 1 as shown on a diagram (for illustrative purposes only) dated June 11, 2018.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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. 252

Report of the Committee on Land Use in favor of approving Application No. C 180175 MMQ (St. Michael’s Park Demapping) submitted by the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the elimination of parkland within the area bounded by the Grand Central Parkway, 49th Street, 30th Avenue and the Brooklyn Queens Expressway; and 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. 5027 dated June 7, 2018 and signed by the Borough President, Borough of Queens. Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3910) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 250 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 629

Resolution approving the decision of the City Planning Commission on ULURP No. C 180175 MMQ, an amendment to the City Map (L.U. No. 252).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on October 10, 2018 its decision dated September 26, 2018 (the "Decision"), on the application submitted by the New York City Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of parkland within the area bounded by the Grand Central Parkway, 49th Street, 30th Avenue and the Brooklyn Queens Expressway; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Queens, in accordance with Map No. 5027 dated June 7, 2018 and signed by the Borough President (ULURP No. C 180175 MMQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the Application is related to Application Nos. 20195149 CCQ (St. Michael's Cemetery Land Acquisition), submitted by St. Michael's Cemetery, and C 180174 ZMQ (St. Michael's Park Rezoning) submitted by the New York City Department of Parks and Recreation; and

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 October 22, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 18DPR001Q) issued on September 15, 2017 (the "Negative Declaration").

RESOLVED:

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

Pursuant to Sections 197-c and 199 of the New York City Charter that based on the environmental determination and the consideration described in this report, the application (C 180175 MMQ) for the amendment to the City Map involving:

- the elimination of parkland within the area bounded by the Grand Central Parkway, 49th Street, 30th Avenue and the Brooklyn Queens Expressway; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Queens, in accordance with Map No. 5027 dated June 7, 2018 and signed by the Borough President is approved.

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. 5027 dated June 7, 2017 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, the need for which shall be determined and the form of which shall be approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”).

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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. 253

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180321 ZSX (Hebrew Home) submitted by Hebrew Home for the Aged at Riverdale, Inc., The Hebrew Home for the Aged at Riverdale Foundation, Inc., and Hebrew Home Housing Development Fund Company, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-901(a) of the Zoning Resolution to modify the use regulations of Section 22-13, to allow a long-term care facility (Use Group 3) in an R1-1 District (Block 5933, Lot 55), on property located at 5701-5961 Palisade Avenue (Block 5933, Lots 55, 210, 224, 225 and 230), in R1-1 and R4 Districts, within the Special Natural Area District (NA-2), Borough of the Bronx, Council District 11, Community District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3910), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 253 & Res. No. 630 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

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

Report for L.U. No. 254

Report of the Committee on Land Use in favor of approving Application No. 20195153 RSY submitted by the Department of Parks and Recreation and the New York City Economic Development Corporation pursuant to the Special Process Agreement approved by the City Council on August 20, 2009, as modified by (first) Amendment to Agreement for Special Process Agreement dated as of the 25th day of April, 2013 (as amended, the “Special Process Agreement”), between the Mayor of the City of New York and the Council of the City of New York, Chapter 281 of the 2011 New York State Session Laws, and Resolution No. 2138 for the year 2009, for the approval of a Second Amendment to Special Process Agreement and disposition of real property located in the Coney Island Amusement Park identified as portions of West 12th Street (Block 8695 Lot 500), Stillwell Avenue (Block 7074 Lot 450) and West 15th Street (Block 7074 Lot 370), all lying south of Wonder Wheel Way, as well as a portion of land identified as Block 7074, Lot 2, formerly p/o Lots 20, 23 and 105, Borough of Brooklyn, Council District 47, Community District 13.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3910) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT**BROOKLYN CB - 13****20195153 RSY**

Application submitted by the New York City Economic Development Corporation and New York City Department of Parks and Recreation pursuant to the Coney Island Amusement Park Special Process Agreement as amended, for a proposed Second Amendment to the Special Process Agreement to authorize the disposition of real property located in the Coney Island Amusement Park identified as portions of West 12th Street (Block 8695 Lot 500), Stillwell Avenue (Block 7074 Lot 450) and West 15th Street (Block 7074 Lot 370), all lying south of Wonder Wheel Way, as well as a portion of land identified as Block 7074, Lot 2, formerly p/o Lots 20, 23 and 105, Borough of Brooklyn, Council District 47, Community District 13.

INTENT

To authorize the Speaker of the Council to execute a proposed Second Amendment to the Coney Island Amusement Park Special Process Agreement to facilitate the lease of property for operation as part of the Coney Island Amusement Park.

PUBLIC HEARING**DATE:** October 22, 2018**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** November 1, 2018

The Subcommittee recommends that the Land Use Committee approve the application submitted by the New York City Economic Development Corporation and New York City Department of Parks and Recreation.

In Favor:

Moya, Lancman, Levin, Reynoso, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** November 5, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None.

Abstain:

None.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 630

Resolution approving an application submitted by the New York City Economic Development Corporation and New York City Department of Parks and Recreation, Application No. 20195153 RSY (L.U. No. 254), authorizing a second amendment to a previously executed agreement between the Mayor and Council establishing a Special Process for City Council Review and Approval of the “Coney Island Amusement Park Project Plan”, Community Board 13, Council District 47.

By Council Members Salamanca and Moya.

WHEREAS, on July 29, 2009, the Council adopted Resolution No. 2132 approving ULURP Application No. C 090272 ZMK (L.U. No. 1136); Resolution No. 2133 approving Application No. N 090273(A) ZRK (L.U. No. 1137); Resolution No. 2134 approving ULURP Application No. C 090274 POK (L.U. No. 1138); Resolution No. 2135, approving ULURP Application No. C 090275 POK (L.U. No. 1139); Resolution No. 2136, approving ULURP Application No. C 090276 HAK (L.U. No. 1140); Resolution No. 2137 approving ULURP Application No. C 090277 PPK (L.U. No. 1141); and Resolution No. 2138 approving ULURP Application No. C 090107 MMK (L.U. No. 1142) which were filed with the Mayor on July 31, 2009;

WHEREAS, collectively, the actions approved by such resolutions facilitate the “Comprehensive Plan for Coney Island” (the “Plan”);

WHEREAS, the Plan includes the acquisition of certain parkland and subsequent lease of such parkland to the New York City Economic Development Corporation for the operation of an amusement park, including without limitation amusement park features such as indoor and outdoor rides, arcades, attractions and ancillary uses, including small-scale retail use;

WHEREAS, it is in the interest of the city for the Council to participate in and play a major role in the selection of the proposed operator/developer for such amusement park;

WHEREAS, the Mayor and the Council agreed that such participation shall be accomplished through the Council’s approval of a “Coney Island Amusement Park Project Plan (CIAPPP)” in the manner set forth in a Coney Island Amusement Park Special Process Agreement (the “Special Process Agreement”) and Agreement for Coney Island Parallel Process (the “Parallel Process Agreement”, collectively the “Agreements”), ;

WHEREAS, on August 20, 2009, the Council adopted Resolution No. 2163 approving Application No. 20105035 RSY (L.U. No. 1187), authorizing the Speaker to execute, on behalf of the Council, the Agreements;

WHEREAS, on April 25, 2013, the Council adopted Resolution No. 1744 approving Application No. 20135519 RSY (L.U. No. 819), authorizing a proposed amendment to the Special Process Agreement, which was filed with the Mayor on April 26, 2013;

WHEREAS, the New York City Economic Development Corporation and New York City Department of Parks and Recreation filed with the Council on October 3, 2018 its application dated October 2, 2018, requesting a proposed Second Amendment to the Special Process Agreement to authorize the disposition of real property located in the Coney Island Amusement Park identified as portions of West 12th Street (Block 8695 Lot 500), Stillwell Avenue (Block 7074 Lot 450) and West 15th Street (Block 7074 Lot 370), all lying south of Wonder Wheel Way, as well as a portion of land identified as Block 7074, Lot 2, formerly p/o Lots 20, 23 and 105, Borough of Brooklyn, Council District 47, Community District 13 (Application No. 20195153 RSY) (the “Application”);

WHEREAS, on upon due notice, the Council held a public hearing on October 22, 2018 on the Application; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Plan and the Second Amendment to the Special Process Agreement.

RESOLVED:

The Council of The City of New York hereby authorizes the Speaker to execute the Second Amendment to the Special Process Agreement, a copy of which is attached hereto.

ATTACHMENT:

SECOND AMENDMENT TO

AGREEMENT

FOR

SPECIAL PROCESS

FOR

NEW YORK CITY COUNCIL REVIEW AND APPROVAL

OF**CONEY ISLAND AMUSEMENT PARK PROJECT PLAN****(“SECOND AMENDMENT”)**

SECOND AMENDMENT TO SPECIAL PROCESS AGREEMENT, dated as of the ____ day of _____, 2018, modifying Special Process Agreement approved by the City Council on August 20, 2009, as modified by (first) Amendment to Agreement for Special Process Agreement dated as of the 25th day of April, 2013 (as amended, the “Special Process Agreement”), between the Mayor of the City of New York (the “Mayor”) and the Council of the City of New York (the “Council”);

WHEREAS, ULURP Application No. C090107MMK designated certain real property within Brooklyn Community Board 13 as parkland to be identified as such on the City map (such parkland the “Coney Island Amusement Park”);

WHEREAS, on December 6, 2016, the City acquired the parcels of land then identified as Block 7074, p/o Lots 4, 23 and 105 through the exercise of eminent domain, which land is situated within the Coney Island Amusement Park (the “Bullard Parcel”);

WHEREAS, the City owns certain demapped streetbeds in the Coney Island Amusement Park, identified as those portions of West 12th Street (Block 8695 Lot 500), Stillwell Avenue (Block 7074 Lot 450) and West 15th Street (Block 7074 Lot 370), all lying south of Wonder Wheel Way (the “Demapped Streets”), as well as a portion of land identified as Block 7074, Lot 2, formerly p/o Lots 20, 23 and 105 (the Bullard Parcel excluding former Lot 4 and including p/o Lot 20), the Demapped Streets and Block 7074, Lot 2 referred to above are collectively referred to as the “Additional Amusement Park Parcels”, and are depicted as Sites B, C, D and E in Exhibit A attached hereto;

WHEREAS, ULURP Application No. C090107MMK was approved, as modified by the July 29, 2009 City Council Resolution No. 2138 and the December 13, 2010 City Planning Commission Resolution, and Chapter 281 of the 2011 Session Laws was enacted by the New York State Legislature(the “Act” or

“Legislation”), which Resolutions and Legislation authorized disposition of, *inter alia*, the Additional Amusement Park Parcels; and

WHEREAS, it is the intent and purpose of the Special Process Agreement to promote the development and programming of the lands within the Coney Island Amusement Park for amusement purposes, pursuant to the “CIAPPP” described in the Special Process Agreement;

WHEREAS, in furtherance of the Special Process Agreement, the Council desires to approve a lease by the City to New York City Economic Development Corporation (“NYCEDC”), which lease shall be deemed to be a lease pursuant to paragraphs (b) and (e) of Section 2 of the Act;

WHEREAS, in consultation with the City Council, NYCEDC, in coordination with the City’s Department of Parks and Recreation, released a Request for Proposals dated February 6, 2017 (the “RFP”) for the lease and operation of the Additional Amusement Park Parcels, and in consultation with the City Council selected Central Amusement International LLC (“CAI”), a New York Limited Liability Company, to lease and operate the Additional Amusement Park Parcels; and

WHEREAS, the parties desire to hereby amend the Special Process Agreement to authorize the City to lease the Additional Amusement Park Parcels for amusement park purposes;

NOW, THEREFORE, the parties hereto agree as follows:

1. In addition to the authorizations set forth in Sections 1, 2 and 3 of the Special Process Agreement for the lease of parcels of land in the Coney Island Amusement Park, in furtherance of the purposes and intents of the Legislation, the City is hereby authorized to enter into a lease with NYCEDC for the Additional Amusement Park Parcels, for uses and purposes consistent with the RFP, and NYCEDC shall assign such lease or enter into a sublease with CAI or an affiliate thereof for such purposes. Such lease shall expire not later than December 31, 2027.
2. The Special Process Agreement shall remain in full force and effect, and is hereby reaffirmed in its entirety, as modified by this Second Amendment.

3. This Second Amendment shall become effective upon the execution hereof by (i) the Mayor; and (ii) the Speaker of the Council upon the adoption by the Council of a resolution approving this Second Amendment.

IN WITNESS WHEREOF, the Mayor and the Speaker have hereunto executed this Second Amendment the date and year first above written.

Mayor of the City of New York

Speaker of the New York City Council

EXHIBIT A

ADDITIONAL AMUSEMENT PARK PARCELS



RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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 Technology

Report for Int. No. 1137-A

Report of the Committee on Technology in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the creation of an office of data analytics.

The Committee on Technology, to which the annexed proposed amended local law was referred on October 17, 2018 (Minutes, page 3858), respectfully

REPORTS:

INTRODUCTION

On November 13, 2018, the Committee on Technology, chaired by Council Member Peter Koo, will hold a hearing to vote on Proposed Int. No. 1137-A. More information on Proposed Int. No. 1137-A can be accessed online at [The New York City Council - File #: Int 1137-2018](#)

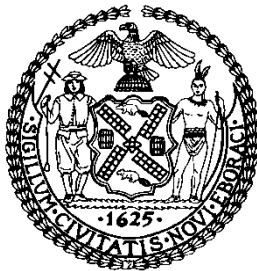
BACKGROUND

The Mayor's Office of Data Analytics (MODA) was established pursuant to Executive Order 306 by then-Mayor Michael Bloomberg.¹ MODA is considered New York City's civic intelligence center, allowing the City to aggregate and analyze data from across City agencies, to more effectively address crime, public safety, and quality of life issues. In signing the executive order, then-Mayor Michael Bloomberg highlighted the need for the city to have a centralized data sharing and analysis capacity. The proposed bill would codify MODA to ensure that this civic intelligence center survives successive mayoralities and continue to allow the City the ability to provide for objective data analysis in order to prioritize risk more strategically, deliver services more efficiently, enforce laws more effectively and increase transparency.

Proposed Int. No. 1137-A Summary

Proposed Int. No. 1137-A would codify into the Charter the mayor's office of data analytics (MODA). The office uses analytics tools to prioritize risk more strategically, deliver services more efficiently, enforce laws more effectively and increase transparency.

(The following is the text of the Fiscal Impact Statement for Int. No. 1137-A:)



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

PROPOSED INTRO. NO. 1137-A
COMMITTEE: Technology

¹ See, https://www1.nyc.gov/assets/records/pdf/executive_orders/2013EO306.pdf

TITLE: A Local Law to amend the New York City Charter, in relation to the creation of an office of data analytics. **SPONSORS:** Council Members Adams, Kallos, Rosenthal, Lander, Koo, Moya, Levine, Holden, Cohen, Cumbo and Maisel

SUMMARY OF LEGISLATION: This bill would codify into the New York City Charter the Mayor’s Office of Data Analytics (MODA). The Office would be headed by the City’s Chief Analytics Officer, and would have responsibilities including, but not limited to, the analysis of data, promoting data-driven policymaking and decision-making, conducting research and analysis to best fulfill agencies’ respective missions, facilitating data sharing between agencies, and supporting agencies in developing strategies to conduct their own analytics based on such data.

EFFECTIVE DATE: This local law would take effect immediately.

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 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 not be an impact on expenditures resulting from the enactment of this legislation, as the City’s financial plan already provides for the Chief Analytics Officer and MODA staff. Therefore, the City would use existing resources to comply with the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
 Mayor’s Office of Legislative Affairs
 New York City Department of Information Technology and Telecommunications

ESTIMATE PREPARED BY: Sebastian Bacchi, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1137 on October 17, 2018 and was referred to the Committee on Technology (Committee). The Committee heard the legislation on October 18, 2018, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Int. No. 1137-A, will be considered by the Committee on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 1137-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 8, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1137-A:)

Int. No. 1137-A

By Council Members Adams, Kallos, Rosenthal, Lander, Koo, Moya, Levine, Holden, Cohen, Cumbo, Maisel and Levin.

A Local Law to amend the New York city charter, in relation to the creation of an office of data analytics

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-f to read as follows:

§ 20-f. *Office of data analytics. a. Definitions. For purposes of this section, the term “director” means the director of the office of data analytics.*

b. The mayor shall establish an office of data analytics. Such office may be established in the executive office of the mayor and may be established as a separate office or 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 director who shall be appointed by the mayor or head of such department and who shall serve as the city’s chief analytics officer and chief open platform officer, as defined in the open data policy and technical standards manual.

c. The director shall have the power and duty to:

1. Collaborate with agencies to: (i) analyze data, promote data-driven policy making, decision making, conduct research and analysis to best fulfill agencies’ respective missions, and support agencies in developing strategies to conduct their own analytics based on such data; and (ii) convene directors of analytics or their equivalents from agencies to encourage and implement citywide analytics strategies;

2. Collaborate with the department of information technology and telecommunications, mayor’s office of operations, the mayor’s office for economic opportunity, the mayor’s office of information privacy, and other relevant offices in order to: (i) facilitate data sharing between city agencies and citywide analytics of publicly and non-publicly available data by contributing to technology system requirements and protocols, using open standards whenever practicable; (ii) advise on data strategy for data integration use cases;

3. Advise agencies on data analytics and data integration strategy best practices when sharing data, procuring new data systems, and hiring or training analytics staff;

4. Maintain an open analytics library that shall allow the office of data analytics to share the source code for data analytics projects to increase awareness of the way city agencies use data and develop analytical tools. Such library shall be maintained on the office’s website and made available to the public;

5. Serve as the designated point of contact for outside partners contributing to or using public data sets;

6. Work with department of information technology and telecommunications, and other agencies as appropriate, to implement the city’s open data law, assist agency open data coordinators in ensuring compliance by their agencies with requirements regarding accessibility to public data sets, and take action to make data more accessible to and actionable by the public, in accordance with applicable law; and

7. Guide the training of agency staff, community boards and members of the public on the use of the web portal required by section 23-502 of the administrative code, and develop and implement an open data public education strategy.

d. The director shall possess such powers, in addition to any powers vested in him or her pursuant to any other provision of law that may be assigned by the mayor or head of such department wherein the office has been established.

§ 2. This local law takes effect immediately.

PETER A. KOO, *Chairperson*; BRADFORD S. LANDER, ROBERT F. HOLDEN, KALMAN YEGER, ERIC A. ULRICH; Committee on Technology, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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 Veterans

Report for Int. No. 391-A

Report of the Committee on Veterans 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 benefits counseling services for veterans.

The Committee on Veterans, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 562), respectfully

REPORTS:

INTRODUCTION

On November 13, 2018, the Committee on Veterans, chaired by Council Member Chaim Deutsch, heard and voted on three pieces of legislation, all of which are designed to provide a more comprehensive set of support services for veterans who live in New York City. Proposed Int. 391-A, sponsored by Council Member Ulrich, would require the New York City Department of Veterans' Services (DVS) to provide counseling services to veterans seeking assistance with benefits to which they may be entitled based on their service. Proposed Int. 394-A, sponsored by Council Member Ulrich, would require DVS to establish at least one Veterans Resource Center in each borough. Finally, Proposed Int. 396-A., sponsored by Council Member Ulrich, would require DVS to maintain and periodically update a resource guide for veterans.

A hearing on all three bills was previously held on June 19, 2018. At that hearing, the Committee heard from representatives from DVS, service providers, and advocates.

On November 13, 2018, the Committee on Veterans passed all three bills, Proposed Int. No. 391-A, Proposed Int. No. 394-A, and Proposed Int. No. 396-A by a vote of five in the affirmative and zero in the negative, with zero abstentions.

BACKGROUND

Veterans' Needs

Currently, approximately 20 million veterans currently live in the United States.¹ Veterans are demographically diverse by age, family structure, education, and income, and, as such, display a variety of needs that cannot fully be addressed by a one-size-fits-all strategy.² The most commonly identified veterans needs include services and supports that address: mental health needs, physical health needs, employment, and

¹ Supporting United States Veterans: A Review of Veteran-Focused Needs Assessments from 2008-2017, *Penn State Clearinghouse for Military Family Readiness*, retrieved June 4, 2018, from <http://www.hjfc3.org/site/assets/files/1521/supportusveterans2017nov.pdf>.

² *Id.*

housing.³ On the other hand, barriers that decrease veterans' access to these services, include: lack of awareness of services existing, excessive paperwork, perceived low quality of services, and the stigma attached to mental health.⁴ These barriers are often exacerbated by the intersection of these areas of need. For example, veterans may have trouble finding employment because they do not have stable housing and vice versa. Thus, the bills presented at this hearing seek to alleviate some of these problems by allowing for struggling veterans to receive more support, resources, and services that will help them address one or more of these areas of need.

New York State Veterans Services

Currently, in New York State, the Division of Veterans' Affairs (VA) provides a multitude of services for veterans that address issues facing veterans, including: education, employment, compensation, health care, and housing.⁵ Within education, for example, the State VA offers opportunities for veterans to speak at schools through the "Veterans Speaker Program," have their student loans deferred, earn tuition awards through the "Veterans Tuition Awards" program, and receive other scholarship opportunities like "The Fry Scholarship."⁶ Within housing, the State VA has a "Homes for Veterans Program," which provides specialized mortgages for veterans, a Supportive Housing Program that provides support for homeless veterans to retain stable housing, and numerous property tax exemptions.⁷

NYC Veterans Services

According to the Office of the State Comptroller, there are approximately 200,000 veterans living in New York City: 55,899 in Brooklyn; 34,687 in the Bronx; 37,065 in Manhattan; 50,999 in Queens; and 20,148 in Staten Island.⁸ New York City's veteran population represents 22.2 percent of New York State's total veteran population of 900,000.⁹

With the enactment of Local Law 113, New York City became the largest city in the country with an agency solely dedicated to those who served in uniform. DVS' objectives include expanding education and professional opportunities for veterans through public, private, and non-profit partnerships; referring veterans to the benefits, resources and services that are available throughout the City; employing an integrative health model to promote the physical and mental wellbeing of veterans and their families; and connecting homeless veterans to permanent housing and support services. Some examples of DVS services and programming include: free tuition for veterans at CUNY, "The Veteran Entrepreneurs' Edge," which is a program designed to encourage veteran entrepreneurship, the Veteran Peer Coordinator (VPC) Program, which advocates for peer-to-peer counseling for homeless veterans within the housing search process, and the "Mentor a Veteran" Program.¹⁰ DVS has offices in all five boroughs to work with veterans and their families and provide the support and resources that veterans need.

In addition to the creation of DVS, the city has also sought to address veterans' needs by revising the affordable housing lottery rules for veterans, establishing discounted recreation center memberships for veterans, and opening Veterans Treatment Courts in Manhattan and Staten Island so that there is coverage in all five boroughs.¹¹

³ Id.

⁴ Id.

⁵ New York State. New York State Division of Veterans' Affairs. Retrieved June 4, 2018 from <https://veterans.ny.gov/>.

⁶ Id.

⁷ Id.

⁸ *State Support For New York's Veterans*, Office of the New York State Comptroller, Nov. 2015, retrieved Sept. 19, 2017, from http://www.osc.state.ny.us/reports/other/veterans_11_2015.pdf.

⁹ Id.

¹⁰ New York City. Department of Veterans' Services. Retrieved June 4, 2018 from <http://www1.nyc.gov/site/veterans/index.page>.

¹¹ *Veterans Advisory Board Report for 2016*, NYC Department of Veterans Services, available at http://www1.nyc.gov/assets/veterans/downloads/pdf/annual_reports/2016.pdf

DVS' operating budget for Fiscal Year (FY) 2018 is \$4,418,769, 90.97 percent of which is city funds (\$4,020,051) and 7.4 percent (\$327,442) of which is state funds.¹² Both of these represent increases over FY17, when the department's overall budget was \$3,843,222, 91.51 percent (\$3,517,300) of which was funded by the city, and 8.48 percent of which (\$325,922) came from the state.¹³ Between FY17 and FY18, DVS' overall budget increased by 14.97 percent, and the city-funded portion by 14.41 percent. Thus, the creation of the department has led to a significant funding increase for veterans-related programs and services in the City.

Functions of DVS

DVS has four main Program Areas: Central Administration, Community Outreach, Homelessness Prevention, and Mental Health.¹⁴ Within these four areas, the Department's primary activities include expanding education and career opportunities through a network of public, private, and non-profit partners, ensuring that veterans can access benefits resources and services they need throughout the City, cultivating an integrative health model to ensure the physical, mental, and spiritual wellbeing of veterans and their families, and connecting homeless veterans with permanent housing and support services.

DVS has also identified three main lines of action: Whole Health and Community Resilience (WHCR), Housing and Support Service (HSS), and City Employment, Education, Entrepreneurship Events, and Engagement (CE5).¹⁵ The WHCR team at DVS matches veterans and their families with access to programs such as VetsThriveNYC, and has engaged more than 7,000 veterans through various initiatives, such as VetsThriveNYC, to increase social engagement and help-seeking behaviors in the context of a peer-based support model. In conjunction with the Aftercare Coordinator, the HSS team seeks to provide housing support to homeless veterans across the city. In 2018, the HSS assisted 182 veterans and prevented eviction for 17 of them.¹⁶ Community Outreach Specialists connect veterans and their families to City, State, and Federal resources. Between March 2016 and May 2017, DVS held more than 300 community outreach events and provided one-on-one assistance to more than 2,300 veterans and family members between March 2016 and May 2017, as they applied for benefits such as the GI Bill and veteran property tax exemptions.¹⁷

The three bills being voted on at this hearing would enhance the work that DVS is already doing and the services the agency is providing.

PROPOSED INT. NO. 391-A

Counseling Services

Proposed Int. 391-A would require DVS to provide counseling services to veterans and to their spouses or domestic partners, dependents, and family members seeking assistance with federal, state, and city benefits to which they may be entitled. Services would be provided by trained staff and would include offering advice, evaluation, and information, and would be available in at least one location in each of the five boroughs, including at each veterans resource center.

Since introduction, Proposed Int. No. 391-A was amended to extend counseling services to the spouses, domestic partners, dependents, and family members of veterans who also qualify for benefits based on that veteran's service. The bill was also amended to specify that the counseling services provided would include advice, evaluation, and information about benefits, but not include the services described under section

¹² *Fiscal Year 2018 Expense and Contract Budget Resolutions*, City of New York, Apr. 26, 2017, available at <http://www1.nyc.gov/assets/omb/downloads/pdf/adopt17-expresso.pdf>

¹³ *Fiscal Year 2017-Departmental Estimates*, NYC Office of Management and Budget, June 8, 2016, available at <http://www1.nyc.gov/assets/omb/downloads/pdf/erc6-16.pdf>.

¹⁴ *About DVS*, NYC Department of Veterans Services, retrieved May 30, 2018, from <https://www1.nyc.gov/site/veterans/about/about.page>.

¹⁵ *Id.*

¹⁶ *Testimony of Loree Sutton, MD*, Oct. 2, 2017, available at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3344978&GUID=308C86C4-BD50-4926-818D-3F3FE281AADF&Options=Advanced&Search=>.

¹⁷ *Id.*

14.629(b) of title 38 of the code of federal regulations. Finally, Proposed Int. No. 391-A would clarify that benefits counselors must be available at each borough veterans resource center established by Proposed Int. No. 394-A.

Proposed Int. 391-A would take effect on the same date as a local law amending the administrative code of the city of New York relating to creating veterans resource centers, as proposed in introduction number 394-A for the year 2018, takes effect.

PROPOSED INT. NO. 394-A

Veterans Resource Centers

Proposed Int. 394-A would require DVS to establish at least one Veterans Resource Center in each borough by June 1, 2019. These centers would provide veterans with free, current information on matters such as housing, public and private social services, financial assistance and tax exemptions, discharge upgrade resources, and federal, state, and local benefits available to veterans. The centers would also provide benefits counseling and a hard copy of a veterans resource guide as established by Proposed Int. No. 396-A. Additionally, DVS would be required to provide a minimum of 20 hours of combined in-office and field service to veterans in each borough, including at least 10 hours at each center. DVS would be required to clearly disclose these hours on the premises of each center and on their website.

Further, the Commissioner of DVS would additionally engage in outreach and education efforts to inform veterans that these centers are available resources to them. Finally, DVS would be required, beginning in January of 2020, and every six months thereafter, to submit a report to the Mayor and the Speaker of the Council on the number of veterans utilizing each center, the services offered by each center, the services and information most frequently requested at each center, the number of staff employed at each center, and the number of complaints received by each center, including feedback received by 311, with a general description of such feedback.

Since introduction, Proposed Int. No. 394-A was amended to require DVS to spend a minimum number of hours in each borough, including in-office at each veterans resource center, clearly disclose those hours on the physical center premise and on their website. The bill was also amended to require the centers to give veterans information about discharge upgrade resources and provide benefits counseling and a physical veterans resource guide, pursuant to Proposed Int. No. 396-A, on the premises. Finally, Proposed Int. No. 394-A was amended to require DVS to publish information about such centers on its website, including the address, contact information, hours of operation, and services offered at each site and to require the commissioner of DVS to establish educational and outreach efforts to inform veterans about the existence of these veterans resource centers. The creation date of such centers was amended from June 1, 2018 to June 1, 2019 and the submission date of the associated report from January 1, 2019 to January 1, 2020.

Proposed Int. 394-A would take effect 90 days after it becomes law.

PROPOSED INT. NO. 396-A

Veterans Resource Guide

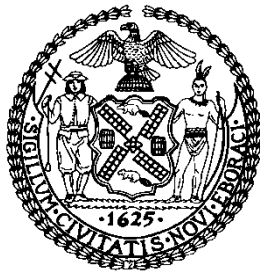
Proposed Int. 396-A would require DVS to maintain and regularly update a resource guide for veterans. This guide would be available on the DVS website and in written format, if requested. This guide would contain information about eligibility and the process of applying for federal, state, and city benefits for veterans, their spouses, domestic partners, dependents, and family members where applicable, special rights afforded to veterans, their spouses, domestic partners, dependents, and family members under the law, protection and remedies given to veterans under the New York City Human Rights Law, physical and mental health programs and services, legal and housing services, small business support, social services available, employment resources, and educational and training opportunities. DVS would additionally be required to

publish on its website, and in the hard copy of the resource guide, information on how service providers can contact DVS to update the department on any changes in services offered to veterans.

Since introduction, Proposed Int. No. 396-A was amended to ensure that DVS updates the resource guide regularly as new information becomes available, that the guide includes information on how veterans are protected under the New York City human rights law, and that DVS publishes information about how service providers can update the department on changes in their services so that the service provider information DVS publishes in its guide is accurate.

Proposed Int. 396-A would take effect on the same date as a local law amending the administrative code of the city of New York relating to creating veterans resource centers, as proposed in introduction number 394-A for the year 2018, takes effect.

(The following is the text of the Fiscal Impact Statement for Int. No. 391-A:)



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

PROPOSED INTRO. NO. 391-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to benefits counseling services for veterans.

SPONSORS: Council Members Ulrich, Deutsch, Brannan, Yeger, Kallos, King, Lander, Adams, Cohen, Constantinides, Holden

SUMMARY OF LEGISLATION: Proposed Int. No. 391-A would require the Department of Veterans’ Services to provide counseling services, including advice, evaluation, and information to veterans seeking assistance with federal, state, and city benefits that they may be entitled to based on their military service. Services would be provided by trained staff and would be available, at a minimum, in at least one location in each of the five boroughs, including at each veterans resource center.

