

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, March 16, 2017, 1:45 p.m.

The Public Advocate (Ms. James)

Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent: Council Members Borelli, Ferreras-Copeland, Mealy, and Perkins;

Medical Leave: Council Member Wills;

Paternity Leave: Council Member Levin.

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 45 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 Minister Regina Russ, Pastor House of The Lord Church Queens, 176-03 Jamaica Ave., Queens, N.Y. 11432.

Let us Pray

To our ever-present, all knowing, all powerful God, Creator of all things;
 We thank you for this opportunity to come humbly before you
 to give you praise and glory for all the wonderful things
 you have done for us individually and collectively.
 We come to thank you for this body of wise men and women.
 you ordained to lead your people
 A body of individuals with the desire
 to create change in this city, in this world.
 We thank you for our Public Advocate, our Speaker,
 every Council Member, support staff
 and all who are called to this great responsibility.
 We thank you for our constituents who allow us to serve.
 We pray for the ability to lead with our hearts.
 Help us to make decision with love at the helm.
 Help us to remember that we were chosen before the world was formed;
 to be in this place at this time.
 To show love, adopting love,
 to those who entrust us with their very lives.
 But we know it takes love to insure homeless are sheltered;
 It takes love to create an educational system
 to grow our children to become brilliant and productive adults;
 It takes love to cover our victims of domestic violence,
 racial, gender, religious discrimination.
 It takes love.
 Help us to lead with a heart filled with love and compassion
 O God we thank you for choosing us to stand in the gallery
 for those in need of a voice.
 And now we pray for the agendas that are before us on this day
 that wisdom will guide our decisions.
 Love will bind the hearts of people and hope will be the foundation
 for every choice made today leaving a legacy for all generations to come.
 We commit ourselves once again to you, to our constituents and to each other.
 Amen.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of former Queens Borough President Helen Marshall who passed away on March 4, 2017 at the age of 87. Helen Marshall had served in the State Assembly (1983-1991) and the City Council (1992-2001) before her twelve-year tenure as the Borough President of Queens (2002-2013). The Speaker (Council Member Mark-Viverito) acknowledged that many current Council Members had worked with the late Borough President and had spoken highly of Helen and her accomplishments. The Speaker (Council Member Mark-Viverito) then yielded the floor to Council Members Koslowitz and Grodenchik who had both served under Ms. Marshall as Deputy Queens Borough Presidents. Both respective Council Members spoke briefly in respectful and heartfelt memory of their late friend. A Moment of Silence for the Honorable Helen Marshall was then observed in the Chambers.

ADOPTION OF MINUTES

Council Member Koslowitz moved that the Minutes of the Stated Meeting of February 1, 2017 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-486

Communication from the Office of Management & Budget regarding the transfer of City funds between various agencies in Fiscal Year 2017 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-4).

March 13, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2017 to implement changes in the City's expense budget.

This modification (MN-4) will implement expense budget changes which were reflected in the City's January Financial Plan. In addition, as requested by the City Council, this modification reallocates appropriations that were included in the FY 2017 Adopted Budget to fund City Council local initiatives as well as other discretionary programs.

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

Your approval of modification MN-4 is respectfully requested.

Sincerely,

Dean Fuleihan

(For text of the MN-4 numbers, please see the attachment to the resolution following the Report of the Committee on Finance for M- 486 & Res No. 1424 printed in these Minutes; for text of Appendix A, please refer to the Council website at <http://council.nyc.gov> for M-486 of 2017 and Res No. 1424 of 2017).

Referred to the Committee on Finance.

Preconsidered M-487

Communication from the Office of Management & Budget - Appropriation of new revenues of \$770.8 million in Fiscal Year 2017, pursuant to Section 107(e) of the New York City Charter (MN-5).

March 13, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new revenues of \$770.8 million in fiscal year 2017.

This modification (MN-5) will implement revenue budget changes reflected in the City's January Financial Plan. The \$770.8 million of new revenues combined with additional resources of \$400 million of Prior Year Payables will be used to increase the Budget Stabilization Account by \$1.170 billion to prepay fiscal year 2018 debt service in fiscal year 2017.

Your approval of modification MN-5 is respectfully requested.

Sincerely,

Dean Fuleihan

(For text of the MN-5 numbers, please see the attachment to the resolution following the Report of the Committee on Finance for M- 487 & Res No. 1425 printed in these Minutes)

Referred to the Committee on Finance.

LAND USE CALL-UPS

M-488

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

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure application no. C 170127 PPK shall be subject to Council review. This item is related to Application nos. C 170128 ZMK and N 170129 ZRK which are subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.

Coupled on Call-Up Vote.

M-489

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

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure application no. C 170154 ZSK shall be subject to Council review. This item is related to Application no. C 170153 HAK which is subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.

Coupled on Call-Up Vote.

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

Affirmative – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

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 Environmental Protection

Report for Int. No. 1198-A

Report of the Committee on Environmental Protection 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 flood mitigation in southeast Queens.

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on May 25, 2016 (Minutes, page 1487), respectfully

REPORTS:

Introduction

On March 15, 2017, the Committee on Environmental Protection, chaired by Council Member Costa Constantinides, will hold a hearing on Proposed Int. No. 1198, A Local Law to amend the administrative code of the city of New York, in relation to flood mitigation in southeast Queens. The Committee previously held a hearing on this bill January 23, 2017.

Background

There is a chronic, long-standing flooding problem in Southeast (SE) Queens affecting over 400,000 City residents.¹ The area has more 311 flooding and confirmed sewer backup complaints than any other area of the City and certain neighborhoods, including Rosedale, Springfield Gardens, St. Albans, Jamaica, Queens Village and the Rockaways, experience recurring flooding conditions.² In these neighborhoods, water floods streets, buildings, businesses and homes.³

There are a few factors contributing to the extraordinary flooding problem in SE Queens. Post-World War II commercial and residential development in SE Queens outpaced the extension of the City's sewer system, and many neighborhoods in the area are not equipped with storm sewers or catch basins to manage and drain precipitation from roadways.⁴ In addition to this, the groundwater level in SE Queens is relatively close to the ground's surface and is rising.⁵ Prior to 1996 the old Jamaica Water Supply Company pumped millions of gallons of water every day out of 68 wells to supply drinking water to SE Queens. In 1996, this groundwater pumping ended due to high costs association with operating the wells and treating the water to make it potable.⁶ The City bought the company and its wells and gradually began shutting them down, transitioning SE Queens to drinking water from upstate reservoirs.⁷ Since the pumping ended, the groundwater level has risen significantly.^{8,9} According to reports, in 2012, the New York State Department of Environmental

¹ Office of New York City Mayor Bill de Blasio, April 2015, "One New York The Plan for a Strong and Just City" (hereafter cited as "OneNYC") page 205 available at <http://www.nyc.gov/html/onenyc/downloads/pdf/publications/OneNYC.pdf>

² Id.

³ Ken Thornbourne, Citylimits.org, August 2014, "City Finally Beating Back Queens Floodwaters," available at <http://citylimits.org/2014/08/12/city-finally-beating-back-queens-floodwaters/>

⁴ New York City Department of Environmental Protection press release, December 2014, "Department of Environmental Protection, Local Elected Officials and Community Groups Announce Completion of Storm Sewer Project in St. Albans" available at http://www.nyc.gov/html/dep/html/press_releases/14-096pr.shtml#.WHkS-1MrKUk

⁵ Ken Thornbourne, Citylimits.org, August 2014, "City Finally Beating Back Queens Floodwaters," available at <http://citylimits.org/2014/08/12/city-finally-beating-back-queens-floodwaters/>

⁶ Ken Thornbourne, Citylimits.org, August 2014, "City Finally Beating Back Queens Floodwaters," available at <http://citylimits.org/2014/08/12/city-finally-beating-back-queens-floodwaters/>

⁷ Michael Gannon, Queens Chronicle, "Movement possible in SE flooding talks" available at http://www.qchron.com/editions/eastern/movement-possible-in-se-flooding-talks/article_221ded5a-3c17-5fb8-be91-81e5ce162904.html

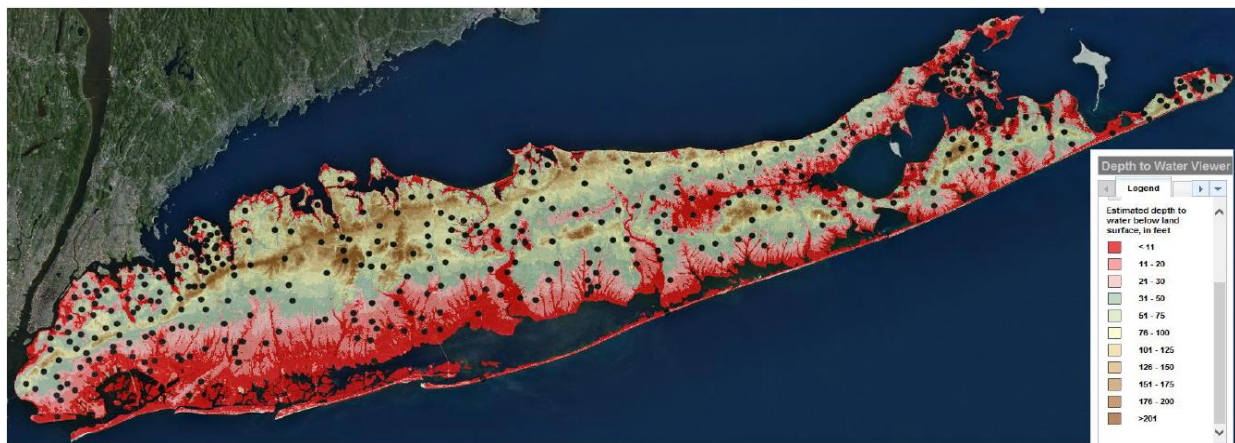
⁸ Id.

⁹ Tim Bidon, August 2012, citylimits.org, "Queens Residents Pumped Up Over Flooding" available at <http://citylimits.org/2012/08/15/queens-residents-pumped-up-over-flooding/>

Conservation (DEC) temporarily pumped groundwater from Station 24 in Jamaica, which provided some relief to flooding in the area, but this pumping ceased and flooding problems continued.^{10,11}



Figure 1: Map of Queens, including several neighborhoods in Southeast Queens.¹²



¹⁰ AnnMarie Costella, Queens Chronicle, January 2013, "Water pumping plan pushed back to 2018"

http://www.qchron.com/editions/eastern/water-pumping-plan-pushed-back-to/article_eee0ff85-acd9-5bdd-b794-8bf38c259112.html

¹¹ Clare Trapasso, New York Daily News, December 2012, "Southeast Queens residents fear more flooding after state closes well" available at <http://www.nydailynews.com/new-york/queens/closure-triggers-flooding-southeastern-queens-article-1.1223891>

¹² Queens Library, map found at queenslibrary.org, showing locations of Queens Library branch locations available at http://www.queenslibrary.org/ql_findbranch

Figure 2: Map depicting the depth to the water table below the surface of Long Island, including Southeast Queens. Note that communities of concern in Southeast Queens have a depth of less than 11 feet to the water table.¹³

City's Initiatives and Plans to address

In recent years the New York City Department of Environmental Protection (DEP) has announced initiatives to address flooding in SE Queens. In 2011, DEP finished a \$62.8 million reconstruction project in St. Albans including three miles of new storm sewers, two miles of sanitary sewers and catch basins.¹⁴ In 2013, DEP installed new targeted storm sewers and catch basins, conducted an analysis of the most flood prone locations, and evaluated three pilot reverse seepage basins that had been installed in 2012.¹⁵ DEP explored locations where this innovative approach, could be implemented in cooperation with DEC, where it would be feasible and could effectively improve drainage and flooding conditions.¹⁶ A bluebelt project was also completed in Springfield Gardens, including nine miles of storm sewers and eight miles of sanitary sewers, DEP began a project to bring storm sewers to Twin Ponds neighborhood of SE Queens and plans an million upgrade for the Brookville Boulevard area, and a project to install a sewer line under 183rd Street and Jamaica Avenue.¹⁷

In April 2015, Mayor Bill de Blasio's Administration released "One New York: The Plan for a Strong and Just City" (OneNYC) which is the City's comprehensive sustainability plan. The plan includes an initiative to "Alleviate flooding in Southeast Queens."¹⁸ According to OneNYC, the City's plan to alleviate flooding in SE Queens will consist of "intensive and accelerated long-term sewer build out, complemented with innovative, site specific solutions, such as Bluebelts and green infrastructure."¹⁹

In March 2016, during a preliminary budget hearing held by this Committee, DEP officials testified that the Department planned to spend \$1.5 billion on measures to reduce flooding in SE Queens "by pairing traditional sewer construction with green infrastructure throughout the region."²⁰ As part of this work, DEP initiated an engineering assessment to evaluate ground conditions within the 50 highest complaint areas in SE Queens. Using data collected, DEP will identify near-term measures to provide relief to SE Queens.²¹ DEP's current plan to reduce SE Queens flooding will rely upon green infrastructure such as median strips and rain gardens; bluebelts, which are drainage systems that use both conventional storm sewers and natural green spaces to manage waters; and overhauling the area's main sewer spines. DEP has provided updates to SE Queens residents about these plans at community town hall sessions.²²

Summary of Proposed Int. No. 1198-A

The bill amends chapter 5 of title 24 of the administrative code by adding a new section 24-530. Section one of the bill requires DEP to submit to the mayor and speaker, and make publicly available online, a plan for mitigating flooding in Queens community districts 12 and 13. The plan must include a timeline for implementation, annual performance milestones and a description of funds anticipated to be expended in connection with such flood mitigation.

¹³ United States Geological Survey, New York Water Science Center, Coram Program Office, power point presentation emailed from USGS to the City Council in January 2015, entitled "Historical Hydrologic Monitoring and Analysis by the USGS in the Five Boroughs of New York City."

¹⁴ Ken Thornbourne, Citylimits.org, August 2014, "City Finally Beating Back Queens Floodwaters," available at <http://citylimits.org/2014/08/12/city-finally-beating-back-queens-floodwaters/>

¹⁵ New York City Department of Environmental Protection press release, December 2013, "Department of Environmental Protection Announces New Initiatives to Manage Stormwater and Reduce Flooding in Southeast Queens" available at http://www.nyc.gov/html/dep/html/press_releases/13-115pr.shtml#.WH5KZFMrKUI

¹⁶ Id.

¹⁷ Ken Thornbourne, Citylimits.org, August 2014, "City Finally Beating Back Queens Floodwaters," available at <http://citylimits.org/2014/08/12/city-finally-beating-back-queens-floodwaters/>

¹⁸ Mayor Bill de Blasio's Administration released "One New York: The Plan for a Strong and Just City,"

¹⁹ Id. Page 205.

²⁰ Testimony by NYCDEP Commissioner Emily Lloyd before the Committee on Environmental Protection, March 11, 2016, available at [file:///C:/Users/wmurray/Downloads/Hearing%20Transcript%20\(16\).pdf](file:///C:/Users/wmurray/Downloads/Hearing%20Transcript%20(16).pdf)

²¹ Id.

²² Trone Dowd, queenspress.com, "DEP Update on SEQ Flooding Solutions" available at <http://queenspress.com/dep-update-on-seq-flooding-solutions/>

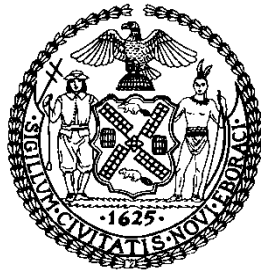
Section two of the bill requires that, each year, DEP submit to the mayor and speaker a report on progress in implementing the above-mentioned flood mitigation plan, including a description of any changes to the plan, a description of any changes in funds committed in furtherance of the plan and a description of all funds expended in furtherance of the plan.

Section three of the bill provides that this law expires 15 years after its effective date.

Changes to Proposed Int. No. 1198-A

- Technical changes were made to increase clarity.
- The bill was amended to modify the scope of the reports DEP is required to submit such that the reports will be limited to containing information about projects and funding in Queens community districts 12 and 13, which are the only geographic areas that are part of DEP’s special Southeast Queens flood mitigation plan.
- A provision was added that will sunset this law 15 years after the effective date.

(The following is the text of the Fiscal Impact Statement for Int. No. 1198-A:)



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

PROPOSED INTRO. NO. 1198-A

COMMITTEE: ENVIRONMENTAL PROTECTION

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to flood mitigation in southeast Queens.

SPONSORS: Council Member Richards, Miller, Wills, Chin, Kallos, Constantinides, Lancman, Grodenchik, Dromm and Ulrich

SUMMARY OF LEGISLATION: Proposed Intro. No. 1198-A will require the Department of Environmental Protection (“DEP”) to issue to the Mayor and the Speaker, and make publicly available online, a plan for mitigating flooding in Queens Community Districts 12 and 13, including a timeline for implementation of such plan, annual performance milestones and a description of the funds that will be expended in connection with such plan.

In addition, this bill would require the DEP to issue reports on progress in implementing such plan, including changes in funds committed to such plans, no later than six months after the end of each fiscal year. The requirements of this bill will sunset 15 years after it takes effect.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY8
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: There would be no impact on expenditures resulting from the enactment of this legislation as the DEP will use existing resources for reporting.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Jonathan K. Seltzer, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Eric Bernstein, Counsel, Finance Division
Cirilhen Francisco, Unit Head, Finance Division
Nathan Toth, Deputy Director, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1198 on May 25, 2016 and referred to the Committee on Environmental Protection. The Committee considered the legislation at a hearing on January 23, 2017 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1198-A, will be considered by the Committee on March 15, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1198-A will be submitted to the full Council for a vote on March 16, 2017.

DATE PREPARED: March 9, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1198-A:)

Int. No. 1198-A

By Council Members Richards, Miller, Wills, Chin, Kallos, Constantinides, Lancman, Grodenchik, Dromm, Levin and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to flood mitigation in southeast Queens

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-530 to read as follows:

§ 24-530 *Southeast Queens flood mitigation plan.* a. *By no later than one year after the effective date of the local law that added this section, the department of environmental protection shall submit to the mayor and speaker of the council, and make publicly available online, a plan for mitigating flooding in Queens community districts 12 and 13. Such plan shall include, but not be limited to, a timeline for implementation of the plan, annual performance milestones and a description of funds anticipated to be expended by or on behalf of the city in connection with such flood mitigation, including, but not limited to, funds committed in fiscal year 2016 for such purposes.*

b. By no later than six months after the end of each fiscal year, beginning with the first fiscal year that commences more than one year after the effective date of the local law that added this section, the department of environmental protection shall submit to the mayor and the speaker of the council a report on progress in implementing the plan required by subdivision a of this section during the prior fiscal year. Each such report shall include, but not be limited to, a description of any changes to such plan, a description of any changes in funds committed by or on behalf of the city in furtherance of such plan and a description of all funds expended by or on behalf of the city in furtherance of such plan.

c. This section expires 15 years after the effective date of the local law that added this section.

§ 2. This local law takes effect immediately.

COSTA G. CONSTANTINIDES, *Chairperson*; DONOVAN J. RICHARDS, RORY I. LANCMAN, ERIC A. ULRICH; Committee on Environmental Protection, March 15, 2017.

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

Report of the Committee on Finance

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

Report for Res No. 1413

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on March 16, 2017, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 14, 2016, the Council adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”). On June 25, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”).

Analysis. This Resolution, dated March 16, 2017, approves the new designation and the changes in the designation of certain organizations receiving local, aging and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local, aging and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, new designations and/or changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, amends the Description/Scope of

Services of certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 1; sets forth the change in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 2; sets forth the change in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 3; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2017 Expense Budget, as described in Charts 4-18; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 19; amends the description for the Description/Scope of Services for certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as described in Chart 20; and sets forth the organizations that will receive equipment from the organization funded by a certain initiative, as described in Chart 21.

Specifically, Chart 1 sets forth the new designation and the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

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

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

Chart 4 sets forth the change in the designation of a certain organization receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 5 sets forth the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

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

Chart 7 sets forth the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 8 sets forth the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 9 sets forth the change in the designation of certain organizations receiving funding pursuant to the Support our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 10 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 11 sets forth the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 12 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 13 sets forth the change in the designation of certain organizations receiving funding pursuant to the Financial Empowerment for NYC's Renters Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 14 sets forth the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 15 sets forth the change in the designation of certain organizations receiving funding pursuant to the Community Housing Preservation Strategies Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 16 sets forth the change in the designation of a certain organization receiving funding pursuant to the HRA Teen RAPP Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 17 sets forth the removal of funds of a certain organization receiving funding pursuant to the Bail Fund Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Diversity, Inclusion & Equity in Tech Initiative in Chart 18. Some of these changes will be effectuated upon a budget modification.

Chart 18 sets forth the new designation of certain organizations receiving funding pursuant to the Diversity, Inclusion & Equity in Tech Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred from the Bail Fund Initiative in Chart 17. Some of these changes will be effectuated upon a budget modification.

Chart 19 sets forth the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 20 amends the description for the Description/Scope of Services for certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

Chart 21 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, from the organization, Staten Island Heart Society, Inc., funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2017, and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res No. 1413:)

Preconsidered Res. No. 1413

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

By Council Member Ferreras-Copeland.

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

Whereas, On June 25, 2014 the City Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

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

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

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

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

Resolved, That the City Council approves sets forth the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Financial Empowerment for NYC's Renters Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Community Housing Preservation Strategies Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HRA Teen RAPP Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the removal of funds from a certain organization pursuant to the Bail Fund Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Diversity, Inclusion & Equity in Tech Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 21.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Treyger	New York Society of Odessites, Inc.	45-3817396	DYCD	(\$3,000.00)	260	005			*
Treyger	One Brooklyn Fund, Inc.	46-5189061	DYCD	(\$2,000.00)	260	005			*
Treyger	Brooklyn City StreetCar Company, Inc.	20-0084429	DYCD	\$5,000.00	260	005			*
Mealy	Brooklyn Queens Land Trust**	61-1441052	DPR	(\$15,000.00)	846	006			
Mealy	Brooklyn Queens Land Trust**	61-1441052	DYCD	\$15,000.00	260	005			
Reynoso	Brooklyn Queens Land Trust**	61-1441052	DPR	(\$5,000.00)	846	006			
Reynoso	Brooklyn Queens Land Trust**	61-1441052	DYCD	\$5,000.00	260	005			
Garodnick	Four Freedoms Park Conservancy, Inc.**	45-2716646	DPR	(\$5,000.00)	846	006			
Garodnick	Four Freedoms Park Conservancy, Inc.**	45-2716646	DYCD	\$5,000.00	260	005			
Kallos	Four Freedoms Park Conservancy, Inc.**	45-2716646	DPR	(\$5,000.00)	846	006			
Kallos	Four Freedoms Park Conservancy, Inc.**	45-2716646	DYCD	\$5,000.00	260	005			
Levine	Four Freedoms Park Conservancy, Inc.**	45-2716646	DPR	(\$3,500.00)	846	006			
Levine	Four Freedoms Park Conservancy, Inc.**	45-2716646	DYCD	\$3,500.00	260	005			
Levine	North River Community Environmental Review Board, Inc. (NRCERB)**	13-3614524	DPR	(\$5,000.00)	846	006			
Levine	North River Community Environmental Review Board, Inc. (NRCERB)**	13-3614524	DYCD	\$5,000.00	260	005			
Deutsch	American Brotherhood of Russian Disabled	11-3314347	DYCD	(\$10,000.00)	260	005			
Deutsch	American Brotherhood for the Russian Disabled, Inc.	11-3314347	DYCD	\$10,000.00	260	005			
Treyger	American Brotherhood of Russian Disabled	11-3314347	DYCD	(\$3,000.00)	260	005			
Treyger	American Brotherhood for the Russian Disabled, Inc.	11-3314347	DYCD	\$3,000.00	260	005			
Cornegy	Neighborhood Housing Services of New York City, Inc.	13-3098397	HPD	(\$15,000.00)	806	009			
Cornegy	Neighborhood Housing Services of Brooklyn, Bedford-Stuyvesant, CDC, Inc. (dba Brooklyn Neighborhood Services)	47-1717438	HPD	\$15,000.00	806	009			*
Cumbo	Neighborhood Housing Services of New York City, Inc.	13-3098397	HPD	(\$2,500.00)	806	009			
Cumbo	Neighborhood Housing Services of Brooklyn, Bedford-Stuyvesant, CDC, Inc. (dba Brooklyn Neighborhood Services)	47-1717438	HPD	\$2,500.00	806	009			*
Vallone	Department of Parks and Recreation**	13-6400434	DPR	(\$4,000.00)	846	006			
Vallone	Department of Education**	13-6400434	DOE	\$4,000.00	040	402			
CD28	New York Legal Assistance Group, Inc.**	13-3505428	DYCD	(\$3,500.00)	260	005			
CD28	New York Legal Assistance Group, Inc.**	13-3505428	DSS/HRA	\$3,500.00	069	107			
Speaker	Neighborhood Housing Services of New York City, Inc.	13-3098397	HPD	(\$50,000.00)	806	009			
Speaker	Neighborhood Housing Services of Brooklyn, Bedford-Stuyvesant, CDC, Inc. (dba Brooklyn Neighborhood Services)	47-1717438	HPD	\$50,000.00	806	009			
Mealy	Brownsville Think Tank Matters **	47-2440990	DYCD	(\$5,000.00)	260	005			*
Mealy	CUNY School of Law Justice and Auxiliary Service Corp **	90-1013912	CUNY	\$5,000.00	042	001			
Mealy	Brooklyn Queens Land Trust	61-1441052	DYCD	(\$5,000.00)	260	005			

Mealy	Nia Theatrical Production Company, Inc.	11-3427470	DYCD	\$5,000.00	260	005			
Mealy	Nia Theatrical Production Company, Inc. **	11-3427470	DFTA	(\$14,000.00)	125	003			
Mealy	Nia Theatrical Production Company, Inc. **	11-3427470	DYCD	\$14,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 2: Aging Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Mealy	Ridgewood Bushwick Senior Citizens Council, Inc. - Brevoort Senior Center	11-2453853	DFTA	(\$11,000.00)	125	003			
Mealy	Ridgewood Bushwick Senior Citizens Council, Inc. - Saratoga Square Senior Center	11-2453853	DFTA	(\$3,000.00)	125	003			
Mealy	Nia Theatrical Production Company, Inc.	11-3427470	DFTA	\$14,000.00	125	003			

* Indicates pending completion of pre-qualification review.

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

CHART 3: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Cumbo	Digital Girl, Inc.	47-8822307	DYCD	(\$5,000.00)	260	312			*
Cumbo	Digital Girl, Inc.	47-2288307	DYCD	\$5,000.00	260	312			*
Miller	St. Albans Montessori Academy of Learning	46-1560690	DYCD	(\$5,000.00)	260	312			
Miller	St. Albans Montessori Day Care Center, Inc.	46-1560690	DYCD	\$5,000.00	260	312			
Grodenschik	Big Apple Circus, Ltd.	13-2906037	DYCD	(\$2,500.00)	260	312			*
Grodenschik	Korean Community Services of Metropolitan New York, Inc.	23-7348989	DYCD	\$2,500.00	260	312			
Mealy	71st Precinct Community Council, Inc.	04-3784543	DYCD	(\$5,000.00)	260	312			
Mealy	Excellence Girls Charter School K712	13-6400434	DYCD	(\$15,000.00)	260	312			
Mealy	Sports and Arts in Schools Foundation, Inc. - Excellence Girls Char11-3112635		DYCD	\$20,000.00	260	312			

* Indicates pending completion of pre-qualification review.

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

CHART 4: Borough-wide Needs Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Brooklyn Delegation	American Brotherhood of Russian Disabled	11-3314347	DYCD	(\$5,000.00)	260	005			
Brooklyn Delegation	American Brotherhood for the Russian Disabled, Inc.	11-3314347	DYCD	\$5,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 5: A Greener NYC Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Reynoso	Brooklyn Greenway Initiative, Inc.	20-3283721	DYCD	(\$19,627.00)	260	005	*
Reynoso	Horticultural Society of New York, Inc.	13-0854930	DYCD	\$19,627.00	260	005	
Lander	Outstanding Renewal Enterprises, Inc.**	13-3320984	DPR	(\$13,084.00)	846	006	
Lander	Outstanding Renewal Enterprises, Inc.**	13-3320984	DYCD	\$13,084.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 6: NYC Cleanup Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development**	13-6400434	DYCD	(\$29,000.00)	260	005	
Van Bramer	Department of Sanitation**	13-6400434	DSNY	\$29,000.00	827	109	

* Indicates pending completion of pre-qualification review.

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

CHART 7: Food Pantries Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn Delegation	Walk Whitman Houses Tenants Association, Inc.	11-2843920	DYCD	(\$18,621.00)	260	005	*
Brooklyn Delegation	Walt Whitman Houses Tenants Association, Inc.	11-2843920	DYCD	\$18,621.00	260	005	*

* Indicates pending completion of pre-qualification review.

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

CHART 8: Parks Equity Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Miller	Brooklyn Queens Land Trust**	61-1441052	DPR	(\$20,000.00)	846	006	
Miller	Brooklyn Queens Land Trust**	61-1441052	DYCD	\$20,000.00	260	005	
Williams	Brooklyn Queens Land Trust**	61-1441052	DPR	(\$10,000.00)	846	006	
Williams	Brooklyn Queens Land Trust**	61-1441052	DYCD	\$10,000.00	260	005	
Ferreras-Copeland	Brooklyn Queens Land Trust**	61-1441052	DPR	(\$10,000.00)	846	006	
Ferreras-Copeland	Brooklyn Queens Land Trust**	61-1441052	DYCD	\$10,000.00	260	005	
Corney	Council on the Environment, Inc.**	13-2765465	DPR	(\$10,000.00)	846	006	
Corney	Council on the Environment, Inc.**	13-2765465	DOE	\$10,000.00	040	005	
Cabrera	New York Restoration Project**	13-3959056	DPR	(\$10,000.00)	846	006	
Cabrera	New York Restoration Project**	13-3959056	DYCD	\$10,000.00	260	005	
King	New York Restoration Project**	13-3959056	DPR	(\$10,000.00)	846	006	
King	New York Restoration Project**	13-3959056	DYCD	\$10,000.00	260	005	
King	New York Restoration Project**	13-3959056	DPR	(\$10,000.00)	846	006	
King	New York Restoration Project**	13-3959056	DYCD	\$10,000.00	260	005	
Mealy	New York Restoration Project**	13-3959056	DPR	(\$20,000.00)	846	006	
Mealy	New York Restoration Project**	13-3959056	DYCD	\$20,000.00	260	005	
Corney	New York Restoration Project**	13-3959056	DPR	(\$10,000.00)	846	006	
Corney	New York Restoration Project**	13-3959056	DYCD	\$10,000.00	260	005	
King	Building 13 Association, Inc.**	13-4169405	DPR	(\$10,000.00)	846	006	
King	Building 13 Association, Inc.**	13-4169405	DYCD	\$10,000.00	260	005	
Levine	Horticultural Society of New York, Inc.**	13-0854930	DPR	(\$10,000.00)	846	006	
Levine	Horticultural Society of New York, Inc.**	13-0854930	DYCD	\$10,000.00	260	005	
Rose	New York Restoration Project**	13-3959056	DPR	(\$10,000.00)	846	006	
Rose	New York Restoration Project**	13-3959056	DYCD	\$10,000.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 9: Support Our Seniors Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Grodenschik	Services Now for Adult Persons (SNAP), Inc.	11-2591783	DFTA	(\$30,000.00)	125	003	
Grodenschik	Selfhelp Community Services, Inc.	13-1624178	DFTA	\$30,000.00	125	003	

* Indicates pending completion of pre-qualification review.