EFFECTIVE DATE: This local law would take effect on the same date as a local law amending the administrative code of the city of New York relating to creating veterans resource centers, as proposed in introduction number 394-A for the year 2018, takes effect.

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 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. The Department of Veterans Services would use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Department of Veterans' Services

ESTIMATE PREPARED BY: Zachary Harris, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Rebecca Chasan, Senior Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 391 on January 31, 2018 and referred to the Committee on Veterans. A hearing was held by the Committee on Veterans on June 19, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 391-A, will be considered by the Committee on Veterans on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 391-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 8, 2018.

(For text of Int. Nos. 394-A and 396-A and their Fiscal Impact Statements, please see the Report of the Committee on Veterans for Int. Nos. 394-A and 396-A, respectively, printed in these Minutes; for text of Int. No. 391-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 391-A, 394-A, and 396-A.

(The following is the text of Int. No. 391-A:)

Int. No. 391-A

By Council Members Ulrich, Deutsch, Brannan, Yeger, Kallos, King, Lander, Adams, Cohen, Constantinides, Holden, Vallone, Eugene, Levin, Gjonaj and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to benefits counseling services for veterans

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-107 to read as follows:

§ 31-107 Benefits counseling. The department shall provide counseling services to veterans seeking assistance regarding benefits offered by the city of New York, the state of New York and the United States department of veterans affairs to which they, their spouses or domestic partners, dependents or any family members may be entitled because of their military service. Counseling services shall include advice, evaluation and information, but shall not include the services identified by section 14.629(b) of title 38 of the code of federal regulations. Counseling services must be provided by trained staff and shall, at a minimum, be available in each of the five boroughs, including at each veterans resource center established pursuant to section 31-106.

§ 2. This local law takes effect on the same date as a local law amending the administrative code of the city of New York relating to creating veterans resource centers, as proposed in introduction number 394-A for the year 2018, takes effect.

CHAIM M. DEUTSCH, *Chairperson*; JUSTIN L. BRANNAN, MATHIEU EUGENE, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 394-A

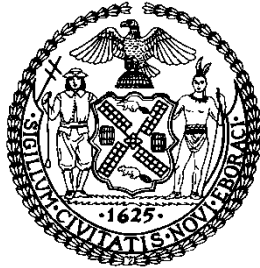
Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to creating veterans resource centers.

The Committee on Veterans, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 565), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Int. No. 396-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 394-A:



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

PROPOSED INTRO. NO. 394-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to creating veterans resource centers.

SPONSORS: Council Members Ulrich, Deutsch, Brannan, Yeger, Kallos, King, Lander, Adams, Cohen, Constantinides, Holden

SUMMARY OF LEGISLATION: Proposed Intro. 394-A would require the Department of Veterans' Services (DVS) to establish at least one Veterans Resource Center in each borough by June 1, 2019. Each center would be required to be located in an area easily accessible and in close proximity to public transportation. DVS would also be required to provide each borough with a minimum of 20 hours of service per week, including a

minimum of 10 hours at each Veterans Resource Center. The Centers would provide veterans with free, current information on the matters described above, as well as housing, public and private social services, and financial assistance and tax exemptions available to veterans. The Centers would also be staffed with a benefits counselor and make available a veterans resource guide. The Commissioner of DVS would commence outreach and education efforts to inform veterans about these Centers. Additionally, DVS would be required, beginning January 1, 2020 and every six months thereafter, to submit a report to the Mayor and Council Speaker on the number of veterans utilizing each center, the services offered by each center, those services and/or information most frequently requested by veterans at each center, the number of full and part-time staff working at each center, the amount of funding allocated to each center, and the feedback received by each center with a general description of such feedback.

EFFECTIVE DATE: This local law would take effect 90 days after it becomes law.

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 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. DVS would use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Department of Veterans' Services

ESTIMATE PREPARED BY: Zachary Harris, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Rebecca Chasan, Senior Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 394 on January 31, 2018 and referred to the Committee on Veterans. A hearing was held by the Committee on Veterans on June 19, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 394-A, will be considered by the Committee on Veterans on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 394-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 8, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 394-A:)

Int. No. 394-A

By Council Members Ulrich, Deutsch, Brannan, Yeger, Kallos, King, Lander, Adams, Cohen, Constantinides, Holden, Vallone, Eugene, Levin, Gjonaj and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to creating veterans resource centers

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-106 to read as follows:

§ 31-106 *Veterans resource centers.* a. *The commissioner shall ensure that at least one veterans resource center is established and operational in each borough by no later than June 1, 2019. Each borough shall have a minimum of 20 hours of combined field and in-office service per week, including at least 10 consistent office hours, and shall be located in a geographic area that is easily accessible, including for persons with disabilities, and in close proximity to public transportation. Notice of a center's hours of operation shall be clearly displayed on the premises and on the department's website.*

b. *Each veterans resource center shall provide veterans with up-to-date information, at no cost regarding, at a minimum, (i) matters within the department's purview pursuant to this title, chapter 75 of the charter and state executive law section 358; (ii) housing; (iii) social services offered by public agencies and charitable and private organizations, including but not limited to the provision of specific contact information for such agencies and organizations; (iv) financial assistance and tax exemptions available to veterans; (v) discharge upgrade resources; and (vi) federal, state, and local benefits available to veterans.*

c. *Each veterans resource center shall provide benefits counseling services and a hard copy resource guide pursuant to section 31-108, as well as information about relevant referral services.*

d. *The department shall make available on its website information about each of the veterans resource centers, including its address, contact information, hours of operation and services provided.*

e. *The commissioner, in consultation with any agencies identified by the mayor, shall establish and engage in outreach and education efforts to inform veterans about the veterans resource centers, including their locations, contact information, hours of operation and the services they provide.*

f. *The commissioner shall, beginning January 1, 2020 and every six months thereafter, submit a report in machine-readable format to the mayor and the speaker of the council regarding the operation of the veterans resource centers established pursuant to this section. Such report shall include, but not be limited to, the following information for the prior six-month period, disaggregated by center: (i) the number of veterans utilizing such center; (ii) a summary of the services offered by such center; (iii) a description of the services and information most frequently requested by veterans utilizing such center; (iv) the number of full-time and part-time staff persons working at such center; and (v) the number of complaints received by and against such center from veterans regarding the services offered by such center, including feedback received by the 311 customer service center and a general description of the nature of such feedback.*

§ 2. This local law takes effect 90 days after it becomes law.

CHAIM M. DEUTSCH, *Chairperson*; JUSTIN L. BRANNAN, MATHIEU EUGENE, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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. 396-A

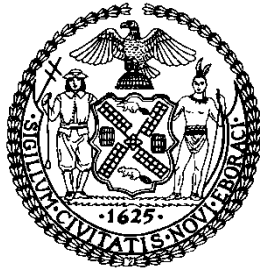
Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the creation of a veterans resource guide.

The Committee on Veterans, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 566), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Int. No. 396-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 396-A:



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

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO. 396-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation of a veterans resource guide.

SPONSORS: Council Members Ulrich, Deutsch, Brannan, Yeger, Kallos, King, Lander, Adams, Cohen, Holden

SUMMARY OF LEGISLATION: Proposed Intro. 396-A would require the New York City Department of Veterans' Services (DVS) to maintain and regularly update a resource guide for veterans. This guide would be available on the DVS website and in written format, if requested. The guide would contain information about eligibility and the process of applying for federal, state, and city veterans' benefits, special rights accorded to veterans under the law, health programs and services, legal and housing services, small business support, educational and employment opportunities, and other available resources for veterans.

EFFECTIVE DATE: This local law would take effect on the same date as a local law amending the administrative code of the city of New York relating to creating veterans resource centers, as proposed in introduction number 394-A for the year 2018, takes effect.

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 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. DVS would use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Department of Veterans' Services

ESTIMATE PREPARED BY: Zachary Harris, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Rebecca Chasan, Senior Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 396 on January 31, 2018 and referred to the Committee on Veterans. A hearing was held by the Committee on Veterans on June 19, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 396-A, will be considered by the Committee on Veterans on November 13, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 396-A will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 8, 2018

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 396-A:)

Int. No. 396-A

By Council Members Ulrich, Deutsch, Brannan, Yeger, Kallos, King, Lander, Adams, Cohen, Holden, Vallone, Eugene, Levin, Gjonaj and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a veterans resource guide

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-108 to read as follows:

§ 31-108 Veterans resource guide. a. The department shall develop and maintain a resource guide for veterans. The department shall regularly update information provided in such guide as is necessary to maintain accuracy.

b. The guide developed pursuant to subdivision a of this section shall include, but not be limited to, information about:

1. Federal, state and city benefits available to veterans and to their spouses or domestic partners, dependents and family members, as applicable, based upon the veterans' military service, which shall include the criteria for eligibility to receive such benefits and information on organizations that employ accredited agents and attorneys to assist veterans with their claims;
2. Provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and veterans and to their spouses or domestic partners, dependents and family members, as applicable, including, but not limited to, protections under the uniformed services employment and reemployment rights act;
3. Protections and remedies afforded to veterans under section 8-107;
4. Physical and mental health programs and resources;
5. Educational and training opportunities;
6. Available sources of low- or no-cost legal assistance;
7. Social services, including, but not limited to, housing and food security supports offered by public agencies and charitable and private organizations;
8. Programs and services administered by public agencies to support veteran-owned businesses;
9. Employment resources; and
10. Any other information deemed relevant by the department.

c. The department shall make such guide available on the department's website and in printed form upon request.

d. The department shall publish on its website, and in any hard copy of such resource guide distributed, information about how relevant service providers can update the department on any changes in the services they offer to veterans.

§ 2. This local law takes effect on the same date as a local law amending the administrative code of the city of New York relating to creating veterans resource centers, as proposed in introduction number 394-A for the year 2018, takes effect.

CHAIM M. DEUTSCH, *Chairperson*; JUSTIN L. BRANNAN, MATHIEU EUGENE, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans, November 13, 2018.

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

Report of the Committee on Youth Services

Report for Int. No. 376-B

Report of the Committee on Youth Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to educational outreach and materials on bullying prevention, awareness and resources.

The Committee on Youth Services, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 552), respectfully

REPORTS:

Introduction

On November 13, 2018, the Committee on Youth Services, chaired by Council Member Deborah Rose, will conduct a hearing on Proposed Int. No. 376-B, sponsored by Council Member Torres, relating to educational outreach and materials on bullying prevention, awareness and resources. This will be the second hearing on this bill, the first having been conducted on April 26, 2018. Representatives from the Department of Youth and Community Development (“DYCD”), advocates for bullied youth, and other concerned members of the public testified at the prior hearing, after which amendments were made to the bill.

Background

Bullying continues to be a problem for youth in the state of New York and throughout the City. Although the New York State Legislature enacted the Dignity for All Students Act (DASA), which was intended to “afford all students in public schools an environment free of discrimination and harassment,”¹ the New York City Department of Education (DOE) reported that 81% of students surveyed, from grades K-12, said bullying occurred at their schools from 2016 to 2017.² The prevalence and negative consequences of bullying can be particularly acute for lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth. According to the Centers for Disease Control (CDC), nationally, LGBTQ students are more likely to experience bullying³ and up to 30% of them admitted to skipping school in a 30 day cycle out of concerns for their own safety.⁴

Addressing Bullying in NYC Public Schools

New York City Chancellor’s Regulation A-832 prohibits all forms of student-to-student bullying, intimidation and bias-based behavior on the basis of actual or perceived race, color, religion, ethnicity, national origin, immigration status, gender, gender identity, gender expression, sexual orientation, disability, or weight.⁵ The policies and procedures of Regulation A-832 are intended to comply with DASA and extend to behavior occurring on school grounds, school buses, and at all school-sponsored activities, programs and events.⁶

In October of 2017, then-New York City Schools Chancellor Carmen Farina announced a supplemental package of anti-bullying programs and reforms to be implemented within DOE, including a web-based bullying complaint portal anticipated in 2019.⁷ This portal is expected to provide a tool for students and their families to report online incidents of bullying and track the status of a school’s investigation. DOE also

¹ N.Y. Educ. Law § 10.

² See: https://tools.nycenet.edu/guide/2017/#dbn=City&report_type=ALL.

³ “Another survey of more than 7,000 seventh- and eighth-grade students from a large Midwestern county examined the effects of school [social] climate and homophobic bullying on lesbian, gay, bisexual, and questioning (LGBQ) youth and found that LGBQ youth were more likely than heterosexual youth to report high levels of bullying” See Centers for disease Control and Prevention, Lesbian, Gay, Bisexual and Transgender Health, <https://www.cdc.gov/lgbthealth/youth.htm> (citing Birkett M, Espelage DL, Koenig B. LGB and questioning students in schools: The moderating effects of homophobic bullying and school climate on negative outcomes. *Journal of Youth and Adolescence* 2009;38:989–1000.).

⁴ See Centers for Disease Control and Prevention. Sexual identity, sex of sexual contacts, and health-risk behaviors among students in grades 9-12—Youth Risk Behavior Surveillance, selected sites, United States, 2001-2009. *MMWR*. 2011.

⁵ See Regulation of the Chancellor, New York City Department of Education, Number A-832, Student-to-Student Discrimination, Harassment, Intimidation, and/or Bullying, Attachment No. 4, Page 1 of 2: <http://schools.nyc.gov/NR/rdonlyres/68542AE0-CA99-4C8B-A31B-A1E96FEC7633/0/A832.pdf>.

⁶ *Id.*

⁷ Elizabeth A. Harris, “City Announces \$8 Million Plan to Prevent Bullying in Schools”, *The New York Times*, October 30, 2017: <https://www.nytimes.com/2017/10/30/nyregion/plan-to-prevent-bullying-in-new-york-schools.html>; see also Nicole Brown, “Anti-bullying Plan for NYC Schools Announced month after fatal stabbing”, *AM New York*, October 31, 2017: <https://www.amny.com/news/nyc-schools-bullying-1.14697080>.

partnered with ThriveNYC (discussed below) as part of the reform package to provide trainings and workshops on bullying prevention for students, staff, families and community members and to offer anti-bias training for school employees.⁸

Yet the problem of bullying is not just limited to the City's public schools. It can impact young people who are home schooled or who attend private schools. It can affect them in their places of work and even within their own communities. Moreover, bullying can continue well beyond a young person's compulsory school years. And while Chancellor's Regulation A-832 by its own terms purports to apply "on other than school property when such behavior" interferes with the educational process,⁹ DOE's impending portal, internal reporting mechanisms, investigatory procedures, disciplinary processes and supportive services do not extend to youth who do not attend public school.

Bullying Resources for All Youth

Although referenced in Chancellor's Regulation A-832 as a resource¹⁰, the United Federation of Teachers (UFT) BRAVE campaign (short for building respect, acceptance and voice through education) aims to combat bullying among youth in all schools.¹¹ BRAVE seeks to build upon DOE's RFA campaign by providing counselling to students by phone, text and internet chat.¹² These services are available Monday through Friday from 2:30 to 9:30 p.m.¹³ The New York City Department of Health also promotes on its website a free, confidential service related to teen bullying called Crisis Text Line, which is available 24 hours per day, 7 days per week.¹⁴ Crisis Text Line is operated by a non-profit organization that offers youth-targeted support nationwide, to anyone who texts for assistance.¹⁵

NYC Well is the City's free, confidential, support crisis intervention, information and referral service for those seeking help for mental health related issues.¹⁶ NYC Well is part of ThriveNYC, a comprehensive mental health plan spearheaded by the City's First Lady, Chirlane McCray, that provides resources and counseling for a myriad of mental health, addiction and wellness issues.¹⁷ Although not specifically marketed to address bullying among youth, testimony provided at the Committee's April 26, 2018, hearing suggested that this comprehensive service could serve as a resource for youth to obtain crisis counseling, support, information and referrals regarding bullying.¹⁸ As noted above, DOE partnered with ThriveNYC as part of its reform package on bullying prevention.¹⁹

Finally, DYCD maintains a telephone hotline known as Youth Connect²⁰ which is referred to as a "one-stop shop for all youth-related resources."²¹ Through this hotline, DYCD may connect youth to anti-bullying resources, or receive complaints and concerns regarding bullying at DYCD-funded services. Youth Connect does not provide counseling directly but can connect callers to services that do, such as NYC Well, BRAVE, or others. Youth Connect operates during normal business hours, Monday through Friday, from 9:00 a.m. to

⁸ Nicole Brown, "Anti-bullying Plan for NYC Schools Announced month after fatal stabbing", *AM New York*, October 31, 2017: <https://www.amny.com/news/nyc-schools-bullying-1.14697080>

⁹ *Id.*

¹⁰ See Regulation of the Chancellor, New York City Department of Education, Number A-832, Student-to-Student Discrimination, Harassment, Intimidation, and/or Bullying: <http://schools.nyc.gov/NR/rdonlyres/68542AE0-CA99-4C8B-A31B-A1E96FEC7633/0/A832.pdf>.

¹¹ See UFT Brave: <http://www.uft.org/our-rights/brave>

¹² UFT Brave resource guide: <http://www.uft.org/files/attachments/brave-resource-guide.pdf>.

¹³ *Id.*

¹⁴ NYC Department of Health, *Teen Health: Bullying*: <https://www1.nyc.gov/site/doh/health/health-topics/teen-bullying.page>.

¹⁵ Crisis Text Line: <https://www.crisistextline.org/>.

¹⁶ See: <https://nycwell.cityofnewyork.us/en/>.

¹⁷ ThriveNYC: <https://thrivenyc.cityofnewyork.us/>; see also Thrive NYC Leadership, Office of the Mayor, First Lady bio: <https://www1.nyc.gov/office-of-the-mayor/first-lady-bio.page>

¹⁸ New York City Council Committee on Youth Services, April 26, 2018, Hearing on Intro 376-A and & Intro 713; Testimony of Susan Haskell, Deputy Commissioner, DYCD.

¹⁹ *Supra*, note 8.

²⁰ See: <http://www1.nyc.gov/site/dycd/connected/youth-connect.page>

²¹ *Id.*

5:00 p.m.²²; however, the City's general 311 system was identified at the Committee's April hearing as an alternative source for calls and anti-bullying related referrals outside of these operating hours.²³

In order to assure that City youth are aware of available anti-bullying resources, including youth within and outside the DOE system or in touch with DYCD programs generally, Council Members Torres, Salamanca, Brannan, Cabrera, Kallos, Rosenthal, Lander, Constantinides and Rose have introduced Proposed Int. No. 376-B relating to educational outreach and materials on bullying prevention, awareness and resources. The bill would require DYCD to conduct outreach informing as many City youth as practicable about the availability of these resources, including those that provide counseling, mental health services, mobile texting or internet chat functions and referrals. Outreach would include disseminating anti-bullying resource materials through existing DYCD programs and posting related information on DYCD's website and on any other agency websites determined by the mayor. The proposed bill would also require DOE to distribute to students information regarding the online portal through which students or their families may report bullying, harassment, intimidation or discrimination. DYCD would similarly be required to provide information regarding DOE's online portal to youth participating in its programs. By requiring the dissemination of these informational materials within and beyond the DOE system, including on DYCD's and on other mayor-designated agency websites, the proposed bill is designed to more broadly reach youth in the City regardless of whether they attend public school, private school, or no school at all.

BILL ANALYSIS

PROPOSED INT. NO. 376-B

After its initial hearing on April 26, 2018, substantive changes were made to the bill. The original version would have required DYCD to establish a new hotline and mobile device application for City youth affected by bullying, and to conduct outreach that informs youth about these new resources. The B version of this bill would not establish a new hotline or mobile device application. Instead, it would require DYCD to conduct outreach regarding existing anti-bullying resources that provide counseling, mental health services, and mobile texting or internet chat functions including, but not be limited to, any comprehensive mental health resource operated by the City such as ThriveNYC and NYC Well, and any portal operated by DOE to report bullying, harassment, intimidation or discrimination within public schools. Similarly, DYCD would similarly be required conduct outreach regarding the availability of anti-bullying referral services including the City's 311 customer service center and, for youth in a DYCD-funded program, DYCD's Youth Connect or other hotline operated by the department. Educational outreach would be designed to reach as many youth as practicable and include the specific numbers to text or to call, the operating hours applicable to each number or text function, and the website addresses for bullying awareness and prevention resources. DOE would also be required to disseminate to every school for distribution to students information regarding the portal through which bullying incidents may be reported, if such portal exists.

Section 1 of this bill would add a new section 21-412 to the administrative code of the city of New York. Subdivision a would establish definitions for DYCD's "youth hotline" and the City's 311 customer service center.

Subdivision b would establish an educational outreach requirement to reach as many youth as practicable regarding the availability of bullying awareness and prevention resources. Such outreach would include, but not be limited to, posting bullying awareness and prevention resource information on the department's website and on the websites of any other agency as determined by the mayor, as well as through the dissemination of materials within existing departmental programs.

Subdivision c would prescribe the types of bullying awareness and prevention resources required for educational outreach, as outlined in paragraphs one and two, to include:

²² A call placed to the Youth Connect Hotline outside of its operating hours, on Saturday, September 22, 2018 at 6:10 p.m. resulted in a voice message that: 1) stated that Youth Connect's normal operating hours are Monday through Friday, 9:00 a.m. to 5:00 p.m.; 2) advised shelter-seeking youth to call a provided number for the National Runaway Safe Line; 3) advised to dial 911 if there is an emergency; and 4) stated that the call would continue after an automatic transfer to the City's 311 system.

²³ *Id.*

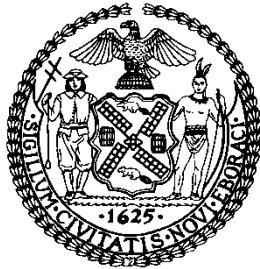
1. Resources that provide confidential or anonymous counseling to youth via phone, text messaging, or internet-based chat function, including any comprehensive service providing mental health resources established within any agency determined by the mayor, if such service exists, and any portal relating to the reporting of bullying, harassment, intimidation or discrimination operated by the department of education, if such resource exists; and

2. The numbers to text or call, the operating hours applicable to each number or text function, and the website address for bullying awareness and prevention resources operated by the city, including but not limited to the 311 customer service center and, for materials directed at youth in a program funded by the department, the youth hotline.

Section 2 of this bill would add a new section 21-891.1 to the administrative code of the city of New York and require that the department of education distribute to each school for distribution to every student information regarding how to access any online portal relating to the reporting of bullying, harassment, intimidation or discrimination operated by the department, if such portal exists.

Section 3 of the bill would provide the enactment clause. This local law would take effect 180 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 376-B:)



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

PROPOSED INTRO. NO: 376-B

COMMITTEE: Youth Services

TITLE: A Local Law to amend the New York City Charter, in relation to educational outreach and materials on bullying prevention, awareness and resources

SPONSORS: Council Members Torres, Salamanca, Brannan, Cabrera, Kallos, Rosenthal, Lander, Constantinides and Rose

SUMMARY OF LEGISLATION: Proposed Intro. 376-B would require the Department of Youth and Community Development (DYCD) to conduct outreach to youth about the availability of bullying awareness and prevention resources, including counseling, mental health care, and Department of Education (DOE) resources. Outreach would include disseminating resource materials through existing DYCD programs and posting information on DYCD's website and on any other agency websites as determined by the mayor. The proposed bill also would require the DOE to distribute to students information regarding any existing online portal operated by DOE through which students or their parents may report bullying, harassment, intimidation or discrimination. DYCD would also provide information regarding DOE's portal to youth participating in its programs.

EFFECTIVE DATE: This local law would take effect 180 days after enactment

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 anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures as a result of this legislation because existing resources would be used to implement the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Department of Youth and Community Development and the Department of Education

ESTIMATE PREPARED BY: Michele Peregrin, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Rebecca Chasan, Senior Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on January 31, 2018 as Intro. No. 376 and referred to the Committee on Youth Services. The legislation was subsequently amended and a hearing was held by the Committee on Youth Services on the amended legislation, Proposed Intro. 376-A, on April 26, 2018 and the bill was laid over. The legislation was subsequently amended a second time and the most recently amended version, Proposed Intro. No.376-B, will be voted on by the Committee on Youth Services at a hearing on November 13, 2018. Upon successful vote by the Committee, Proposed Intro. No. 376-B will be submitted to the full Council for a vote on November 14, 2018.

DATE PREPARED: November 9, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 376-B:)

Int. No. 376-B

By Council Members Torres, Salamanca, Brannan, Cabrera, Kallos, Rosenthal, Lander, Constantinides, Rose, Chin, Eugene, Levin and Miller

A Local Law to amend the administrative code of the city of New York, in relation to educational outreach and materials on bullying prevention, awareness and resources

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-412 to read as follows:

§ 21-412 Educational outreach on bullying awareness and prevention resources. a. Definitions. For purposes of this section, the following terms have the following meanings:

Youth hotline. The term “youth hotline” means any hotline operated by the department for the purpose of providing information, resources and referrals to youth.

311 customer service center. The term “311 customer service center” means the existing 311 citizen service center, which generally provides callers with information and referrals to appropriate resources and services, including referral to emergency services as necessary.

b. Educational outreach. The department shall engage in educational outreach regarding the availability of bullying awareness and prevention resources and conduct such outreach in a manner designed to reach as many youth as practicable. Such outreach shall include, but need not be limited to, posting bullying awareness and prevention resource information on the department’s website and on the websites of any other agency as determined by the mayor, as well as the dissemination of bullying awareness and prevention resource materials through existing departmental youth programs.

c. Bullying awareness and prevention resources. The bullying awareness and prevention resources referenced in subdivision b of this section shall include, but need not be limited to:

1. Resources that provide confidential or anonymous counseling to youth via phone, text messaging, or internet-based chat functionality, including any comprehensive service providing mental health resources established within any agency or agencies as determined by the mayor, if such service exists, and any portal relating to the reporting of bullying, harassment, intimidation or discrimination operated by the department of education, if such resource exists; and

2. The numbers to text or to call, the operating hours applicable to each number or text function, and the website address for bullying awareness and prevention resources operated by the city, including but not limited to the 311 customer service center and, for materials directed at youth in a program funded by the department, the youth hotline.

§ 2. Chapter 18 of title 21-a of the administrative code of the city of New York is amended by adding a new section 21-981.1 to read as follows:

§ 21-981.1 Information regarding any online portal relating to harassment, bullying, intimidation and discrimination. The department shall distribute to each school for distribution to every student of such school information regarding how to access any online portal relating to the reporting of bullying, harassment, intimidation or discrimination operated by the department, if such portal exists.

§ 3. This local law takes effect 180 days after it becomes law.

DEBORAH L. ROSE, *Chairperson*; MATHIEU EUGENE, MARGARET S. CHIN, ANDY L. KING, JUSTIN L. BRANNAN; Committee on Youth Services, November 13, 2018.

On motion of the Speaker (Council Member Johnson), 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 Int. No. 720

Report of the Committee on Housing and Buildings in favor of approving and adopting, a Local Law to amend the New York city building code, in relation to clarifying the requirements for site safety training providers.

The Committee on Housing and Buildings, to which the annexed preconsidered proposed local law was referred on March 7, 2018 (Minutes, page 1092), and which same item has been laid over by the Council since the March 7, 2018 Stated Meeting (Minutes, page 924), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 720 printed in the Minutes of March 7, 2018, page 1092)

Accordingly, this Committee recommends its adoption.

ROBERT E. CORNEGY, Jr., Chairperson; FERNANDO CABRERA, MARGARET S. CHIN, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, BILL PERKINS, MARK GJONAJ, CARLINA RIVERA; Committee on Housing and Buildings, March 6, 2018.

Laid Over by the Council.

Report for L.U. No. 253 & Res. No. 631

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180321 ZSX (Hebrew Home) submitted by Hebrew Home for the Aged at Riverdale, Inc., The Hebrew Home for the Aged at Riverdale Foundation, Inc., and Hebrew Home Housing Development Fund Company, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-901(a) of the Zoning Resolution to modify the use regulations of Section 22-13, to allow a long-term care facility (Use Group 3) in an R1-1 District (Block 5933, Lot 55), on property located at 5701-5961 Palisade Avenue (Block 5933, Lots 55, 210, 224, 225 and 230), in R1-1 and R4 Districts, within the Special Natural Area District (NA-2), Borough of the Bronx, Council District 11, Community District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2018 (Minutes, page 3910) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT**BRONX CB - 8****C 180321 ZSX**

City Planning Commission decision approving an the application submitted by The Hebrew Home for the Aged at Riverdale Foundation, Inc., and Hebrew Home Housing Development Fund Company, Inc. for the grant of a special permit pursuant to Section 74-901(a) of the Zoning Resolution to modify the use regulations of Section 22-13, to allow a long-term care facility (Use Group 3) in an R1-1 District (Block 5933, Lot 55), on property located at 5701-5961 Palisade Avenue (Block 5933, Lots 55, 210, 224, 225 and 230), in R1-1 and R4 Districts, within the Special Natural Area District (NA-2), Borough of the Bronx, Community District 8.

INTENT

To grant an approval of the special permit to allow a “Continuing Care Retirement Community” in the R1-1 district portion of the site.

PUBLIC HEARING**DATE:** October 22, 2018**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** November 1, 2018

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

In Favor:

Moya, Lancman, Levin, Reynoso, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** November 5, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS

The City Planning Commission filed a letter dated November 13, 2018, with the Council on November 14, 2018, 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 Salamanca and Moya offered the following resolution:

Res. No. 631

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 180321 ZSX (L.U. No. 253), for the grant of a special permit pursuant to Section 74-901(a) of the Zoning Resolution to modify the use regulations of Section 22-13 to allow a long-term care facility (Use Group 3) in an R1-1 District on property located at 5701-5961 Palisade Avenue (Block 5933, Lots 55, 210, 224, 225 and 230), in R1-1 and R4 Districts, within the Special Natural Area District, Community District 8, Borough of the Bronx.

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on September 28, 2018 its decision dated September 26, 2018 (the "Decision"), on the application submitted by Hebrew Home for the Aged at Riverdale Foundation, Inc., and Hebrew Home Housing Development Fund Company, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-901(a) of the Zoning Resolution to modify the use regulations of Section 22-13, to allow a long-term care facility (Use Group 3) on property located at 5701-5961 Palisade Avenue (Block 5933, Lots 55, 210, 224, 225 and 230), in R1-1 and R4 Districts, within the Special Natural Area District, Community District 8, Borough of the Bronx, (ULURP No. C 180321 ZSX) (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 Section 74-901(a) 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 October 22, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Restrictive Declaration to address the potential for significant adverse construction (transportation) impacts and the Revised Conditional Negative Declaration issued September 26, 2018 (CEQR No. 18DCP134X), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality on the

development site (Block 5933, Lots 55 and 225) (E-477), which supersedes the Conditional Negative Declaration issued April 23, 2018 and (“Revised Conditional Negative Declaration”),

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-477) and Revised Conditional Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 180231 ZSX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter ~~double struck out~~ is old, deleted by the City Council;
 Matter double-underlined is new, added by the City Council;

1. The property that is the subject of this application (C 180321 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Perkins Eastman, filed with this application and incorporated in this resolution:

| <u>Drawing Number</u> | <u>Title</u> | <u>Last Date Revised</u> |
|-----------------------|--|--|
| Z-1 | Zoning Analysis | September 25, 2018 |
| Z-2 | Base Plane and Average Curb Level | September 25, 2018 |
| Z-3 | Zoning Lot Site Plan | September 25 <u>November 5</u> , 2018 |
| Z-4 | Waiver Plan (R1-1 Zoning) | September 25 <u>November 5</u> , 2018 |
| Z-5 | Waiver Elevations & Sections (R1-1 Zoning) | September 25, 2018 |

2. Such development shall confirm to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plan listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
6. Upon failure of any party having any right, title or interest in the property that is the subject of this

application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, November 5, 2018.

On motion of the Speaker (Council Member Johnson), 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> |
| John Benjamin | 1974 Bathgate Ave Bronx, New York 10457 | 15 |
| Yvonne Lee | 1075 University Ave #1D Bronx, New York 10452 | 16 |
| Shaunte Williams | 1439 Vyse Ave #A Bronx, New York 10459 | 17 |
| Carla Alexandra | 3808 23rd Ave #1F Queens, New York 11105 | 22 |
| Leilani Rhodes | 170-10 130th Ave #3E Queens, New York 11434 | 28 |
| Jabari Haynes | 288 Maple St Brooklyn, New York 11225 | 40 |
| Tonya Holman | 646 Rutland Rd #6G Brooklyn, New York 11203 | 41 |
| Marina Shklover | 15 Mayberry Promenade Staten Island, New York 10312 | 51 |
| Samantha Mattson | 6867 Amboy Rd Staten Island, New York 10309 | 51 |

Approved Reapplicants

| <i>Name</i> | <i>Address</i> | <i>District #</i> |
|-----------------------|---|-------------------|
| Amy Look | 22 Spring Street #3 New York, New York 10012 | 1 |
| Cecelia A. Mogilansky | 213 Mott Street #C2 New York, New York 10012 | 1 |
| Marisol Sempritt | 725 F.D.R. Drive #2G New York, New York 10009 | 2 |
| Theresa Smith | 130 Columbia Street #12E New York, New York 10002 | 2 |
| Ronald M. Rivera | 330 West 28th Street #5F New York, New York 10001 | 3 |
| Yvonnemarie Hassan | 204 Spring Street #9 New York, New York 10012 | 3 |
| Ventura Cambrelen | 211 East 89th Street #B13 New York, New York 10128 | 5 |
| Carolyn R. Thompson | 725 Riverside Drive #11A New York, New York 10031 | 7 |
| Dioni Dominguez | 91 Fort Washington Avenue #1A New York, New York 10032 | 7 |
| Isaac Forman | 555 West 151 Street #34 New York, New York 10031 | 7 |
| Michael S. Lopez | 1809 3rd Avenue #11B New York, New York 10029 | 8 |
| Deborah Taft | 112-126 East 128th Street #10LL New York, New York 10035 | 9 |
| Joan Culpepper | 2541 Seventh Avenue #11J New York, New York 10039 | 9 |
| Larry B. Steptoe | 2333 5th Avenue #11E New York, New York 10037 | 9 |
| Lonnie Elson | 525 West 236 Street #3H Bronx, New York 10463 | 11 |

| | | |
|-----------------------------|--|----|
| Lorna Story | 3265 Bainbridge Avenue #A13 Bronx, New York 10467 | 11 |
| Miriam Neustein | 3001 Arlington Avenue Bronx, New York 10463 | 11 |
| Stephanie Morales | 3530 Rochambeau Avenue #1 K Bronx, New York 10467 | 11 |
| Deborah Alicea | 1166 Elton Street #2K Brooklyn, New York 11239 | 13 |
| Kania Fernandez | 2037 Colonial Avenue #3 Bronx, New York 10461 | 13 |
| Kathy Chiodi | 2137 Wallace Ave #627 Bronx, New York 10462 | 13 |
| Mario Calandruccio | 2875 Dudley Avenue Bronx, New York 10461 | 13 |
| Peter Impemba | 2875 E 197th Street Bronx, New York 10461 | 13 |
| Benjamin F. Brown | 2420 Sedgwick Avenue #3/2B Bronx, New York 10468 | 14 |
| Natasha Serrano | 67 West 175th Street #5D Bronx, New York 10453 | 14 |
| Lillian Dixon | 1270 Webster Avenue #9A Bronx, New York 10456 | 16 |
| Stephanie Gonzalez | 860 Grand Concourse #1 F Bronx, New York 10451 | 16 |
| Doris L. Gonzalez-LoGiudice | 695 East 133rd Street Bronx, New York 10454 | 17 |
| Janette Camacho | 419 East 157th Street #24 Bronx, New York 10451 | 17 |
| Cesar J. Rangel | 1970 East Tremont Avenue #11A Bronx, New York 10462 | 18 |
| Lillian Tirado | 1550 Unionport Road #2H Bronx, New York 10462 | 18 |
| Alan Zibo Mei | 147-43 Elm Avenue Flushing, New York 11355 | 20 |

| | | |
|-------------------------|---|----|
| Teresa Santos-Gutierrez | 144-40 38th Avenue #02 Flushing, New York 11354 | 20 |
| William Chiappetta | 84-64 265th Street Queens, New York 11001 | 23 |
| Luke Petrinovic | 32-36 45th Street #2R Long Island City, New York 11103 | 26 |
| Esther Joy Edwards | 120-27 178th Street Queens, New York 11434 | 27 |
| Hilda McKeithen | 163-49 130th Avenue #2F Queens, New York 11434 | 28 |
| Joanne Scott-Wright | 163-29 130th Avenue #1G Queens, New York 11434 | 28 |
| Peggy Adames | 123-11 115th Avenue South Ozone Park, New York 11420 | 28 |
| Dariusz Matuszewski | 60-46 86th Street Queens, New York 11379 | 29 |
| John Rowan | 82-42 Penelope Avenue Queens, New York 11379 | 30 |
| Mariann Rowan | 82-42 Penelope Avenue Queens, New York 11379 | 30 |
| Nazime Velovic | 69-16 62nd Avenue Middle Village, New York 11379 | 30 |
| Jo-Anne Earl | 253-64 149th Road Queens, New York 11422 | 31 |
| Lydia Machado | 85-20 Dumont Avenue #10 Queens, New York 11417 | 32 |
| Raymond Torres | 270 Franklin Street Brooklyn, New York 11222 | 33 |
| Jose Gonzalez | 106 Bleecker Street #2 Brooklyn, New York 11221 | 34 |
| Classie Dockery | 235A Lexington Avenue #1 Brooklyn, New York 11216 | 36 |
| Ruby W. Allen | 738 Dekalb Avenue Brooklyn, New York 11216 | 36 |

| | | |
|----------------------|--|----|
| Deneen L. King | 1015 Halsey Street Brooklyn, New York 11207 | 37 |
| Sandra Darden | 257 Eldert Street Brooklyn, New York 11207 | 38 |
| Armida Alarcon | 571 39th Street #2F Brooklyn, New York 11232 | 39 |
| Soraida Burgos | 525 45th Street Brooklyn, New York 11220 | 39 |
| Adalberto Hernandez | 444 East 5th Street #1 Brooklyn, New York 11218 | 39 |
| Denise Handal | 924 Newkirk Avenue Brooklyn, New York 11230 | 40 |
| Evangeline Wilson | 9427 Kings Highway #6E Brooklyn, New York 11212 | 41 |
| LaKiesha T. Reese | 672 Ralph Avenue #1 E Brooklyn, New York 11212 | 41 |
| Dayne E. Banks | 1426 Loring Avenue #55C Brooklyn, New York 11208 | 42 |
| Susan Sosa | 8803 14th Avenue Brooklyn, New York 11228 | 43 |
| Bonita A Tong-Kelman | 3510 Avenue H #5A Brooklyn, New York 11210 | 45 |
| Denise Grant | 816 East 51st Street Brooklyn, New York 11203 | 45 |
| LaZell Fitzgerald | 359 East 54th Street #2F Brooklyn, New York 11203 | 45 |
| Marina Bondarenko | 1921 Avenue K #F3 Brooklyn, New York 11230 | 45 |
| Ner Bresler | 895 East 18th Street Brooklyn, New York 11230 | 45 |
| Oksana Ulan | 1414 Brooklyn Avenue #4G Brooklyn, New York 11210 | 45 |
| Venus Clarke | 1246 E 48th Street Brooklyn, New York 11234 | 45 |

| | | |
|--------------------------|---|----|
| Yves David | 2603 Avenue D Brooklyn, New York 11226 | 45 |
| Marina Grinman | 2930 West 5th Street #17G Brooklyn, New York 11224 | 48 |
| Grace Jack | 46 Skyline Drive Staten Island, New York 10304 | 49 |
| John C. Kempczynski | 165 Wright Street Staten Island, New York 10304 | 49 |
| Vanessa Fudge | 20 Post Lane Staten Island, New York 10303 | 49 |
| Dolores Bongiorno | 310 Buel Avenue Staten Island, New York 10305 | 50 |
| Donald Pellach | 424 Klondike Avenue Staten Island, New York 10314 | 50 |
| Joanne Cavallo | 155 Manila Avenue Staten Island, New York 10306 | 50 |
| Patricia Landolfi | 124 Pouch Terrace Staten Island, New York 10305 | 50 |
| Susan A. Vizzotti | 128 Queens Street Staten Island, New York 10314 | 50 |
| Viktoriya Bobrovskaya | 515 Tarrytown Avenue Staten Island, New York 10306 | 50 |
| Carlo Joseph Bellantuono | 29 Jade Court Staten Island, New York 10309 | 51 |
| Jennifer LaMattina | 506 Sharrotts Road Staten Island, New York 10309 | 51 |
| Lynn C. Fiume | 32 King James Court Staten Island, New York 10308 | 51 |
| Patricia A. Walker | 47 Carlin Street Staten Island, New York 10309 | 51 |

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

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

- | | | |
|------|---------------------|--|
| (1) | Int 304-A - | Create a task force to study the sale prices of taxicab medallions. |
| (2) | Int 376-B - | Educational outreach and materials on bullying prevention, awareness and resources. |
| (3) | Int 391-A | Benefits counseling services for veterans. |
| (4) | Int 394-A - | Creating veterans resource centers. |
| (5) | Int 396-A - | Creation of a veterans resource guide. |
| (6) | Int 1062-A - | Risk of loss on payments for trips dispatched by high-volume for-hire services. |
| (7) | Int 1068-A - | Financial education for persons considering purchases or leases of for-hire vehicles or taxicab licenses. |
| (8) | Int 1079-A - | Office of inclusion within the New York city taxi and limousine commission. |
| (9) | Int 1081-A - | Driver assistance services. |
| (10) | Int 1096-A - | Deductions from certain for-hire driver earnings. |
| (11) | Int 1137-A - | Creation of an office of data analytics. |
| (12) | Int 1144 - | An increase in the amount to be expended annually in fourteen business improvement districts. |
| (13) | Res 612 - | Computing and certifying base percentage, current percentage and current base proportion of each class of real property for Fiscal 2019 ('Class Shares', CBP) |

- (14) **Res 613 -** Computing and certifying adjusted base proportion of each class of real property for Fiscal 2019 (“**Class Shares**”, **ABP**).
- (15) **Res 614 -** Amending and restating the resolution to provide the amounts necessary for the support of the government of the city of New York and the counties (**Amending and Restating Tax-Fixing Resolution, November 14, 2018**).
- (16) **Res 615 -** The establishment of the Throggs Neck Business Improvement District in the Borough of the Bronx.
- (17) **Res 616 -** An increase in the amount to be expended annually in the Hudson Square Business Improvement District, and an extension of the Hudson Square Business Improvement District boundaries.
- (18) **L.U. 231 & Res 623 -** App. **C 180346 PSX** Borough of the Bronx, Community District 10, Council District 12.
- (19) **L.U. 241 & Res 624 -** App. **C 180390 HAX** (599 Cortlandt Avenue) Borough of the Bronx, Community District 1, Council District 17.
- (20) **L.U. 242 & Res 625 -** App. **C 180391 PQX** (599 Cortlandt Avenue) Borough of the Bronx, Community District 1, Council District 17.
- (21) **L.U. 243 & Res 626 -** App. **20195160 HAX** (599 Cortlandt Avenue) Borough of the Bronx, Community District 1, Council District 17.
- (22) **L.U. 250 & Res 627 -** App. **20195149 CCQ** (**St. Michael’s Cemetery Land Acquisition**) Borough of Queens, Community District 1, Council District 22.

- (23) **L.U. 251 & Res 628 -** App. C **180174 ZMQ (St. Michael's Park Rezoning)**
Borough of Queens. Community District 1, Council District 22.
- (24) **L.U. 252 & Res 629 -** App. C **180175 MMQ (St. Michael's Park Demapping)**
Borough President, Borough of Queens. Community District 1, Council District 22.
- (25) **L.U. 253 & Res 631 -** App. C **180321 ZSX** (Hebrew Home) Borough of the Bronx, Council District 11, Community District 8.
- (26) **L.U. 254 & Res 630 -** App. **20195153 RSY** Borough of Brooklyn, Council District 47, Community District 13.
- (27) **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 – Adams, Ampry-Samuel, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Ulrich, Vallone, Van Bramer, Williams, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **49**.

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

The following was the vote recorded for **Res. Nos. 612, 613, and 614:**

Affirmative – Adams, Ampry-Samuel, Barron, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Grodenchik, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rosenthal, Salamanca, Torres, Van Bramer, Williams, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **41**.

Negative – Borelli, Gjonaj, Holden, Rose, Ulrich, Vallone, Yeger, and the Minority Leader (Council Member Mateo) – **8**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int Nos.304-A, 376-B, 391-A, 394-A, 396-A, 1062-A, 1068-A, 1079-A, 1081-A, 1096-A, 1137-A, and 1144.*

INTRODUCTION AND READING OF BILLS

Res. No. 608

Resolution authorizing the Speaker to submit a public comment on behalf of the Council to the Federal Register, concerning the proposed change to the Public Charge rule.

By the Speaker (Council Member Johnson) and Council Members Ayala, Yeger, Rosenthal, Rivera, Menchaca, Kallos, Gibson, Miller, Eugene, Chin, Constantinides and Levin.

Whereas, New York City is home to more than three million immigrants; and

Whereas, Approximately 38 percent of New Yorkers are immigrants who make up 45 percent of the city's workforce; and

Whereas, New York City has, and will continue to be, a city that embraces diversity and promotes equality and respect for all of its inhabitants; and

Whereas, On October 10, 2018, the Department of Homeland Security issued a new proposed rule that would fundamentally shift the current legal interpretation of "public charge" determinations in certain immigration filings; and

Whereas, The new proposed rule expands the number and types of benefits that are counted against immigrant applicants for visas and green cards; and

Whereas, The new proposed rule also changes the way in which the totality of an immigrant's circumstances are weighted in a visa or green card application; and

Whereas, The rule will create a system of preference for the wealthy, needlessly and cruelly discriminating against the poor, the sick, the elderly and the very young; and

Whereas, Approximately 1 in 6 immigrant New Yorkers are likely to face adverse consequences from this rule change; and

Whereas, The City of New York is proud of its immigrant residents, and will make every effort to extend a viable social safety net to immigrant New Yorkers; and

Whereas, The proposed rule is open to public comment between October 10, 2018 and December 10, 2018; and

Whereas, The City Council will continue to contest the proposed public charge rule change by submitting a public comment detailing the ways in which this rule change will be detrimental to our city, state and nation; therefore, be it

Resolved, That the Council of the City of New York authorizes the Speaker to submit a public comment on behalf of the Council to the Federal Register, concerning the proposed change to the Public Charge rule.

Referred to the Committee on Immigration.

Res. No. 609

Resolution opposing the newly proposed public charge rule and urging the federal government not to move forward with its adoption.

By The Speaker (Council Member Johnson) and Council Members Menchaca, Levin, Levine, Chin, Ayala, Constantinides, Lancman, Dromm, Richards, Cumbo, Lander, Eugene, Yeger, Treyger, Grodenchik, Cabrera, Rosenthal, Rivera, Kallos, Gibson, Williams and Miller.

Whereas, Under current regulations, a public charge determination identifies whether an individual is, or is likely to become, primarily dependent on the United States (U.S.) government for subsistence; and

Whereas, The public charge determination is made when an individual is filing for a visa to reside in the U.S. or to adjust their status to become a lawful permanent resident; and

Whereas, Under current regulations, public charge determinations are based on reliance or use of Temporary Assistance for Needy Families (TANF), Supplemental Security Income, or institutionalization for long-term care; and

Whereas, On October 10, 2018, the Trump Administration filed a proposed rule that would expand the public charge definition to include more types of benefits and increase the frequency of public charge testing; and

Whereas, Under the newly proposed rule, a public charge determination will encompass the additional use of non-emergency Medicaid, the Supplemental Nutrition Assistance Program (SNAP), housing assistance through public housing and Section 8 vouchers, and the Medicare Part D low-income subsidy; and

Whereas, The proposed rule is projected to impact more than 475,000 New York City residents; and

Whereas, Up to 75,000 immigrant New Yorkers will need to decide whether to access benefits for which they are legally eligible or face possibly adverse immigration consequences; and

Whereas, Further, up to 400,000 immigrant New Yorkers could face adverse immigration consequences due to other changes included in the proposed rule that place a higher weight on factors such as age, health, education, employment history and income; and

Whereas, Immigrants in New York pay an estimated \$8 billion in City and State personal income taxes and approximately \$2 billion in City property taxes ever year; and

Whereas, In 2017 alone, immigrants contributed an estimated \$195 billion to the City's Gross Domestic Product (GDP), or about 22% of the City's total GDP; and

Whereas, The proposed rule could have a detrimental effect on New York City's economy as well as our national economy; and

Whereas, If enacted, the proposed rule could result in an annual loss of \$235 million in SNAP, Cash Assistance, and Supplemental Security Income and the State supplement (SSI/SSP) if just 20 percent of the approximately 274,000 noncitizen New Yorkers currently receiving these benefits were to withdraw from participation; and

Whereas, This would lead to an additional loss of \$185 million in related economic activity, if the same group of New Yorkers were to withdraw from receiving these three named benefits; and

Whereas, A 2018 Migration Policy Institute Report indicates that noncash benefits make up the bulk of benefits accessed by immigrant families, and this proposal will have far-reaching chilling effects, leading to a broad withdrawal from public-benefits programs; and

Whereas, Reducing program participation in benefits programs that are commonly viewed as work supports will likely result in higher poverty levels; and

Whereas, Efforts to prevent families from accessing benefits related to healthcare will result in an increase in severe and chronic health issues; and

Whereas, The proposed rule is likely to diminish the well-documented positive effects of prenatal care, nutrition assistance, early childhood education, and timely medical care on the health, development, and psychological outcomes of immigrant and U.S.-born children; and

Whereas, The ramifications of the proposed rule would not only impact immigrants who are directly affected by the order, but those who can legally access benefits; and

Whereas, Confusion and fear about the proposed rule could lead hundreds of thousands of immigrant New Yorkers, including U.S. citizens, to drop out of benefit programs or choose not to use them; and

Whereas, Adoption of the rule by the federal government could create further confusion, deepen fear in the community, and significantly impact access to health and social services for children and families in New York City; therefore, be it,

Resolved, That the Council of the City of New York opposes the newly proposed public charge rule and urges the federal government not to move forward with its adoption.

Referred to the Committee on Immigration.

Int. No. 1214

By Council Members Ayala, Rose, Reynoso, Ampry-Samuel and Salamanca (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to permitting Access-a-Ride vehicles to use bus lanes

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 *Access-a-Ride vehicles in bus lanes. a. Definitions. For purposes of this section, the term “Access-a-Ride vehicle” means any vehicle authorized to provide paratransit services in the city-sponsored paratransit program known as “Access-a-Ride.”*

b. When bus lane restrictions are in effect on a street, it shall not be a violation of law for any Access-a-Ride vehicle to drive in such lane.

§ 2. This local law takes effect 90 days after it becomes law, except that the commissioner of transportation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation.

Int. No. 1215

By Council Member Borelli.

A Local Law in relation to applications for licenses to sell electronic cigarettes by electronic cigarette retail dealers

Be it enacted by the Council as follows:

Section 1. Notwithstanding paragraph 3 of subdivision b of section 20-561 of the administrative code of the city of New York, the commissioner of consumer affairs shall issue an electronic cigarette retail dealer license where an applicant (i) was engaged in the retail sale of electronic cigarettes before August 28, 2017, (ii) had not applied for an electronic cigarette retail dealer license pursuant to paragraph 1 of subdivision b of section 20-561 of the administrative code of the city of New York before August 23, 2018, and (iii) satisfied all other prerequisites for obtaining an electronic cigarette retail dealer license as are prescribed by law or rule.

§ 2. A license issued pursuant to section one of this local law shall not affect the calculation of the initial community district retail dealer cap determined by the department of consumer affairs pursuant to paragraph 1 of subdivision e of section 20-561 of the administrative code of the city of New York, or any recommendations by the department of health and mental hygiene to further reduce the community district electronic cigarette retail dealer cap pursuant to paragraph 2 of such subdivision.

§ 3. This local law takes effect 30 days after it becomes law and remains in effect for 180 days thereafter, at which time it shall expire and be deemed repealed.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 1216

By Council Member Borelli.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City police department to study and report on outdoor train crashes involving pedestrians

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-177 to read as follows:

§ 14-177 Outdoor train crash study and report. a. Definitions. As used in this section, the following terms have the following meanings:

Crash. The term “crash” means any collision between an outdoor train and a pedestrian.

Highway-rail at-grade crossing. The term “highway-rail at-grade crossing” means any motor vehicle or pedestrian crossing point over outdoor train tracks.

Outdoor train. The term “outdoor train” means any subway train while it travels above-ground and any above-ground commuter train that operates within the city.

Passenger area. The term “passenger area” means any designated area in which a person may wait to board a train or wait for a train to pass.

Train platform. The term “train platform” means any above-ground subway or above-ground commuter train platform used for people to wait to board a train.

b. By December 1, 2019, and annually thereafter, the department shall conduct and submit to the speaker of the council and post on the department’s website a comprehensive study on all outdoor train crashes involving a pedestrian for the previous 12 months. In completing such study, the department shall analyze the conditions and factors associated with each such crash and identify common factors among the crashes, if any. Such study shall focus on the circumstances surrounding outdoor train crashes with pedestrians, disaggregated by type of train, and include, but need not be limited to, the following:

- 1. The date and time of each crash;*
- 2. The site where such crash occurred;*
- 3. The cause of such crash, categorized as a suicide, an attempted suicide, a homicide, or other;*
- 4. Whether any injuries or fatalities occurred as a result of the crash and, if so, which injuries occurred;*
- 5. How the crash occurred and whether such pedestrian was at a highway-rail at-grade crossing, a passenger area, a train platform, or unlawfully present on the train tracks at the time of the crash;*
- 6. The age and gender of each such pedestrian;*
- 7. Any pedestrian safety measures in place at the time of such crash; and*
- 8. Any plans or recommendations for improving pedestrian safety at the site of such crash.*

Following completion of each such study, the commissioner shall determine whether any additional studies are necessary in order to improve safety practices for outdoor trains operating in the city and shall report such determination to the speaker of the council in writing within 30 days after completion of such study.

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

Referred to the Committee on Public Safety.

Int. No. 1217

By Council Members Deutsch and Cumbo.

A Local Law to amend the administrative code of the city of New York, in relation to deployment of traffic enforcement agents near schools during drop-off and pick-up of students

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-118.3 to read as follows:

§ 14-118.3 *Traffic enforcement agents near schools. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Traffic enforcement agent. The term “traffic enforcement agent” means an employee of the department who is authorized to enforce laws and regulations that regulate, direct, control or restrict the movement of vehicular and pedestrian traffic.

School. The term “school” means any building, ground, facility, property or portion thereof in which educational instruction is provided to at least 250 students at or below the twelfth grade level.

b. For each day on which school is in session, the commissioner shall deploy at least one traffic enforcement agent to direct traffic within 100 feet of every school for a period commencing two hours before the start of the school day and ending 30 minutes after the start of the school day, and a period commencing 30 minutes before the end of the school day and ending two hours after the end of the school day.

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

Referred to the Committee on Public Safety.

Int. No. 1218

By Council Member Deutsch.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a discharge upgrade assistance unit at the department of veterans' affairs

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-106 to read as follows:

§ 31-106 *Discharge Upgrade Assistance Unit. a. Definitions. For the purposes of this section the following terms have the following meanings:*

Veteran. The term “veteran” means a person who has served in the active military or naval service of the United States and who has been released from such service otherwise than by dishonorable discharge, or who has been furloughed to the reserve.

b. The department shall create a unit to assist veterans with discharge characterization upgrades, changes of narrative reasons for discharge, and changes of separation and separation program designator codes and changes of reentry/reenlistment, where there are no aggravating factors related to the discharge. Such assistance shall be provided by legal counsel or an accredited representative of an organization recognized under section 5902 of title 38 of the United States code or successor provisions.

c. Upon request and where the unit deems it meritorious, the unit may provide non-binding opinions to veterans on their discharge characterization upgrade appeal that veterans may then submit as evidence with their claim. Where the unit does not deem a claim meritorious, it must inform the veteran, in writing, the reason for its opinion.

d. The department shall make available on its website, at a minimum, information about such discharge upgrade assistance unit, including services offered, the possibility of issuing non-binding opinions for meritorious appeals, and general information on discharge characterization upgrades including any applicable federal or state services available.

e. The commissioner, in consultation with any agencies identified by the mayor, shall establish and engage in outreach and education efforts to inform veterans about discharge characterization upgrades and the existence of the discharge upgrade assistance unit.

f. The commissioner may promulgate such rules as may be necessary to carry out the purposes of this section.

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

Referred to the Committee on Veterans.

Res. No. 610

Resolution calling upon the New York City Department of Education's Office of Pupil Transportation to expand school busing services to all public and nonpublic elementary and middle school students who live more than a half of a mile away from their school.

By Council Member Deutsch.

Whereas, The Department of Education's (DOE) Office of Pupil Transportation (OPT) operates the largest school transportation system in the country with more than 600,000 New York City students receiving transportation services annually; and

Whereas, OPT provides four types of school transportation services to students: general education transportation, specialized transportation, student Metro Cards, and Pre-K and early intervention transportation; and

Whereas, Students receiving special education services who have mandated specialized transportation on their Individualized Education Plan receive school bus services, and other students eligibility for school bus services depend on their grade level and the distance they live from school; and

Whereas, According to Chancellor's Regulations A-801, students in grades K-2 must live a half of a mile or more away from their school to be eligible for school bus services, students in grades 3-6 must live a mile or more away from their school to be eligible for school bus services and students in grades 7-8 must live 1.5 miles or more away from their schools to be eligible for school bus services; and

Whereas, Many students who are ineligible for school bus transportation walk or take public transportation to and from their school; and

Whereas, Parents argue that public transportation, provided by the Metropolitan Transportation Authority (MTA), services are unreliable; and

Whereas, According to a 2017 Comptroller Scott Stringer report, 65 percent of parents indicated that they had been late to drop-off, pick-up, or attend a child's event in the last three months because of subway delays; and

Whereas, As reported by the New York Times, the average number of train delays in a month increased from about 20,000 in 2012 to over 67,450 in May 2017; and

Whereas, Students, like many New Yorkers, are negatively affected by train delays, and when students are late to school due to train delays they miss important academic instruction; and

Whereas, There have also been reports of attempted kidnapping of students who were traveling from school, and many parents who are unable to take their children to school do not feel safe about their children traveling alone; and

Whereas, In May 2018, Zhu Lin Shi allegedly attempted to abduct students walking home from school in Brooklyn during three separate incidents; and

Whereas, Some advocates argue that OPT school bus services, although not perfect, are a safer form of transportation to school than public transportation; and

Whereas, While OPT provides transportation to 600,000 students, only about 25 percent of these students receive school bus services and most of the others receive student Metro Cards for public transportation; and

Whereas, MTA transportation services are unreliable and it is unsafe for young students to travel alone to school; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education's Office of Pupil Transportation to expand school busing services to all public and nonpublic elementary and middle school students who live more than a half of a mile away from their school.

Referred to the Committee on Education.

Int. No. 1219

By Council Members Dromm and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to providing assistance to seniors with bed bugs in their homes

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended to add a new section 21-139 to read as follows:

§21-139 Definitions. a. For the purposes of this section, the following terms have the following meaning:

Dwelling. The term "dwelling" means an individual's place of residence.

Income-eligible individual. The term "income-eligible individual" means a covered individual who is a resident of the city and whose annual gross household income is not in excess of 200 percent of the federal poverty guidelines as updated periodically in the federal register by the United States department of health and human services pursuant to subsection (2) of section 9902 of title 42 of the United States code.

b. The department, in consultation with the department of health and mental hygiene, shall establish a program to provide effective assistance and support to income-eligible individuals over the age of 60 with bed bug infestations in their dwelling. Such assistance shall include, but is not limited to, laundry and cleaning services, de-cluttering, removal of objects from walls, bagging of personal items, trash removal, and the moving of furniture and heavy equipment so that the bed bug infestation may be successfully eradicated.

d. The department, in coordination with the department for the aging, shall engage in outreach and education efforts to inform income-eligible individuals over the age of 60 of the availability of the program. Such efforts shall include the distribution of written materials regarding the program to senior centers and naturally occurring retirement communities and to any individual requesting such materials. Electronic versions of such materials shall be placed in a conspicuous location on the department's website and on the website of the department for the aging. These materials shall be made available in the top ten languages most commonly spoken within the city as determined by the department of city planning.

§ 2. This local law takes effect 120 days after its enactment into law, provided that the commissioner shall promulgate any rules necessary for implementing and carrying out the provisions of this local law prior to such effective date.

Referred to the Committee on Aging.

Int. No. 1220

By Council Member Dromm.

A Local Law to amend the New York city charter, in relation to the collection of information on sexual orientation and gender identity by city agencies during the hiring process

Be it enacted by the Council as follows:

Section 1. Paragraphs (19) and (20) of subdivision a of section 815 of chapter 35 of the New York city charter are amended to read as follows:

(19) To establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women who are employed by, or who seek employment with, the agency and, in accordance with the uniform procedures and standards established by the department of citywide administrative services for this purpose, to adopt and implement an annual plan to accomplish this objective. Copies of such plans shall be filed with the mayor, council, department of citywide administrative services, equal employment practices commission, and city civil service commission and shall be made available for reasonable public inspection; [and]

(20) To provide assistance to minority group members and women interested in being employed by city agencies to ensure that such minority group members and women benefit, to the maximum extent possible, from city employment and educational assistance programs[.]; *and*

§ 2. Subdivision a of section 815 of chapter 35 of the New York city charter is amended by adding a new paragraph (21) to read as follows:

(21) To provide any person applying for a vacant position with an agency a voluntary anonymous survey containing questions on their sexual orientation, including heterosexual, lesbian, gay, bisexual or asexual status or other, and gender identity, including transgender, cisgender or intersex status or other, in addition to any information required to be collected pursuant to federal, state or other local law. Such survey information shall not be included in such person's application, or disclosed to individuals making employment decisions, and shall only be used for the collection of aggregate demographic information. Refusal by such person to provide such information shall not subject them, or their application, to any adverse treatment.

§ 3. This local law takes effect six months after it becomes law.

Referred to the Committee on Civil and Human Rights.