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

CHART 10: Cultural Immigrant Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$40,000.00)	126	003	
King	Mindbuilders Creative Arts, Inc.	13-2988157	DCLA	\$40,000.00	126	003	
Salamanca	Garifuna Coalition USA, Inc. **	22-3890531	DCLA	(\$40,000.00)	126	003	*
Salamanca	Garifuna Coalition USA, Inc. **	22-3890531	DYCD	\$40,000.00	260	005	*

* Indicates pending completion of pre-qualification review.

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

CHART 11: Cultural After-School Adventure (CASA) Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Espinal	Community Works, Inc. - Public School 86K	13-3580813	DCLA	(\$20,000.00)	126	003	
Espinal	Midtown Management Group, Inc. - Public School 86K	13-3192793	DCLA	\$20,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 12: SU-CASA Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$30,000.00)	126	003	
Williams	West Indian American Day Carnival Association, Inc. - Glenwood Neighborhood Senior Center,	23-7176396	DCLA	\$15,000.00	126	003	
Williams	Dancewave, Inc. - Midwood Neighborhood Senior Center, Bergen Basin Comm Dev Corp/DBA	11-2726558	DCLA	\$15,000.00	126	003	
Espinal	Dancewave, Inc. - Sirovich Inc, The Educational Alliance, Inc	11-2726558	DCLA	(\$15,000.00)	126	003	
Espinal	Dancewave, Inc. - Hope Gardens Multi Service NSC, Ridgewood Bushwick Senior Citizens Council,	11-2726558	DCLA	\$15,000.00	126	003	
Constantinides	Astoria Performing Arts Center, Inc.	65-1209580	DCLA	(\$15,000.00)	126	003	
Constantinides	Astoria Performing Arts Center, Inc. - Dellamonica-Steinway NSC, Catholic Charities Neighborhood	65-1209580	DCLA	\$15,000.00	126	003	
Grodenschik	Queens Theatre in the Park, Inc.	11-3381629	DCLA	(\$15,000.00)	126	022	
Grodenschik	Queens Theatre in the Park, Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Grodenschik	Queens Theatre in the Park, Inc.	11-3381629	DCLA	(\$15,000.00)	126	022	
Grodenschik	Queens Theatre in the Park, Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Vallone	Queens Theatre in the Park, Inc.	11-3381629	DCLA	(\$15,000.00)	126	022	
Vallone	Queens Theatre in the Park, Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Lancman	Jamaica Center for Arts and Learning, Inc.	11-2478709	DCLA	(\$15,000.00)	126	022	
Lancman	Jamaica Center for Arts and Learning, Inc.	11-2478709	DCLA	\$15,000.00	126	003	
Miller	Jamaica Center for Arts and Learning, Inc.	11-2478709	DCLA	(\$15,000.00)	126	022	
Miller	Jamaica Center for Arts and Learning, Inc.	11-2478709	DCLA	\$15,000.00	126	003	
Richards	Jamaica Center for Arts and Learning, Inc.	11-2478709	DCLA	(\$15,000.00)	126	022	
Richards	Jamaica Center for Arts and Learning, Inc.	11-2478709	DCLA	\$15,000.00	126	003	
Dromm	Flushing Council on Culture and the Arts, Inc.	11-2652182	DCLA	(\$15,000.00)	126	022	
Dromm	Flushing Council on Culture and the Arts, Inc.	11-2652182	DCLA	\$15,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 13: Financial Empowerment for NYC's Renters Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Consumer Affairs**	13-6400434	DCA	(\$110,000.0)	866	003	
Housing Preservation and Development**	13-6400434	HPD	\$110,000.00	806	009	

* Indicates pending completion of pre-qualification review.

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

**CHART 14: Crisis Management System - Fiscal
2017**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Jacob A. Riis Neighborhood Settlement, Inc.	11-1729398	DOE	(\$40,000.00)	040	402	
Research Foundation of CUNY - Creative Arts Team - I.S. 204 Oliver W. Holmes 30Q204	13-1988190	DOE	\$10,800.00	040	402	
Department of Education	13-6400434	DOE	\$29,200.00	040	402	

* Indicates pending completion of pre-qualification review.

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

**CHART 15: Community Housing Preservation Strategies - Fiscal
2017**

Organization - Schools	EIN Number	Agency	Amount	Agy #	U/A	*
Neighborhood Housing Services of New York City, Inc.	13-3098397	HPD	(\$29,730.00)	806	009	
Neighborhood Housing Services of Brooklyn, Bedford-Stuyvesant, CDC, Inc. (dba Brooklyn Neighborhood Services)	47-1717438	HPD	\$29,730.00	806	009	

* Indicates pending completion of pre-qualification review.

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

**CHART 16: HRA Teen RAPP - Fiscal
2017**

Organization - Schools	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Social Services	13-6400434	DSS/HRA	(\$250,000.0	069	105	
Edwin Gould Services for Children and Families	13-5675643	DSS/HRA	\$250,000.00	069	105	

* Indicates pending completion of pre-qualification review.

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

CHART 17: Bail Fund Initiative - Fiscal 2017

Organization - Schools	EIN Number	Agency	Amount	Agy #	U/A	*
Liberty Fund,	38-3974312	MOCJ	(\$225,000.0)	098	002	

* Indicates pending completion of pre-qualification review.

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

CHART 18: Diveristy, Inclusion & Equity in Tech Initiative - Fiscal 2017

Organization - Schools	EIN Number	Agency	Amount	Agy #	U/A	*
Per Scholas, Inc.**	04-3252955	DYCD	\$86,000.00	260	005	
Coalition for Queens, Inc.**	61-1652332	DYCD	\$139,000.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 19: Local Initiatives - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Lander	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$5,000.00)	260	005			
Lander	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$5,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 20: Purpose of Funds Changes - Fiscal 2017

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Youth	Ulrich	Indo-Caribbean Alliance, Inc.	27-2848254	DYCD	(\$10,000.00)	Funds will be used to engage youth in the community.	*
Youth	Ulrich	Indo-Caribbean Alliance, Inc.	27-2848254	DYCD	\$10,000.00	Funding will support the operational expenses associated with providing youth services/programming.	*
Youth	Miller	St. Albans Montessori Academy of Learning	46-1560690	DYCD	(\$5,000.00)	Funding will support Out of School Time for children ages 4 to 12. Homework help, tutoring, chess, dance, arts, STEM, yoga, Eat Well-Play Hard, physical, recreational activities.	
Youth	Miller	St. Albans Montessori Day Care Center, Inc.	46-1560690	DYCD	\$5,000.00	Funding will support Out of School Time for children ages 4 to 8. Activities will include homework help, tutoring, chess, dance, theater, play production, music, arts, STEM, yoga, Eat Well-Play Hard, physical, and recreational activities.	
Parks Equity Initiative	Mealy	City Parks Foundation	13-3561657	DPR	(\$20,000.00)	To provide hands on service projects, park clean-ups for park beautification, special projects that will support outreach, membership and planning programs for local groups that care for neighborhood parks and to hold free sporting events for youth.	
Parks Equity Initiative	Mealy	City Parks Foundation	13-3561657	DPR	\$20,000.00	Summerstage Programming in Council District 41	

* Indicates pending completion of pre-qualification review.

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

CHART 21: Beating Hearts Initiative - Fiscal 2017

Member	Organization	EIN Number	*
Koslowitz	Beth Gavriel Bukharian Congregation	11-3336257	
Koslowitz	Beth Gavriel Bukharian Congregation	11-3336257	
Richards/Queens	Rosedale Jets Football Association	11-3401835	

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

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 16, 2017.

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

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

Report for M-490

Report of the Committee on Finance in favor of a Resolution approving the Operating Budget of the Council of the City of New York.

The Committee on Finance, to which the annexed preconsidered Council Operating Budget communication was referred on March 16, 2017 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo and related material, please see the respective attachments to Res Nos. 1422 and 1423 printed below in these Minutes. Note: for Memo, “R1” page, and pages 1 to 3 of the City Council Fiscal Year 2018 Operating Budget Report, please see the attachment to Res No. 1422; for pages 8 to 12 and the “R2” page of the Operating Budget Report, please see the attachment to Res No. 1423; for pages 4 to 7 of the Operating Budget Report, please refer to the City Council website at <http://council.nyc.gov> for Res No. 1422 of 2017).

Accordingly, this Committee recommends the adoption of M-490 and M-491.

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

Res No. 1422

RESOLUTION APPROVING THE FISCAL YEAR 2018 OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

By Council Member Ferreras-Copeland.

Resolved: By the Council of the City of New York, pursuant to the provisions of section 243 of the New York City Charter that the following amounts shall be submitted to the Mayor, for inclusion in the executive budget for the operating budget for the Council of the City of New York.

ATTACHMENT:

FISCAL YEAR 2018

THE OPERATING BUDGET

OF THE COUNCIL OF THE CITY OF NEW YORK

Submitted pursuant to

Section 243 of the

New York City Charter



**THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, N.Y. 10007**

March 10, 2017

TO: Honorable Melissa Mark-Viverito
Speaker

Honorable Julissa Ferreras-Copeland
Chairperson, Finance Committee

FROM: Marcello Testa
Fiscal Officer

SUBJECT: THE BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Preconsidered (M-490) - The Operating Budget of the Council of The City of New York
Preconsidered (M-491) - Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the
Operating Budget of the Council of the City of New York

INITIATION: Pursuant to section 243 of the New York City Charter, the Council is authorized to present, for inclusion in the executive budget without amendment by the Mayor, its operating budget. This document presents a summary description of the structure and presentation of the Council's budget, and sets forth the proposed Council budget for consideration and approval by the Finance Committee and the Council. Also included is a resolution for the approval of a lump-sum OTPS unit of appropriation.

R1

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

RES. NO. 1422

RESOLUTION APPROVING THE FISCAL YEAR 2018 OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Resolved: By the Council of the City of New York, pursuant to the provisions of section 243 of the New York City Charter that the following amounts shall be submitted to the Mayor, for inclusion in the executive budget for the operating budget for the Council of the City of New York.

Summary:

Under the City Charter, the City Council is authorized to structure its own budget. This budget must be presented to the Mayor, for inclusion in the Executive Budget, after the Council approves it.

The Council's staff is described through divisions within three units of appropriation: Council Members and their aides, Committee Staffing, and Council Services. These and the standing committees each have a U/A for PS. OTPS is divided into two categories, one for members, one for central staff and one for each standing committee. A separate resolution approving the central staff's lump sum unit of appropriation is attached for Council approval pursuant to Section 100 (c) of the Charter.

Council Member office budgets are funded in U/A 001 object 021 (PS) and U/A 100 objects 400 and 414 (OTPS). Funds allocated for each Member's budget total \$441,000.

Staffs from the Office of the General Counsel, Governmental Affairs, Finance, Land Use, Infrastructure, and Human Services divisions are specifically assigned to each committee, subcommittee, and select committee. These analysts and attorneys in turn are supported by the Administrative Services Division, which functions as the central administration.

Staffs from the following Divisions are assigned to these Committees, Subcommittees and Select Committees:

Policy & Innovations

- ❖ Provides additional policy and data analysis for the Council's Legislative Committees

Finance

- ❖ Finance

Land Use

- ❖ Land Use
- ❖ Landmarks, Public Siting & Maritime Uses (Subcommittee)
- ❖ Planning, Dispositions & Concessions (Subcommittee)
- ❖ Zoning & Franchises (Subcommittee)

General Counsel

- ❖ Rules, Privileges and Elections
- ❖ Standards & Ethics

Governmental Affairs

- ❖ Civil Rights
- ❖ Consumer Affairs
- ❖ Contracts
- ❖ Courts and Legal Services
- ❖ Fire & Criminal Justice Services
- ❖ General Welfare
- ❖ Governmental Operations
- ❖ Immigration
- ❖ Juvenile Justice
- ❖ Oversight & Investigations
- ❖ Public Safety
- ❖ State & Federal Legislation

Human Services

- ❖ Aging
- ❖ Senior Centers (Subcommittee)
- ❖ Civil Services and Labor
- ❖ Cultural Affairs, Libraries & International Intergroup Relations
- ❖ Libraries (Subcommittee)
- ❖ Education
- ❖ Non-Public Schools (Subcommittee)
- ❖ Health
- ❖ Higher Education
- ❖ Mental Health, Developmental Disability, Alcoholism, Substance Abuse & Disability Services
- ❖ Small Business
- ❖ Transportation
- ❖ Veterans
- ❖ Women's Issues
- ❖ Youth Services

Infrastructure

- ❖ Economic Development
- ❖ Environmental Protection
- ❖ Housing & Buildings
- ❖ Parks & Recreation
- ❖ Public Housing
- ❖ Recovery and Resiliency
- ❖ Sanitation & Waste Management
- ❖ Technology
- ❖ Waterfronts

Drafting

- ❖ Responsible for drafting of legislation for the Council's Legislative Committees

CITY COUNCIL BUDGET**Function:**

The New York City Council is the legislative branch of city government. Council members are elected every four years and each represents a district of approximately 160,000 people.

The Council is an equal partner with the Mayor in the governing of New York City. The Council monitors the operation and performance of city agencies. It has sole responsibility for analyzing and approving the city's budget which sets spending priorities and has decision-making powers over major land use issues. It is the city's lawmaking body.

The allocations of funds made through this Resolution are based on current projections and information available. Final allocations may vary from those anticipated in this Resolution, subject to the discretion of the Speaker.

(For pages 4 to 7 of the Operating Budget Report, please refer to the City Council website at <http://council.nyc.gov> for Res No. 1422 of 2017; for pages 8 to 12 of the Operating Budget Report, please see the attachment to Res No. 1423 following the Report for M-491 printed below).

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 16, 2017.

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

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

Report for M-491

Report of the Committee on Finance approving the Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

The Committee on Finance, to which the annexed preconsidered Council Operating Budget communication was referred on March 16, 2017 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo and related material, please see the respective attachments to Res Nos. 1422 and 1423 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 1423

RESOLUTION APPROVING FOR FISCAL YEAR 2018 THE SCHEDULE DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.

By Council Member Ferreras-Copeland.

Resolved by the Council, pursuant to the provisions of section 100 (c) of the New York City Charter, that the following spending shall be presented in a lump sum OTPS unit of appropriation, the allocation of which corresponds to the following PS units of appropriation.