Int. No. 1221

By Council Members Dromm, Cumbo and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to mandating that correction officers escort incarcerated individuals to medical visits in a timely fashion.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-154 to read as follows:

§ 9-154 Medical escorts. a. Definitions. As used in this section, the following terms have the following meanings:

Sick call. The term “sick call” means any procedure utilized by the department in which incarcerated individuals gain to access medical facilities and personnel.

b. The department shall hold sick call daily, excluding weekends and city holidays, for every housing unit. Any incarcerated individual who requests medical treatment shall have access to such treatment within 24 hours of their request.

c. The department shall ensure that appropriate medical personnel assess every incarcerated individual within two hours of such incarcerated individual arriving at medical facilities.

d. All incarcerated individual who are recommended by medical staff for specialty or follow-up appointments, at any location, shall be timely notified of and escorted or transported to such appointments.

e. The department shall ensure that all incarcerated individual requests for emergency medical or dental attention are responded to promptly by medical personnel, which shall include a personal encounter between the incarcerated individual requesting attention and appropriate medical personnel.

f. At each correctional facility and at all times, the department shall provide sufficient escorts and related staff, and ensure that sufficient qualified medical personnel are provided, to carry out the requirements of subdivisions a-e of this section.

§ 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Criminal Justice.

Int. No. 1222

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to post a quarterly report regarding the visitation of incarcerated individuals

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision b of section 9-140 of the administrative code of the city of New York, as added by local law number 85 for the year 2015, is amended to read as follows:

3. The number of visitors unable to visit an inmate at any city jail, in total and disaggregated by the reason such visit was not completed. *If any such incomplete visit is categorized as “pending investigation” or “refuse to obey rules and regulations,” the department shall disaggregate the reason such incomplete visit was so categorized. The department shall include a reason for the refusal of an incarcerated individual to accept visitors.*

§ 2. Subdivision b of section 9-140 of the administrative code of the city of New York is amended by adding new paragraph 7 to read as follows:

7. The mean and median duration of visits to incarcerated individuals, in total and disaggregated by facility and by professional and non-professional visits.

§ 3. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 1223

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to legal representation for incarcerated individuals placed outside the general population

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-155 to read as follows:

§ 9-155 a. *Definitions. For the purposes of this section, the following terms have the following meanings:*

Restricted housing. The term “restricted housing” means any condition which holds incarcerated individuals separately from the general population, including but not limited to all forms of punitive segregation, enhanced restraint status, and enhanced supervision.

b. Legal services to incarcerated individuals placed outside the general population. Subject to appropriation, the department of correction shall provide incarcerated individuals access to legal representation in hearings related to placement of such individuals in restricted housing. Such legal services shall not be provided by employees of the department of correction.

§ 2. This local law takes effect 365 days after it becomes law.

Referred to the Committee on Criminal Justice.

Int. No. 1224

By Council Members Dromm, Cumbo and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education, the administration for children’s services and the department of correction to report on educational programming for juvenile delinquents, juvenile offenders and adolescent offenders

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-919 to read as follows:

§ 21-919 *Education report for juvenile delinquents, juvenile offenders and adolescent offenders. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

ACS division. The term “ACS division” means the ACS division of youth and family justice.

Adolescent offender. The term “adolescent offender” means any individual who is charged pursuant to the criminal procedure law as an adolescent offender, as such term is defined in subdivision 44 of section 1.20 of the criminal procedure law, and who is in custody.

Assault. The term “assault” means any action taken with intent to cause physical injury to another person.

Compulsory educational programming. The term “compulsory educational programming” means educational programming required pursuant to part 1 of article 65 of title 4 of the education law.

Custody. The term “custody” means the holding of an individual by the ACS division or the department of correction through detention, placement or sentencing.

Department of education site. The term “department of education site” means any site (i) that is operated by the department of education that offers educational programming to individuals aged 21 years or younger who are in custody pursuant to a court order on a juvenile delinquency, juvenile offender or adolescent

offender matter and (ii) that is located on property that is either under the control of the department of education, ACS or the department of correction or that is subcontracted by the department of education, ACS or the department of correction.

Department of education staff. The term “department of education staff” means any employee of the department of education assigned to work at a department of education site.

Detainment. The term “detainment” means the remand of a juvenile delinquent in the custody of the ACS division, the remand or holding on bail of a juvenile offender in the custody of the ACS division or the remand or holding on bail of an adolescent offender in the custody of the ACS division or the department of correction.

Educational programming. The term “educational programming” means any educational services that the department of education offers to juvenile delinquents, juvenile offenders and adolescent offenders in custody.

High school equivalency diploma test. The term “high school equivalency diplomacy test” means any test that the New York state education department offers for the purpose of establishing the equivalent of a high school diploma, including but not limited to a general education development test or the test assessing secondary completion.

Individualized education program. The term “individualized education program” has the same meaning as is set forth in paragraph (1) of subsection (d) of section 1414 of title 20 of the United States code and any regulations promulgated thereto.

Juvenile delinquent. The term “juvenile delinquent” means any individual in the custody of the ACS division who is charged pursuant to the family court act as a juvenile delinquent, as such term is defined in subdivision 1 of section 301.2 of the family court act.

Juvenile offender. The term “juvenile offender” means any individual in the custody of the ACS division who is charged pursuant to the criminal procedure law as a juvenile offender, as such term is defined in subdivision 42 of section 1.20 of the criminal procedure law.

Placement. The term “placement” means the court ordering of any juvenile delinquent to a placement pursuant to section 353.3 of the family court act.

Sentencing. The term “sentencing” means the conviction of any adolescent offender resulting in a period of incarceration not greater than one year, pursuant to section 70.20 of the penal law.

b. The department of education, ACS and the department of correction shall each produce an annual report on educational programming for juvenile delinquents, juvenile offenders and adolescent offenders in ACS division or department of correction facilities who have been detained, placed or sentenced. No later than 90 days after the final day of the 2018-2019 school year and no later than 90 days after each subsequent school year, the department of education, ACS and the department of correction shall post the reports on their respective websites and provide links in each such report to the reports of the other two agencies.

c. The department of education report shall include, but need not be limited to, the following information, provided that no information shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting juvenile delinquents, juvenile offenders or adolescent offenders or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 such delinquents or offenders, or allows another category to be narrowed to between 1 and 5 such delinquents or offenders, the number shall be replaced with a symbol. The report shall include data about juvenile delinquents, juvenile offenders and adolescent offenders, in total and disaggregated by category.

1. The number and percentage of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in educational programming at department of education sites. Such number and percentage shall be reported for each month. Such percentage shall be calculated on the final day of each month by dividing the number of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in educational programming by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders in custody on such date.

2. The number of hours of compulsory educational programming offered to juvenile delinquents, juvenile offenders and adolescent offenders on each school day and the curriculum subject areas included in educational programming.

3. The number of juvenile delinquents, juvenile offenders and adolescent offenders whose educational programming is designed for the regents diploma and the number of juvenile delinquents, juvenile offenders

and adolescent offenders whose educational programming is designed for a high school equivalency diploma test.

4. The number of juvenile delinquents, juvenile offenders and adolescent offenders who completed elementary school program requirements for matriculation to middle school while in custody.

5. The number of juvenile delinquents, juvenile offenders and adolescent offenders who completed middle school program requirements for matriculation to high school while in custody.

6. The number of juvenile delinquents, juvenile offenders and adolescent offenders who graduated from high school while in custody.

7. The number of juvenile delinquents, juvenile offenders and adolescent offenders to whom a high school equivalency diploma test was administered while in custody.

8. The number of juvenile delinquents, juvenile offenders and adolescent offenders who passed a high school equivalency diploma test while in custody.

9. The average functional level of juvenile delinquents, juvenile offenders and adolescent offenders on tests such as the STAR assessment, the test of basic adult education or similar testing. The average functional level may be calculated by adding the percentage results achieved by juvenile delinquents, juvenile offenders and adolescent offenders on the last such test administered each school year and dividing this sum by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders to whom such last test was administered. This data about juvenile delinquents, juvenile offenders and adolescent offenders shall be disaggregated by category and not reported in total.

10. The number and percentage of juvenile delinquents, juvenile offenders and adolescent offenders who are enrolled in educational programming and have individualized education programs. Such number and percentage shall be reported for each month. Such percentage shall be calculated by dividing the number of juvenile delinquents, juvenile offenders and adolescent offenders so enrolled on the final day of each month by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders in custody on such date.

11. The number of juvenile delinquents, juvenile offenders and adolescent offenders who have individualized education programs and are receiving the full range of special education services indicated in their individualized education programs. This information shall be further disaggregated by whether such juvenile delinquents, juvenile offenders and adolescent offenders have been detained, placed or sentenced.

12. The number and percentage of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in educational programming whom the department of education identifies as having an English language learner status. Such number and percentage shall be reported for each month. Such percentage shall be calculated by dividing the number of juvenile delinquents, juvenile offenders and adolescent offenders so enrolled on the final day of each month by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders in custody on such date.

13. The number of full-time equivalent teachers working at department of education sites, in total and disaggregated by general education teachers and special education teachers assigned to teach juvenile delinquents, juvenile offenders and adolescent offenders.

14. The number of department of education staff other than teachers assigned to work at department of education sites, in total and disaggregated by staff role and by those working with juvenile delinquents, juvenile offenders and adolescent offenders.

15. The average class size for educational programming that the department of education provides to juvenile delinquents, juvenile offenders and adolescent offenders. This information shall be further disaggregated by facility location.

16. The number of juvenile delinquents, juvenile offenders and adolescent offenders participating in department of education vocational training, the nature of such training, including whether it constitutes career and technical education, and the number of juvenile delinquents, juvenile offenders and adolescent offenders who complete such training.

17. The average and median number of credits that juvenile delinquents, juvenile offenders and adolescent offenders enrolled in high school educational programming accumulate while in custody. This paragraph only applies to those juvenile delinquents, juvenile offenders and adolescent offenders who are in custody for a sufficient period during the reporting period to have earned credits.

18. *The number of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in physical education.*

19. *The average and median rate of attendance in a department of education school for juvenile delinquents, juvenile offenders and adolescent offenders upon six months after their release from custody and upon one year post-release.*

20. *The plans, if any, of the department of education to ensure the educational progress of juvenile delinquents, juvenile offenders and adolescent offenders released from custody.*

d. The ACS and department of correction reports shall include, but need not be limited to, the following information, provided that no information shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting juvenile delinquents, juvenile offenders or adolescent offenders or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 such delinquents or offenders, or allows another category to be narrowed to between 1 and 5 such delinquents or offenders, the number shall be replaced with a symbol. The reports shall provide data about juvenile delinquents, juvenile offenders and adolescent offenders, in total and disaggregated by category.

1. The number of juvenile delinquents, juvenile offenders and adolescent offenders that ACS or the department of correction prevented from attending educational programming because of a behavioral issue or assault.

2. The number of incidents of use of physical restraints at a department of education site, in total and disaggregated by whether such physical restraints were used on a juvenile delinquent, juvenile offender or adolescent offender.

3. The number of incidents of use of mechanical restraints at a department of education site, in total and disaggregated by whether such mechanical restraints were used on a juvenile delinquent, juvenile offender or adolescent offender.

4. The number of incidents of use of chemical restraints, including pepper spray and other chemical agents, at a department of education site, in total and disaggregated by whether such chemical restraints were used on a juvenile delinquent, juvenile offender or adolescent offender.

5. The number of juvenile delinquents, juvenile offenders and adolescent offenders who participate in educational programming while placed in mechanical restraints, including but not limited to restraint desks or shackles, and the number of days each such juvenile delinquent, juvenile offender or adolescent offender is so restrained.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 1225

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to the collection and maintenance of contact information of real property owners

Be it enacted by the Council as follows:

Section 1. Section 11-140 of the administrative code of the city of New York, as added by local law number 252 for the year 2017, is renumbered section 11-141.

§2. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-142 to read as follows:

§ 11-142 Contact information of real property owners. The department shall make best efforts to collect the name, telephone number, and email address of every owner of real property in the city, or where such information is not available, the name, telephone number, and email address of an individual authorized to

receive communications regarding the real property on behalf of the owner. Such best efforts shall include, at a minimum, a field soliciting the above-listed contact information on all hard copy and online forms, applications, and other documents related to the recording of any deed-related or mortgage-related document, as such terms are defined in section 7-628, or the administration of the real property tax, the tax lien sale, the real property transfer tax, or the tax on mortgages created by the department for submission by a property owner. Upon receipt of the names, telephone numbers, and email addresses the department shall ensure that any computer system or database used by the department for the purpose of maintaining or compiling information about property owners or otherwise administering the real property tax contains such contact information.

§3. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Finance.

Int. No. 1226

By Council Member Dromm (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the Throggs Neck business improvement district

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-492 to read as follows:

§ 25-492 *Throggs Neck business improvement district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, there is hereby established in the borough of the Bronx, the Throggs Neck business improvement district. Such district is established in accordance with the district plan required to be filed with the city clerk pursuant to subdivision b of this section.*

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

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

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

Referred to the Committee on Finance.

Int. No. 1227

By Council Member Dromm (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Hudson Square business improvement district and an extension of the Hudson Square business improvement district boundaries

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 25-479.2 to read as follows:

§ 25-479.2 *Hudson Square business improvement district; increase in amount to be expended annually.* a. *The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Hudson Square business improvement district beginning on July 1, 2019, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of three million nine hundred thousand dollars (\$3,900,000).*

b. *The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the Hudson Square business improvement district plan.*

§ 2. The administrative code of the city of New York is amended by adding a new section 25-479.3 to read as follows:

§ 25-479.3 *Hudson Square business improvement district; extension of district.* a. *The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, the Hudson Square business improvement district in the borough of Manhattan is hereby extended. Such district is extended in accordance with the amended district plan of 2018 required to be filed with the city clerk pursuant to subdivision b of this section.*

b. *Immediately upon adoption of this local law by the council, the council shall file with the city clerk the amended district plan of 2018 upon which the Hudson Square business improvement district, and the extension thereof, is based.*

c. *The amended district plan of 2018 shall not be further amended except in accordance with chapter four of this title.*

§ 3. Section 1 of this local law takes effect July 1, 2019, and section 2 of this local law takes effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York.

Referred to the Committee on Finance.

Int. No. 1228

By Council Members Dromm and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to certain sanitation violations received during declared emergencies or severe weather conditions

Be it enacted by the Council as follows:

Section 1. Section 16-142 of the administrative code of the city of New York is amended to read as follows:

§ 16-142 *Violations received after a disaster.* a. For the purposes of this section, the term "covered person" means any owner, lessee, tenant or occupant of a one-, two- or three-family residential building or of a premises or lot that contained such a building immediately preceding a natural or man-made disaster, *including the conditions described in subdivision b.*

b. It shall be an affirmative defense to a violation of subdivision two of section 16-118 for any covered person that:

1. A natural or man-made disaster, as determined by the commissioner, occurred within the prior 30 days

preceding issuance of such violation and such building or premises is within the area affected by such disaster;
or

2. The covered person was displaced by such disaster and such building or premises was undergoing or scheduled for work or acquisition through a city-operated disaster recovery program responding to such disaster; or

3. *Such violation was issued during a period and place in which the mayor proclaimed a local state of emergency pursuant to section 24 of the executive law; or*

4. *Such violation was issued on a date for which the mayor publicly urged residents to remain indoors due to temperatures of extreme heat or cold; or*

5. *Such violation was issued on a date for which the department of emergency management issued a cold weather alert or the national weather service issued a winter weather advisory; or*

6. *Such violation was issued on a date during which the average daytime temperature was less than 25 degrees Fahrenheit and the covered person is either more than 65 years of age or an individual with a disability.*

§ 2. This local law takes effect 120 days after becoming law.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1229

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to modular newsracks

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 19-128.1 of the administrative code of the city of New York, as amended by local law number 36 for the year 2004, and subdivision g of section 19-128.1 of the administrative code of the city of New York, as added by local law number 23 for the year 2002, are amended to read as follows:

c. Notification to city [of location of newsrack]. 1. (a) [Where a newsrack has been placed or installed on a sidewalk before the effective date of this section, the owner or person in control of such newsrack shall, within sixty days after such effective date,] *The owner of a newsrack shall, prior to placing or installing any newsrack on a sidewalk, submit the following information to the commissioner on a form [identifying] or in a manner prescribed by the commissioner: (i) the address of such newsrack; (ii) the name, address, telephone number and email address of the [newspaper(s) or written matter] publication(s) to be offered for distribution in such newsrack; [and] (iii) the owner's name, address, telephone number and email address [of the owner or person in control of such newsracks]; (iv) the delivery schedule for the publication(s) to be offered for distribution in such newsrack; and [representing] (v) a certification that such [newsracks comply] newsrack complies with the provisions of this section.*

(b) [Any other owner or person in control of a newsrack shall, prior to placing or installing such newsrack on a sidewalk, submit to the commissioner a form providing the information in clauses (ii) and (iii) of subparagraph (a) of this paragraph.] *Within two business days of receipt of the information required in subparagraph a of this paragraph, the department shall provide the owner with a unique identification number for each newsrack. The owner shall affix the unique identification number in a readily visible location on the front or sides of the newsrack within 10 days of receipt from the department.*

(c) *Subsequent to the initial notification requirements set forth in subparagraph a of this paragraph, the owner shall resubmit the information set forth in subparagraph a of this paragraph once a year to the commissioner in accordance with a notification schedule that the commissioner shall establish.*

2. [Subsequent to the initial notification requirements set forth in paragraph one of this subdivision, the owner or person in control of any newsrack shall submit the information set forth in subparagraph a of such paragraph once a year to the commissioner in accordance with a notification schedule to be established by the commissioner. However, if the number of newsracks owned or controlled by such owner or person increases or decreases by ten percent or more of the number of newsracks that have been included in the most recent notification required to be submitted by such owner or person, such owner or person shall also be required to submit the information set forth in such paragraph within seven days of such change, and provided, further, that such owner or person shall advise the department of any change in his or her name or address] *Notwithstanding any other notification requirement herein, if there is a change to any of the information required to be submitted pursuant to subparagraph a of paragraph 1 of this subdivision, the owner shall submit the information required by such subparagraph with the relevant updated information within seven days of such change.*

3. [Notification to the city, as required by paragraphs 1 and 2 of this subdivision, may be submitted to the department electronically.] *If an owner removes any newsrack, such owner shall notify the department within seven days of such removal of the number of newsracks removed, the unique identification number of each newsrack removed and the number of newsracks remaining, and shall certify that the sidewalk and any other affected city property is restored pursuant to paragraph 5 of subdivision e of this section.*

4. *The owner shall provide notification to the city, as required by paragraphs 1, 2, and 3 of this subdivision, by submitting such notification to the department electronically.*

g. [Severability. If any subdivision, paragraph, subparagraph, sentence or clause of this section is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.] *Submission of modular newsrack plan. 1. No modular newsrack owner shall place or install a modular newsrack on a sidewalk after July 1, 2018 unless such owner has included such newsrack in a modular newsrack plan that the department has approved pursuant to this section.*

2. *Any person or entity may submit a modular newsrack plan to the department to request replacement of single newsracks with one or more modular newsracks in all or part of a community district or business improvement district. Such plan shall set forth:*

(a) each sidewalk block where at least one modular newsrack is being proposed for installation;

(b) the number of different historically present publications on each sidewalk block identified in the plan, and the title of each such publication;

(c) the number of historically present publications that are offered at more than one single newsrack on each sidewalk block identified in the plan, and the title of each such publication;

(d) the number of publications that will be accommodated by modular newsrack on each sidewalk block identified in the plan, which number shall not be less than the number of different historically present publications identified in subparagraph b of this paragraph;

(e) the proposed location on each sidewalk block of each modular newsrack;

(f) the proposed schedule for implementing the plan, including installation of the modular newsrack(s), should the department approve the plan;

(g) a mechanism that allows non-historically present publications to apply to the owner for, and without unreasonable delay, be granted, space within a modular newsrack on the sidewalk block(s) identified by such owner, if space exists within such modular newsrack; and

(h) any other information that the department considers necessary to assess the plan.

3. *Any person or entity submitting a modular newsrack plan to request replacement of single newsracks with one or more modular newsracks pursuant to this subdivision shall provide a copy of such modular newsrack plan to the community board for each community district in which such plan proposes the location of a modular newsrack. Within 45 days of receipt of the plan, the community board shall forward any comments on such plan to the department.*

4. *Any owner that has already obtained approval from the department prior to July 1, 2018 to install modular newsracks need not submit a new modular newsrack plan pursuant to this subdivision, provided, however, that the restrictions on the placement of single newsracks contained in subdivision n of this section shall not take effect in such community district or business improvement district until such owner submits a*

modular newsrack plan for department approval pursuant to this section, and provided further that such owner must submit a modular newsrack plan in order to install any additional modular newsracks.

§ 2. Section 19-128.1 of the administrative code of the city of New York, as amended by local law number 36 for the year 2004, is amended by adding new subdivisions h through p to read as follows:

h. Consultation with publications. Any person or entity submitting a modular newsrack plan to request replacement of single newsracks with modular newsracks pursuant to subdivision g of this section shall contact all of the historically present publications in the plan in order to discuss the proposed location of each modular newsrack on the identified sidewalk block(s), and to offer such publications first access to a space within a modular newsrack. Such person or entity shall submit proof of such communication to the department along with the modular newsrack plan.

i. Review of modular newsrack plan. The department shall take into consideration any comments received from a community board on a modular newsrack plan and shall review the modular newsrack plan for its conformity to the following criteria:

1. sufficient modular newsrack space exists to accommodate all historically present publications identified in the plan;

2. every historically present publication identified in the plan was offered a space within a modular newsrack on that same sidewalk block;

3. implementation of such plan will not violate subdivision b of this section;

4. the plan contains a mechanism that allows non-historically present publications to apply for and, without unreasonable delay, be granted space within a modular newsrack on the identified sidewalk block(s) in accordance with the provisions of this section, if space exists within such modular newsrack;

5. the plan was submitted to the applicable community board(s) as required; and

6. the plan includes any other information that the department considers necessary to assess the plan.

j. Modification of modular newsrack plan. The department may require modification of a modular newsrack plan based on comments received from a community board on such plan and in order to ensure that the criteria contained in subdivision i of this section are satisfied.

k. Compliance with modular newsrack plan. The modular newsrack owner shall implement modular newsrack plans in compliance with their terms and the provisions of subdivision i of this section. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph 1 of subdivision f of this section.

l. Allocation of publication space. 1. The modular newsrack owner must accommodate a publication's request for space within its modular newsrack(s) within 90 days of receipt of such request, if space is available in such modular newsrack. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph 1 of subdivision f of this section.

2. The modular newsrack owner shall not place a publication in more than one space in any modular newsrack. The modular newsrack owner may place a publication in two modular newsracks upon the same sidewalk block, provided that all other publications seeking a space in a modular newsrack on such sidewalk block have been offered a space. If the modular newsrack owner places a publication in two modular newsracks on the same sidewalk block and another publication seeks a space on such sidewalk block, the publication with two spaces on such sidewalk block must promptly vacate one of the two modular newsracks.

m. Notice by modular newsrack owner. Upon department approval of a modular newsrack plan, modular newsrack owners must submit written notice to all owners of single newsracks located on the sidewalk block(s) identified in an approved modular newsrack plan. Such notice shall state that the department has approved modular newsracks for operation on such sidewalk block(s) in accordance with such plan. Modular newsrack owners shall submit a copy of such notice, along with proof of notice to all owners of single newsracks located on the sidewalk block(s) identified in an approved modular newsrack plan, to the department prior to installation of the modular newsracks.

n. Distance restriction. 1. The owner of any single newsrack shall not place such a newsrack on a sidewalk block containing a modular newsrack except as provided in this subdivision. The owner of any single newsrack located on the sidewalk block(s) identified in an approved modular newsrack plan shall remove such single newsracks within 30 days after receiving the written notice provided by the modular newsrack owner pursuant

to subdivision m of this section. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph 1 of subdivision f of this section.

2. The owner of any single newsrack may only place such newsracks on a sidewalk block containing a modular newsrack when insufficient modular newsrack space exists for the publication to be contained in such modular newsrack.

o. Modular newsrack cost and fees. The modular newsrack owner shall bear the entire cost of maintaining its newsrack(s) and shall not charge any fee to publications occupying space in its modular newsrack(s), except for reasonable fees as set forth by the department relating to the initial purchase of newsrack doors, including any coin mechanisms, and repair or replacement of newsrack doors and door parts. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph 1 of subdivision f of this section. The department shall make available on its website, and annually update, a schedule of fees relating to the initial purchase of newsrack doors and repair or replacement of newsrack doors and door parts.

§ 3. This local law takes effect 90 days after it becomes law, except that the commissioner of the department of transportation may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation.

Int. No. 1230

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to newsrack requirements and to repeal and replace subdivision a of section 19-128.1 of the administrative code of the city of New York

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-128.1 of the administrative code of the city of New York, as added by local law number 23 for the year 2002, is REPEALED and a new subdivision a of section 19-128.1 is added to read as follows:

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

Board. The term “board” means the environmental control board of the city of New York.

Bus stop. The term “bus stop” means that area of sidewalk which begins at the bus stop sign, continues in the opposite direction of traffic, and ends at the next regulatory sign, or, if there is no sign, at the corner area.

Close proximity. The term “close proximity” means a distance adjacent to an area designed to facilitate safe ingress or egress that will reasonably permit and protect such safe ingress or egress.

Corner area. The term “corner area” means that area of a sidewalk encompassed by the extension of the building lines to the curb on each corner.

Crosswalk. The term “crosswalk” means that part of a roadway, whether marked or unmarked, which is included within the extension of the sidewalk lines between opposite sides of the roadway at an intersection.

Crosswalk area. The term “crosswalk area” means that area of the sidewalk bounded by the extension of the lines of a crosswalk onto the sidewalk up to the building or property line.

Historically present publication. The term “historically present publication” means a publication that was offered from a single newsrack on the sidewalk block(s) identified in a modular newsrack plan within the six months immediately preceding submission of such plan to the department.

Modular newsrack. The term “modular newsrack” means a newsrack that is designed with multiple enclosed compartments to accommodate the display, sale or distribution of multiple publications to the general public.

Modular newsrack plan. The term “modular newsrack plan” means a plan submitted to the department pursuant to subdivision g of this section.

Newsrack. The term “newsrack” means any self-service or coin-operated box, container or other dispenser installed, used or maintained for the display, sale or distribution of publications to the general public. A newsrack may be modular or single.

Owner. The term “owner” means a natural person, partnership, corporation, limited liability company or other association in ownership of one or more newsracks.

Publication. The term “publication” means a newspaper, periodical or other similar written material.

Sidewalk block. The term “sidewalk block” means the areas of sidewalk on both sides of a roadway, spanning from one intersection to the next intersection.

Single newsrack. The term “single newsrack” means a newsrack that is designed to accommodate the display, sale or distribution of one publication to the general public.

§ 2. Subdivisions b and d of section 19-128.1 of the administrative code of the city of New York, as amended by local law number 36 for the year 2004, are amended to read as follows:

b. Requirements. It shall be a violation [for any person] to place, install or maintain a newsrack on any sidewalk unless such newsrack is in compliance with the provisions of this section.

1. [The maximum height of any newsrack containing a single publication shall be fifty inches. The maximum width of any such newsrack shall be twenty-four inches. The maximum depth of any such newsrack shall be twenty-four inches.] *Newsracks shall be made of materials approved by the department, and shall conform to standards developed by the department regarding the size, shape and appearance of such newsracks.*

2. No newsrack shall be used for advertising or promotional purposes, other than announcing the name [and/or] *or website or both* of the [newspaper or other written matter] *publication* offered for distribution in such newsrack. *A publication offered in a modular newsrack installed after July 1, 2018 may display its logo on the door of the space(s) in which it is offered, in a size not to exceed 50 percent of the door space.*

3. Each newsrack used to sell [newspapers or other written matter] *publications* shall be equipped with a coin return mechanism in good working order so as to permit a person to secure a refund in the event that the newsrack malfunctions.

4. The owner [or person in control of each newsrack] shall affix [his or her] *to the newsrack the owner’s* name, address, telephone number, and email address, if any, [on the newsrack] in a readily visible location *on the front or sides of the newsrack* and shall conform such information to any changes required to be reported to the department in accordance with the provisions of subdivision c of this section. In no event shall a post office box be considered an acceptable address for purposes of this paragraph.

5. Subject to the limitations set forth in this section, newsracks shall be placed near a curb.

6. A newsrack shall not be placed, installed or maintained: (a) within [fifteen] 15 feet of any fire hydrant; (b) in any driveway or within close proximity of any driveway; (c) in any curb cut designed to facilitate street access by disabled persons or within two feet of any such curb cut; (d) within close proximity of the entrance or exit of any railway station or subway station; (e) within any bus stop; (f) within a crosswalk area; (g) within a corner area or within five feet of any corner area; (h) on any surface where such installation or maintenance will cause damage to or will interfere with the use of any pipes, vault areas, telephone or electrical cables or other similar locations; (i) on any cellar door, grating, utility maintenance cover or other similar locations; (j) on, in or over any part of the roadway of any public street; (k) unless eight feet of sidewalk width is preserved for unobstructed pedestrian passage; (l) in any park or on any sidewalk immediately contiguous to a park where such sidewalk is an integral part of the park design, such as the sidewalks surrounding Central Park or Prospect Park; (m) on any area of lawn, flowers, shrubs, trees or other landscaping or in such a manner that use of the newsrack would cause damage to such landscaping; [or] (n) *within four feet of street furniture*; (o) *within five feet of a bike share station*; (p) *within eight feet of a bike rack*; (q) *within five feet of a department of environmental protection water sampling station*; or (r) where such placement, installation or maintenance endangers the safety of persons or property. Any limitation on the placement or installation of newsracks pursuant to this paragraph shall be no more restrictive than necessary to ensure the safe and unobstructed flow of pedestrian and vehicular traffic, and otherwise to assure the safety of persons and property.

7. [Every newsrack] *The department shall develop standards regarding the placement of newsracks including, but not limited to, the manner in which newsracks shall be placed or installed [in a manner that will ensure that such newsrack cannot be tipped] to prevent newsracks from tipping over. In the event of non-compliance with such standards, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph 1 of subdivision f of this section.*

d. Indemnification and insurance. 1. Each [person who owns or controls] *owner of a newsrack placed or installed on any sidewalk shall indemnify and hold the city harmless from any and all losses, costs, damages, expenses, claims, judgments or liabilities that the city may incur by reason of the placement, installation or maintenance of such newsrack, except to the extent such damage results from the negligence or intentional act of the city.*

2. Each [person who owns or controls] *owner of a newsrack placed or installed on any sidewalk shall maintain a general liability insurance policy naming the city of New York, and its departments, boards, officers, employees and agents as additional insureds for the specific purpose of indemnifying and holding harmless those additional insureds from and against any and all losses, costs, damages, expenses, claims, judgments or liabilities that result from or arise out of the placement, installation [and/or] or the maintenance of any newsrack. The minimum limits of such insurance coverage shall be no less than [three hundred thousand dollars] \$300,000 combined single limit for bodily injury, including death, and property damage, except that any [person] owner who maintains an average of [one hundred] 100 or more newsracks at any one time shall maintain such minimum insurance coverage of [one million dollars] \$1,000,000. An insurance certificate demonstrating compliance with the requirements of this subdivision shall be submitted annually by December [31st] 31 to the commissioner by the [person who owns or controls] owner of such insured newsracks. Should said policy be called upon to satisfy any liability for damages covered by said policy, the policy must be of such a nature that the original amount of coverage is restored after any payment of damages under the policy. Failure to maintain a satisfactory insurance policy pursuant to this subdivision or failure to submit an annual insurance certificate to the commissioner pursuant to this subdivision, shall be deemed a violation of this section subject to subparagraph b-1 of paragraph 1 of subdivision f of this section.*

§ 3. This local law takes effect 90 days after it becomes law, except that the commissioner of the department of transportation may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation.

Res. No. 611

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

By Council Members Dromm and Cumbo.

Whereas, According to the 2014 National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN), 74% of Lesbian, Gay, Bisexual or Transgender (LGBT) students reported being verbally harassed at school because of their sexual orientation; and

Whereas, The survey further noted that 33% reported being physically harassed and 17% reported being physically assaulted at school in the past year because of their sexual orientation; and

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

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

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

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

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

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

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

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

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

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

Referred to the Committee on Education.

Preconsidered Res. No. 612

Resolution amending and restating the resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for fiscal 2019 to the state board of real property tax services pursuant to section 1803-a of the real property tax law.

By Council Member Dromm.

Whereas, On February 26, 2018, the State Board of Real Property Tax Services (the "SBRPTS") certified the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2019 assessment rolls, required by Article 18, Real Property Tax Law; and

Whereas, Section 1803-a (1), Real Property Tax Law, requires the Council to compute and certify, to the SBRPTS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2019 assessment rolls, pursuant to Section 1212, Real Property Tax Law; and

Whereas, On June 14, 2018, the Council adopted a resolution computing and certifying the base percentage, current percentage and current base proportion of each class of real property for Fiscal 2019 to the State Board of Real Property Tax Services pursuant to Section 1803-a, Real Property Tax Law (the “June 14th Resolution”); and

Whereas, The June 14th Resolution reflects a five percent cap on any increase in the current base proportion for any class of real property, as compared with the previous year’s adjusted base proportion; and

Whereas, After the adoption of the June 14th Resolution, Section 1803-a, Real Property Tax Law, was amended to lower the percent of increase in the current base proportion as compared with the previous year's adjusted base proportion to 0.5 percent;

NOW, THEREFORE, be it resolved by the Council of the City of New York as follows:

Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2019. (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base percentage for the City's Fiscal 2019 assessment rolls as shown on SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2019 assessment rolls, pursuant to Section 1212, Real Property Tax Law.

Section 2. Effective Date. This resolution shall take effect immediately.

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

Preconsidered Res. No. 613

Resolution amending and restating the resolution computing and certifying adjusted base proportion of each class of real property for fiscal 2019 to the state board of real property tax services pursuant to section 1803-a of the real property tax law.

By Council Member Dromm.

Whereas, On May 25, 2018, pursuant to Section 1514 of the Charter of the City of New York, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for the fiscal year beginning on July 1, 2018 and ending on June 30, 2019 ("Fiscal 2019"), a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516, Real Property Tax Law (the "Fiscal 2019 Assessment Rolls"); and

Whereas, Section 1803-a (5), Real Property Tax Law, requires the Council subsequent to the filing of the final Fiscal 2019 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2019 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

Whereas, Within five (5) days upon determination of the Adjusted Base Proportions, Section 1803-a (6), Real Property Tax Law, requires the Council to certify, to the State Board of Real Property Tax Services ("SBRPTS"), the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from the additions to or removals from the Fiscal 2019 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from changes other than those referred to above; and

Whereas, On June 14, 2018, the Council adopted a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2019 pursuant to Section 1803-a (1), Real Property Tax Law (the "Current Base Proportion Resolution"); and

Whereas, After the June 14th adoption of the Current Base Proportion Resolution, Section 1803-a, Real Property Tax Law, was to lower the percent of increase in the current base proportion as compared with the previous year's adjusted base proportion to 0.5 percent; and

Whereas, Pursuant to the amendment to Section 1803-a, Real Property Tax Law, on November 14, 2018, the Council adopted a resolution computing and certifying the base percentage, current percentage and current base proportion of each class of real property for Fiscal 2019 to the SBRPTS pursuant to Section 1803-a, Real Property Tax Law;

NOW, THEREFORE, be it resolved by The Council of The City of New York as follows:

Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2019. (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from the additions to or removals from the Fiscal 2019 Assessment Rolls as described in Section 1803-a (5), Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2019 Assessment Rolls resulting from changes other than those described in Section 1803-a (5), Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPTS no later than five (5) days after the date hereof.

Section 2. Effective Date. This resolution shall take effect immediately.

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

Preconsidered Res. No. 614

RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2018 AND ENDING ON JUNE 30, 2019, BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK

By Council Member Dromm.

(For text of the [Tax-Fixing Resolution Res No. 614 of 2018](#), please refer to the legislation section of the New York City Council website at <http://council.nyc.gov> and search for "Res. No. 614" in the attachment section for the [Res. No. 614 of 2018 file](#))

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

Preconsidered Res. No. 615

Resolution concerning the establishment of the Throggs Neck Business Improvement District in the Borough of the Bronx and setting the date, time and place for the public hearing to hear all persons.

By Council Member Dromm.

Whereas, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated May 16, 2018, provided for the preparation of a district plan (“the Plan”) for the Throggs Neck Business Improvement District (“the District”) in the Borough of the Bronx; and

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

Whereas, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on June 6, 2018 and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community board for the community district in which the proposed District is located (Bronx Community Boards Number 10, hereinafter “the Community Board”) on June 6, 2018; and

Whereas, the CPC submitted the Plan to the Bronx Borough President on June 6, 2018; and

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

Whereas, on June 27, 2018, the Community Board voted to approve the establishment of the District; and

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

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

Whereas, pursuant to section 25-405(c) of the Law, a copy of the CPC’s report, together with the original Plan, was transmitted for filing with the City Clerk on August 28, 2018; and

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

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

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

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

Resolved, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that November 28, 2018 is the date and 10:00 a.m. is the time and the City Council Committee Room, City Hall, 2nd Floor, is the place for a public hearing (“the Public Hearing”) to hear all persons interested in the establishment of the District; and be it further

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

Resolved, that SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing; and be it further

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

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

Preconsidered Res. No. 616

Resolution authorizing an increase in the amount to be expended annually in the Hudson Square Business Improvement District, and an extension of the Hudson Square Business Improvement District boundaries, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Hudson Square Business Improvement District.

By Council Member Dromm.

Whereas, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated May 16, 2018, provided for the preparation of an amended district plan (“the Amended Plan”) for the Hudson Square Business Improvement District (“the District”) in the Borough of Manhattan; and

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

Whereas, pursuant to authority granted by the Law, the District was established by Local Law No. 101 for the year 2005; and

Whereas, pursuant to Section 25-410(b) of the Law, an amendment to the District Plan that provides for 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 such increase and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded; and

Whereas, the District wishes to increase the amount to be expended annually in the District to \$3,900,000 and to extend the District; and

Whereas, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted an amended District Plan (“the Amended Plan”) for the District to the City Planning Commission (“the CPC”) on June 1, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the City Council on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Council Members representing the council districts in which the district is located on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to Manhattan Community Board 2 (the “Community Board”), in which the proposed extended district is located, on June 6, 2018; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Manhattan Borough President on June 6, 2018; and

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

Whereas, on June 21, 2018, the Community Board held a public hearing and voted to approve the extension of the District; and

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

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Manhattan Borough President, to the City Council and to the Council Members representing the council districts in which the proposed district is located; and

Whereas, pursuant to section 25-405(c) of the Law, a copy of the CPC’s report, the Original Plan, and the Amended Plan were transmitted for filing with the City Clerk on August 28, 2018; and

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

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

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

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

Resolved, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that November 28, 2018 is the date and 10:00 a.m. is the time and the City Council Committee Meeting Room, 2nd Floor, City Hall is the place for a public hearing (“the Public Hearing”) to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually in the District and an extension of the District; and be it further

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

Resolved, that SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing; and be it further

Resolved, that in the event that the Hudson Square District Management Association mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law; and be it further

Resolved, that on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the Hudson Square District Management Association is hereby authorized to publish in a newspaper having general circulation

in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the increase in the amount to be expended annually in the District.

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

Res No. 617

Resolution declaring September 5th as St. Mother Teresa Day in the city of New York.

By Council Member Gjonaj.

Whereas, St. Mother Teresa was born Agnes Gonxhe Bojaxhiu to Albanian parents, in Skopje, now Republic of Macedonia, on August 26, 1910; and

Whereas, By the age of 12, St. Mother Teresa felt a strong connection to God and by the age of 18 had left her parental home in Skopje to join the Sisters of Loreto, an Irish community of nuns with missions in India; and

Whereas, St. Mother Teresa took her initial vows as a nun in 1931 and became a teacher of geography and history for girls at St. Mary's High School in Calcutta, but was distressed by all the poverty she witnessed outside the walls of the school; and

Whereas, In 1946, St. Mother Teresa heard what she described as the call to follow Christ and devoted herself to working among the poorest of the poor in the slums of Calcutta; and

Whereas, St. Mother Teresa spent two years preparing for the undertaking by taking her vows, studying nursing, and waiting until permission was granted from the Sisters of Loreto and the Archbishop of Calcutta to live and work among the dying poor; and

Whereas, Without benefit of any funding, St. Mother Teresa would later remark that she relied solely upon divine providence for the means to carry out her work and began to teach the poorest children of Calcutta in an open air school of her own design; and

Whereas, St. Mother Teresa would be joined by volunteers—many of whom were her former students—and would begin to receive donations of financial support allowing her to expand the scope of her efforts; and

Whereas, In October of 1950, St. Mother Teresa was granted permission from the central governing body of the Roman Catholic Church known as the Holy See to start her own order, The Missionaries of Charity, whose primary task was to administer aid and comfort to the sick and dying and the neediest of the needy—especially to those for whom no one else was willing or able to provide care; and

Whereas, St. Mother Teresa went on to establish a home for the dying in 1957 and a hospital with a center for the blind, the aged and the disabled while caring for those suffering from leprosy; and

Whereas, In 1965, Pope Paul VI granted the Decree of Praise to St. Mother Teresa's religious order bringing it directly under the supervision of the Vatican and soon thereafter the Missionaries of Charity were established in Venezuela, Italy, Tanzania, Australia and the United States; and

Whereas, In 1979, St. Mother Teresa was awarded the Nobel Peace Prize for her work with the destitute and upon receiving the award remarked, "I am not worthy"; and

Whereas, On Christmas Eve in 1985, St. Mother Teresa overcame public fear, stigma and opposition while expediting government bureaucracy to open an AIDS hospice in New York City's St. Veronica's church in Greenwich Village to care for 14 terminally ill victims of the disease; and

Whereas, Despite her failing health, St. Mother Teresa insisted upon visiting the North American branch of the Sisters of the Missionaries of Charity located in the South Bronx in 1997 where she would meet with Princess Diana who was also visiting the South Bronx Mission; and

Whereas, St. Mother Teresa continued her work with the poor until just before her death on September 5, 1997 at which time The Sisters of the Missionaries of Charity numbered 3,914 members, and were established in 594 communities in 123 countries of the world.; and

Whereas, St. Mother Teresa was beatified in 2003 and then canonized and declared a Saint during a September 4th 2016 ceremony in St. Peter's Square by Pope Francis; and

Whereas, St. Mother Teresa is recognized as an international treasure who is beloved by millions of New Yorkers; now, therefore, be it

Resolved, That the Council of the City of New York declares September 5th as St. Mother Teresa Day in the city of New York.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 1231

By Council Members Lander, Kallos and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to contributions to independent expenditure committees

Be it enacted by the Council as follows:

Section 1. Chapter 7 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-721 to read as follows:

§ 3-721 *Limitation on contributions to independent expenditure committees. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Independent expenditure. The term “independent expenditure” means an independent expenditure, as defined in clause (i) of subparagraph (a) of paragraph 15 of subdivision a of section 1052 of the charter, in support of or in opposition to a candidate in a covered election.

Independent expenditure committee. The term “independent expenditure committee” means any individual or entity that makes independent expenditures aggregating \$1,000 or more in support of or in opposition to any candidate in any covered election.

b. No individual or entity who has business dealings with the city, as defined in subdivision 18 of section 3-702, except for a lobbyist as defined in subdivision (a) of section 3-211, shall make, and no independent expenditure committee shall accept, aggregate contributions in excess of the contribution limitation for citywide offices set forth in paragraph (i) of subdivision 1-a of section 3-703 for the purpose of making independent expenditures in a covered election or making contributions to another independent expenditure committee.

c. The board may, upon notice and opportunity to be heard, assess a civil penalty in an amount not in excess of \$10,000 for each violation of this section. The intentional or knowing violation of this section shall be punishable as a misdemeanor in addition to any other penalty provided under law.

§ 2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 1232

By Council Members Levin, Ampry-Samuel and Gibson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring homeless shelters to post signs and distribute other materials relating to the shelter transfer appeals process

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-314.2 to read as follows:

§ 21-314.2 Signage and other materials for shelter transfer appeals. a. Definitions. For the purposes of this section, the term “shelter” means any temporary emergency housing provided to homeless adults, adult families and families with children by the department or by a provider under contract or similar agreement with the department.

b. The commissioner shall create, maintain, and update signs and any other related materials that are deemed necessary, related to the shelter transfer appeals process. Such signs shall be conspicuously placed in all shelters and shall include, at a minimum:

- 1. A statement that residents have a right to seek shelter and a right to receive a shelter placement;*
- 2. A statement that residents have a right to have their needs accommodated through transfer if they have a documented health or safety risk in a specific neighborhood, borough, or at a specific shelter, or through reasonable accommodations, if necessary, if they have a disability;*
- 3. A statement that residents have a right to appeal any transfer they do not agree with;*
- 4. The appropriate steps required to initiate such an appeal;*
- 5. The department’s current transfer policy, including the possible reasons an individual might be transferred, what constitutes an emergency transfer, and when notification for a transfer must be given;*
- 6. A statement that residents have the right to return to a shelter, even if they have voluntarily left; and*
- 7. Contact information, including phone numbers, for the 311 citizen service center, available free legal assistance, and any appropriate non-profit organizations aimed at helping individuals find shelter.*

b. The department shall ensure that such signs and any other related materials are available on the department’s website in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code.

§ 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 1233

By Council Members Levin, Ampry-Samuel, Salamanca and Gibson.

A Local Law to amend the administrative code of the city of New York, in relation to providing written notice for non-emergency shelter transfers

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 21-324 to read as follows:

§ 21-324 Notification and documentation for non-emergency shelter transfers.

a. Definitions. For the purposes of this section the following terms have the following meanings: Shelter. The term “shelter” means temporary emergency housing provided to homeless single adults, adult families, and families with children by the department or a provider under contract or similar agreement with the department.

b. Not less than 48 hours prior to a non-emergency shelter transfer, other than transfers requested by the client themselves, individuals being transferred to another shelter or related facility must be provided written notification of their transfer.

c. The notice shall include, at a minimum, the name and address of the shelter being transferred from and the name and address of the shelter being transferred to, a detailed summary of the specific reasons for the transfer, identification of what entity ordered the transfer, and information about how the individual can appeal a transfer.

c. For emergency shelter transfers, affected individuals must be provided with written documentation of the transfer, in compliance with subdivision b of this section, within 48 hours of the emergency transfer.

§ 2. This local law shall take effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1234

By Council Members Levine, Cumbo, Deutsch, Richards, Constantinides, Koslowitz, Chin, Treyger, Maisel, Levin and Rosenthal.

A Local Law to amend the New York city charter, in relation to creating an office for the prevention of hate crimes

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-F to read as follows:

§ 20-F *Office for the prevention of hate crimes. a. The mayor shall establish an office for the prevention of hate crimes. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office or 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. For the purposes of this section only, "coordinator" shall mean the coordinator of the office for the prevention of hate crimes.*

b. Powers and duties. The coordinator shall have the power and the duty to:

1. Advise and assist the mayor in planning and implementing for coordination and cooperation among agencies under the jurisdiction of the mayor that are involved in prevention, awareness, investigation and prosecution, and impact on communities of hate crimes.

2. Create and implement a coordinated system for the city's response to hate crimes. Such system shall, in conjunction with the New York city commission on human rights' bias response teams, the police department, and any relevant agency or office, coordinate responses to hate crime allegations.

3. Review the budget requests of all agencies for programs related to hate crimes, and recommend to the mayor budget priorities among such.

4. Prepare and submit to the mayor and the council and post conspicuously on the city's website by January 30 of each year an annual report of the activities of the office, regarding the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes. Such report shall include but need not be limited to the following information: (i) identification of areas or populations within the city that are particularly vulnerable to hate crimes, (ii) an assessment of the security concerns and needs of city neighborhoods, schools, and houses of religious worship, (iii) identification and assessment of the efficacy of counseling and resources for victims of hate crimes, and (iv) collation of city, state and federal statistics on hate crime complaints and prosecutions within the city, including incidents by offense, bias motivation, and demographic characteristics such as age and gender of offenders.

5. Study the effectiveness of, and make recommendations with respect to, the expansion of safety plans for neighborhoods and institutions that are particularly vulnerable to hate crimes, and the resources available for victims.

6. Serve as liaison for the city with providers of victim services, community groups, and other relevant nongovernmental entities and assist in the coordination among such entities on reporting and responding to allegations of hate crimes, to ensure that city residents have access to relevant services after hate crime events.

7. Perform other duties as the mayor may assign.

§2. This local law takes effect 9 months after it becomes law.

Referred to the Committee on Public Safety.

Int. No. 1235

By Council Members Miller, Cabrera and Kallos.

A Local Law in relation to the department of citywide administrative services provisional employee reduction plan

Be it enacted by the Council as follows:

Section 1. On or before April 1, 2019, the department of citywide administrative services shall submit to the speaker of the council its comprehensive plan revision for provisional employees required pursuant to paragraph c-4 of subdivision 5 of section 65 of the civil service law.

§ 2. This local law takes effect on the same date as an act to amend the civil service law, in relation to provisional employees of certain public employers; to amend chapter 5 of the laws of 2008 amending the civil service law relating to provisional employees of certain public employers, in relation to extensions of certain negotiated agreements and extending the provisions of such chapter; and to amend part I of chapter 56 of the laws of 2008 amending the civil service law relating to excess provisional employees of a city having a population of one million or more, in relation to extending the provisions thereof, as proposed in A11241 and S8837A, takes effect, and is deemed repealed if A11241 and S8837A do not take effect by January 1, 2019.

Referred to the Committee on Civil Service and Labor.

Res. No. 618

Resolution calling upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

By Council Members Miller, Adams, Richards and Yeger.

Whereas, In March of 2017, the MTA raised fares on trains, buses, bridges, tunnels and commuter rail across their entire system; and

Whereas, The MTA has raised fares for riders six times since 2009; and

Whereas, A recent report issued by the New York City Comptroller, entitled, "Expanding Access in One Swipe," argued that the fare for trips within City limits on the MTA's Metro-North and Long Island Rail Road (LIRR) are extremely expensive and that many people are priced out of commuter rail and as a result commuter rail is underutilized; and

Whereas, The Comptroller argued that instead the MTA should lower the cost so that it is equal to a the price of a one-way subway and bus fare and allow free transfers for the subway and buses; and

Whereas, According to the Comptroller's report, the proposal would cut commute times in half, relieve overcrowding on subways, and dramatically expand mass transit in 31 neighborhoods; and

Whereas, The MTA presently has several subsidy programs for travel within specific areas, including the CityTicket program, which charges \$4.25 on Metro North and Long Island Rail Road (LIRR) travel within city limits exclusively on weekends; the \$3 intermediate fare for all Metro North Travel within the Bronx; the \$3.25 fare for all off-peak LIRR travel within Zone 3, which includes 14 stops in eastern Queens; and

Whereas, CityTicket has specific restrictions, including that it is only available on weekends; it cannot be used to transfer trains at junction points, even when remaining within city limits; it is only available on the date

of purchase; it cannot be purchased on board trains; it is not available on the New Haven Line between Manhattan and Fordham station; and it does not provide free transfers between commuter rail and subways and buses; and

Whereas, On weekdays, when CityTicket is not in effect and a larger number of commuters are traveling, fares for commuter rail are over 50% higher; and

Whereas, The MTA's Atlantic Ticket program, offers a discounted fare of \$5 for all trips between southeast Queens and Brooklyn's Atlantic Terminal, but does not offer a discount for Manhattan bound commuters and does not provide free transfers to the subway or bus (except through its 7-day weekly pass), and it is not available for purchase on train cars or through the MTA's mobile ticketing app; and

Whereas, The MTA has considered implementing a pilot program known as "Freedom Ticket Pilot," which would allow riders to purchase one-way single tickets, weekly or monthly passes that would be valid for both subway and LIRR trains; and

Whereas, Under the proposed Freedom Ticket pilot, the fare would be more expensive than Metrocard rates, but it has the potential to be cheaper than purchasing both a Metrocard and an LIRR ticket; and

Whereas, According to MTA data, travel time via commuter rail within New York City is considerably faster than comparable subway and bus trips, with trips between Grand Central Station and several stations in the Bronx taking 50% less time; trips between Penn Station and outer Queens stations taking over 50% less time and trips between Jamaica Station in Queens and Flatbush Avenue in Brooklyn taking nearly 75% less time; now, therefore, be it

Resolved, That The Council of the City of New York calls upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

Referred to the Committee on Transportation.

Res. No. 619

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation preventing the diversion of funds raised to support the Metropolitan Transportation Authority.

By Council Members Miller, Adams, and Richards.

Whereas, Every day millions of people rely on New York's public transportation system, a system that is essential to the continued growth and vibrancy of the City and the entire metropolitan region; and

Whereas, Recognizing the immense importance of a safe, reliable, and efficient public transportation system, over time New York State has implemented a series of taxes dedicated to funding mass transit; and

Whereas, In addition to fares and tolls, the Metropolitan Transportation Authority ("MTA") relies on these dedicated revenue streams to provide subway and bus service throughout the City; and

Whereas, During challenging economic times, State government has a history of diverting funds raised through taxes dedicated to the MTA to other areas of the State budget, including the diversion of more than \$390 million since 2011; and

Whereas, In 2013, the State Legislature unanimously passed, but the Governor vetoed, A.5084, introduced by Assembly Member James F. Brennan, and companion bill S.3837, introduced by State Senator Martin J. Golden, known as the transit lockbox bill, which would have prevented the diversion of dedicated transit funds except by legislation and would have required the State to specifically disclose any such diversion, including specifically disclosing the expected impact of the diversion on mass transit services; and

Whereas, The bill was reintroduced and is currently pending in the State Legislature as A.8511, introduced by Assembly Member Jeffrey Dinowitz, and companion bill S.6807, introduced by State Senator Martin J. Golden; and

Whereas, In light of the importance of sustained, reliable funding streams to maintaining the City's essential public transportation system, a strong transit lockbox law should be enacted; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation preventing the diversion of funds raised to support the Metropolitan Transportation Authority.

Referred to the Committee on Transportation.

Res. No. 620

Resolution calling on the Federal Communications Commission to reject the proposed rules put forth in the Second Further Notice of Proposed Rulemaking 18-131 and to create provisions that would strengthen public, educational, and governmental access television.

By Council Members Moya, Koo, Kallos and Ulrich (at the request of the Manhattan Borough President).

Whereas, On September 25th, 2018, the Federal Communications Commission (FCC), the body responsible for implementing and enforcing United States communications law and regulations, released the Second Further Notice of Proposed Rulemaking (FNPRM) 18-131, which introduces new proposed rules on how local franchising authorities (LFAs) may regulate cable operators and cable television services; and

Whereas, The FCC's Second FNPRM 18-131 proposes that cable-related, "in-kind" contributions, which include services rendered free of cost or certain costs related to PEG access television, be treated as "franchise fees" subject to the statutory five percent cap on franchise fees set forth by Section 622 of the Communications Act of 1934; and

Whereas, This proposed rule would have a large negative impact on PEG access television, which provides integral and valuable services to New York City in the form of educational and informative television programming, and training and employment in video production, video editing, and broadcasting, among other things; and

Whereas, For example, Manhattan Neighborhood Network, a PEG access television organization, is the largest media educator in New York City, serving more than 1,200 media students every year, and airing more than 15,000 hours of original content from some 1,000 producers; and

Whereas, Ultimately, these proposed rules would require LFAs to choose between reduced annual franchise fee revenues and/or fewer PEG access channels and "in kind" service benefits, which would hurt the quality of services provided to the public, burden existing companies financially, and dissuade competition within the market; and

Whereas, The FCC's Second FNPRM 18-131 would also prohibit LFAs from using their video franchising authority to regulate the provision of most "non-cable services," such as broadband Internet access services, offered over a cable system by an incumbent cable operator; and

Whereas, This would prevent LFAs from adding a percentage of gross revenue for "non-cable services" provided to any franchising fees, which, considering the trend towards "cord-cutting," with 33 million adults "cord-cutting" in 2018 according to eMarketer, could negatively impact the fiscal security of numerous television companies and PEG access television organizations; and

Whereas, The FCC's Second FNPRM 18-131 is a gross federal overreach, as it would severely limit local governments from exerting any authority over most "non-cable services," as well as reduce and/or dissuade competition between existing and emerging cable companies, reduce quality in PEG access television, and harm constituents' privacy and consumer protections; and

Whereas, The FCC should reject these proposed rules and instead create provisions that would strengthen PEG access television; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Federal Communications Commission to reject the proposed rules put forth in the Second Further Notice of Proposed Rulemaking 18-131 and to create provisions that would strengthen public, educational, and governmental access television.

Referred to the Committee on Technology.

Int. No. 1236

By Council Members Powers, Rivera, Ayala, Ampry-Samuel and Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to share data with correctional health services regarding sick calls and to repeal section 9-108 of the administrative code of the city of New York, relating to health care services for incarcerated individuals

Be it enacted by the Council as follows:

Section 1. Section 9-107 of the administrative code of the city of New York is amended by adding new subdivision c to read as follows:

c. The department of health and mental hygiene shall ensure that any health care provider the department contracts with to provide medical and health services to incarcerated individuals shall provide arrangements and ensure that facilities are made available for outpatient treatment and for suitable amenities for the continuance of medicated assisted treatment and related social therapy for all persons who have received such treatment in conformance with this section. Such continued treatment shall be voluntary, and shall commence upon the discharge of such persons from any penal institution and/or upon the termination of any period of parole.

§ 2. Section 9-108 of the administrative code of the city of New York is REPEALED. and a new section 9-108 is added to read as follows:

9-108 Correctional health services. a. Definitions. For purposes of this section, the following terms have the following meanings:

Completed sick call. The term “completed sick call” refers to a sick call made by an incarcerated individual which resulted in the individual seeing and being assessed by health care or medical personnel. Department of health. The term “department of health” refers to the department of health and mental hygiene.

Emergency sick call. The term “emergency sick call” refers to a sick call requiring care for an acute illness or an unexpected health need that cannot be deferred until the next scheduled sick call or clinic without jeopardy to the incarcerated individual’s health or causing undue suffering.

Health care personnel. The term “health care personnel” refers to professionals who meet qualifications stipulated by their profession and who possess all credentials and licenses required by New York state law.

Medical personnel. The term “medical personnel” refers to physicians, physician assistants and nurse practitioners.

Sick call. The term “sick call” refers to a request made by an incarcerated individual to see health care personnel for the purpose of assessing and treating a medical condition.

b. The department of health shall ensure that any health care provider the department contracts with to provide medical and health services to incarcerated individuals collect information pertaining to sick calls, including the following:

- 1. The number of sick calls requested;*
- 2. The name and book and case number of the person requesting sick call;*
- 3. The facility and housing area where each requestor is located;*
- 4. The date and time when each sick call is requested and completed;*
- 5. The time of departure from housing area to clinic;*
- 6. The number of sick calls completed within 24 hours; and*

7. *Where applicable, the time of recall departure*

c. *Within 30 days of the beginning of each quarter, the department of health shall submit to the council and post on its website a report containing information pertaining to sick calls that occurred during the preceding quarter. All data shall be submitted in a machine readable format and shall be stored permanently on the department's website. Such report shall include:*

1. *The number of sick calls requested, in total and disaggregated by facility, housing area, and emergency and non-emergency sick calls.*

2. *For completed sick calls, the length of time, in hours, between when the sick call was requested and completed, disaggregated by emergency and non-emergency sick calls.*

3. *The number of sick calls requested and not completed, in total and disaggregated by facility, the reason why the sick call was not completed, and emergency and non-emergency sick calls.*

4. *If a category contains between 1 and 5 incarcerated individuals, or allows another category to be narrowed to between 1 and 5 incarcerated individuals, the number shall be replaced with a symbol.*

§ 3. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Criminal Justice.

Int. No. 1237

By Council Members Rodriguez, Cabrera and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring taxi and limousine commission licensees to cooperate with police investigations by providing records and information

Be it enacted by the Council as follows:

Section 1. Section 19-506 of the administrative code of the city of New York, is amended by adding a new subdivision n to read as follows:

n. *Cooperation with police investigations. 1. Emergency police investigations. In the event of an emergency, owners of all licensed vehicles shall cooperate with police investigations by immediately, upon request, authorizing the release of the following records held by drivers, base stations, dispatch service providers, luxury limousine base stations, or black car base stations including, but not limited to:*

(a) *written and electronic trip records;*

(b) *trip receipts;*

(c) *e-hail application data required to be collected, transmitted and maintained pursuant to §78-21 of title 35 the rules of the city of New York; and*

(d) *passenger information such as name, phone number, email address, e-hail application account start and end date, registration IP address, communications between drivers and passengers and global positioning system location data.*

2. *Non-emergency police investigations. Upon receipt of a warrant or court order, owners and drivers of all licensed vehicles shall cooperate with police investigations by providing to police the records set forth in paragraph 1 of this subdivision.*

3. *For the purposes of this subdivision, the term "emergency" means a situation in which:*

1. *human lives are in imminent danger;*

2. *the police are in immediate pursuit of a person suspected of committing a crime; or*

3. *there exists an imminent risk of the destruction of evidence.*

§ 2. This local law takes effect 180 days after it becomes law, except that the taxi and limousine commission shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on For-Hire Vehicles.

Int. No. 1238

By Council Member Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to requiring additional disclosure of large contract modifications

Be it enacted by the Council as follows:

Section 1. Section 6-133 of Chapter 1 of title 6 of the administrative code of the city of New York is amended to read as follows:

§ 6-133. Notification of project cost increases.

a. For the purposes of this section, "agency" means a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

b. If an agency that has entered into a contract for construction and/or services [with a maximum expenditure of more than ten million dollars] in connection with a project included in the capital budget enters into a contract modification or extension that results in a total revised maximum expenditure *in excess of ten million dollars or* that exceeds the original contract maximum expenditure by twenty percent or more *if such original maximum expenditure exceeded ten million dollars*, the mayor shall notify the council of such contract modification or extension, including details of the basis for and scope of the estimated additional costs *and explanatory language regarding the nature of such contract modification or extension*.

c. Once such notification has been provided for a contract, any additional modifications or extensions of such contract that increase the maximum expenditure *by the lower of* more than ten percent over the total revised maximum expenditure *or by ten million dollars or more*, shall trigger new notification to the council.

d. *Notifications pursuant to* this section shall be provided on a quarterly basis sorted by project within forty-five days of the end of the calendar quarter within which the comptroller registered such contract action.