COUNCIL BUDGET

PS	U/A DESCRIPTION	MEMO OTPS*
002	COMMITTEE STAFFING	\$4,838,915
005	COUNCIL SERVICES	\$4,608,491
	TOTAL OTPS	\$9,447,406

*Set forth for informational purposes only in accordance with Charter Section 100 (c)

*See page 8, City Council Fiscal Year 2018 OTPS Detail

ATTACHMENT:

**City Council Fiscal Year 2018 OTPS Detail,
pages 8 to 12, and “R2” page:**

**CITY COUNCIL BUDGET
FISCAL YEAR 2018
OTPS DETAIL**

U/A 100 COUNCIL MEMBERS		
DESCRIPTION	OBJ CODE	COUNCIL BUDGET
Newsletter (Printing)	101	\$700,000
Newsletter (Postage)	117	\$700,000
Council OTPS Procurement	400	\$1,500,000
Rent	414	\$2,500,000
TOTAL U/A 100		\$5,400,000

U/A 200 CENTRAL STAFF		
DESCRIPTION	OBJ CODE	COUNCIL BUDGET
Supplies & Materials	100	\$90,000
Printing Supplies	101	\$15,000
Automotive Supplies	105	\$2,000
WEX Gas	10F	\$25,000
Storehouse Supplies	10X	\$25,000
Postage	117	\$16,000
Computer Supplies	199	\$70,000
Equipment - General	300	\$37,448
Telecommunications Equipment	302	\$5,000
Motor Vehicle	305	\$60,958
Office Furniture	314	\$50,000
Office Equipment	315	\$15,000
Purchase DP Equipment	332	\$100,000
Books - Other	337	\$235,000
Library Books	338	\$20,000
Contractual Services - General	400	\$40,000
Telephone & Other Comm.	402	\$85,000
Office Services	403	\$12,000
Telephones - Data	40B	\$300,000
Maintenance Repairs Auto	40G	\$25,000
Contractual Services - intra-City	40X	\$1,000
Rentals of Misc. Equip.	412	\$115,000
Rent	414	\$6,995,000
Advertising	417	\$3,000
Local Travel - General	451	\$25,000
Local Travel - Special	452	\$5,000
Nonlocal Travel - General	453	\$5,000
Nonlocal Travel - Special	454	\$5,000
Contractual Services - General	600	\$30,000
Telecommunications Maint.	602	\$80,000
Maint. & Repairs	608	\$40,000
Office Equipment Maint.	612	\$20,000
Printing Contracts	615	\$30,000
Temporary Services	622	\$90,000
Cleaning Services	624	\$12,000
Transportation Expenditures	633	\$48,000
Economic Development	660	\$190,000
Training City Employees	671	\$5,000
Prof. Svces. - Legal	682	\$150,000
Prof. Svces. - Computer Services	684	\$290,000
Prof. Svces. - Other	686	\$70,000
DCAS Training	79D	\$10,000
TOTAL U/A 200		\$9,447,406
OTPS TOTALS		\$14,847,406

Page 9 of City Council Fiscal Year 2018 Operating Budget Report - OTPS Detail:

600 Committee on the Aging

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department for the Aging and all federal, state and municipal programs pertinent to senior citizens. The committee has a subcommittee on Senior Centers.

602 Committee on Civil Rights

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to incidences of discrimination, the Human Rights Commission, the Equal Employment Practices Commission and Equal Employment Opportunity.

605 Committee on Civil Service and Labor

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to municipal officers and employees, the Office of Labor Relations, Office of Collective Bargaining, municipal pensions, retirement systems and worker rights.

610 Committee on Consumer Affairs

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Consumer Affairs.

615 Committee on Contracts

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting oversight on matters related generally to City procurement and specifically to the activities of the Mayor's Office of Contracts, the Procurement Policy Board, City Procurement policies and procedures and specific city contracts.

616 Committee on Cultural Affairs, Libraries & International Intergroup Relations

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Cultural Affairs, libraries, museums, the Art Commission, the New York City Commission for the United

Nations, Consular Corps and Protocol, the Mayor's Office of Special Projects and Community Events and encouraging harmony among the citizens of New York City, promoting the image of New York City and enhancing the relationship of its citizens with the international community. The committee has a subcommittee on Libraries.

617 Committee on Courts and Legal Services

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to the Legal Aid Society, the court system, and the provision of legal services.

620 Committee on Economic Development

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Economic Development Corporation and Department of Small Business Services.

625 Committee on Education

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Education and the School Construction Authority. The committee has a subcommittee on Non-Public Schools.

630 Committee on Environmental Protection

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Environmental Protection.

Page 10 of City Council Fiscal Year 2018 Operating Budget Report - OTPS Detail:

632 Committee on Finance

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to budget review and budget modifications, the Banking Commission, the Comptroller's Office, Department of Design and Construction, the Department of Finance, Independent Budget Office and fiscal policy and revenue from any source.

633 Committee on Fire and Criminal Justice Services

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to the Fire Department/Emergency Medical Service (non-health related issues), Departments of Correction, Probation and the Office of Emergency Management.

635 Committee on General Welfare

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Human Resources Administration/Department of Social Services, Administration for Children's Services, Department of Homeless Services and charitable institutions.

640 Committee on Governmental Operations

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to municipal governmental structure and organization, the Department of Citywide Administrative Services, Community Boards, Tax Commission, Board of Standards and Appeals, Campaign Finance Board, Board of Elections, Voter Assistance Advisory Committee, Commission on Public Information and Communication, Department of Records and Information Services, Financial Information Services Agency and the Law Department.

645 Committee on Health

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Health and Mental Hygiene, Emergency Medical Services (health related issues), the Health and Hospitals Corporation and the Office of the Chief Medical Examiner.

Page 11 of City Council Fiscal Year 2018 Operating Budget Report - OTPS Detail:

647 Committee on Higher Education

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the City University of New York and issues related to Higher Education.

650 Committee on Housing and Buildings

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Housing Preservation and Development, Department of Buildings, and rent regulation.

652 Committee on Immigration

Responsible for considering and proposing to the full Council legislation and resolutions for adoption and preparing committee reports on issues affecting immigrants in New York City and conducting legislative oversight on matters in relation to the Mayor's Office on Immigrant Affairs.

653 Committee on Juvenile Justice

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to Juvenile Justice.

654 Committee on Land Use

To ensure responsible use of City property, this committee considers and proposes to the full Council resolutions for adoption, prepares committee reports and conducts legislative oversight on matters in relation to the City Planning Commission, Department of City Planning, Department of Information Technology and Telecommunications (land use related issues), Landmarks Preservation Commission and Land Use and Landmarks Review. The committee has three subcommittees: Zoning and Franchises; Landmarks, Public Siting and Maritime Uses; and, Planning, Dispositions and Concessions.

656 Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse & Disability Services

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to mental health, developmental disabilities, alcoholism services, drug abuse, disability services, the Department of Health and Mental Hygiene (mental hygiene issues) and the Mayor's Office for People with Disabilities.

657 Committee on Oversight and Investigations

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Investigation, and to investigate any matters within the jurisdiction of the Council relating to property, affairs or government of New York City.

660 Committee on Parks and Recreation

This committee is responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Parks and Recreation.

665 Committee on Public Safety

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Police Department, District Attorneys, Special Narcotics Prosecutor, Civilian Complaint Review Board and the Criminal Justice Coordinator.

667 Committee on Public Housing

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the New York City Housing Authority.

668 Committee on Recovery and Resiliency

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to recovery in Hurricane Sandy affected communities and from natural disasters. Efforts to make New York City more resilient in the face of climate change, preparing for, responding to, and recovering from emergencies.

670 Committee on Rules, Privileges and Elections

Responsible for considering and proposing to the full Council legislation and resolutions for adoption and preparing committee reports on matters in relation to Council structure and organization and appointments.

671 Committee on Sanitation & Solid Waste Management

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Sanitation and the Business Integrity Commission.

Page 12 of City Council Fiscal Year 2018 Operating Budget Report - OTPS Detail:

673 Committee on Small Business

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters that affect the creation and operation of retail businesses, small businesses and emerging industries throughout the City.

675 Committee on Standards and Ethics

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Conflicts of Interest Board and for Council ethics.

680 Committee on State and Federal Legislation

Responsible for considering and proposing to the full Council legislation, state legislative requests and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to state and federal legislation and home rule requests.

681 Committee on Technology

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to the use of technology in New York City, for the management and dissemination of public information, the Mayor's Office of Media and Entertainment, NYC-TV, and the non-land use-related activities of the Department of Information Technology and Telecommunications.

682 Committee on Transportation

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to mass transportation issues, agencies and facilities, the New York City Transit Authority, Department of Transportation and the Taxi and Limousine Commission.

683 Committee on Veterans

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to public policy concerns of veterans and the Mayor's Office of Veterans Affairs.

685 Committee on Waterfronts

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to the use of the City's waterfront and waterfront-related activities.

687 Committee on Women's Issues

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to public policy concerns of women, domestic violence, and the Office to Combat Domestic Violence.

690 Committee on Youth Services

Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Youth Board, the Department of Youth and Community Development, the Interagency Coordinating Council, and youth-related programs.

“R2” page of City Council Fiscal Year 2018 Operating Budget Report:**R2**

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

Res. No. 1423

RESOLUTION APPROVING FOR FISCAL YEAR 2018 THE SCHEDULE DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Resolved by the Council, pursuant to the provisions of section 100 (c) of the New York City Charter, that the following spending shall be presented in a lump sum OTPS unit of appropriation, the allocation of which corresponds to the following PS units of appropriation.

COUNCIL BUDGET		
PS	DESCRIPTION	MEMO OTPS*
U/A	002 COMMITTEE STAFFING	\$4,838,915
	005 COUNCIL SERVICES	\$4,608,491
	TOTAL OTPS	\$9,447,406

*Set forth for informational purposes only in accordance with Charter Section 100 (c)

*See page 8, City Council Fiscal Year 2018 OTPS Detail

END OF ATTACHMENT

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 16, 2017.

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

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

Report for M-486

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget in regard to transferring City funds between various agencies in Fiscal Year 2017 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-4).

The Committee on Finance, to which the annexed preconsidered communication was referred on March 16, 2017 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on March 16, 2017, the Committee on Finance considered a communication, dated March 13, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit "1" (the "Modification"), to modify units of appropriation and transfer city funds between various agencies in the Fiscal Year 2017 expense budget as adopted by the Council on June 14, 2016, and modified on September 28, 2016 and December 15, 2016, pursuant to Section 107(b) of the Charter of the City of New York (the "Charter").

Analysis. The Council annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 14, 2016, the Council adopted the expense budget for Fiscal Year 2017 (the "Fiscal 2017 Expense Budget"). On September 28, 2016, the Council modified the expense budget for Fiscal Year 2017. The Council further modified the expense budget for Fiscal Year 2017 on December 15, 2016. This modification will implement expense budget changes which were reflected in the City's January Financial Plan. Furthermore, as requested by the Council, the modification will reallocate appropriations that were included in the Fiscal 2017 Expense Budget to fund City Council local initiatives as well as other discretionary programs.

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

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

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

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

TO: Honorable Melissa Mark-Viverito
Speaker

Honorable Julissa Ferreras-Copeland
Chair, Finance Committee

FROM: Latonia McKinney, Director
Nathan Toth, Deputy Director
Regina Poreda Ryan, Deputy Director
Paul Scimone, Deputy Director
Ray Majewski, Chief Economist/Deputy Director
Eric Bernstein, Counsel

DATE: March 16, 2017

SUBJECT: A budget modification (MN-4) for Fiscal Year 2017 to implement changes in the City's expense budget.

INITIATION: By letter dated March 13, 2017, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds between various agencies to implement changes in the City's expense budget.

BACKGROUND: MN-4 implements expense budget changes that were reflected in the City's January Financial Plan. It also reallocates appropriations that were reflected in the Fiscal 2017 Adopted Budget to fund City Council local initiatives and other discretionary programs.

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

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1424:)

Res. No. 1424

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

By Council Member Ferreras-Copeland.

WHEREAS, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on March 16, 2017, the Committee on Finance considered a communication, dated March 13, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a

proposed request, attached hereto as Exhibit “1” (the “Modification”), to modify units of appropriation and transfer city funds between various agencies in the Fiscal Year 2017 expense budget as adopted by the Council on June 14, 2016, and modified on September 28, 2016 and December 15, 2016 pursuant to Section 107(b) of the Charter of the City of New York (the “Charter”); and

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

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

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

ATTACHMENT:



The City of New York
Office of Management and Budget
255 Greenwich Street - New York, New York 10007 - 2146
(212) 788-5900

Dean Fuleihan
Director

March 13, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2017 to implement changes in the City's expense budget.

This modification (MN-4) will implement expense budget changes which were reflected in the City's January Financial Plan. In addition, as requested by the City Council, this modification reallocates appropriations that were included in the FY 2017 Adopted Budget to fund City Council local initiatives as well as other discretionary programs.

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

Your approval of modification MN-4 is respectfully requested.

Sincerely,

Dean Fuleihan

Fiscal Year 2017 Budget Modification**- MN 4 -****FROM**

002 MAYORALTY	
062 OFF OF LABOR RELATIONS-OTPS	-75,000
090 MAYOR'S OFFICE OF CONTRACT SERVICES – PS	-904,000
017 DEPARTMENT OF EMERGENCY MANAGEMENT 002	
OTHER THAN PERSONAL SERVICES	-198,000
025 LAW DEPARTMENT	
001 PERSONAL SERVICES	-1,018,000
030 DEPARTMENT OF CITY PLANNING	
002 OTHER THAN PERSONAL SERVICES	-458,274
040 DEPARTMENT OF EDUCATION	
401 GE INSTR & SCH LEADERSHIP - PS	-41,028,169
470 PRE-K CONTRACT PMTS - OTPS	-15,000,000
054 CIVILIAN COMPLAINT REVIEW BD	
001 CCRB-PS	-81,000
056 POLICE DEPARTMENT	
001 OPERATIONS	-1,487,643
006 CRIMINAL JUSTICE	-12,500,000
057 FIRE DEPARTMENT	
001 EXECUTIVE ADMINISTRATIVE	-14,876,016
068 ADMIN FOR CHILDREN'S SERVICES	
001 PERSONAL SERVICES	-747,761
006 CHILD WELFARE-OTPS	-78,787,471
007 JUVENILE JUSTICE - PS	-6,827,433
008 JUVENILE JUSTICE - OTPS	-19,735,736
069 DEPARTMENT OF SOCIAL SERVICES	
103 PUBLIC ASSISTANCE - OTPS	-30,837,846

FROM

069 DEPARTMENT OF SOCIAL SERVICES	
107 LEGAL SERVICES	-6,790,833
201 ADMINISTRATION	-153,433
073 BOARD OF CORRECTION	
001 PERSONAL SERVICES	-45,000
095 PENSION CONTRIBUTIONS	
001 CITY ACTUARIAL PENSIONS	-9,374,311
098 MISCELLANEOUS	
001 RESERVE FOR COLLECTIVE BARGAINING	-81,755,059
002 OTHER THAN PERSONAL SERVICES	-509,477,475
003 FRINGE BENEFITS	-157,983,763
002 GENERAL RESERVE	-690,019,081
099 GNRL & LSE PRCHS DBT SVC FUNDS	
001 FUNDED DEBT-W/O CONST LIMIT	-48,265,212
006 NYC Transitional Finance Authority	-36,561,251
103 CITY CLERK	
001 PERSONAL SERVICES	-29,000
125 DEPARTMENT FOR THE AGING	
003 COMMUNITY PROGRAMS - OTPS	-916,578
126 DEPARTMENT OF CULTURAL AFFAIRS	
001 OFFICE OF COMMISSIONER-PS	-165,000
003 CULTURAL PROGRAMS	-36,000
127 FINANCIAL INFO SERVICES AGENCY	
001 PERSONAL SERVICES	-150,000
002 OTHER THAN PERSONAL SERVICES	-907,000
131 OFFICE PAYROLL ADMINISTRATION	
100 PERSONAL SERVICE	-164,000