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

Referred to the Committee on Contracts.

Res. No. 621

Resolution pursuant to Section 363 of the New York City Charter, authorizing the New York City Department of Transportation to grant a non-exclusive franchise for the provision of bus service between Manhattan and Staten Island.

By Council Member Salamanca (by request of the Mayor).

WHEREAS, by Executive Order No. 25, dated August 23, 1995, the Mayor has designated the New York City Department of Transportation (DOT) as the responsible agency for the granting of franchises for bus lines; and

WHEREAS, pursuant to Section 363 of the New York City Charter, (Charter) the Commissioner of DOT (Commissioner) has made the initial determination of the need for a non-exclusive franchise for bus lines providing common carrier service to passengers along designated routes, between the boroughs of Staten Island and Manhattan (Bus Service) in the City of New York; and

WHEREAS, the Council has determined that the granting of such non-exclusive franchise will promote the public interest, and enhance the health, welfare and safety of the public and the City's transportation network; and

WHEREAS, it is necessary to provide for the preparation of a solicitation for such Bus Service, to conduct appropriate environmental review, to review proposals to provide Bus Service, and to make such technical evaluations as may be necessary to determine appropriate service levels, and fare structures;

NOW THEREFORE, BE IT RESOLVED,

That the Council hereby authorizes DOT to grant a non-exclusive franchise for bus lines providing common carrier service to passengers along designated routes, between the boroughs of Staten Island and Manhattan, in the City of New York provided that such non-exclusive franchise shall be subject to the approval of the Franchise and Concession Review Committee (FCRC) and the separate and additional approval of the Mayor. The authorization to grant a non-exclusive franchise pursuant to this Resolution shall expire on the fifth anniversary of the date on which this Resolution is adopted by the City Council (Expiration Date). No franchise shall be granted pursuant to this Resolution by DOT, nor approved by the FCRC or the Mayor, after the Expiration Date;

AND BE IT FURTHER RESOLVED,

FIRST, that there shall be one uniform maximum fare for the Bus Service. The appropriate maximum fare shall be included in the solicitation and the franchise agreement. With regard to the uniform maximum fare, DOT may request from the FCRC a modification to any franchise agreement authorized by this Resolution changing the uniform maximum fare. Any franchise agreement for Bus Service shall specify that upon the approval of the FCRC of any such proposed change, the franchise agreement shall be deemed to be modified to provide for the revised maximum fare;

SECOND, that prior to the granting of any such non-exclusive franchise, one or more Requests For Proposal ("RFP") shall be issued by DOT for each route or group of routes. DOT may group routes in such a way as to maximize potential efficiencies, increase competition, and/or increase revenue. Prior to issuing any such solicitation, environmental and land use review, if necessary, shall be conducted in accordance with City Environmental Quality Review and Section 197c of the Charter. Upon request of the City, a proposed franchisee shall, as a condition of receiving a franchise, assume the cost of, or reimburse the City for, the City's costs of any such environmental or land use review or shall provide for the conduct of such review itself, at its own cost;

THIRD, the franchisee operating service pursuant to this Resolution may receive funding from the State of New York through the City or, if such funds are not available, may receive funding directly from the City;

FOURTH, the evaluation criteria to be used in assessing the responses to such RFPs shall be the following:

- (1) An assessment of the relative fitness of the respondents with regard to:
 - a. experience operating bus or other transportation services in New York City or other urban environments;
 - b. demonstrated ability in the management of bus or other transportation service, including, without limitation, satisfactory performance on:

- i. service indicators (*e.g.*, percentage of scheduled service actually operated, adherence to published schedules, interruptions to service resulting from mechanical failures, vehicle cleanliness, and handling of customer inquiries), and
 - ii. management indicators, (*e.g.*, employee absentee rates, number of vehicular accidents, training programs, adherence to inspection, insurance, driver training, and safety requirements, and bus scheduling efficiency and effectiveness);
 - c. business integrity and financial soundness, including without limitation adequate access to sources of operating capital and the demonstrated ability to adequately maintain books and records;
- (2) the amount of franchise fee proposed and the amount of service proposed.

FIFTH, initial schedules need to be specified in the RFP only to the extent that the level of service must be specified for purposes of completing an environmental review, as appropriate;

SIXTH, that any non-exclusive franchise granted pursuant to this Authorizing Resolution shall be by written agreement that shall without limitation, provide that:

- (1) the term of the franchise shall be fixed and shall be in accordance with the terms of the solicitation pursuant to which it was issued. A franchise may contain a renewal clause, however, in no case shall the term of a franchise, including all renewal periods, exceed twenty-five (25) years;
- (2) the compensation, if any, to be paid to the City shall be fixed as a percentage of the gross revenues, cash or non-cash, derived by the franchisee from any source, in any manner, either directly or indirectly arising from or related to the operation of the Bus Service described in the franchise. Such compensation shall not be considered in any manner to be in the nature of a tax, but such payments shall be made in addition to any and all taxes of whatsoever kind or description which are now or may at any time hereafter be required to be paid pursuant to any local law of the City or any law of the State of New York; or any law of the federal government;
- (3) the maximum fare shall be the uniform maximum fare for such service set by DOT, as such may be from time to time amended by DOT upon request to and approval by the FCRC;
- (4) the franchisee may be required to maintain integrated or reduced fare programs, the requirements for which shall be contained in the appropriate solicitation documents and franchise agreement;
- (5) the franchise may be terminated or canceled by the Commissioner in the event of the franchisee's failure to comply with the material terms and conditions of the agreement;
- (6) there shall be remedies, including liquidated damages, to protect the City's interests in the event of the franchisee's failure to comply with the terms and conditions of the agreement;
- (7) a security fund or other appropriate method shall be established to insure the performance of the franchisee's obligations under the agreement;
- (8) the franchise may permit or require advertising in the interior and/or exterior of buses; provided however, that advertising which is false or misleading, which promotes unlawful or illegal goods, services or activities, or which is otherwise unlawful, including but not limited to advertising that constitutes the public display of offensive sexual material in violation of Penal Law Section 245.11, shall be prohibited. In addition, advertising related to tobacco products and electronic cigarettes shall also be prohibited;
- (9) there shall be provisions regulating the technical specifications of bus equipment used to provide authorized Bus Service;

- (10) there shall be provisions to ensure adequate oversight and regulation of the franchisee by the City, including adherence to standards of performance and guidelines for service;
- (11) the City shall have the right at all times to inspect the facilities, service and equipment used by the franchisee and to order compliance with operational requirements and performance standards set forth in the agreement;
- (12) there shall be adequate insurance and indemnification requirements to protect the interests of the public and the City;
- (13) the franchisee shall be required to maintain complete and accurate books of account and records in compliance with any and all specific requirements for recordkeeping as shall be established by DOT. Such books and records shall be made available on demand to the City for inspection;
- (14) the franchisee shall be required to maintain an office in the City of New York;
- (15) there shall be provisions containing the agreements required pursuant to paragraph 6 of subdivision (h) of Section 363 of the Charter relating to collective bargaining and other matters;
- (16) there shall be provisions requiring the franchisee to comply with applicable City laws, regulations and policies related to, but not limited to employment and investigation;
- (17) there shall be provisions requiring the franchisee to comply with all applicable federal, state, and local laws whatsoever, including those relating to accessibility for persons with disabilities;
- (18) there shall be provisions to restrict the subcontracting, assignment or other transfer of the franchise or portions thereof, without the prior written consent of the City and provisions to restrict changes in control of the carrier without the prior written consent of the City;
- (19) the franchisee, with the exception of public transportation authorities, shall submit to the City's Procurement and Sourcing Solutions Portal (PASSPort) review;
- (20) the franchisee shall obtain all necessary authorizations, licenses, and/or permits from and comply with all applicable provisions of the New York State Vehicle and Traffic Law, and all applicable rules of the New York State Department of Motor Vehicles, the New York State Department of Transportation and any other governmental body having jurisdiction over bus operations;
- (21) the franchisee shall at all times maintain on file with DOT a complete, accurate, and current schedule of service, which will constitute an appendix to the agreement(s) and shall be fully part of the agreement(s);
- (22) for Bus Service pursuant to this Authorizing Resolution, written notification shall be given to the Commissioner not less than thirty days prior to any modification of the weekly scheduled vehicle revenue miles or change to the span of service of any route, provided, however, that the Commissioner may waive such notice requirement in the case of special events or other short-term contingencies where he/she deems it in the public interest to do so. Any changes in the number of weekly scheduled vehicle revenue miles on any route that **exceed** twenty-five percent (25%) or changes in the span of service of greater than four hours of any given route, either cumulatively within a three year period or singly, must receive the prior written approval of the Commissioner, a copy of which shall be sent to the FCRC;
- (23) there may be provisions for free reciprocal transfer privileges between routes operated by the franchisee and intersecting surface routes of the Metropolitan Transportation Authority New York City Transit ("MTA NYCT"), the Manhattan and Bronx Surface Transit Operating Authority ("MABSTOA"), and the MTA Bus Company (together "the Operators"), and in addition with the franchisee's own intersecting routes . To the extent that such reciprocal transfer privileges require the agreement of the Operators, the franchisee shall take all reasonable steps to obtain such agreement and DOT shall assist the franchisee in obtaining such agreement.

SEVENTH, the streets comprising the route over which franchised Bus Service will be provided shall be described in the RFP and included in the franchise agreement. All changes to the routes or those streets must receive the prior written approval of the Commissioner before such change may be implemented. Where such changes to that route or those streets, either cumulatively within a three year period or singly, represent

twenty-five percent (25%) or less of the total mileage of the route, a copy of the Commissioner's approval shall be sent to the FCRC for its information; where such changes to that route or those streets, either cumulatively within a three year period or singly, represent more than twenty-five percent (25%) of the total mileage of the route the written approval of the Commissioner shall be submitted to the FCRC for its additional approval prior to the implementation thereof.

And be it further **RESOLVED**, that DOT shall file with the Council the following documents:

- (1) within fifteen (15) days of issuance, a copy of each RFP issued pursuant to this Resolution;
- (2) within fifteen (15) days of approval by the Mayor, a copy of the agreement for any franchise granted pursuant to this Resolution;
- (3) within fifteen (15) days of approval by the Commissioner or the FCRC, a copy of any amendments to any franchise granted pursuant to this Resolution; and
- (4) on or before July 1 of each year, for the preceding calendar year, a report detailing the revenues received by the City from any franchise granted pursuant to this Resolution.

Referred to the Committee on Subcommittee on Zoning and Franchises.

Int. No. 1239

By Council Members Torres, Treyger and Salamanca.

A Local Law to amend the New York city charter, in relation to the public disclosure of materially inaccurate statements

Be it enacted by the Council as follows:

Section 1. Chapter 49 of the New York city charter is amended to add a new section 1116-a, to read as follows:

§ 1116-a Public disclosure of materially inaccurate statements. a. The head of a mayoral agency or office shall disclose to the speaker, the mayor and the public any materially inaccurate statement that would mislead the public within sworn testimony made by an officer or employee of such agency, or official report, within five days of the head of such mayoral agency or office, or a person who directly reports to such head, obtaining knowledge of such statement. Such disclosure shall include a description of the materially inaccurate statement that was made, a description of the reason for the inaccuracy and, where appropriate, a corrected statement. If the materially inaccurate statement was contained within an official report, such report shall be reissued with the inaccuracy removed or corrected.

§ 2. This local law takes effect immediately.

Referred to the Committee on Oversight and Investigations.

Res. No. 622

Resolution calling upon Congress to pass and the President to sign legislation that shall prohibit the diversion of resources from dedicated funds that support U.S. Department of Housing and Urban Development-Veterans Affairs Supportive Housing funding, which assists veterans experiencing homelessness with obtaining permanent housing.

By Council Members Williams and Constantinides.

Whereas, The U.S. Department of Housing and Urban Development-Veterans Affairs Supportive Housing (“HUD-VASH”) Program offers U.S. Department of Housing and Urban Development (“HUD”) housing vouchers to veterans experiencing homelessness, along with U.S. Department of Veterans Affairs (“VA”) supportive services to assist them and their families in finding and sustaining permanent housing; and

Whereas, On December 1, 2017, then-VA Secretary David Shulkin announced a decision to redirect HUD-VASH funding to local VA hospitals, effectively ending the program; and

Whereas, HUD-VASH has significantly decreased the number of veterans experiencing homelessness since 2010, issuing over 87,000 housing vouchers nationwide as of April 2017 and reducing veterans homelessness by nearly 47 percent—from 74,087 in 2010 to 39,471 in 2016, according to HUD; and

Whereas, Approximately 45 percent of homeless veterans experience mental illness and 70 percent experience substance use disorder, with many experiencing both, according to the Substance Abuse and Mental Health Services Administration (“SAMHSA”), and as such would leave HUD-VASH recipients susceptible to losing their housing without the health, mental health, and substance use support services provided by the program; and

Whereas, In December 2015, New York City became the largest city in the country to be certified for ending chronic veteran homelessness by the federal government and announced its rapid approach towards “functional zero”—where all new homeless veterans are housed within 90 days of entering the homeless system—largely due to the HUD-VASH program; and

Whereas, As of December 2017, the number of veterans staying in New York City shelters or experiencing street homelessness since 2011 has been reduced by approximately 90 percent, according to HUD, and an end to the HUD-VASH program could reverse such a trend; and

Whereas, HUD-VASH funding was not redirected and was preserved in this past budget after public pushback; and

Whereas, However, veterans advocates are concerned that considerations to end the HUD-VASH program could return in 2019; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign legislation that shall prohibit the diversion of resources from dedicated funds that support U.S. Department of Housing and Urban Development-Veterans Affairs Supportive Housing funding, which assists veterans experiencing homelessness with obtaining permanent housing.

Referred to the Committee on Veterans.

Int. No. 1240

By Council Members Yeger, Torres, Holden, Gjonaj and Diaz.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to abolishing the office of the public advocate

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 10 of the New York city charter, as amended by local law 19 for the year 1993, is amended to read as follows:

a. In case of the suspension of the mayor from office, the mayor's temporary inability to discharge the powers and duties of the office of mayor by reason of sickness or otherwise, or the mayor's absence from the city, the powers and duties of the office of mayor shall devolve upon [the public advocate or] the comptroller [in that order of succession] until the suspension, inability or absence shall cease. While so acting temporarily as mayor [neither the public advocate nor] the comptroller shall *not* exercise any power of appointment to or removal from office or any power lawfully delegated by the mayor to a deputy mayor before the commencement of such suspension or inability, or before or after the commencement of such absence; and

shall not, until such suspension, inability or absence shall have continued nine days, sign, approve or disapprove any local law or resolution, unless the period during which the mayor can act thereon would expire during said nine days in which case [the public advocate or] the comptroller shall have the power to disapprove the same within forty-eight hours before the time to act expires.

§2. Subdivision b of section 10 of the New York city charter, as amended by a vote of the electors on November 5, 2002, is amended to read as follows:

b. In the case of a failure of a person elected as mayor to qualify, or a vacancy in the office caused by the mayor's resignation, removal, death or permanent inability to discharge the powers and duties of the office of mayor, such powers and duties shall devolve upon [the public advocate,] the comptroller or a person selected pursuant to subdivision c of section twenty-eight, in that order of succession, until a new mayor shall be elected as provided herein. Upon the commencement of the term of the person first elected mayor pursuant to the provisions of subdivision c of this section, the person then acting as mayor pursuant to the provisions of this subdivision, if an elected official, shall complete the term of the office to which such person was elected if any remains.

§3. Section 24 of the New York city charter is REPEALED.

§4. Subdivision a of section 26 of the New York city charter is REPEALED, and a new subdivision a is added to read as follows:

a. *Reserved.*

§ 5. Section 44 of the New York city charter, as amended by a vote of the electors on November 5, 2002, is amended to read as follows:

§ 44. Speaker. The council shall elect from among its members a speaker and such other officers as it deems appropriate. The speaker shall preside over the meetings of the council. [During any period when the public advocate is acting as mayor, or when a vacancy exists in the office of the public advocate, the speaker shall act as public advocate pending the filling of the vacancy pursuant to subdivision c of section twenty-four, and shall be a member of every board of which the public advocate is a member by virtue of his or her office.]

§ 6. Subdivision b of section 93 of the New York city charter, as amended by local law number 68 for the year 1993, is amended to read as follows:

b. The comptroller shall have power to audit and investigate all matters relating to or affecting the finances of the city, including without limitation the performance of contracts and the receipt and expenditure of city funds, and take the testimony under oath of such persons as the comptroller may deem necessary. The comptroller shall conduct all audits of entities under contract with the city as expeditiously as possible and in no case shall initiate an audit later than two years after the expiration of a contract term unless the comptroller determines in writing that: (1) such audit is initiated in connection with litigation brought by or against the city, (2) it was not practicable to initiate an audit within such two year period, or (3) the initiation of the audit after the two year period is appropriate in light of information discovered in an audit of another contract of the same contractor. Such written determination shall be filed with the mayor[,] and council [and public advocate].

§ 7. Subdivision a of section 97 of the New York city charter, as amended by local law number 68 for the year 1993, is amended to read as follows:

a. There shall be an audit committee which shall consist of the mayor, the comptroller[, the public advocate] and four private members appointed by the mayor, two of whom shall be appointed upon the recommendation of the comptroller. The members of the committee shall elect a private member as chair for an annual term commencing on the first day of March.

§ 8. Subdivisions a and f of section 192 of the New York city charter, as amended by local law number 68 for the year 1993, are amended to read as follows:

a. There shall be a city planning commission to consist of the chair and twelve other members. The mayor shall appoint the chair and six other members of the commission, the [public advocate] comptroller shall appoint one member, and each borough president shall appoint one member. Members shall be chosen for their independence, integrity and civic commitment. Appointments of all members, except for the chair, shall be subject to the advice and consent of the council. For such appointments by officials other than the mayor, the procedure for obtaining the advice and consent of the council shall be the same as the procedure provided for in section thirty-one for appointments by the mayor. Except as otherwise provided in section one hundred

ninety-one, no member shall hold any other city office. Members other than the chair shall be appointed for a term of five years; provided, however, that of the members other than the chair, one member appointed by the mayor and one member appointed by a borough president shall serve for terms to expire on the thirtieth day of June, nineteen hundred ninety-one; one member appointed by the mayor and one member appointed by a borough president shall serve for terms to expire on the thirtieth day of June, nineteen hundred ninety-two; one member appointed by the mayor and one member appointed by a borough president shall serve for terms to expire on the thirtieth day of June, nineteen hundred ninety-three; one member appointed by the mayor and one member appointed by a borough president shall serve for terms to expire on the thirtieth day of June, nineteen hundred ninety-four; and two members appointed by the mayor, the member appointed by the [public advocate] *comptroller* and one member appointed by a borough president shall serve for terms to expire on the thirtieth day of June, nineteen hundred ninety-five. The borough presidents shall determine by lot the length of the term to be served by the member first appointed by each borough president. The appointing officials shall make their first appointments to the commission on or before the first day of March, nineteen hundred ninety. The commission members so appointed shall assume office on the first day of July, nineteen hundred ninety. Members of the commission shall serve until their successors have been confirmed. Any vacancy occurring other than by expiration of term shall be filled by the official who appointed the member in the same manner as the original appointment. A person so appointed shall serve for the unexpired portion of the term of the member succeeded. Terms shall begin on the next date after the expiration date of the preceding term.

Not later than the thirty-first day of December, nineteen hundred ninety-two and every four years thereafter, the commission shall file with the mayor, the council, the [public advocate] *comptroller*, the borough presidents, and community boards, a zoning and planning report. The report shall include (1) a statement of the planning policy of the commission, which policy shall take into consideration, among other things, the ten-year capital strategy, the four-year capital program, the report on the social, economic and environmental health of the city issued pursuant to section sixteen, the strategic policy statements provided for in section seventeen and plans approved pursuant to section one hundred ninety-seven-a, (2) a summary of the significant plans and studies completed or undertaken by the department of city planning in the preceding four years, (3) an analysis of those portions of the zoning resolution that merit reconsideration in light of the planning policy of the commission and (4) proposals for implementing the planning policy of the commission whether by amendment of the zoning resolution, development of plans or otherwise.

§ 9. Section 205 of the New York city charter, as added by local law number 49 for the year 2008, is amended to read as follows:

§ 205. Comprehensive waterfront plan. Not later than the thirty-first day of December, two thousand and ten and not less than every ten years thereafter, the department of city planning shall file with the mayor, the council, the [public advocate] *comptroller*, the borough presidents, and the community boards, a comprehensive waterfront plan. Such plan shall be drafted in consultation with the appropriate city, state, and federal agencies and regulatory bodies, and with input from the public, and shall include (1) an assessment of waterfront resources for the natural waterfront, the public waterfront, the working waterfront and the developing waterfront, (2) a statement of the planning policy of the department of city planning, which policy shall take into consideration, among other things, the ten year capital strategy, the assessment of waterfront resources included pursuant to (1) above, the four year capital plan, the strategic policy statements provided for in section seventeen and plans approved pursuant to section one hundred ninety-seven-a and (3) proposals for implementing the planning policy of the department whether by amendment of the zoning resolution, development of plans or otherwise.

§ 10. Subdivision b of section 216 of the New York city charter, as amended by local law number 68 for the year 1993, is amended to read as follows:

b. Upon the adoption of any such amendment by the council, it shall be certified by the mayor [, the public advocate] and the city clerk and the capital budget shall be amended accordingly.

§ 11. Subdivisions a and d of section 259 of the New York city charter, as amended by local law number 30 for the year 1994, are amended to read as follows:

a. There shall be an independent budget office to be headed by a director who shall be appointed upon the recommendation of the independent budget office advisory board, by a special committee convened for this

purpose. Such committee shall consist of the comptroller, [the public advocate,] a borough president chosen by the borough presidents, and a council member chosen by the council, and shall act by majority vote. The director shall be appointed without regard to political affiliation and solely on the basis of fitness to perform the duties assigned by this chapter. The term of office of the director first appointed shall expire on August first, two thousand, and the terms of office of directors subsequently appointed shall expire on such date in each fourth year thereafter. Any individual appointed to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of the term. An individual serving as director at the expiration of a term may continue to serve until a successor is appointed.

d. There shall be an independent budget office advisory committee consisting of ten members appointed jointly by the comptroller and [the public advocate] *the council* for five year staggered terms. Of the members originally appointed, two shall serve until the thirty-first day of March, nineteen hundred ninety-nine, two shall serve until the thirty-first day of March, two thousand, two shall serve until the thirty-first day of March, two thousand one, two shall serve until the thirty-first day of March, two thousand two and two shall serve until the thirty-first day of March, two thousand three. The members shall all be individuals with extensive experience and knowledge in the fields of finance, economics, accounting, public administration and public policy analysis, including at least one former director of the New York city office of management and budget or of a comparable office in another local government jurisdiction in the United States; one nationally recognized expert in the fields of budget theory and the budgetary process; one former director of the New York state division of the budget or of a comparable legislative or executive office in another state government; one dean or director or former dean or director of a graduate school of business administration located in New York city; one dean or director or former dean or director of a graduate school of public administration or public affairs or public policy located in New York city; one chair or former chair of a graduate economics department of a college or university located in New York city; one officer or former officer of, or economic advisor of, a labor union; one officer or former officer of, or economic advisor to, a business corporation; one officer or former officer of a civic or public interest advocacy organization involved in budgetary matters; and one officer or former officer of a human services advocacy organization involved in budget matters. No member may be reappointed to consecutive terms. Vacancies occurring because of the expiration of terms shall be filled promptly on the recommendation of the members of the committee whose terms are not expiring. Vacancies occurring otherwise shall be filled promptly on the recommendation of the remaining members of the committee. The members of the committee shall receive no compensation but shall be reimbursed for their necessary expenses. The committee shall at its first meeting in every even numbered year elect, from among its members, a chair and vice-chair who shall serve until the thirty-first day of March of the next even numbered year.

§ 12. Paragraph 2 of subdivision b of section 333 of the New York city charter, as amended by local law number 68 for the year 1993, is amended to read as follows:

2. The agency head shall respond to the borough president's findings within ten days from receipt of such findings, indicating what action, if any, shall be taken. If such action is not satisfactory to the borough president, the borough president shall, within thirty days of receipt of such responses, be authorized to require that a hearing be held in the borough by a contract performance panel consisting of [the public advocate,] the comptroller and the mayor, or their designees, to receive the testimony of the borough president and other interested persons on the borough president's recommendations. The hearing shall be held within twenty days from the borough president's request for the hearing. The head of the agency which procured the services in question, or designee of such agency head, and the contractor whose performance is being evaluated, shall have the right, and it shall be their duty when requested by the panel to appear and be heard.

§ 13. The definition of agency set forth in subdivision a of section 815.1 of the New York city charter, as amended by local law number 108 for the year 2018, is amended to read as follows:

Agency. The term "agency" has the same meaning as such term is defined in section 1150 and shall include the offices of the borough presidents[,] *and* the comptroller [and the public advocate].

§ 14. Paragraph 1 of subdivision a of section 1052 of the New York city charter, as amended by a vote of the electors on November 2, 2010, is amended to read as follows:

1. There shall be a campaign finance board consisting of five members. Two members of the board shall be appointed by the mayor, provided that not more than one such member shall be enrolled in any one political

party, and two members shall be appointed by the speaker of the council, provided that not more than one such member shall be enrolled in any one political party, and one member, who shall be the chairperson, shall be appointed by the mayor after consultation with the speaker. The members shall first be appointed to serve as follows:

- (a) one member appointed by the speaker for a term of one year;
- (b) one member appointed by the mayor for a term of two years;
- (c) one member appointed by the speaker for a term of three years;
- (d) one member appointed by the mayor for a term of four years; and
- (e) the chairperson for a term of five years.

The first term shall commence on April first, nineteen hundred eighty-eight. Thereafter, each member shall be appointed, by the mayor or the speaker, according to the original manner of appointment, for a term of five years that shall, for any term beginning on or after March first two thousand eleven, commence on December first. Terms that began before, and have not expired on, March first, two thousand eleven shall be extended and shall expire on the November thirtieth following their original March thirty-first expiration dates. Upon expiration of the term of a member, if the mayor or the speaker, as appropriate, shall fail to appoint a member within one hundred twenty days of the expiration of such term, the member whose term has expired shall be deemed appointed for an additional term of five years, provided, however, that if the expiration of such term occurs in a year in which elections, except special elections, covered by the voluntary system of campaign finance reform are scheduled, the member whose term has expired shall be deemed appointed for an additional term of five years if the mayor or the speaker, as appropriate, shall fail to appoint a member within ninety days of the expiration of such term. In case of a vacancy in the office of a member, a member shall be appointed to serve the remainder of the unexpired term by the mayor or the speaker, according to the original manner of appointment. If the mayor or the speaker, as appropriate, shall fail to appoint a member within one hundred eighty days of such vacancy, then a member shall be appointed by the board to serve for the remainder of the unexpired term, if additional time remains in such term, provided, however, that if such vacancy occurs in a year, or within ninety days prior to a year, in which elections, except special elections, covered by the voluntary system of campaign finance reform are scheduled, then a member shall be appointed by the board to serve for the remainder of the unexpired term, if additional time remains in such term, if the mayor or the speaker, as appropriate, shall fail to appoint a member within ninety days of such vacancy. Except for the chairperson, such member shall not be enrolled in the same political party as the other member appointed by the official who failed to so appoint. Each member shall be a resident of the city, registered to vote therein. Each member shall agree not to make contributions to any candidate for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president, or member of the council which in the aggregate are in excess of the maximum contribution applicable to such office pursuant to any local law establishing a voluntary system of campaign finance reform. No member shall serve as an officer of a political party, or be a candidate, or participate in any capacity in a campaign by a candidate, for nomination for election or election to the office of mayor, [public advocate,] comptroller, borough president or member of the city council. Officers and employees of the city or any city agency, lobbyists required to file a statement of registration under section 3-213 of the administrative code and the employees of such lobbyists shall not be eligible to be members of the board. In appointing members to the board, the mayor and the speaker shall consider campaign experience in general and particularly campaign experience with the New York city campaign finance system. Members of the board shall be required to undergo training developed pursuant to paragraph 14 of this section.

§ 15. Paragraph 6 of subdivision a of section 1052 of the New York city charter, as amended by local law 68 for the year 1993, is amended to read as follows:

6. The board shall publicize, as it deems appropriate, the names of candidates for nomination or election to the office of the mayor, [public advocate,] comptroller, borough president, or city council who violate any of the provisions of any voluntary system of campaign finance reform established by local law.

§ 16. Subparagraph (a) of paragraph 12 of subdivision a of section 1052 of the New York city charter, as amended by local law 58 for the year 2004, is amended to read as follows:

a. The board shall require that candidates participating in the voluntary system of campaign finance reform or candidates who otherwise file disclosure reports with the board shall disclose to the board the acceptance of

campaign contributions from individuals and entities doing business with the city. The board shall promulgate such rules as it deems necessary to implement and administer this provision and provide that information regarding such contributions shall be accessible to the public. The board shall also promulgate such rules as it deems necessary to regulate the acceptance by candidates participating in the voluntary system of campaign finance reform of campaign contributions from individuals and entities doing business with the city, including rules that determine which business dealings shall be covered by such rules. Elected officials, city agencies, boards and commissions, including the mayor, comptroller, [public advocate,] borough presidents, the city council and members of the city council shall cooperate with the board to provide to the board such information about such individuals and entities as the board shall require.

§ 17. Subparagraph (d) of paragraph 12 of subdivision a of section 1052 of the New York city charter, as amended by a vote of the electors on November 2, 2010, is amended to read as follows:

(d) Any rules promulgated pursuant to this paragraph shall apply only with respect to nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president, or member of the city council.

§ 18. Clause (iii) of subparagraph (a) of paragraph 15 of subdivision a of section 1052 of the New York city charter, as added by a vote of the electors on November 2, 2010, is amended to read as follows:

(iii) "Covered election" shall mean any primary, run-off primary, special, run-off special or general election for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president or member of the city council.

§ 19. Subdivision b of section 1052 of the New York city charter, as amended by local law number 170 for the year 2016, is amended to read as follows:

b. 1. The board shall take such actions as it deems necessary and appropriate to improve public awareness of the candidates, ballot proposals or referenda in all elections in which there are contested elections for the offices of mayor, [public advocate,] borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least one media format providing information on candidates, ballot proposals and referenda, and the distribution of one copy of such guide to each household in which there is at least one registered voter eligible to vote in the election involved. A voter may opt out of receiving a printed copy of such guide and the board shall comply with this request to the extent feasible.

2. The board shall also take such actions as it deems necessary and appropriate to improve public awareness of the candidates in all other contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least one media format providing information on such candidates, ballot proposals or referenda. The board shall coordinate with other agencies in general and specialized efforts to improve public awareness of such candidates, proposals, or referenda.

3. In any year in which the board publishes a voter guide pursuant to paragraph 1 of this subdivision, if the board determines that the amount of money in its budget is insufficient or likely to be insufficient for the publication and distribution of such guide, it shall report such determination to the director of the office of management and budget, who, after consultation with the board, shall, without an appropriation, transfer to the board a reasonable amount, as the director shall determine, to cover the cost of publishing and distributing such guide; provided however, that for any election in any district in which (i) there are no contested elections for the office of mayor, [public advocate,] borough president, comptroller or city council, and (ii) there has been no administrative action, or determination of a court of final, competent jurisdiction, to include a ballot proposal or referendum at such election sixty days or more prior to the date of such election, the board shall not publish or distribute a printed copy of such guide, but shall instead make available to the public on its website information to the extent practicable regarding any proposal or referendum that is to be included on the ballot.