FROM

136 LANDMARKS PRESERVATION COMM.	
002 OTHER THAN PERSONAL SERVICES	-240,000
156 NYC TAXI AND LIMOUSINE COMM	
002 OTHER THAN PERSONAL SERVICE	-95,040
260 DEPT OF YOUTH & COMMUNITY DEV	
005 COMMUNITY DEVELOPMENT OTPS	-4,964,869
312 OTHER THAN PERSONAL SERVICES	-2,093,702
781 DEPARTMENT OF PROBATION	
002 PROBATION SERVICES	-397,000
003 PROBATION SERVICES-OTPS	-1,197,416
801 DEPT OF SMALL BUSINESS SERVICES	
002 DEPT. OF BUSINESS O.T.P.S.	-192,216
011 WORKFORCE INVESTMENT ACT - OTPS	-185,982
806 HOUSING PRESERVATION AND DEVEL	
001 OFFICE OF ADMINISTRATION	-345,000
810 DEPARTMENT OF BUILDINGS	
001 PERSONAL SERVICES	-2,500,000
816 DEPARTMENT OF HEALTH AND MENTAL HYGIENE	
101 HEALTH ADMINISTRATION - PS	-45,000
103 FAMILY & CHILD HLTH AND HLTH EQUITY - PS	-1,000,000
104 ENVIRONMENTAL HEALTH - PS	-1,000,000
108 MENTAL HYGIENE MANAGEMENT SERVICES - PS	-3,136,160
118 MENTAL HYGIENE MANAGEMENT SERVICES- OTPS	-2,964,095
120 MENTAL HEALTH	-1,602,905
819 HEALTH AND HOSPITALS CORP	
001 LUMP SUM	-186,223
826 DEPT ENVIRONMENTAL PROTECTION	
005 ENVIRONMENTAL MANAGEMENT -OTPS	-22,583

FROM

826 DEPT ENVIRONMENTAL PROTECTION	
006 EXECUTIVE & SUPPORT-OTPS	-100,000
008 WASTEWATER TREATMENT	-1,250,000
836 DEPARTMENT OF FINANCE	
002 OPERATIONS	-400,000
003 PROPERTY	-588,846
004 AUDIT	-570,560
841 DEPARTMENT OF TRANSPORTATION	
001 EXEC ADM & PLANN MGT.	-800,000
002 HIGHWAY OPERATIONS	-1,500,000
003 TRANSIT OPERATIONS	-407,415
004 TRAFFIC OPERATIONS	-985,725
006 BUREAU OF BRIDGES	-866,071
856 DEPT OF CITYWIDE ADMIN SERVS	
290 DIV OF ADMINISTRATION AND SECURITY- OTPS	-699,985
790 ENERGY MANAGEMENT - OTPS	-500,000
858 DEPT OF INFO TECH & TELECOMM	
001 PERSONAL SERVICES	-830,000
866 DEPARTMENT OF CONSUMER AFFAIRS	
002 LICENSING/ENFORCEMENT	-100,000
003 OTHER THAN PERSONAL SERVICE	-110,000
905 DISTRICT ATTORNEY RICHMOND	
001 PERSONAL SERVICES	-500,000
	<u>-1,799,732,138</u>

TO

002 MAYORALTY	
040 OFFICE OF MGMT AND BUDGET-PS	195,186
041 OFFICE OF MGMT AND BUDGET-OTPS	240,000
091 MAYOR'S OFFICE OF CONTRACT SERVICES-OTPS	750,000
380 OFFICE OF OPERATIONS-PS	70,918
003 BOARD OF ELECTIONS	2,341,560
001 PERSONAL SERVICES	1,548,702
002 OTHER THAN PERSONAL SERVICES	
021 OFFICE OF ADMINISTRATIVE TAX APPEALS	
002 OTHER THAN PERSONAL SERVICE	85,000
025 LAW DEPARTMENT	
002 OTHER THAN PERSONAL SERVICES	6,660,258
030 DEPARTMENT OF CITY PLANNING	
001 PERSONAL SERVICES	133,750
039 QUEENS BOROUGH PUBLIC LIBRARY	
001 LUMP SUM	5,000
040 DEPARTMENT OF EDUCATION	
402 GE INSTR & SCH LEADERSHIP - OTPS	3,101,531
416 SCHOOL SUPPORT ORGANIZATION OTPS	100,000
421 CW SE INSTR & SCHL LEADERSHIP - PS	566,909
423 SE INSTRUCTIONAL SUPPORT - PS	485,175
424 SE INSTRUCTIONAL SUPPORT - OTPS	2,012,928
453 CENTRAL ADMINISTRATION - PS	1,617,808
454 CENTRAL ADMINISTRATION - OTPS	32,898,867
461 FRINGE BENEFITS - PS	15,859,303
474 NPS & FIT PMTS - OTPS	8,971,108
042 CITY UNIVERSITY	
001 COMMUNITY COLLEGE – OTPS	7,543,361
002 COMMUNITY COLLEGE PS	59,538,580

TO

042 CITY UNIVERSITY	
004 HUNTER SCHOOLS-PS	1,168,308
056 POLICE DEPARTMENT	
002 EXECUTIVE MANAGEMENT	12,914,158
100 OPERATIONS-OTPS	11,235
400 ADMINISTRATION-OTPS	2,350,000
057 FIRE DEPARTMENT	
004 FIRE PREVENTION	344,092
005 EXECUTIVE ADMIN-OTPS	1,565,113
006 FIRE EXTING & RESP-OTPS	3,088,754
008 FIRE PREVENTION-OTPS	210,000
009 EMERGENCY MEDICAL SERVICES-PS	14,876,016
010 EMERGENCY MEDICAL SERV-OTPS	300,000
068 ADMIN FOR CHILDREN'S SERVICES	
004 HEADSTART/DAYCARE-OTPS	529,621
069 DEPARTMENT OF SOCIAL SERVICES	
101 ADMINISTRATION-OTPS	826,250
105 ADULT SERVICES - OTPS	255,000
203 PUBLIC ASSISTANCE	3,742,242
205 ADULT SERVICES	54,315
071 DEPT OF HOMELESS SERVICES	
100 DEPT OF HOMELESS SERVICES-PS	8,990,947
200 DEPT OF HOMELESS SERVICES-OTPS	91,728,057
072 DEPARTMENT OF CORRECTION	
002 OPERATIONS	1,848,000
003 OPERATIONS - OTPS	4,774,118
073 BOARD OF CORRECTION	
002 OTHER THAN PERSONAL SERVICE	30,000

TO

098 MISCELLANEOUS	2,360,758
005 INDIGENT DEFENSE SERVICES	
099 GNRL & LSE PRCHS DBT SVC FUNDS	1,445,053,261
004 BUDGET STABILIZATION ACCOUNT	
103 CITY CLERK	15,602
126 DEPARTMENT OF CULTURAL AFFAIRS	
002 OFFICE OF COMMISSIONER - OTPS	9,379
022 OTHER CULTURAL INSTITUTIONS	63,000
132 INDEPENDENT BUDGET OFFICE	
001 PERSONAL SERVICE	83,314
133 EQUAL EMPLOY PRACTICES COMM	
001 PERSONAL SERVICES	32,136
002 OTHER THAN PERSONAL SERVICES	11,454
226 COMMISSION ON HUMAN RIGHTS	
001 PERSONAL SERVICES	200,000
002 OTHER THAN PERSONAL SERVICES	150,000
352 MANHATTAN COMMUNITY BOARD #12	
003 RENT	32,000
383 BRONX COMMUNITY BOARD #3	
003 RENT	14
801 DEPT OF SMALL BUSINESS SERVICES	
001 DEPT. OF BUSINESS P.S.	167,000
004 CONTRACT COMP & BUS. OPP - PS	451,500
005 CONTRACT COMP & BUS OPP - OTPS	1,330,101
006 ECONOMIC DEVELOPMENT CORP.	2,910,000
806 HOUSING PRESERVATION AND DEVEL	
002 OFFICE OF DEVELOPMENT	200,986

TO

806 HOUSING PRESERVATION AND DEVEL	
009 OFFICE OF DEVELOPMENT OTPS	14,428
810 DEPARTMENT OF BUILDINGS	
002 OTHER THAN PERSONAL SERVICES	58,901
816 DEPARTMENT OF HEALTH AND MENTAL HYGIENE	
102 DISEASE CONTROL - PS	5,136,160
111 HEALTH ADMINISTRATION - OTPS	174,985
112 DISEASE CONTROL - OTPS	313,784
113 FAMILY & CHILD HLTH AND HLTH EQUITY-OTPS	84,788
117 PREVENTION & PRIMARY CARE - OTPS	2,171,453
820 OFFICE OF ADMIN TRIALS & HEARINGS	
001 OFF OF ADM. TRIALS & HEARINGS	25,000
002 OFFICE OF ADMIN. TRIALS & HEARINGS- OTPS	1,295,136
826 DEPT ENVIRONMENTAL PROTECTION	
004 UTILITY - OTPS	8,895,150
827 DEPARTMENT OF SANITATION	
102 CLEANING & COLLECTION	258,277
109 CLEANING & COLLECTION-OTPS	89,641
829 BUSINESS INTEGRITY COMMISSION	
002 OTHER THAN PERSONAL SERVICES	698,025
836 DEPARTMENT OF FINANCE	
011 ADMINISTRATION-OTPS	820,560
022 OPERATIONS-OTPS	452,917
033 PROPERTY-OTPS	285,929
841 DEPARTMENT OF TRANSPORTATION	
011 OTPS-EXEC AND ADMINISTRATION	35,375
014 OTPS-TRAFFIC OPERATIONS	12,558,196

TO

846 DEPT OF PARKS AND RECREATION	
002 MAINTENANCE & OPERATIONS	214,000
006 MAINT & OPERATIONS - OTPS	7,356,245
856 DEPT OF CITYWIDE ADMIN SVCS	
190 EXECUTIVE AND OPERATIONS SUPPORT - OTPS	119,000
200 DIV OF ADMINISTRATION AND SECURITY - PS	1,350,000
300 ASSET MANAGEMENT-PUBLIC FACILITIES	16,750
390 ASSET MANAGEMENT-PUBLIC FACILITIES-OTPS	1,735,511
890 CITYWIDE FLEET SERVICES - OTPS	329,500
858 DEPT OF INFO TECH & TELECOMM	
002 OTHER THAN PERSONAL SERVICES	7,114,944
860 DEPT RECORDS + INFORMATION SVS	
100 PERSONAL SERVICES	112,408
200 OTHER THAN PERSONAL SERVICES	84,900
905 DISTRICT ATTORNEY RICHMOND	
002 OTHER THAN PERSONAL SERVICES	527,500
	<u>1,799,732,138</u>

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(For text of Appendix A, please refer to the Council website at <http://council.nyc.gov> for M-486 of 2017 and Res No. 1424 of 2017).

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 16, 2017.

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

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

Report for M-487

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the appropriation of new revenues of \$770.8 million in Fiscal Year 2017, pursuant to Section 107(e) of the New York City Charter (MN-5).

The Committee on Finance, to which the annexed preconsidered communication was referred on March 16, 2017 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At the meeting of the Committee on Finance of the City Council on March 16, 2017, the Council considered a communication from the Office of Management and Budget of the Mayor (dated March 13, 2017) of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2017 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of March 13, 2017.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 14, 2016, the Council adopted the expense budget for fiscal year 2017 (the "Fiscal 2017 Expense Budget"). On September 28, 2016 the Council adopted MN-1 modifying the Fiscal 2017 Expense Budget. On December 15, 2016 the Council adopted MN-2 modifying the Fiscal 2017 Expense Budget, and MN-3 which recognized less revenues.

Circumstances have changed since the Council last amended the Fiscal 2017 Expense Budget.

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

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2017 Expense Budget and related revenue estimate requested in the communication.

This modification (MN-5) seeks to increase revenues in the net amount of \$770.8 million compared to the Fiscal 2017 November Plan. This represents an increase in City funds of approximately 1.2 percent.

MN-5 is the second revenue modification of Fiscal 2017 and it reflects changes since the November Plan which are outlined in the January Plan.

MN-5 recognizes \$770.8 million in increased revenues, including \$364.8 million in tax revenue, \$134.2 million in miscellaneous revenues, \$215.0 million in reduced disallowances, and \$56.8 million in unrestricted categorical aid.

Tax revenues increased by \$364.8 million. This does not reflect a changing view of the economy. Rather, it reflects two administrative actions – audits and property tax reserves. The \$300 million increase in audits reflects collections. Through December 2016, the business taxes alone have produced \$526 million in audit revenues. The bulk of this, \$322 million, came from a small group of audits of the old bank tax that were completed in December 2016. The \$100 million reduction in real estate tax refunds reflects a takedown of a reserve held for the nonpayment of property tax. This reserve is usually taken down over the course of the year.

Miscellaneous revenues increased by \$134 million. There are a series of relatively small changes across a number of agencies. The single largest change is a \$26 million increase in interest income at the Comptroller's office. This comes from better than expected return on the City's overnight investment of its cash. The second largest change of \$19 million comes from increased tax license revenue.

There is also a one-time \$215 million addition in the Revenue Budget from the reduction of a liability set up to cover any disallowances of State and Federal categorical grants. An example of such disallowance is a 2009 settlement with the Federal government in which New York State returned \$540 million, \$100 million of which was paid back by the City. This reduction of disallowances represents a judgement by OMB and the Comptroller that the risk posed by these categorical grants is no longer great enough to require all of the \$1.1 billion liability currently on the City's balance sheet.

The change in unrestricted categorical grants consists of \$56.8 million in prior year Medicaid Reimbursements.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2017 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Melissa Mark-Viverito
Speaker

Honorable Julissa Ferreras-Copeland
Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division
Raymond Majewski, Deputy Director/Chief Economist, Finance Division
Eric Bernstein, Counsel
Paul Sturm, Supervising Economist, Finance Division

DATE: March 16, 2017

SUBJECT: A Budget Modification (MN-5) for Fiscal 2017 that will appropriate \$770.8 million in new revenues.

INITIATION: By letter dated March 13, 2017, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$770.8 million in new revenues. These new revenues, combined with additional resources of \$400 million of Prior Year Payables, will be used to increase the Budget Stabilization Account by \$1.170 billion.

BACKGROUND: This modification (MN-5) seeks to recognize \$770.8 million in new revenues, and combines \$400 million in Prior Year Payables, implementing changes reflected in the 2017 January Financial Plan. Of these funds, the total amount of \$1.170 billion is added to the Budget Stabilization Account, which will prepay debt service for Fiscal 2018.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2017 budget of \$770.8 million.

Accordingly, this Committee recommends its adoption.

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

Res. No. 1425

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

By Council Member Ferreras-Copeland.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on March 16, 2017, the Committee on Finance considered a communication, dated March 13, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the "Charter"), attached hereto as Exhibit A (the "Request to Appropriate"); and

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

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

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

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

2. Further Actions. The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2017 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

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

ATTACHMENT: Exhibit A

The City of New York
Office of Management and Budget
255 Greenwich Street - New York, New York 10007 - 2146
(212) 788-5900
Dean Fuleihan
Director

March 13, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new revenues of \$770.8 million in fiscal year 2017.

This modification (MN-5) will implement revenue budget changes reflected in the City's January Financial Plan. The \$770.8 million of new revenues combined with additional resources of \$400 million of Prior Year Payables will be used to increase the Budget Stabilization Account by \$1.170 billion to prepay fiscal year 2018 debt service in fiscal year 2017.

Your approval of modification MN-5 is respectfully requested.