§ 20. Subdivision a of section 1053 of the New York city charter, as amended by local law number 88 for the year 2017, is amended to read as follows:

a. For all elections in which there are contested elections for the offices of mayor, [public advocate,] borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, each printed voter guide published by the board shall contain:

1. material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when a citizen is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote; information on the political subdivisions applicable to a particular citizen's address; and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter;

2. such tables of contents, graphics, and other materials which the board determines will make the voter guide easier to understand or more useful for the average voter;

3. information on each candidate, including but not limited to name, party affiliation, present and previous public offices held, present occupation and employer, prior employment and other public service experience, educational background, a listing of major organizational affiliations and endorsements, and a concise statement by each candidate of his or her principles, platform or views;

4. where there is a ballot proposal or referendum, concise statements explaining such proposal or referendum and an abstract of each such proposal or referendum; and

5. For a voter guide mailed in connection with the citywide primary and general elections held every four years, such voter guide shall include for each registered voter a list of the primary and general elections held over the previous four calendar years for which, according to the records of the board of elections, such voter was registered to vote and whether such voter voted in each such election. Such information may be printed separately from such voter guide, provided that it is included with the mailing of such voter guide.

§ 21. Subdivision a of section 1054 of the New York city charter, as added by a vote of the electors on November 2, 2010, is amended to read as follows:

a. There shall be a voter assistance advisory committee consisting of nine members, which shall assist the board with its duties and responsibilities under this chapter, including but not limited to overseeing the voter assistance program established by this chapter. Two members shall be appointed by the mayor, provided that not more than one such member shall be enrolled in any one political party; two members shall be appointed by the speaker of the city council, provided that not more than one such member shall be enrolled in any one political party; one member shall be appointed by the comptroller; one member shall be appointed by the borough presidents acting together; and one member shall be appointed by the mayor in consultation with the speaker and shall serve as chair. In addition, the committee shall include the [public advocate, or in his or her absence, a representative, and the] executive director of the board of elections (or, in his or her absence, the deputy executive director of the board of elections). In appointing members to the committee, the mayor, speaker, comptroller and borough presidents shall consider experience with groups or categories of residents that are underrepresented among those who vote or among those who are registered to vote and community, voter registration, civil rights, and disabled groups. The appointed members shall first be appointed to serve as follows:

1. one member appointed by the speaker for a term of one year;
2. one member appointed by the mayor for a term of two years;
3. one member appointed by the speaker for a term of three years;
4. one member appointed by the mayor for a term of four years;
5. one member appointed by the comptroller for a term of four years;
6. one member appointed by the borough presidents for a term of five years; and
7. the chair, appointed by the mayor in consultation with the speaker for a term of five years.

Each term shall commence on January first, two thousand eleven. Thereafter, each member shall be appointed for a term of five years according to the original manner of appointment. Upon expiration of the term of a member, if the appointing official or officials shall fail to appoint a member within one hundred twenty days of the expiration of such term, the member whose term has expired shall be deemed appointed for an additional term of five years. In case of a vacancy in the office of an appointed member, a member shall be appointed to serve for the remainder of the unexpired term according to the original manner of appointment. For appointees of the mayor or speaker, such member shall not be enrolled in the same political party as the other member appointed by the official making the appointment to fill the vacancy. Each member shall be a

resident of the city, registered to vote therein. No member [other than the public advocate] shall serve as an officer of a political party, or be a candidate, or participate in any capacity in a campaign by a candidate, for nomination for election or election to the office of mayor, [public advocate,] comptroller, borough president or member of the city council. The members of the committee shall serve without compensation.

§ 22. Section 1057-b of the New York city charter, as amended by local law number 60 for the year 2010, is amended to read as follows:

a. The number of signatures required for any designating petition or independent nominating petition for the designation or nomination of a candidate for an elected office of the city shall be governed by applicable provisions of the New York state election law, except that in no event shall the number of signatures required exceed the following limits:

(1) for the offices of mayor [,] *or* comptroller, [or public advocate,] three thousand seven hundred fifty signatures;

(2) for the office of borough president, two thousand signatures; and

(3) for the office of member of the city council, four hundred fifty signatures.

b. (1) The following provisions of the election law shall not apply to the extent that they govern the designation or independent nomination of mayor, comptroller, [public advocate,] member of the city council, and borough president: paragraphs (a), (b), and (c-1) of subdivision two of section 6-136 (designating petitions; number of signatures); and paragraphs (b), (c), and (d-1) of subdivision two of section 6-142 (independent nominations; number of signatures). Section 6-100 of the election law shall apply, except to the extent that provisions of article six of the election law are inapplicable in accordance with this section.

(2) Any other provisions that from time to time may be added to the election law and that relate to the matters covered by the provisions of the election law that are inapplicable in accordance with this section shall similarly not apply to the extent that they govern the designation or nomination of such officers.

(3) References to provisions of the election law in this section shall be deemed to refer to any successors to such provisions.

§ 23. Subdivision a of section 1061 of the New York city charter, as amended by local law number 24 for the year 1994, is amended to read as follows:

a. There shall be a commission on public information and communication which shall consist of the [public advocate] *comptroller*, as chair, the corporation counsel or the delegate of such officer, the director of operations or the delegate of such officer, the commissioner of the department of records and information services or the delegate of such officer, the commissioner of information technology and telecommunications or the delegate of such officer, the president of the WNYC communications group or the delegate of such officer, and one council member elected by the council, all of whom shall serve on the board without compensation. In addition, there shall be four other members, each appointed for a four-year term, who shall not hold or seek public or political party office or be public employees in any jurisdiction, except the representative of the community board as set forth herein, to be appointed as follows: two by the mayor, one of whom is or has been a representative of the news media and one of whom shall be a member of a community board; one by the [public advocate] *comptroller*; and one by the borough presidents acting as a group. Such members shall receive a per diem compensation for each calendar day they perform the work of the commission. No such members shall serve for more than two consecutive four-year terms. All initial appointments shall be made by the first day of March, nineteen hundred ninety.

§ 24. Subdivisions b and c of section 1075 of the New York city charter, as added by local law 47 for the year 2005, are amended to read as follows:

b. Within seven business days from the end of each month, the department shall submit in electronic format to the speaker of the council, [the public advocate] *the comptroller* and each community board, and shall make available on the city's official website, a report regarding requests for service received by the 311 citizen service center since April 1, 2004, disaggregated on a month-by-month and fiscal year-by-year basis. Such report shall include, but not be limited to, the following information: (1) the total number of requests for service received in each request for service category by each agency or agencies to which the requests for service were directed; (2) the total number of requests for service received in each resolution status category by each request for service category and by each agency or agencies to which the requests for service were directed, where such information can be directly accessed by the 311 citizen service system; and (3) the

average resolution time for each request for service category by the agency or agencies to which requests for service were directed, where such information can be directly accessed by the 311 citizen service system. The data contained in the report shall be provided citywide and disaggregated by zip code, community district, council district and borough.

c. Within seven business days from the end of each month, the department shall submit in electronic format to the speaker of the council, [the public advocate] *the comptroller* and each community board and shall make available on the city's official website a report regarding directory assistance calls received by the 311 citizen service center since April 1, 2004, disaggregated on a month-by-month and fiscal year-by-year basis. Such report shall include, but not be limited to, the following information: the total number of directory assistance calls received for each directory assistance category by each agency or agencies to which the directory assistance calls were directed.

§ 25. Section 1109 of the New York city charter, as amended by local law number 68 for the year 1993, is amended to read as follows:

A summary inquiry into any alleged violation or neglect of duty in relation to the property, government or affairs of the city may be conducted under an order to be made by any justice of the supreme court in the first, second or eleventh judicial district on application of the mayor, the comptroller, [the public advocate,] any five council members, the commissioner of investigation or any five citizens who are taxpayers, supported by affidavit to the effect that one or more officers, employees or other persons therein named have knowledge or information concerning such alleged violation or neglect of duty. Such inquiry shall be conducted before and shall be controlled by the justice making the order or any other justice of the supreme court in the same district. Such justice may require any officer or employee or any other person to attend and be examined in relation to the subject of the inquiry. Any answers given by a witness in such inquiry shall not be used against such witness in any criminal proceeding, except that for all false answers on material points such witness shall be subject to prosecution for perjury. The examination shall be reduced to writing and shall be filed in the office of the clerk of such county within the first, second or eleventh judicial district as the justice may direct, and shall be a public record.

§ 26. Section 1137 of the New York city charter, as amended by a vote of the electors on November 2, 2010, is amended to read as follows:

It is hereby declared to be the public policy of the city of New York to limit the time elected officials can serve as mayor, [public advocate,] comptroller, borough president and council member so that there is more opportunity for citizen participation in the legislative and executive branches and the airing of a greater diversity of ideas. It is further declared that this policy is most appropriately served by limiting the time such officials can serve to not more than two consecutive full terms. It is further declared that public confidence in government should be protected by restricting amendments that would affect the application of term limits to any elected official then in office.

§ 27. Subdivisions a and b of section 1138 of the New York city charter, as amended by a vote of the electors on November 2, 2010, are amended to read as follows:

a. Notwithstanding any provision to the contrary contained in this charter, no person shall be eligible to be elected to or serve in the office of mayor, [public advocate,] comptroller, borough president or council member if that person had previously held such office for two or more consecutive full terms, unless one full term or more has elapsed since that person last held such office.

b. Notwithstanding any other provision to the contrary, no local law may be enacted by the city council, including but not limited to amendment of the provisions of this chapter, if such local law would alter or permit alteration of the term limit set forth in this section as such limit applies to any person then serving in the office of mayor, [public advocate,] comptroller, borough president or council member.

§ 28. Subdivision 1 of section 1518 of the New York city charter, as amended by local law number 68 for the year 1993, is amended to read as follows:

1. Immediately upon the completion of the assessment rolls, the city clerk shall procure the proper warrants authorizing and requiring the commissioner to collect the several sums therein mentioned according to law. Such warrants need be signed only by the [public advocate] *comptroller* and counter-signed by the city clerk. Immediately thereafter and on or before the thirtieth day of June, the assessment rolls of each borough, as corrected according to law and finally completed, or a fair copy thereof, shall be delivered by the [public

advocate] *comptroller* to the commissioner with the proper warrants, so signed and counter-signed, annexed thereto. [At the same time the public advocate shall notify the comptroller of the amount of taxes in each book of the assessment rolls so delivered.]

§ 29. Subdivision 10 of section 2601 of the New York city charter, as amended by local law number 68 for the year 1993, is amended to read as follows:

10. "Elected official" means a person holding office as mayor, comptroller, [public advocate,] borough president or member of the council.

§ 30. Paragraph 3 of subdivision d of section 2604 of the New York city charter, as amended by local law number 59 for the year 1996, is amended to read as follows:

3. No elected official, nor the holder of the position of deputy mayor, director of the office of management and budget, commissioner of citywide administrative services, corporation counsel, commissioner of finance, commissioner of investigation or chair of the city planning commission shall, within a period of one year after termination of such person's employment with the city, appear before any agency in the branch of city government served by such person. For the purposes of this paragraph, the legislative branch of the city consists of the council and the offices of the council, and the executive branch of the city consists of all other agencies of the city[, including the office of the public advocate].

§ 31. Subdivision j of section 2704 of the New York city charter, as amended by local law 68 for the year 1994, is amended to read as follows:

j. On or before the first day of December, nineteen hundred ninety, the mayor shall appoint a task force on service delivery, consisting of no more than ten members, to review the requirements of subdivisions a, c and f of this section. Such task force shall include members appointed upon the recommendation of the council, comptroller, [public advocate,] and borough presidents. The membership of the task force shall include, but not be limited to, community board members, district managers, and representatives of the agencies subject to the requirements of this section. On or before the first day of December, nineteen hundred ninety-two, the task force shall submit a report to the mayor and council summarizing its conclusions and presenting such recommendations for changes in the list of services made coterminous pursuant to subdivisions a or c, and in the requirements for such services contained in subdivision f, as the task force deems appropriate.

§ 32. The definition of agency set forth in subdivision a of section 3-119.2 of the administrative code of the city of New York, as added by local law 97 for the year 2018, is amended to read as follows:

Agency. The term "agency" has the same meaning as such term is defined in section 1150 of the charter and shall include the offices of the borough presidents[,],and the comptroller [and the public advocate].

§ 33. Section 3-203 of the administrative code of the city of New York is REPEALED.

§ 34. Section 3-204 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, is amended to read as follows:

§ 3-204 Salaries; additional compensation for officers of council. The mayor, pursuant to the provisions of section one hundred twenty-three of the charter, may fix any additional remuneration to be paid to the vice-chairman of the council, the leader of the dominant minority party, the chairperson of the finance committee, the chairperson of the general welfare committee, and during a vacancy in the office of mayor [or the office of public advocate], the person designated to act as leader of the majority party, over and above the salaries paid to them as council members.

§ 35. Subdivisions (h) and (i) of section 3-211 of the administrative code of the city of New York, as added by local law number 15 for the year 2006, are amended to read as follows:

(h) The term "fundraising activities" shall mean solicitation or collection of contributions for a candidate for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president or member of the city council, or for the political committee of any such candidate by a lobbyist, or the solicitation or collection of contributions for any public servant who is a candidate for nomination for election, or election, to any elective office, or for the political committee of any such candidate by a lobbyist. For purposes of this subchapter, the term "contribution" shall have the meaning set forth in subdivision eight of section 3-702 of the administrative code, and the term "political committee" shall have the meaning set forth in subdivision eleven of such section. The term "lobbyist" shall mean a lobbyist as defined in subdivision (a) of this section and the spouse or domestic partner and unemancipated children of the lobbyist, and if the lobbyist is an organization, the term "lobbyist" shall mean only that division of the organization that engages in

lobbying activities and any officer or employee of such lobbyist who engages in lobbying activities of the organization or is employed in an organization's division that engages in lobbying activities of the organization and the spouse or domestic partner and unemancipated children of such officers or employees.

(i) The term "political consulting activities" shall mean the activities of a lobbyist who for compensation by or on behalf of the candidate or elected official, as applicable, (i) participates in the campaign of any candidate for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president or member of the city council by providing political advice, or (ii) participates in the campaign of any public servant who is a candidate for nomination for election, or election, to any elective office by providing political advice, or (iii) provides political advice to the mayor, [public advocate,] comptroller, borough president or member of the city council.

§ 36. Subdivisions b and e of section 3-601 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, are amended to read as follows:

b. The commission shall study the compensation levels for the mayor, [the public advocate,] the comptroller, the borough presidents, the council members and the district attorneys of the five counties within the city and shall recommend changes in those compensation levels, if warranted. In making its recommendations the commission shall take into consideration the duties and responsibilities of each position, the current salary of the position and the length of time since the last change, any change in the cost of living, compression of salary levels for other officers and employees of the city, and salaries and salary trends for positions with analogous duties and responsibilities both within government and in the private sector.

e. The council in its discretion shall consider the recommendations of the commission and of the mayor for changes in the compensation levels of any such elected position, if any, and approve a local law changing the compensation of the mayor, [the public advocate,] the comptroller, the borough presidents, the council members, and the district attorneys of the five counties within the city.

§ 37. Subdivision 1 of section 3-702 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, is amended to read as follows:

1. The term "participating candidate" shall mean any candidate for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president or member of the city council who files a written certification pursuant to section 3-703 of this chapter.

§ 38. Subdivision 10 of section 3-702 of the administrative code of the city of New York, as amended by local law number 12 for the year 2003, is amended to read as follows:

10. The term "covered election" shall mean any primary, run-off primary, special, run-off special or general election for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president or member of the city council.

§ 39. Subdivision 14 of section 3-702 of the administrative code of the city of New York, as added by local law number 59 for the year 2004, is amended to read as follows:

14. The term "non-participating candidate" shall mean any candidate for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president or member of the city council who does not file a written certification pursuant to section 3-703 or meet the requirements of paragraph (a) of subdivision one of section 3-718 of this chapter, or who has, or the authorized committees of such candidate have, made expenditures in furtherance of the nomination for election or election to an office covered by this chapter.

§ 40. Paragraph (b) of subdivision 1 of section 3-703 of the administrative code of the city of New York, as amended by local law number 48 for the year 1998, is amended to read as follows:

(b) be a candidate for mayor, [public advocate,] comptroller, borough president or member of the city council in a primary, special, or general election and meet the threshold for eligibility set forth in subdivision two of this section;

§ 41. Paragraph (f) of subdivision 1 of section 3-703 of the administrative code of the city of New York, as amended by local law number 105 for the year 2005, is amended to read as follows:

(f) not accept and his or her principal committee or authorized committees must not accept, either directly or by transfer, any contribution or contributions from any one individual, partnership, political committee, labor organization or other entity for all covered elections held in the same calendar year in which he or she is a participating candidate or a non-participating candidate which in the aggregate: (i) for the office of mayor[,

public advocate] or comptroller shall exceed four thousand five hundred dollars, or (ii) for borough president, shall exceed three thousand five hundred dollars, or (iii) for member of the city council, shall exceed two thousand five hundred dollars; provided that a participating candidate and his or her principal committee or a non-participating candidate and his or her authorized committees may accept additional contributions which do not exceed one half the amount of the applicable limitation for any run-off primary election, additional day for voting held pursuant to section 3-108 of the New York state election law, special election to fill a vacancy, run-off special election to fill a vacancy, delayed or otherwise postponed election, or election held pursuant to court order which is a covered election and in which the candidate seeks nomination for election or election; and provided further that for the purposes of this paragraph, contributions made by different labor organizations shall not be aggregated or treated as contributions from a single contributor for purposes of the contribution limit that is set forth in this paragraph if those labor organizations make contributions from different accounts, maintain separate accounts with different signatories, do not share a majority of members of their governing boards, and do not share a majority of the officers of their governing boards; and provided further that if state law prescribes a contribution limitation of a lesser amount, this paragraph shall not be deemed to authorize acceptance of a contribution in excess of such lesser amount. The maximum contributions set forth in this paragraph shall be adjusted in accordance with subdivision seven of this section;

§ 42. Subdivisions 1-a and 1-b of section 3-703 of the administrative code of the city of New York, as amended by local law 67 for the year 2007, are amended to read as follows:

1-a. Notwithstanding any inconsistent provision of this section, a participating candidate or his or her principal committee may not accept, either directly or by transfer, any contribution or contributions for a covered election in which he or she is a participating candidate from a natural person who has business dealings with the city, as that term is defined in subdivision eighteen of section 3-702 of this chapter, if the aggregate of such contributions to such candidate from such person for all covered elections in the same calendar year exceeds: (i) for the office of mayor[, public advocate] or comptroller four hundred dollars; (ii) for borough president three hundred twenty dollars; and (iii) for member of the city council two hundred fifty dollars; provided that a participating candidate or his or her principal committee may accept additional contributions which do not exceed one half the amount of the applicable limitation for any run-off primary election, additional day for voting held pursuant to section 3-108 of the New York state election law, special election to fill a vacancy, run-off special election to fill a vacancy, delayed or otherwise postponed election, or election held pursuant to court order which is a covered election and in which the candidate seeks nomination for election or election. Any contribution made pursuant to this section shall not be a matchable contribution. For purposes of this subdivision, "person" shall include any chief executive officer, chief financial officer and/or chief operating officer of an entity which has business dealings with the city, any person employed in a senior managerial capacity regarding such an entity, or any person with an interest in such an entity which exceeds ten percent of the entity. For purposes of this subdivision, the phrase "senior managerial capacity" shall mean a high level supervisory capacity, either by virtue of title or duties, in which substantial discretion and oversight is exercised over the solicitation, letting or administration of business transactions with the city, including contracts, franchises, concessions, grants, economic development agreements and applications for land use approvals. Notwithstanding any provision of this subdivision, the limitations on contributions contained herein shall not apply to any contribution made by a natural person who has business dealings with the city to a participating candidate or his or her principal committee where such participating candidate is the contributor, or where such participating candidate is the contributor's parent, spouse, domestic partner, sibling, child, grandchild, aunt, uncle, cousin, niece or nephew by blood or by marriage.

1-b. Individuals and organizations having business dealings with the city of New York. a. Each participating candidate and his or her principal committee shall provide to every individual or entity making a contribution, loan, guarantee or other security for such loan in excess of the amounts set forth in subdivision 1-a of section 3-703 a notice containing the statement "If a contributor has business dealings with the City as defined in the campaign finance act, such contributor may contribute only up to two hundred fifty dollars for city council, three hundred twenty dollars for borough president and four hundred dollars for mayor[,] or comptroller [or public advocate]." The principal committee shall report each contribution to the board on the next applicable filing deadline in accordance with the board's disclosure schedule. The board shall check each contribution against the doing business database and shall notify the principal committee within twenty days of

the reporting of such contribution if a contribution exceeding the doing business contribution limitation set forth in subdivision 1-a of section 3-703 is subject to such limitations of this subchapter or if a contribution is not matchable pursuant to such subdivision. Notwithstanding any provision in this subdivision, in the six weeks preceding the covered election the board shall provide such notification to the principal or authorized committee within three business days of the reporting of such contribution to the board in accordance with applicable reporting deadlines. If the board fails to notify the principal committee that a contribution is in excess of the limitations set forth in subdivision 1-a of section 3-703 of this chapter in accordance with this subdivision, any such contribution shall be deemed valid for purposes of such limitation, provided, however, that no such contribution shall be matchable. Such principal committee shall have twenty days from the date of any such notification to return the amount of any contribution in excess of the limitations set forth in subdivision 1-a of section 3-703 to the contributor. No violation shall issue and no penalty shall be imposed where such excess amount is postmarked or delivered within twenty days of such notification by the board and the board shall not designate a candidate as having accepted a contribution in excess of such limitations where such excess has been returned in accordance with the time limitations set forth herein. Failure to return such excess amount in accordance with the provisions herein shall not result in the board withholding public funds for which the participating candidate's principal committee is otherwise eligible pursuant to section 3-705 of this chapter; provided, however, that the board may deduct an amount equal to the total unreturned contributions in excess of the limitations set forth in subdivision 1-a of section 3-703 of this chapter from such payment of public funds. For purposes of this section, "individual" shall include any chief executive officer, chief financial officer, and/or chief operating officer of an entity or persons serving in an equivalent capacity, any person in a senior managerial capacity regarding an entity, or any person with an interest in an entity, which exceeds ten percent of the entity. For purposes of this subdivision, the phrase "senior managerial capacity" shall mean a high level supervisory capacity, either by virtue of title or duties, in which substantial discretion and oversight is exercised over the solicitation, letting or administration of business transactions with the city, including contracts, franchises, concessions, grants, economic development agreements, and applications for land use approvals.

§ 43. Paragraph (a) of subdivision 2 of section 3-703 of the administrative code of the city of New York, as amended by local law number 67 for the year 2007, is amended to read as follows:

(a) The threshold for eligibility for public funding for participating candidates in a primary or general election, or special election to fill a vacancy, shall be in the case of:

(i) mayor, not less than two hundred fifty thousand dollars in matchable contributions comprised of sums up to one hundred seventy-five dollars per contributor including at least one thousand matchable contributions of ten dollars or more;

(ii) [public advocate and] comptroller, not less than one hundred twenty-five thousand dollars in matchable contributions comprised of sums of up to one hundred seventy-five dollars per contributor including at least five hundred matchable contributions of ten dollars or more;

(iii) borough president, an amount equal to the number of persons living in such borough as determined by the last census multiplied by two cents in matchable contributions comprised of sums of up to one hundred seventy-five dollars per contributor including at least one hundred matchable contributions of ten dollars or more from residents of the borough, or ten thousand dollars comprised of sums of up to one hundred seventy-five dollars per contributor, whichever is greater[.];

(iv) member of the city council, not less than five thousand dollars in matchable contributions comprised of sums of up to one hundred seventy-five dollars per contributor including at least seventy-five matchable contributions of ten dollars or more from residents of the district in which the seat is to be filled.

§ 44. Paragraph (b) of subdivision 2 of section 3-705 of the administrative code of the city of New York, as amended by local law number 168 for the year 2016, is amended to read as follows:

(b) Except as otherwise provided in subdivision three of section 3-706, in no case shall the principal committee of a participating candidate receive public funds pursuant to paragraph (a) above in excess of an amount equal to fifty-five percent of the expenditure limitation provided in subdivision one of section 3-706 for the office for which such candidate seeks nomination for election or election. For the disbursement of optional public financing occurring prior to two weeks after the last day to file designating petitions for a primary election, the principal committee of a participating candidate shall not receive public funds in excess

of \$250,000 for any candidate for nomination for election to the office of mayor, \$125,000 for any candidate for nomination for election to the office of [public advocate or] comptroller, \$50,000 for any candidate for nomination for election to the office of borough president, and \$10,000 for any candidate for nomination for election to the office of member of the city council.

§ 45. Paragraph (a) of subdivision 1 and subdivision 2 of section 3-706 of the administrative code of the city of New York, as amended by local law number 67 for the year 2007, are amended to read as follows:

a. Except as provided in paragraph (b) of this subdivision, in each primary election, in each special election to fill a vacancy, and in each general election, expenditures by a participating candidate or a limited participating candidate and his or her principal committee for one of the following offices shall not exceed the following amounts:

mayor: \$6,158,000
 [public advocate or] comptroller: \$3,850,000
 borough president: \$1,386,000
 member of the city council: \$161,000

2. The following limitations apply to all expenditures made by a participating or limited participating candidate and his or her principal committee in the three calendar years preceding the year of the election for which such candidate chooses to file a certification as a participating or limited participating candidate pursuant to this chapter and to expenditures made at any time prior to such date for services, materials, facilities, advertising or other things of value received, rendered, published, distributed or broadcast in such calendar years. Such expenditures by a participating or limited participating candidate for one of the following offices and his or her principal committee shall not exceed the following amounts:

mayor [, public advocate] or comptroller: \$290,000
 borough president: \$129,000
 member of the city council: \$43,000

§ 46. Subdivision 1 of section 3-708 of the administrative code of the city of New York, as amended by local law number 34 for the year 2007, is amended to read as follows:

Campaign finance board. 1. There shall be a campaign finance board consisting of five members. Two members of the board shall be appointed by the mayor, provided that not more than one such member shall be enrolled in any one political party, and two members shall be appointed by the speaker of the council, provided that not more than one such member shall be enrolled in any one political party, and one member, who shall be the chairperson, shall be appointed by the mayor after consultation with the speaker. The members shall first be appointed to serve as follows:

- (a) one member appointed by the speaker for a term of one year;
- (b) one member appointed by the mayor for a term of two years.
- (c) one member appointed by the speaker for a term of three years;
- (d) one member appointed by the mayor for a term of four years; and
- (e) the chairperson for a term of five years.

[b.] Each term shall commence on April first, nineteen hundred eighty-eight. Thereafter, each member shall be appointed for a term of five years by the mayor or the speaker, according to the original manner of appointment. In case of a vacancy in the office of a member, a member shall be appointed to serve for the remainder of the unexpired term by the mayor or the speaker, according to the original manner of appointment. In the case of a vacancy in the office of a member for which a member is holding over after expiration of the term for which the member was appointed, an appointment to such office made after June 1 in a year in which covered elections are scheduled shall not take effect prior to December 1 of that calendar year. Each member shall be a resident of the city, registered to vote therein. Each member shall agree not to make contributions to any candidate for nomination for election, or election, to the office of mayor, [public advocate,] comptroller, borough president or member of the council which in the aggregate are in excess of the maximum contribution applicable to such office pursuant to paragraph (f) of subdivision one of section 3-703. No member shall serve as an officer of a political party or be a candidate or participate in any capacity in a campaign by a candidate for nomination for election or election to the office of mayor, [public advocate,] comptroller, borough president or member of the city council. Officers and employees of the city or any city agency, lobbyists required to file a statement of registration under section 3-213 and the employees of such lobbyists shall not be

eligible to be members of the board. In appointing members to the board, the mayor and the speaker shall consider campaign experience in general and particularly campaign experience with the New York city campaign finance system. Members of the board shall be required to undergo training developed pursuant to paragraph 14 of subdivision a of section 1052 of the charter.

§ 47. Subdivision 6 of section 3-708 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, is amended to read as follows:

6. The board shall publicize, as it deems appropriate, the names of candidates for nomination or election to the offices of mayor, [public advocate,] comptroller, borough president, or city council who violate any of the provisions of this chapter.

§ 48. Subparagraph (i) of paragraph (a) of subdivision 1 of section 3-718 of the administrative code of the city of New York, as separately added by local law numbers 58, 59 and 60 for the year 2004, is amended to read as follows:

(i) be a candidate for mayor, [public advocate,] comptroller, borough president or member of the city council in a primary, special, or general election;

§ 49. Subdivisions 1 and 8 of section 3-801 of the administrative code of the city of New York, as added by local law number 39 for the year 1998, are amended to read as follows:

1. Candidates elected to the office of mayor, [public advocate,] comptroller, borough president, or member of the city council may authorize one or more entities, other than a political committee, for the purpose of accepting donations and loans, and for making expenditures, for transition or inauguration into office. Such donations and loans may not be accepted and such expenditures may not be made on behalf of the candidate prior to the registration with the campaign finance board of each such entity. The campaign finance board shall promulgate rules to establish the time and manner for such registration.

8. This section shall apply to every candidate elected to the office of mayor, [public advocate,] comptroller, borough president, or member of the city council, regardless whether such candidate filed a written certification pursuant to section 3-703 of this code.

§ 50. The introductory paragraph of subdivision 2 of section 3-801 of the administrative code of the city of New York, as amended by local law number 58 for the year 2004, is amended to read as follows:

2. Candidates elected to the office of mayor, [public advocate,] comptroller, borough president, or member of the city council, and the entities they authorize pursuant to subdivision one of this section, shall:

§ 51. The definitions of "elected official communications" and "organization affiliated with an elected official" set forth in section 3-901 of the administrative code of the city of New York, as added by local law number 181 for the year 2016, are amended to read as follows:

Elected official communications. The term "elected official communications" means a communication in the form of: (i) radio, television, cable or satellite broadcast; (ii) printed material such as advertisements, pamphlets, circulars, flyers, brochures or letters; (iii) telephone communication; or (iv) paid internet advertising; which includes the name, voice or likeness of the person holding office as mayor, comptroller, [public advocate,] borough president or member of the council with whom the entity making such communication is affiliated. Elected official communications do not include: (i) communications with a professional journalist or newscaster, including an editorial board or editorial or opinion writer of a newspaper, magazine, news agency, press association or wire service; or (ii) a communication that is: (A) directed, sent or distributed by the distributing organization only to individuals who affirmatively consent to be members of the distributing organization, contribute funds to the distributing organization, or, pursuant to the distributing organization's articles or bylaws, have the right to vote directly or indirectly for the election of directors or officers, or on changes to bylaws, disposition or all or substantially all of the distributing entity's assets or the merger or dissolution of the distributing entity; or (B) for the purpose of promoting or staging any candidate debate, town hall or similar forum to which at least two candidates seeking the same office, or two proponents of differing positions on a referendum or question submitted to voters, are invited as participants, and which does not promote or advance one candidate or position over another.