Sincerely,

Dean Fuleihan

**FISCAL YEAR 2017 MODIFICATION
MN-5**

099 Debt Service	
004 Budget Stabilization Account	\$ 1,170,831,504
TOTAL	<u>\$ 1,170,831,504</u>

Exhibit B - MN 5
Changes in Revenue by Revenue Source

Agency Name	Source Description	Fiscal 2017
	SUMMARY	
	TAX AND AUDIT REVENUE CHANGES	
	Real Estate	\$171,000,000
	Sales	(91,000,000)
	Mortgage Recording	(24,000,000)
	Personal Income	(29,000,000)
	General Corporation	0
	Unincorporated Business	2,000,000
	Utility	(14,000,000)
	Hotel	21,000,000
	Commercial Rent	8,000,000
	Real Property Transfer	(44,000,000)
	Cigarette	0
	Others	64,800,000
	Audit	300,000,000
	STAR	0
	TAX AND AUDIT REVENUE TOTAL	\$364,800,000
	MISCELLANEOUS	
	Licenses, Franchises, Etc.	\$61,945,000
	Charges for Services	5,920,000
	Water and Sewage Charges	6,978,000
	Fines and Forfeitures	17,713,000
	Rental Income	9,785,000
	Interest Income	13,791,000
	Other Miscellaneous	18,108,000
	MISCELLANEOUS TOTAL	\$134,240,000
	UNRESTRICTED CATEGORICAL AID	\$56,791,504
	DISALLOWANCES	\$215,000,000
	GRAND TOTAL	\$770,831,504

Exhibit B - MN 5
Changes in Revenue by Revenue Source

Agency Name	Source Description	Fiscal 2017
TAX AND AUDIT REVENUE CHANGES		
Mayoral	00001 Real Prop Tax 1st Quarter	\$73,604,000
Mayoral	00002 Real Prop Tax 2nd Quarter	(24,617,000)
Mayoral	00003 Real Prop Tax 3rd Quarter	16,503,000
Mayoral	00004 Real Prop Tax 4th Quarter	5,510,000
Mayoral	00021 Real Estate Tax Refunds	100,000,000
Mayoral	00033 Interest On Tax Receivable	3,000,000
Mayoral	00050 General Sales Tax	(91,000,000)
Mayoral	00073 Commercial Motor Vehicle Tax	4,000,000
Mayoral	00077 Mortgage Tax	(24,000,000)
Mayoral	00090 Personal Income Tax	(29,000,000)
Mayoral	00093 General Corporation Tax	(53,000,000)
Mayoral	00094 Refunds Of General Corp Tax	88,000,000
Mayoral	00095 Financial Corporation Tax	5,000,000
Mayoral	00096 Refunds Of Financial Corp Tax	(40,000,000)
Mayoral	00099 Unincorporated Business Inc Tax	2,000,000
Mayoral	00103 Utility Tax	(14,000,000)
Mayoral	00110 Payment In Lieu Of Taxes	55,800,000
Mayoral	00112 Tax On Occupancy Of Hotel Rooms	21,000,000
Mayoral	00113 Tax On Commercial Rents	8,000,000
Mayoral	00114 Refunds Of All Other Taxes	(2,000,000)
Mayoral	00122 Conveyance Of Real Property Tax	(44,000,000)
Mayoral	00124 Beer & Liquor Excise Tax	1,000,000
Mayoral	00126 Surcharge On Liquor Licenses	1,000,000
Mayoral	00130 Penalty & Interest-Gen Prop Tax	2,000,000
Mayoral	00135 Tax Audit Revenue	300,000,000
TAX AND AUDIT REVENUE CHANGES TOTAL		\$364,800,000
MISCELLANEOUS		
Licenses, Franchises, Etc.		
TLC	00200 Licenses - General	\$19,483,000
DOB	00200 Licenses - General	595,000
SBS	00250 Permits - General	200,000
DOB	00250 Permits - General	13,812,000
DOT	00250 Permits - General	17,625,000
DOITT	00250 Permits - General	326,000
DOB	00251 Construction Permits	7,000,000
DOITT	00320 Franchises - Other	3,140,000
Dept Correct	00325 Privileges - Other	(236,000)
<i>Licenses, Franchises, Etc. Subtotal</i>		<i>\$61,945,000</i>

Exhibit B - MN 5**Changes in Revenue by Revenue Source**

Agency Name	Source Description	Fiscal 2017
Charges for Service		
DOHMH	00430 Health Services/fees	(\$70,000)
DPR	00450 Culture-Recreation Service/fee	(3,177,000)
Tax Comm	00470 Other Services And Fees	80,000
NYFD	00470 Other Services And Fees	360,000
HPD	00470 Other Services And Fees	7,103,000
DOB	00470 Other Services And Fees	6,967,000
DOF	00470 Other Services And Fees	(5,848,000)
Dept. of Records & Info Svcs	00470 Other Services And Fees	37,000
PA Queens	00470 Other Services And Fees	468,000
Charges for Service Subtotal		\$5,920,000
Water and Sewage Charges		
Mayoral	00521 Reimbursement From Water Board	\$6,978,000
Water and Sewage Charges		\$6,978,000
Fines and Forfeitures		
HPD	00600 Fines - general	\$534,000
DOB	00600 Fines - general	652,000
Trials & Hearings	00600 Fines - general	(2,681,000)
DOF	00600 Fines - general	3,533,000
Trials & Hearings	00603 Fines - ECB	(2,200,000)
DOF	00603 Fines - ECB	17,875,000
Fines and Forfeitures Subtotal		\$17,713,000
Rental Income		
DPR	00753 Rentals: Dock Ship Wharfage	(\$249,000)
DPR	00755 Rentals: Yankee Stadium	(474,000)
HPD	00760 Rentals: Other	4,508,000
DCAS	00760 Rentals: Other	6,000,000
Rental Income		\$9,785,000
Interest Income		
Comptroller	56001 Interest Income – Other	\$26,501,000
DOF	56001 Interest Income – Other	(400,000)
DOF	56002 Interest Income- Sales Tax	(2,080,000)
Comptroller	56003 Interest-Debt Service Fund	(10,230,000)
Interest Income Subtotal		\$13,791,000

Exhibit B - MN 5
Changes in Revenue by Revenue Source

Agency Name	Source	Description	Fiscal 2017
Other Miscellaneous			
HPD	00815	Sales Of In Rem Property	\$633,000
Law Dept	00820	Sales Of City Real Property	4,776,000
Dept Correct	00822	Minor Sales	19,000
Dept Sanit	00822	Minor Sales	109,000
OCAS	00822	Minor Sales	1,800,000
Consumer Aff	00822	Minor Sales	285,000
Mayoral	00859	Sundries	14,420,000
Comptroller	00859	Sundries	(2,439,000)
NYPD	00859	Sundries	(1,152,000)
Dept Correct	00859	Sundries	227,000
HPD	00859	Sundries	235,000
DOHMH	00859	Sundries	(1,000,000)
DPR	00859	Sundries	1,000,000
DOITT	00859	Sundries	(805,000)
<i>Other Miscellaneous Subtotal</i>			<i>\$18,108,000</i>
MISCELLANEOUS TOTAL			\$134,240,000
UNRESTRICTED CATEGORICAL AID			
Dept of Social Svcs	55021	Prior Year Reimbursement	\$56,791,504
UNRESTRICTED CATEGORICAL AID TOTAL			\$56,791,504
DISALLOWANCES			
Mayoral	60000	Reserve Fed & State Disallowances	\$215,000,000
DISALLOWANCES			\$215,000,000
GRAND TOTAL			\$770,831,504

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 16, 2017.

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

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

Report for LU No. 588

Report of the Committee on Finance in favor of Resolution approving Notre Dame Apartments, Block 3085, Lot 45; Bronx, Community District No. 6, Council District No. 15.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on March 16, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

March 16, 2017

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

FROM: Eric Bernstein, Counsel, Finance Division

RE: Finance Committee Agenda of March 16, 2017 - Resolution approving a tax exemption for one Land Use item (Council District 15)

Item 1: Notre Dame Apartments

The Notre Dame Apartments is a 98 unit building constructed for elderly individuals and individuals with disabilities developed under HUD's Section 202 housing loan program in 1986.

In 2000, Notre Dame Housing Development Fund Co., Inc. (the "owner") sought to pay off the original loan and obtain new financing in order to complete much needed repairs. Over the course of a number of years the transaction stalled and did not close until 2005.

Currently, the owner is seeking to refinance the loan in order to decrease debt service and rehab the property. The owner is seeking an Article XI tax exemption in order to maintain affordability of the low income housing. The Council granted the property a prior partial tax exemption (shelter rent) in June 2013 (Res. No. 945) Furthermore, there is a Section 8 Housing Assistant Program (HAP) contract in place that runs until 2032.

Summary:

- Borough – Bronx
- Block 3085, Lot 45
- Council District – 15
- Council Member – Torres
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 98, plus community room
- Type of Exemption-Article XI Tax Exemption, Partial, 35-year term
- Population – low-income rental households
- Sponsor – Notre Dame Housing Development Fund Co., Inc.
- Purpose – preservation
- Cost to the City –\$7.93M (Cumulative-Undiscounted), \$2.74M (NPV-Discounted)
- Housing Code Violations-None
- Anticipated AMI targets: 30% of AMI, 50% of AMI

Accordingly, this Committee recommends its adoption.

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

Res No. 1426

Resolution approving an exemption from real property taxes for property located at (Block 3085, Lot 45) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 588).

By Council Member Ferreras-Copeland.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated February 17, 2017 that the Council take the following action regarding a housing project located at (Block 3085, Lot 45) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - (a) "Effective Date" shall mean the date of repayment or refinancing of the Existing Loan.
 - (b) "Exemption Area" shall mean the real property located in the Borough of Bronx, City and State of New York, identified as Block 3085, Lot 45 on the Tax Map of the City of New York.
 - (c) "Existing Loan" shall mean the HUD-insured private loan made on January 7, 2005 in connection with the Section 202 Supportive Housing program for the Elderly, which loan was secured by a mortgage on the Exemption Area.
 - (d) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - (e) "Gross Residential Rent" shall mean the gross potential rents from all residential units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8 rent supplements, and rental assistance).
 - (f) "Gross Rent Tax" shall mean an amount equal to ten percent (10%) of Gross Residential Rent.
 - (g) "HDFC" shall mean Notre Dame Housing Development Fund Company, Inc.
 - (h) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - (i) "HUD" shall mean the Department of Housing and Urban Development of the United States of America.
 - (j) "New Exemption" shall mean a partial exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - (k) "Owner" shall mean the HDFC or any future owner of the Exemption Area.
 - (l) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the City Council on June 17, 2003 (Cal No. 945).

- (m) "Regulatory Agreement" shall mean a regulatory agreement between HPD and the Owner executed on or after the Effective Date establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
2. The Prior Exemption shall terminate upon the Effective Date.
 3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, 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.
 4. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall pay the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the lesser of either (i) seventeen percent (17%) of the contract rents, or (ii) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.
 5. Notwithstanding any provision hereof to the contrary:
 - (a) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - (b) The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building in the Exemption Area that exists on the Effective Date.
 - (c) Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - (d) All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
 6. In consideration of the New Exemption, the Owner of the Exemption Area shall, for itself, its successors and assigns, (i) execute and record a Regulatory Agreement, and (ii) waive, for so long as the New Exemption shall remain in effect, the benefits of any additional or concurrent

exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 16, 2017.

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

Report of the Committee on Housing and Buildings

Report for Int. No. 247-A

Report of the Committee on Housing and Buildings in favor of approving and amending, as amended, a Local Law to amend the administrative code of the city of New York, in relation to criminal and civil penalties for the performance of unlicensed electrical work.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on April 10, 2014 (Minutes, page 1094), respectfully

REPORTS:

Introduction

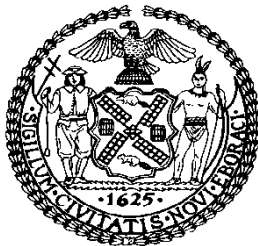
On March 15, 2017, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, will hold a hearing for the purposes of conducting a vote on Proposed Int. No. 247-A.

The Committee previously heard Int. No. 247 on December 13, 2016 and received testimony from representatives of the Department of Buildings (DOB), electrical workers, and other interested members of the public. More information about this bill is available with the materials for that hearing, which can be accessed online at <https://goo.gl/j9MUmm>.

Proposed Int. No. 247-A

Proposed Int. No. 247-A would increase the penalties for performing electrical work without a required license. This local law would take effect 90 days after enactment. For more detailed information, you should review the full text of the bill, which is attached below.

(The following is the text of the Fiscal Impact Statement for Int. No. 247-A:)



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

PROPOSED INTRO. NO: 247-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to criminal and civil penalties for the performance of unlicensed electrical work

SPONSORS: Council Members Crowley, Mendez, Koslowitz, Maisel, Salamanca, Gentile, Torres, Palma, Richards, Espinal, Levine, Grodenchik, Vallone, Cohen, Garodnick, King, Cabrera, Constantinides, Lancman, Miller, Cornegy, Mealy, Reynoso, Rose, Rosenthal, Menchaca, Rodriguez, Dromm and Ulrich

SUMMARY OF LEGISLATION: Proposed Intro. 247-A would categorize electrical work performed without a required license as an immediately hazardous violation and would impose a minimum penalty of \$4,800 and a maximum penalty of \$25,000. Such violation may also be punishable by imprisonment of up to one year. Currently, the Department of Buildings (“DOB”) categorizes unlicensed electrical work as a class 1 immediately hazardous violation, subject to a minimum penalty of \$4,800. As such, this legislation would codify that rule.

EFFECTIVE DATE: This local law would take effect 90 days after it becomes law, except that the Commissioner of Buildings may take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation because this local law would codify an existing penalty.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources would be used to implement the provisions of this local law and non-City entities would bear the costs and penalties associated with unlicensed electrical work pursuant to the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Senior Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 10, 2014 as Intro. No. 247 and was referred to the Committee on Housing and Buildings (Committee). A hearing was held by the Committee on December 13, 2016, and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 247-A, will be considered by the Committee on March 15, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on March 16, 2017.

DATE PREPARED: March 14, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 247-A:)

Int. No. 247-A

By Council Members Crowley, Mendez, Koslowitz, Maisel, Salamanca, Gentile, Torres, Palma, Richards, Espinal, Levine, Grodenchik, Vallone, Cohen, Garodnick, King, Cabrera, Constantinides, Lancman, Miller, Cornegy, Mealy, Reynoso, Rose, Rosenthal, Menchaca, Rodriguez, Dromm, Levin and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to criminal and civil penalties for the performance of unlicensed electrical work.

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 27-3017 of the administrative code of the city of New York is amended to read as follows:

c. Penalty. Any person, partnership or corporation who shall violate any of the provisions of this section shall be guilty of a misdemeanor punishable [by a fine of not less than five hundred dollars nor more than five thousand dollars for the first offense, not less than one thousand dollars nor more than five thousand dollars for the second offense, and not less than fifteen hundred dollars nor more than five thousand dollars for the third offense or any successive offense thereafter or by six months imprisonment or by both such fine and imprisonment] *in accordance with chapter two of title 28 of this code.*

§ 2. Item 13 of Section 28-201.2.1 of the administrative code of the city of New York as added by local law number 159 for the year 2016, is amended to read as follows:

13. A violation of any provision of chapter 4 of this title for engaging in any business or occupation without a required license or other authorization *or a violation of section 27-3017 for performing electrical work without a required license.*

13.1 The minimum civil penalty that shall be imposed for a violation of section 28-408.1 or section 28-410.1 of this code and the minimum fine that shall be imposed for a violation of such sections shall be [two thousand five hundred dollars] \$2,500 for the first violation and [five thousand dollars] \$5,000 for each subsequent violation.

13.2 The minimum civil penalty that shall be imposed for a violation of section 27-3017 of this code and the minimum fine that shall be imposed for a violation of such section shall be \$4,800. The maximum fine that shall be imposed for a violation of such section shall be \$25,000. Such violation may also be punished, in addition to or instead of such fine, by imprisonment of not more than one year.

§ 3. This local law takes effect 90 days after it becomes law, except that the commissioner of buildings may take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK; Committee on Housing and Buildings, March 15, 2017. *Other Council Members Attending: Council Members Lander and Crowley.*

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

Report of the Committee on Land Use

Report for L.U. No. 584

Report of the Committee on Land Use in favor of approving Application No. C 170097 HAK submitted by the New York City 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 an urban development action area designation and project approval and disposition of city-owned property, for property located at 5108 4th Avenue (Block 798, Lot 34), Borough of Brooklyn, Community Board 7, Council District 38.