Organization affiliated with an elected official. The term "organization affiliated with an elected official" means:

(i) a non-profit entity other than an agency, public authority, public benefit corporation or local development corporation;

(ii) which has received at least one donation in the previous or current calendar year; and

(iii) over which a person holding office as mayor, comptroller, [public advocate,] borough president or member of the council, or an agent of such a person, which shall include an appointee of such person serving at the pleasure of such person, exercises control. There shall be a rebuttable presumption of control by an elected official where such official, or such an agent, appoints a majority of seats on the board of the entity (not including appointees nominated by another individual or entity that is not such an agent of the elected official), or is a principal officer of the entity.

In determining whether a person holding office as mayor, comptroller, [public advocate,] borough president or member of the council, or an agent or appointee of such a person, exercises control over such an organization, the conflicts of interest board shall consider the totality of the circumstances, including:

(i) whether the organization was created by such an elected official or their agent, or by an individual who was previously employed by, or was a paid political consultant of, the elected official, and, if so, how recently such organization was created;

(ii) whether the board of the organization is chaired by such an elected official or their agent;

(iii) whether board members appointed by such elected official serve for terms or are appointed only upon nomination of other individuals or entities that are not agents of such elected official;

(iv) the degree of involvement or direction by the elected official in such organization's policies, operations and activities; and

(v) other such factors as the conflicts of interest board shall promulgate by rule.

§ 52. Subdivisions a and b of section 3-904 of the administrative code of the city of New York, as added by local law number 181 for the year 2016, are amended to read as follows:

a. The conflicts of interest board shall render advisory opinions with respect to all matters covered by this chapter. An advisory opinion shall be rendered on the request of a person holding office as mayor, comptroller, [public advocate,] borough president or member of the council, an agent of such officeholder, or any non-profit entity potentially subject to the provisions of this chapter, and shall apply only to the particular circumstances of such request. The request shall be in such form as the board may require and shall be signed by the person making the request, or, in the case of a request by a non-profit entity, by a responsible officer or other representative of such entity. The opinion of the board shall be based on such facts as are presented in the request or subsequently submitted in a written, signed document. Notwithstanding any inconsistent provision of law, opinions rendered by the board pursuant to this section shall be made publicly available.

b. Within thirty days of a person taking office for the first time as mayor, comptroller, [public advocate,] borough president or member of the council, the conflicts of interest board shall notify each such elected official in writing of the obligations of organizations affiliated with such elected official set forth in this chapter.

§ 53. Subdivisions a and b of section 3-906 of the administrative code of the city of New York, as added by local law number 181 for the year 2016, are amended to read as follows:

a. Any organization that violates any provision of section 3-902 shall be subject to a civil penalty of not more than \$10,000. The conflicts of interest board may hold the person holding office as mayor, comptroller, [public advocate] or borough president with whom such organization is affiliated, if any, or their agent who violates such subdivision, jointly and severally liable for any such penalties if such person knew or reasonably should have known of the violation. The conflicts of interest board may recommend to the council that the person holding office as member of the council with whom such organization is affiliated, if any, or their agent who violates such subdivision be held jointly and severally liable for any such penalties if such person knew or reasonably should have known of the violation. In addition to such civil penalties, for the second and subsequent offense any person who knowingly and willfully violates any provision of section 3-902 shall be guilty of a class A misdemeanor.

b. Any organization that violates subdivision a, b or c of section 3-903 shall be required to return any donations with a reasonable value in excess of the applicable donation limit, and shall be subject to a civil penalty, which for the first offense shall be not more than \$5,000, for the second offense not more than \$15,000, and for the third and subsequent offenses not more than \$30,000. The conflicts of interest board may hold the person holding office as mayor, comptroller, [public advocate] or borough president with whom such organization is affiliated, if any, or their agent who violates any such subdivision, jointly and severally liable

for any such penalties, if such person knew or reasonably should have known of the violation. The conflicts of interest board may recommend to the council that the person holding office as member of the council with whom such organization is affiliated, if any, or their agent who violates any such subdivision, be held jointly and severally liable for any such penalties, if such person knew or reasonably should have known of the violation.

§ 54. Subdivisions a and f of section 7-301 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, is amended to read as follows:

a. The board of statutory consolidation shall consist of the mayor, the comptroller, the [public advocate] *speaker of the council* and the corporation counsel. The board from among its members shall elect a chairperson, a vice-chairperson and a secretary. The members of such board shall serve as such members without compensation. The powers and duties of such board shall include the direction and control of the revision, simplification, consolidation, codification, restatement and annotation of the statutes, local laws, and departmental rules and regulations having the force of law affecting and relating to the government, affairs and property of the city and of the counties contained therein.

f. Nothing contained in section eleven hundred fifteen or in any other section of the charter or in any other law shall be construed to prevent such mayor, comptroller, [public advocate] *speaker of the council* and corporation counsel from serving on such board, nor shall it prevent any city or county officer of the city from serving on the staff of such board.

§ 55. Section 11-222 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, is amended to read as follows:

§ 11-222 Tax account of the commissioner of finance. [Upon notification from the public advocate of the amount of taxes mentioned in such assessment-rolls and tax warrants, the] *The* comptroller shall cause the proper [sum] *amount of taxes mentioned in such assessment-rolls and tax warrants* to be charged to the commissioner of finance for collection.

§ 56. Subdivision b of section 12-113 of the administrative code of the city of New York, as added by local law 33 for the year 2012, is amended to read as follows:

b. 1. No officer or employee of an agency of the city shall take an adverse personnel action with respect to another officer or employee in retaliation for his or her making a report of information concerning conduct which he or she knows or reasonably believes to involve corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority by another city officer or employee, which concerns his or her office or employment, or by persons dealing with the city, which concerns their dealings with the city, (i) to the commissioner, or (ii) to a council member[, the public advocate] or the comptroller, who shall refer such report to the commissioner. For purposes of this subdivision, an agency of the city shall be deemed to include, but not be limited to, an agency the head or members of which are appointed by one or more city officers, and the offices of elected city officers.

2. No officer or employee of a covered contractor or covered subcontractor shall take an adverse personnel action with respect to another officer or employee of such contractor or subcontractor in retaliation for such officer or employee making a report of information concerning conduct which such officer or employee knows or reasonably believes to involve corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority by any officer or employee of such contractor or subcontractor, which concerns a contract with a contracting agency, (i) to the commissioner, (ii) to a council member[, the public advocate] or the comptroller, who shall refer such report to the commissioner, or (iii) to the city chief procurement officer, agency chief contracting officer, or agency head or commissioner of the contracting agency, who shall refer such report to the commissioner.

3. Every contract or subcontract in excess of one hundred thousand dollars shall contain a provision detailing the provisions of paragraph two of this subdivision and of paragraph two of subdivision e of this section.

4. Upon request, the commissioner, council member[, public advocate] or comptroller receiving the report of alleged adverse personnel action shall make reasonable efforts to protect the anonymity and confidentiality of the officer or employee making such report.

5. No officer or employee of an agency of the city shall take an adverse personnel action with respect to another officer or employee in retaliation for his or her making a report of information concerning conduct which he or she knows or reasonably believes to present a substantial and specific risk of harm to the health, safety or educational welfare of a child by another city officer or employee, which concerns his or her office or employment, or by persons dealing with the city, which concerns their dealings with the city, (i) to the commissioner, (ii) to a council member, [the public advocate,] the comptroller or the mayor, or (iii) to any superior officer.

§ 57. Paragraph (iv) of subdivision b of section 12-120 of the administrative code of the city of New York, as amended, is amended to read as follows:

(iv) the borough presidents may require their chiefs of staff, deputy borough presidents and general counsels to have completed more than two years of city service to be in compliance with the residency requirements of this section[, and].

§ 58. Paragraph v of subdivision b of section 12-120 of the administrative code of the city of New York is REPEALED.

§ 59. Paragraph (3) of subdivision c of section 12-127 of the administrative code of the city of New York, as added by local law number 41 for the year 2004, is amended to read as follows:

(3) The mayor of the city of New York shall ensure that an annual report is prepared utilizing the records received from each city agency pursuant to paragraph (2) of subdivision c of this section. Such report shall be transmitted to the mayor, the comptroller [, the public advocate] and the speaker of the council of the city of New York by the first day of May, covering the previous calendar year. Such report shall include, but not be limited to:

(i) an analysis, with respect to each agency included in the report, of expenses paid as a result of workers' compensation claims, including, but not limited to, expenses relating to wage replacement, medical costs, administrative costs and any penalties paid by an agency;

(ii) a list of the occurrence of specific claims for each agency and for the city as a whole;

(iii) a list of the specific sites where injuries occurred for each agency and for the city as a whole;

(iv) year-to-year comparisons of information compiled pursuant to this paragraph.

Notwithstanding any provision of law to the contrary, a provider of medical treatment or hospital care furnished pursuant to the provisions of this section shall not collect or attempt to collect reimbursement for such treatment or care from any such city employee.

§ 60. Subdivision b of section 12-206 of the administrative code of the city of New York, as added by local law number 50 for the year 2004, is amended to read as follows:

b. The commissioner of the department of citywide administrative services shall submit a report on an annual basis beginning in two thousand five to the mayor, comptroller[, public advocate] and speaker of the council of the city of New York, by the first day of June, for the previous calendar year, regarding eligible lists. Such report shall include, but not be limited to, the following:

1. each eligible list established during the reporting year by the department of citywide administrative services;

2. the dates such eligible lists were established;

3. the number of persons appointed or promoted from each eligible list and the agencies to which such appointments or promotions were made;

4. the number of persons appointed or promoted on a provisional basis during the reporting year and the agencies to which such appointments or promotions were made;

5. the number of persons who, during the reporting year, were considered and not selected three times from promotion lists;

6. the number of persons removed from eligible lists and the number of persons removed from promotion lists and the reason reported to the department of citywide administrative services by the agency for such removal; and

7. the number of persons restored to eligible lists and the number of persons restored to promotion lists after having been removed.

§ 61. Paragraph 2 of subdivision b of section 13-103 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, is amended to read as follows:

2. The [public advocate] *speaker of the council*, who shall be entitled to cast one vote. The [public advocate] *speaker of the council* may, by written authorization filed with the board, designate one or more officers or employees appointed by him or her to act in his or her place as a member of such board, in the event of the absence of such [public advocate] *speaker of the council*.

§ 62. Paragraph 6 of subdivision b of section 16-321 of the administrative code of the city of New York, as amended by local law number 68 for the year 1993, is amended to read as follows:

6. "Elected official" means a person holding office as mayor, comptroller, [public advocate,] borough president or member of the council.

§ 63. Subdivisions b and i of section 17-191 of the administrative code of the city of New York, as added by local law number 115 for the year 2005, are amended to read as follows:

b. There shall be established within the department, in accordance with all applicable state and local laws, a child fatality review advisory team to examine the facts and circumstances relating to child fatalities. The team shall consist of the commissioner of the administration of children's services, or his or her designee; the commissioner of the police department, or his or her designee; the chief medical examiner, or his or her designee; the commissioner of the department of health and mental hygiene, or his or her designee; and, if required by applicable law, the commissioner of the New York state office of children and family services, or his or her designee. The chancellor of the department of education, or his or her designee, may become a member of the team at his or her discretion. The mayor shall appoint to the team a maximum of two additional individuals, including at least one pediatrician and at least one person who advocates on child-related issues; provided, however, that such individuals shall not hold any other public office, employment or trust. The speaker of the city council shall appoint to the team a maximum of two additional individuals, including at least one pediatrician and at least one person who advocates on child-related issues; provided, however, that such individuals shall not hold any other public office, employment or trust. The [public advocate] *comptroller* shall appoint to the team one additional individual; provided, however, that such individual shall not hold any other public office, employment or trust.

i. The child fatality review advisory team shall submit to the mayor, the speaker of the city council and the [public advocate] *comptroller*, annually, a report including, but not limited to, the number of child fatality cases which occurred in the city of New York during the previous year; statistics regarding the causes of child fatalities; specific non-identifying data with respect to the victims of child fatalities, such as gender, age and race, and, if available, religion and ethnicity; statistics regarding the location of child fatalities, disaggregated by borough; and recommendations regarding ways to decrease the future incidence of child fatalities in the city of New York.

§ 64. Paragraph 4 of subdivision c and subdivision d of section 18-131 of the administrative code of the city of New York, as added by local law number 29 for the year 2005, are amended to read as follows:

4. The commissioner of health and mental hygiene shall make the information required by paragraphs two and three of this subdivision, and such other information deemed appropriate by the commissioner of health and mental hygiene, accessible on the official department website for a period of at least one year. In addition, on or before the first day of November of each year, the commissioner of health and mental hygiene shall forward a combined report of the dates and results of all inspections of all bathing beaches and the dates and reasons for any advisory or closure, and such other information deemed appropriate by the commissioner of health and mental hygiene, for the Friday preceding the last Monday of May until the Friday after the first Monday of September of each year, to the mayor, the [public advocate] *comptroller* and the speaker of the council.

d. The commissioner shall post the dates and results of departmental inspections of property under the jurisdiction of the department on its official website within seven days of the completion of the inspection cycle in which such inspection was made, except that information regarding the inspections of bathing beaches shall be posted within three days of the completion of the inspection cycle in which such inspection was made, in accordance with paragraph one of subdivision c of this section. The results of each inspection shall be accessible on the official department website for a period of at least one year. In addition, the commissioner shall forward a combined report of such inspection results to the mayor, the [public advocate] *comptroller* and the speaker of the council for each fiscal year by the first day of August of the next succeeding fiscal year.

§ 65. The introductory text of subdivision b of section 21-902.1 of the administrative code of the city of New York, as amended by local law 145 for the year 2016, is amended to read as follows:

b. Annual reports regarding youth and foster care. Beginning no later than February 28, 2015 for the calendar year 2014 and every year thereafter, ACS shall furnish to the speaker of the council[,] and the [public advocate] *comptroller*, and post on [ACS'] ACS's website a report regarding youth in foster care. Such report shall include the following information disaggregated where available and indicated with an explanation where not available by gender, race and ethnicity:

§ 66. Subdivision a of section 22-823 of the administrative code of the city of New York, as added by local law number 222 for the year 2017, is amended to read as follows:

a. Report required. In each covered contract executed on or after the effective date of this section, the commissioner shall require the contracted entity to submit each year to the mayor, the council, the city comptroller, [the public advocate,] the borough presidents and community planning boards a report for the prior fiscal year about projected and actual jobs created and retained in connection with projects described by this section.

§ 67. Section 24-805 of the administrative code of the city of New York, as added by local law 22 for the year 2008, is amended to read as follows:

§ 24-805 Annual report. No later than September 17, 2008, and no later than every September 17 thereafter, the office shall submit to the mayor, the speaker of the council[, the public advocate] and the comptroller and post on its website a report regarding actions taken by the office pursuant to the provisions of this chapter. Such report shall include, but not be limited to:

a. changes in citywide emissions measured in carbon dioxide equivalent achieved for the previous calendar year, relative to such emissions for the base year for citywide emissions;

b. changes in city government emissions measured in carbon dioxide equivalent achieved for the fiscal year ending in the previous calendar year, relative to such emissions for the base year for city government emissions disaggregated according to city agency;

c. a description of the programs developed and implemented in accordance with subdivision d of section 24-803 of this chapter and a list of the entities participating in such programs of which the office is aware; and

d. a description of the education and outreach activities developed and implemented pursuant to section 24-804 of this chapter.

§ 68. Section 27-2109.2 of the administrative code of the city of New York as added by local law 62 for the year 2018, is amended to read as follows:

§ 27-2109.2 Online portfolio report of registered property owners. The department shall maintain through the department's website a publicly accessible electronic interface that reports portfolio information based on the name of a property owner. The report shall be based on the last valid information registered with the department pursuant to section 27-2097. Such report shall include (i) the address of each registered property owned by such registered owner; (ii) the current number of outstanding violations issued by the department, disaggregated by class, for each property; (iii) the number of findings of harassment currently on record with the department; and (iv) the number and types of departmental orders pending on each property. [The department may provide the aggregate data used to create such website to the public advocate upon request in a form that permits automated processing and downloading.]

§ 69. This local law takes effect immediately after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and is approved by a majority of such electors voting thereon.

Referred to the Committee on Governmental Operations.

L.U. No. 264

By Council Member Dromm:

451-455 East 116th Street, Block 1710, Lots 22 and 24; Manhattan, Community District No. 11, Council District No. 8.

Referred to the Committee on Finance.

L.U. No. 265

By Council Member Salamanca:

Application No. 20195182 HAK (JOE Central Brooklyn LLC) submitted by the New York City Department of Housing Preservation of Development for the approval of an exemption from real property taxes pursuant to Article XI of the Private Housing Finance Law for property located on 79 lots in the Bedford-Stuyvesant and Brownsville neighborhoods, Borough of Brooklyn, Community Districts 2, 3, 8 and 16, Council Districts 33, 35, 36, 41 and 42.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 266

By Council Member Salamanca:

Application No. 20195181 HAM (464-68 West 51st Street) submitted by the New York City Department of Housing Preservation of Development for the approval of an exemption from real property taxes pursuant to Article XI of the Private Housing Finance Law for property located at Block 1060, Lots 61 and 160, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 267

By Council Member Salamanca:

Application No. 20195184 TCM submitted pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of T&S Restaurant LLC, d/b/a Gracie's on 2nd Diner for renewal of a revocable consent to maintain, operate, and use an unenclosed sidewalk café located at 300 East 86th Street, Borough of Manhattan, Council District 5, Community District 8.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 268

By Council Member Salamanca:

Application No. 20195183 TCM submitted pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of K.K. & D of 79th Street Restaurant Corp., d/b/a Nectar Cafe for renewal of a revocable consent to maintain, operate, and use an unenclosed sidewalk café located at 1022 Madison Avenue, Borough of Manhattan, Council District 4, Community District 8.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 269

By Council Member Salamanca:

Application No. N 180373 ZRM (Special Garment Center Text Amendment) submitted by the New York City Department of City Planning and the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying Article XII, Chapter 1 (Special Garment Center District) and related sections, Borough of Manhattan, Community Districts 4 and 5, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 270

By Council Member Salamanca:

Application No. C 180347 ZMK (Franklin Avenue Rezoning) submitted by Cornell Realty Management LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d: eliminating from within an existing R6A District a C1-3 District, changing from an R6A District to an R8X District, changing from an R8A District to an R8X District, and establishing within the proposed R8X District a C2-4 District, to facilitate the development of two new 16-story mixed-use and residential buildings located at 40 Crown Street (Block 1190, Lots 29, 45, and 50) and 931 Carroll Street (Block 1188, Lot 58), Borough of Brooklyn, Community District 9, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 271

By Council Member Salamanca:

Application No. N 180348 ZRK (Franklin Avenue Rezoning) submitted by Cornell Realty Management 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 in the Borough of Brooklyn, Community District 9, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 272

By Council Member Salamanca:

Application No. C 180485 HAK (Marcus Garvey Village) submitted by The Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for the designation of properties located at 763 Thomas S. Boyland Street (Block 3587, Lot 27) and Livonia Avenue/Chester Street (Block 3588, Lots 32, 33, 34, 35, and 36) as an Urban Development Action Area, Action Area and an Urban Development Action Area Project for such area, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, Borough of Brooklyn, Community District 16, Council District 42.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 273

By Council Member Salamanca:

Application No. C 180486 PCK (Marcus Garvey Village) submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located on Bristol Street between Blake Avenue and Dumont Avenue (Block 3559, p/o Lot 1) for use as a community garden, Borough of Brooklyn, Community District 16, Council District 42.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 274

By Council Member Salamanca:

Application No. C 180487 ZRK (Marcus Garvey Village) submitted by Brownsville Livonia Associates 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 16, Council District 42.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 275

By Council Member Salamanca:

Application No. C 180488 ZSK (Marcus Garvey Village) submitted by Brownsville Livonia Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to Zoning Resolution Sections 74-743(a)(1) – to allow the distribution of lot coverage without regard for zoning lot lines; 74-743(a)(2) – to allow for the location of buildings without regard for regulations of Section 23-711 (Standard minimum distance between buildings), Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) and Section 35-65 (Height and Setback Requirements for Quality Housing Buildings) in connection with a proposed

mixed-use development, within a Large-Scale General Development, on property generally bounded by Blake Avenue, Rockaway Avenue, Newport Street, and Thomas S. Boyland Street (Block 3559, Lot 1; Block 3560, Lot 1; Block 3573, Lot 1; Block 3574, Lot 1; Block 3575, Lot 11; Block 3587, Lots 1, 27; Block 3588, Lots 1, 27, 32-36; Block 3589, Lot 21; Block 3601, Lot 26; and Block 3602, Lot 12), in R6, R7-2, and R7-2/C2-4 Districts, Borough of Brooklyn, Community District 16, Council District 41.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 276

By Council Member Salamanca:

Application No. C 180489 ZMK (Marcus Garvey Village) submitted by Brownsville Livonia Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17d changing from an R6 District to an R7-2 District and establishing within the proposed R7-2 District a C2-4 District, Borough of Brooklyn, Community District 16, Council District 41.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 277

By Council Member Salamanca:

Application No. C 180490 ZSK (Marcus Garvey Village) submitted by Brownsville Livonia Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 to waive the number of required accessory residential off-street parking spaces required by Section 25-23, in connection with a proposed mixed-use development within a Large-Scale General Development, on property generally bounded by Blake Avenue, Rockaway Avenue, Newport Street, and Thomas S. Boyland Street (Block 3559, Lot 1; Block 3560, Lot 1; Block 3573, Lot 1; Block 3574, Lot 1; Block 3575, Lot 11; Block 3587, Lots 1, 27; Block 3588, Lots 1, 27, 32- 36; Block 3589, Lot 21; Block 3601, Lot 26; and Block 3602, Lot 12) in R6, R7-2, and R7-2/C2-4 Districts, Borough of Brooklyn, Community District 16, Council District 41.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

<http://legistar.council.nyc.gov/Calendar.aspx>

ANNOUNCEMENTS

Thursday, November 15 2018

[Subcommittee on Zoning & Franchises](#)

Francisco Moya, Chairperson

See Land Use Calendar

Committee Room - City Hall.....9:30 a.m.

[Committee on Contracts](#)

Justin Brannan, Chairperson

Int 1067 - By Council Members Lancman, Brannan, Rivera, Rosenthal, Holden, Ayala and Yeger - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to reporting of promptness of agency payments to contractors.

Committee Room – 250 Broadway, 14th Floor.....10:00 a.m.

[Committee on Public Housing](#) jointly with the

Alicka Ampry-Samuel, Chairperson

[Subcommittee on Capital Budget](#)

Vanessa L. Gibson, Chairperson

Oversight - NYCHA's 2017 Physical Needs Assessment.

Council Chambers – City Hall.....10:00 a.m.

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#)

Adrienne Adams, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....12:00 p.m.

[Committee on Hospitals](#) jointly with the

Carlina Rivera, Chairperson

[Committee on Criminal Justice](#) and the

Keith Powers, Chairperson

[Committee on Mental Health, Disabilities & Addition](#)

Diana Ayala, Chairperson

Oversight - Correctional Health.

Int 1236 - By Council Members Powers and Rivera - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of correction to share data with correctional health services regarding sick calls and to repeal section 9-108 of the administrative code of the city of New York, relating to health care services for incarcerated individuals.

Res 581- By Council Member Powers - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, S.08673/A.8774A, which would require that State correctional facilities provide incarcerated individuals with access to methadone, buprenorphine, and naltrexone for the duration of incarceration.

Committee Room – City Hall.....1:00 p.m.

[Committee on Immigration](#) jointly with the

Carlos Menchaca, Chairperson

[Committee on General Welfare](#) and with the

Stephen Levin, Chairperson

[Committee on Health](#)

Mark Levine, Chairperson

Oversight - The Impact of the Proposed “Public Charge” Rule on NYC.”

Res 608 - By the Speaker (Council Member Johnson) – **Resolution** authorizing the Speaker to submit a public comment on behalf of the Council to the Federal Register, concerning the proposed change to the Public Charge rule.

Res 609 - By The Speaker (Council Member Johnson) and Council Members Menchaca, Levin, Levine, Chin, Ayala, Constantinides, Lancman, Dromm, Richards, Cumbo, Lander, Eugene, Yeger, Treyger, Grodenchik and Cabrera - **Resolution** opposing the newly proposed public charge rule and urging the federal government not to move forward with its adoption.

Council Chambers – City Hall.....1:00 p.m.

Subcommittee on Planning, Dispositions & Concessions

Ben Kallos, Chairperson

See Land Use CalendarCommittee Room – 250 Broadway, 16th Floor.....2:00 p.m.**Monday, November 19 2018**Committee on Aging jointly with the

Margaret Chin, Chairperson

Committee on Mental Health, Disabilities & Addition

Diana Ayala, Chairperson

Oversight - Mental Wellness in Older Adults.**Int 1180** - By Council Members Ayala, Chin and Brannan - **A Local Law** to amend the administrative code of the city of New York, in relation to mental health first aid training for senior center caseworkers.

Council Chambers – City Hall..... 10:00 a.m.

Committee on For-Hire Vehicles

Ruben Diaz, Sr., Chairperson

Oversight - TLC's Implementation of the Congestion Pricing Surcharge.

Committee Room – City Hall.....10:00 a.m.

Committee on Civil & Human Rights

Mathieu Eugene, Chairperson

Int 863 - By Council Members Williams, Cumbo, Rosenthal, Rivera, Rose, Chin, Levin, Levine, Kallos, Powers, Ayala, Koslowitz, Reynoso, Brannan, Lander, Perkins, Menchaca, Ampy-Samuel, Richards, Espinal, Lancman, Treyger, Gibson, Constantinides, Barron, Adams, Miller and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting employment discrimination based on an individual's reproductive health choices.Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.Committee on Public Safety

Donovan Richards, Jr., Chairperson

Oversight - Preventing Hate Crimes in NYC.**Int 1234** - By Council Member Levine – **A Local Law** to amend the New York city charter, in relation to creating an office for the prevention of hate crimes.**Preconsidered Int** ____ - By Council Members Deutsch and Richards - **A Local Law** to amend the New York city charter, in relation to requiring educational outreach within the office of prevention of hate crimes.

Council Chambers - City Hall.....2:00 p.m.

Tuesday, November 20 2018Committee on Finance

Daniel Dromm, Chairperson

Int 1143 - By Council Members Dromm and Yeger (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to installment agreements for the payment of real property taxes, assessments and other charges.Committee Room – 250 Broadway, 16th Floor10:00 a.m.Committee on Governmental Operations jointly with the

Fernando Cabrera, Chairperson

Committee on Oversight and Investigations

Ritchie Torres, Chairperson

Oversight – 2018 Election.

Council Chambers – City Hall.....10:00 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall..... 11:00 a.m.

Committee on Fire and Emergency Management

Joseph Borelli, Chairperson

Oversight - The Impact of Automatic Sprinkler Systems on Fire Suppression.

Int 826 - By Council Member Brannan - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the fire department to report on the use of fire sprinklers in fire-related deaths.

Committee Room – 250 Broadway, 14th Floor..... 1:00 p.m.

Deferred

~~Committee on Governmental Operations jointly with the _____ Fernando Cabrera, Chairperson~~

~~Committee on Technology _____ Peter Koo, Chairperson~~

~~**Oversight** – 311 Customer Experience and Operations.~~

~~**Int 188** – By Council Member Matteo – **A Local Law** to amend the administrative code of the city of New York, in relation to procedures to be adopted by the 311 call center for responding to certain repeat anonymous complaints against the same property.~~

~~Committee Room – 250 Broadway, 16th Floor..... 1:00 p.m.~~

Wednesday, November 21 2018

Committee on Women

Helen Rosenthal, Chairperson

Oversight - NYC Commission on Gender Equity.

Committee Room – 250 Broadway, 14th Floor..... 10:00 a.m.

Monday, November 26 2018

Committee on Sanitation and Solid Waste Management

Antonio Reynoso, Chairperson

Oversight - Diverting Non-Curbside Collected Materials from Landfill.

Int 1075 - By The Public Advocate (Ms. James) and Council Member Holden - **A Local Law** to amend the administrative code of the city of New York, in relation to city agencies’ organics collection.

Committee Room – City Hall..... 10:00 a.m.

Committee on Small Business

Mark Gjonaj, Chairperson

Int 1000 - By Council Members Gjonaj and Holden - **A Local Law** to amend the administrative code of the city of New York, in relation to microbusinesses.

Committee Room – 250 Broadway, 14th Floor..... 10:00 a.m.

Committee on Health jointly with the

Mark Levine, Chairperson

Committee on Hospitals

Carlina Rivera, Chairperson

Oversight - Access to Transgender- and Gender Nonconforming-friendly Health Services.

Council Chambers - City Hall..... 1:00 p.m.

Committee on Veterans

Chaim M. Deutsch, Chairperson

Oversight - Discharge Characterization Upgrade Assistance.

Int 479 - By Council Member Dromm - **A Local Law** to amend the administrative code of the city of New York, in relation to offering discharge upgrade assistance and extending city veteran benefits to service members who were discharged because of their LGBTQ status.

Int 1218 - By Council Member Deutsch - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a discharge upgrade assistance unit at the department of veterans' affairs.
Committee Room – 250 Broadway, 14th Floor.....2:00 p.m.

Tuesday, November 27 2018

[Committee on Mental Health, Disabilities & Addition](#) jointly with the Diana Ayala, Chairperson
[Committee on Public Safety](#) Donovan Richards, Jr., Chairperson
Oversight - Addressing the Bronx Opioid Crisis: From Enforcement, to Safe Spaces, to Treatment.
Council Chambers – City Hall..... 10:00 a.m.

[Committee on Civil Service and Labor](#) I. Daneek Miller, Chairperson
Oversight - Examining the Civil Service System (Focus on the Provisional Employee Reduction Plan).
Committee Room – 250 Broadway, 14th Floor.....1:00 p.m

[Committee on Justice System](#) jointly with the Rory Lancman, Chairperson
[Committee on General Welfare](#) Stephen Levin, Chairperson
Oversight – Parent-Child Separation in Family Court.
Committee Room – City Hall.....1:00 p.m.

Wednesday, November 28 2018

[Committee on Finance](#) Daniel Dromm, Chairperson
Int 1226 - By Council Member Dromm (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of the Throggs Neck business improvement district.
Int 1227 - By Council Member Dromm (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Hudson Square business improvement district and an extension of the Hudson Square business improvement district boundaries.
L.U. 264 – By Council Member Dromm – 451-455 East 116th Street, Block 1710, Lots 22 and 24; Manhattan, Community District No. 11, Council District No. 8.
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – City Hall.....10:00 a.m.

[Stated Council Meeting](#).....*Ceremonial Tributes – 1:00 p.m.*
Agenda – 1:30 p.m.

Shortly before the adjournment of this Meeting, the Speaker (Council Member Johnson) wished everyone a Happy Thanksgiving.

Whereupon on motion of the Speaker (Council Member Johnson), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on November 28, 2018.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 561-A, 628-A, 672-A, 713-A, 723-A, 727-A, 735-A, 749-A, 750-A, 959-A, and 969-A, all adopted at the September 26, 2018 Stated Meeting, were returned unsigned by the Mayor on October 31, 2018. These items had become law on October 27, 2018 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as, respectively, Local Laws Nos. 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, and 181 of 2018.