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2017 (Minutes, page 531) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 7

C 170097 HAK

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 5108 4th Avenue (Block 798, Lot 34), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate an eight-story mixed use building containing approximately 50 units of affordable housing and an expanded public library.

INTENT

To approve an urban development action area designation and project approval and disposition of City-owned property located at 5108 4th Avenue (Block 798, Lot 34), which in conjunction with other related actions would facilitate the development of an eight-story mixed-use building containing approximately 50 units of affordable housing and an expanded public library in the Sunset Park neighborhood of Brooklyn Community District 7.

PUBLIC HEARING**DATE:** March 9, 2017**Witnesses in Favor:** Ten**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 9, 2017

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

In Favor:

Salamanca, Rodriguez, Cohen.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

Against:

None

Abstain:

None.

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

Res No. 1427

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 170097 HAK, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 5108 4th Avenue (Block 798, Lot 34), Borough of Brooklyn, Community District 7, to a developer selected by HPD (L.U. No. 584; C 170097 HAK).

By Council Members Greenfield and Salamanca.

WHEREAS, the City Planning Commission filed with the Council on February 3, 2017 its decision dated February 1, 2017 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") regarding city-owned property located at 5108 4th Avenue (Block 798, Lot 34) (the "Disposition Area"), approving:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of 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 the New York City Department of Housing Preservation and Development;

which in conjunction with the other related actions would facilitate the development of an eight-story mixed-use building containing approximately 50 units of affordable housing and an expanded public library in Community District 7, Borough of Brooklyn (ULURP No. C 170097 HAK) (the "Application");

WHEREAS, the application is related to Applications C 170098 PPK (L.U. No. 585), the disposition of City-owned property located at 5108 4th Avenue (Block 798, Lot 34); and C 170099 PPK (L.U. No. 586), an acquisition of property for use as a new branch library;

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

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

WHEREAS, by letter dated February 27, 2017 and submitted to the Council on March 6, 2017, 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 March 9, 2017;

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

WHEREAS, the Council has considered the relevant environmental issues, including the revised negative declaration (CEQR No. 16HPD015K) issued on August 2, 2016 (the "Revised Negative Declaration");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised 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 170097 HAK) 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, copy of which is attached hereto and made a part hereof.

The Council approves the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, March 15, 2017.

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

Report for L.U. No. 585

Report of the Committee on Land Use in favor of filing Application No. C 170098 PPK submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property located at 5108 4th Avenue (Block 798, Lot 34), Borough of Brooklyn, Community Board 7, Council District 38. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2017 (Minutes, page 531) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 7

C 170098 PPK

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of New York City Charter, for the disposition of one City-owned property located at 5108 4th Avenue (Block 798, Lot 34), pursuant to zoning.

By letter dated March 8, 2017 and submitted to the Council on March 9, 2017, the application was withdrawn.

SUBCOMMITTEE RECOMMENDATION**DATE:** March 9, 2017

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

In Favor:

Salamanca, Rodriguez, Cohen.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

Against:

None

Abstain:

None

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

Res No. 1428

Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on Application ULURP No. C 170098 PPK, for the disposition of City-owned property located at 5108 4th Avenue (Block 798, Lot 34), Community District 7, Borough of Brooklyn (L.U. No. 585).

By Council Members Greenfield and Salamanca.

WHEREAS, the City Planning Commission filed with the Council on February 3, 2017 its decision dated February 1, 2017 (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 ("HPD"), for the disposition of City-owned property at 5108 4th Avenue (Block 798, Lot 34), which in conjunction with the other related actions would facilitate the development of an eight-story mixed-use building containing approximately 50 units of affordable housing and an expanded public library in the Sunset Park neighborhood

of Brooklyn, pursuant to zoning, Community District 7, Borough of Brooklyn (ULURP No. C 170098 PPK) (the "Application");

WHEREAS, the application is related to Applications C 170097 HAK (L.U. No. 584), the designation of city-owned property located at 5108 4th Avenue (Block 798, Lot 34) as an urban development action area, an urban development action area project for such property, and the disposition of such property to a developer selected by HPD; and C 170099 POK (L.U. No. 586), an acquisition of property for use as a new branch library;

WHEREAS, by submission dated March 8, 2017 and submitted to the City Planning Commission and the Council on March 9, 2017, the application was withdrawn.

RESOLVED:

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, March 15, 2017.

Coupled to be Filed pursuant to a Letter of Withdrawal.

Report for L.U. No. 586

Report of the Committee on Land Use in favor of Application No. C 170099 POK submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 5108 4th Avenue (Block 798, Lot 34), Borough of Brooklyn, Community Board 7, Council District 38. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2017 (Minutes, page 531) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN - CB 7

C 170099 POK

City Planning Commission decision approving an application submitted by the Brooklyn Public Library and the New York City Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 5108 4th Avenue (Block 798, Lot 34) for use as a library.

INTENT

To approve the acquisition of property located at 5108 4th Avenue (Block 798, Lot 34), which in conjunction with other related actions would facilitate the development of an eight-story mixed-use building containing approximately 50 units of affordable housing and an expanded public library in the Sunset Park neighborhood of Brooklyn Community District 7.

PUBLIC HEARING

DATE: March 9, 2017

Witnesses in Favor: Ten

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 9, 2017

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

In Favor:

Salamanca, Rodriguez, Cohen.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 15, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

Against:

None

Abstain:

None

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

Res No. 1429

Resolution approving the decision of the City Planning Commission on ULURP No. C 170099 PQK (L.U. No. 586), for the acquisition of property located at 5108 4th Avenue (Block 798, Lot 34), for use as a library, in Community District 7, Borough of Brooklyn.

By Council Members Greenfield and Salamanca.

WHEREAS, the City Planning Commission filed with the Council on February 3, 2017 its decision dated February 1, 2017 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the Brooklyn Public Library (BPL) and the New York City Department of Citywide Administrative Services (DCAS), for the acquisition of property located at 5108 4th Avenue (Block 798, Lot 34), in the Sunset Park neighborhood of Brooklyn for use as the Sunset Park Branch Public Library (the "Site"). This action, in conjunction with other related actions would facilitate the development of an eight-story mixed-use building containing approximately 50 units of affordable housing and an expanded public library, (ULURP No. C 170099 PQK), Community District 7, Borough of Brooklyn (the "Application");

WHEREAS, the application is related to Applications C 170097 HAK (L.U. No. 584); and C 170098 PPK (L.U. No. 585);

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 9, 2017;

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

WHEREAS, the Council has considered the relevant environmental issues, including the revised negative declaration (CEQR No. 16HPD015K) issued on August 2, 2016 (the "Revised Negative Declaration");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised 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 this report, C 170099 PQK, incorporated by reference herein, the Council approves the Decision.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, March 15, 2017.

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

Report for L.U. No. 587

Report of the Committee on Land Use in favor of approving Application No. 20175195 TCK pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Bushido Restaurant Company LLC, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 321 Starr Street, Borough of Brooklyn, Community Board 4, Council District 34. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2017 (Minutes, page 532) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****BROOKLYN - CB 4****20175195 TCK**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Bushido, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 321 Starr Street.

INTENT

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

PUBLIC HEARING**DATE:** March 15, 2017**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 15, 2017

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

In Favor:

Richards, Gentile, Reynoso, Torres.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

Against:

None

Abstain:

None

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

Res No. 1430

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 321 Starr Street, Borough of Brooklyn (20175195 TCK; L.U. No. 587).

By Council Members Greenfield and Richards.

WHEREAS, the Department of Consumer Affairs filed with the Council on January 30, 2017 its approval dated January 25, 2017 of the petition of Bushido, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 321 Starr Street, Community District 4, Borough of Brooklyn (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

WHEREAS, upon due notice, the Council held a public hearing on the Petition on March 15, 2017; and

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

RESOLVED:

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, March 15, 2017.

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

Report of the Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services

Report for Int. No. 748-B

Report of the Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to drug strategy.

The Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services, to which the annexed proposed amended local law was referred on April 16, 2015 (Minutes, page 1284), respectfully

REPORTS:

Introduction

On March 15, 2017, the Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services, chaired by Council Member Andrew Cohen conducted a hearing on Proposed Int. No. 748-B, A Local Law to amend the New York city charter, in relation to drug strategy. The first hearing was on Proposed Int. No. 748-A, an earlier version of the legislation, and occurred on June 23, 2015 as a joint hearing with the Public Safety Committee. During that initial hearing, the Council heard testimony from representatives of the Administration, prosecutors, defense attorneys, health experts and advocates. Since the first hearing, the legislation has been amended to reflect some of the input and comments that were received.

Background

New York City has been engaged in steps to address substance use and abuse. In this regard, the Department of Health and Mental Hygiene, (DOHMH), launched Take Care New York in 2004 and one of its priorities was to help New Yorkers live free of dependence on drugs and alcohol.¹ According to DOHMH, Take Care New York tackles priority areas by advancing health promotion policies and activities and further helps create, sustain and strengthen community collaborations.² Community partners play a critical role in shaping and implementing Take Care New York 2016 under Mayor Bill DeBlasio.³ The DOHMH has been working to reduce alcohol and substance abuse, including through the evidence-based screening, brief intervention, referral, and treatment (SBIRT) program, which was launched in 2008 at the Department's STD clinics and other clinical settings throughout the city.⁴ According to the 2009-2010 Take Care New York Progress Report, 105,000 individuals were screened for substance abuse, and an educational campaign emphasizing the hazards of excessive drinking was launched.⁵

In 2011, former Mayor Michael Bloomberg created the Mayor's Task Force on Prescription Painkiller Abuse.⁶ The task force created Rx Stat to monitor public health and safety data from city, state and federal agencies to help analyze and combat prescription painkiller abuse and its associated public health and safety consequences.⁷ Further, in 2013, the New York Police Department (NYPD) started a pilot program in Staten Island to equip officers with naloxone, the heroin antidote that can instantly reverse the effects of a heroin overdose. The following year, in May 2014, Attorney General Eric T. Schneiderman announced that NYPD

¹ http://www.nyc.gov/html/doh/downloads/pdf/public/triennial_report.pdf, http://media.hotnews.ro/media_server1/document-2009-09-15-6151445-0-take-care-new-york-2012.pdf

² <http://www.nyc.gov/html/doh/html/about/tcny.shtml>

³ <http://www.nyc.gov/html/doh/html/about/tcny.shtml>

⁴ <http://www.nyc.gov/html/doh/downloads/pdf/tcny/tcny-2009-2010-ar.pdf>

⁵ Id.

⁶ http://www.nyc.gov/html/cjc/downloads/pdf/rx_stat_september_2013_report.pdf

⁷ Id.

would join the Community Overdose Prevention (COP) program.⁸ Through the program, Attorney General Schneiderman provided NYPD with funding to equip 19,500 NYPD officers with naloxone.⁹

The Office of the Special Narcotics Prosecutor (SNP) for the City of New York investigates and prosecutes more than 3,000 arrests annually and has jurisdiction over felony narcotics crimes in the five boroughs.¹⁰ Additionally, SNP works to reduce the demand for narcotics by raising public awareness and facilitating treatment for addicted offenders.¹¹ The Investigations Division focuses on complex, high-level narcotics organizations and seizing narcotics proceeds.¹²

Int. No. 748-B

This bill would require the preparation of short and long term plans and recommendations to coordinate resources to address problems associated with illicit and non-medical drug use and to address the effects associated with past and current drug use. Section one of Int. No. 748-B would amend chapter 1 of the New York city charter by adding a new section 20-c, titled “Drug Strategy.”

Subdivision a of section 20-c of such chapter would require the Mayor to designate an agency or an office to prepare such short and long term plans and recommendations to coordinate and effectively utilize private and public resources to address the problems associated with illicit and non-medical drug use and to address the effects associated with past and current drug policies in the City.

Subdivision b of such new section 20-c would require that the designated agency prepare and submit a report no later than February 1, 2018, and no later than February 1 biennially thereafter, to the Mayor and to the Speaker of the Council on municipal drug strategy. The designated agency would be required to consult with relevant stakeholders, including, but not limited to, community-based harm reduction programs, licensed substance use disorder treatment programs, healthcare providers, prevention programs, drug policy reform organizations, community-based criminal justice programs, persons directly affected by drug use, persons formerly incarcerated for drug related offenses, and experts in issues related to illicit and non-medical drug use and policies, in preparing the report. Such report shall include, but not be limited to:

1. A summary of current drug policies, programs, and services in the City, including an overview of goals to address the use of illicit and non-medical drugs such as the use of prescription drugs for non-prescription purposes;
2. A summary of interventions needed in order to reduce drug-related disease, mortality, and crime, and any inequities and disparities related to race, ethnicity, age, income, gender, geography, and immigration status;
3. An overview of programs, legislation or administrative action to promote and support health and wellness related to drug use, as well as to improve the public health and safety of the City’s individuals, families, and communities by addressing the health, social and economic problems associated with illicit and non-medical drug use, past or current drug policies, and to reduce any stigma associated with drug use;
4. An overview of the City’s efforts to collaborate with existing substance use, medical, and mental health services, including community-based harm reduction programs, licensed substance use disorder treatment programs, healthcare providers, formalized recovery support programs, youth prevention programs, drug policy reform programs and community-based criminal justice programs to develop and foster effective responses to illicit and non-medical drug use in the City;
5. An overview of pilot programs related to illicit and non-medical drug use; and
6. An overview of any other proposals to achieve the city-wide goals and objectives related to illicit and non-medical drug use, including, if available, timelines for implementation.

Subdivision c of section 20-c of such chapter would require the creation of a Municipal Drug Strategy Advisory Council, whose membership shall include the head of the designated agency or their representative, who would be the Chair of the Municipal Drug Strategy Advisory Council, along with a representative from the Department of Health and Mental Hygiene, the Department of Education, Health and Hospitals Corporation, the New York Police Department, the Administration for Children’s Services, the Human Resources Administration,

⁸ May 27, 2014 Press Release “A.G. Schneiderman Announces Funding to Equip NYC Police Officers with Life-Saving Heroin Antidote,” available at <http://www.ag.ny.gov/press-release/ag-schneiderman-announces-funding-equip-nyc-police-officers-life-saving-heroin>

⁹ Id.

¹⁰ <http://www.nyc.gov/html/snp/html/about/organization.shtml>

¹¹ Id.

¹² Id.

the Department of Correction, the Department of Probations, the Department of Homeless Services, the Speaker of the City Council and up to three (3) members appointed by the Speaker, and representatives from any other agency that such agency head may designate, and would also include at least eight (8) representatives, including at least one from continuum of care providers, those directly affected by drug use, those in recovery from drug use, people formerly incarcerated for drug related offenses and experts in issues related to illicit and non-medical drug use and policies. The legislation would also allow the head of the designated agency or their representative to establish subcommittees comprised of governmental or nongovernmental representatives as deemed necessary to accomplish the work of the Municipal Drug Strategy Advisory Council. The Municipal Drug Strategy Advisory Council would:

1. Make recommendations to the head of the designated agency regarding the development of the municipal drug strategy report required pursuant to this section;
2. Produce an advisory addendum, as deemed necessary by the municipal drug strategy advisory council, to the New York municipal city drug policy strategy report, as prepared by the head of the designated agency, pursuant to subdivision c of such section;
3. Advise on relevant federal, state, and local legislation, programs, and other governmental activities;
4. Make recommendations to the head of the designated agency regarding the implementation of city-wide goals and objectives related to the risks associated with illicit and non-medical drug use; and
5. Hold at least four meetings each fiscal year, at least one of which shall be open to the general public for input and comments.

Bill section 2 would require the local law to take effect immediately and would expire and be deemed repealed following the submission of the required report pursuant to this local law due in February 2022.

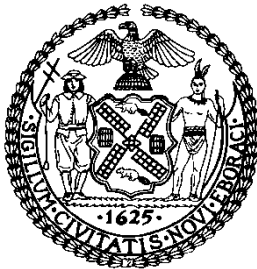
Significant amendments to the legislation

The legislation was amended to no longer call for the creation of an office of drug strategy. In lieu of this, an agency or office as designated by the Mayor, would be required to prepare short and long term plans and recommendations to coordinate resources to address problems associated with illicit and non-medical drug use and to address the effects associated with past and current drug use. Instead of an annual report, this legislation would require the submission of a biennial report on municipal drug strategy, however, an addendum to the biennial report can be produced as deemed necessary by the entity created under the amended legislation called the “Municipal Drug Strategy Advisory Council.”

Update

On March 15, 2017, the Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services adopted this legislation by a vote of six in the affirmative, none in the negative and no abstentions. Accordingly, the Committee recommends its adoption.

(The following is the text of the Fiscal Impact Statement for Int. No. 748-B:)



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

INTRO. NO: 748-B

**COMMITTEE: Mental Health, Developmental Disability,
Alcoholism, Substance Abuse and Disability Services**

TITLE: A local law to amend the New York City charter, in relation to drug strategy.

SPONSOR(S): Council Members Johnson, Cohen, Gibson, Constantinides, Eugene, Koo, Palma, Torres, Rodriguez, Lancman, Levin, Mendez, Levine, Cornegy, Crowley, Rose, Williams, Cumbo, Lander, Van Bramer, Menchaca and Dromm.

SUMMARY OF LEGISLATION: This bill would require the preparation of short and long term plans and recommendations to coordinate resources to address problems associated with illicit and non-medical drug use. The legislation would further require this agency or office to prepare and submit to the Mayor and the Speaker of the City Council periodic reports on municipal drug strategy. Finally, the proposed legislation would establish a municipal drug strategy advisory council.

EFFECTIVE DATE: This legislation would take effect immediately, with the first drug strategy report due by February 1, 2018 and subsequent reports due biennially by February 1. The local law established by this legislation would expire and would be deemed repealed following the submission of report due in February 2022.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY 19	Full Fiscal Impact FY 18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that this bill would not have an impact on expenditures because the agency or office of drug strategy would utilize existing resources to complete the coordination efforts and reporting requests.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 16, 2015 and was referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services. The Committee held a hearing on Proposed Int. No. 748-A on June 23, 2015, jointly with the Committee on Public Safety, and the bill was laid over. The Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services will vote on the amended legislation, Proposed Int. No. 748-B, at a hearing on March 15, 2017. Upon successful vote by the Committee, the full Council will vote on the legislation on March 16, 2017.

DATE PREPARED: March 13, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 748-B:)

Int. No. 748-B

By Council Members Johnson, Cohen, Gibson, Constantinides, Eugene, Koo, Palma, Torres, Rodriguez, Lancman, Levin, Mendez, Levine, Cornegy, Crowley, Rose, Williams, Cumbo, Lander, Van Bramer, Menchaca, Dromm, Vallone, Kallos and Borelli.

A Local Law to amend the New York city charter, in relation to drug strategy

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-c to read as follows:

§20-c Drug Strategy. a. Such agency or office that the mayor shall designate shall prepare short-term and long-term plans and recommendations to coordinate and effectively utilize private and public resources to address problems associated with illicit and non-medical drug use and to address the effects associated with past and current drug policies in this city.

b. No later than February 1, 2018, and no later than February 1 biennially thereafter, the designated agency shall prepare and submit to the mayor and the speaker of the city council a report on municipal drug strategy. The department shall consult with relevant stakeholders, including but not limited to community-based harm reduction programs, licensed substance use disorder treatment programs, healthcare providers, prevention programs, drug policy reform organizations, community-based criminal justice programs, persons directly affected by drug use, persons formerly incarcerated for drug related offenses, and experts in issues related to illicit and non-medical drug use and policies, in preparing the report. Such report shall include, but not be limited to:

1. A summary of current drug policies, programs, and services in the city, including an overview of goals to address the use of illicit and non-medical drugs such as the use of prescription drugs for non-prescription purposes;

2. A summary of interventions needed in order to reduce drug-related disease, mortality, and crime, and any inequities and disparities related to race, ethnicity, age, income, gender, geography, and immigration status;

3. An overview of programs, legislation or administrative action to promote and support health and wellness related to drug use, as well as to improve the public health and safety of the city's individuals, families, and communities by addressing the health, social and economic problems associated with illicit and non-medical drug use, past or current drug policies, and to reduce any stigma associated with drug use;

4. An overview of the city's efforts to collaborate with existing substance use, medical, and mental health services, including community-based harm reduction programs, licensed substance use disorder treatment programs, healthcare providers, formalized recovery support programs, youth prevention programs, drug policy reform programs and community-based criminal justice programs to develop and foster effective responses to illicit and non-medical drug use in the city;

5. An overview of pilot programs related to illicit and non-medical drug use; and

6. An overview of any other proposals to achieve the city-wide goals and objectives related to illicit and non-medical drug use, including, if available, timelines for implementation.

c. There shall be a municipal drug strategy advisory council whose members shall include, but not be limited to, the head of the designated agency, or their representative, who shall be chair, a representative from the department of health and mental hygiene, the department of education, the health and hospitals corporation, the police department, the administration for children's services, the human resources administration, the department of corrections, the department of probation, and the department of homeless services, the speaker of the city council and up to three members appointed by the speaker, and representatives of any other agencies that the head of the designated agency may designate, as well as at least eight representatives, including but not limited to at least one from each of the following: continuum of care providers, those directly affected by drug use, those in recovery from drug use, people formerly incarcerated for drug related offenses, and experts in issues related to illicit and non-medical drug use and policies. The head of the designated agency or their representative may establish subcommittees comprised of governmental or nongovernmental representatives as deemed necessary to

accomplish the work of the municipal drug strategy advisory council. The municipal drug strategy advisory council shall:

- 1. Make recommendations to the head of the designated agency regarding the development of the municipal drug strategy report required pursuant to this section;*
- 2. Produce an advisory addendum, as deemed necessary by the municipal drug strategy advisory council, to the New York municipal city drug policy strategy report, as prepared by the head of the designated agency, pursuant to subdivision c of this section;*
- 3. Advise on relevant federal, state, and local legislation, programs, and other governmental activities;*
- 4. Make recommendations to the head of the designated agency regarding the implementation of city-wide goals and objectives related to the risks associated with illicit and non-medical drug use; and*
- 5. Hold at least four meetings each fiscal year, at least one of which shall be open to the general public for input and comments.*

§ 2. This local law takes effect immediately and shall expire and be deemed repealed following the submission of the required report pursuant to this local law due in February 2022.

ANDREW COHEN, *Chairperson*; ELIZABETH S. CROWLEY, COREY D. JOHNSON, PAUL A. VALLONE, BARRY S. GRODENCHIK, JOSEPH C. BORELLI; Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services, March 15, 2017. *Other Council Members Attending: Council Member Rosenthal.*

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

Report for Int. No. 882-A

Report of the Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the installation of induction loops systems for certain capital projects paid in whole or in part from the city treasury and requiring the publication of public locations where such systems are available.

The Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services, to which the annexed proposed amended local law was referred on August 13, 2015 (Minutes, page 3180), respectfully

REPORTS:

Introduction

On March 15, 2017, the Committee on Mental Health, Developmental Disabilities, Alcoholism, Substance Abuse, and Disability Services, chaired by Council Member Andrew Cohen, conducted a hearing on Proposed Int. No. 882-A, A Local Law to amend the New York city charter, in relation to requiring the installation of induction loops systems for certain capital projects paid in whole or in part from the city treasury and requiring the publication of public locations where such systems are available. The first hearing on the original version of this bill occurred on October 22, 2015. At that time, the Committee heard from the Mayor's Office for People with Disabilities (MOPD) on behalf of the Administration, advocates and other interested persons.

Background

The Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) was introduced in Congress in 1988 and signed into law by President George H.W. Bush on July 26, 1990.¹ The ADA was created to “provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.”² The law thus established prohibitions against discrimination in employment (Title I), public services furnished by governmental entities (Title II), and public accommodations provided by private entities (Title III) with the goal of ensuring equal opportunity for persons with disabilities to participate in American life. The ADA was modeled after the Civil Rights Act of 1964 and effectively serves, together with Section 504 of the Rehabilitation Act of 1973, as an equal opportunity law for people with disabilities.

A collaborative effort between Democrats, Republicans, the legislative and the executive branches, federal and state agencies, and people with and without disabilities, the ADA was the world’s first comprehensive declaration of equality for people with disabilities. President George H.W. Bush’s statement at the signing of the ADA, “let the shameful walls of exclusion finally come tumbling down,”³ encapsulated the message of the Act: that millions of Americans with disabilities are full-fledged citizens and are entitled to legal protections that ensure them equal opportunity and access. However, despite these important protections, significant obstacles and barriers remain to full engagement in civic and social life, particularly due to inequalities that still exist in public accessibility and transportation.⁴

The ADA provides that Title II entities, including local governments such as New York City, may not exclude qualified individuals⁵ with a disability, by reason of such disability, from participation in, or deny them the benefits of, the services, programs, or activities of the public entity.⁶ Courts have also held that Title II also prohibits actions that have the effect of discriminating against individuals with disabilities through “inaction, thoughtlessness, or equal treatment when particular accommodations are necessary.”⁷ Title II’s coverage is broad, and includes all governmental activities of a public entity, including those carried out by contractors.⁸

To ensure full compliance with the ADA, the statute requires that a public entity⁹ employing 50 or more persons designate at least one employee to coordinate its compliance efforts and carry out responsibilities under Title II’s implementing regulations.¹⁰ These responsibilities include the investigation of any complaint made to the entity alleging noncompliance with the regulations, or an action that would be prohibited by them.¹¹ The name, office address, and telephone number of the designated employee must also be made publicly available.¹² Furthermore, covered entities must adopt and publish grievance procedures for “prompt and equitable” resolution of complaints alleging prohibited actions under Title II.¹³

¹ George Bush: “Statement on Signing the Americans with Disabilities Act of 1990,” July 26, 1990. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=18712>

² 42 U.S.C. §§ 12101(b)(1)

³ Bush, *supra* note 1.

⁴ Sarah Parker Harris, Randall Owen and Cindy De Ruiter, *Civic Engagement and People with Disabilities: The Role of Advocacy and Technology*, Journal of Community Engagement & Scholarship, Spring 2012, Vol. 5 Issue 1, p70-83, available at <http://jces.ua.edu/civic-engagement-and-people-with-disabilities-the-role-of-advocacy-and-technology/>

⁵ The ADA defines a “qualified individual” as “individual with a disability who, with or without reasonable modifications to rules, policies, and practices, or removal of barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or for participation.” 42 U.S.C. § 12131(2).

⁶ 42 U.S.C.A. § 12132; 28 C.F.R. §§ 35.101, 35:130(a).

⁷ *Matthews v. Jefferson*, 29 F. Supp. 2d 525 (W.D. Ark. 1998).

⁸ 28 C.F.R. § Pt. 35, App. B

⁹ The term “public entity” applies not only to a state or local government, but to “any department, agency, special purpose district, or other instrumentality of a state or local government.” 42 U.S.C.A. § 12131(1)(B); 28 C.F.R. § 35.104. Thus, any City agency or office employing 50 or more persons would be subject to this requirement.

¹⁰ 28 C.F.R. § 35.107

¹¹ *Id.*

¹² *Id.*

¹³ 28 C.F.R. § 35.107(b).

Assistive Listening Technology

According to a recent report by the Centers for Disease Control and Prevention's National Center for Health Statistics, in 2014 one in six Americans aged 18 or older (16.8 percent of the population) reported having trouble hearing without the assistance of a hearing aid.¹⁴ 30 million Americans (one in eight) aged 12 years or older has hearing loss in both ears, based on standard hearing examinations.¹⁵ Approximately 2 percent of adults aged 45 to 54 have disabling hearing loss, but this increases to 8.5 percent for adults aged 55 to 64, nearly 25 percent of those aged 65 to 74 and 50 percent of those who are 75 and older.¹⁶ The CDC also found a higher prevalence of hearing loss among men, particularly for those individuals over 70, with 52.4 percent of men over 70 reporting trouble hearing without a hearing aid compared with 36.2 percent of women.¹⁷ In New York City, nearly one in six (16%) adults 18 and older reported hearing difficulties such as hearing loss or ringing in their ears.¹⁸ Hearing problems were more prevalent among New Yorkers 45 and over (22%) than individuals aged 18-44 (10%).¹⁹ Across the five boroughs, 57,019 individuals self-identified as having serious hearing difficulties.²⁰

Hearing loss, which often occurs gradually and goes untreated for many years, can have devastating consequences for the individual. Due to difficulties communicating with and understanding others, many individuals with hearing loss become socially isolated, a circumstance linked to depression and increased risk of death from an illness such as heart disease.²¹ Furthermore, according to the *New York Times*, dementia and Alzheimer's disease are major risks associated with hearing loss.²²

Despite the significant number of Americans who experience hearing trouble, less than a quarter (22 percent) of those experiencing hearing difficulties has ever used a hearing aid.²³ The frequency of hearing aid use increased as individuals aged, with 42 percent of adults 70 or over reporting having used one.²⁴ Only 9 percent of adults reported having used assistive technology (i.e. FM systems, instant or text messages, or amplified telephones), with younger individuals representing the largest percentage of users.²⁵

With respect to individuals with hearing difficulties, the ADA Title II implementing regulations establish that a public entity must take "appropriate steps" to ensure that communications with such individuals are as "effective as communications with others,"²⁶ but is not required to take any action that would "result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens."²⁷ If an action would result in such an alteration or burdens, the entity must take other action to ensure "to the maximum extent possible" that individuals with disabilities receive benefits or services.²⁸ The regulations further state that the public entity "shall furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity."²⁹ Several considerations are given to determining the appropriate type of auxiliary aid or

¹⁴ Zelaya CE, Lucas JW, Hoffman HJ. Self-reported hearing trouble in adults aged 18 and over: United States, 2014. NCHS data brief, no 214. Hyattsville, MD: National Center for Health Statistics. 2015, available at <http://www.cdc.gov/nchs/data/databriefs/db214.pdf>

¹⁵ National Institute on Deafness and Other Communication Disorders, Quick Statistics, <http://www.nidcd.nih.gov/health/statistics/Pages/quick.aspx> (last accessed October 16, 2015)

¹⁶ *Id.*

¹⁷ Zelaya CE, Lucas JW, and Hoffman HJ, *supra* note 14.

¹⁸ N.Y.C. Department of Health and Mental Hygiene, NYC Vital Signs: Hearing Problems and Headphone Use in New York City, Vol. 12, No. 2 (July 2013), available at <http://www.nyc.gov/html/doh/downloads/pdf/survey/survey-2013noise.pdf>

¹⁹ *Id.*

²⁰ N.Y.C. Mayor's Office for People with Disabilities, New York City People with Disabilities Statistics, http://www.nyc.gov/html/mopd/downloads/pdf/Statistic_Data.pdf. By borough: Bronx, 8,842; Brooklyn, 16,187; Manhattan, 10,642; Queens, 17,496; Staten Island, 3,852. *Id.* This information was compiled from Census Data and includes individuals "who are deaf and/or have a serious hearing difficulty." Hearing difficulties are significantly underreported, and thus the actual number is likely to be much higher.

²¹ Jane E. Brody, Personal Health: Lifelines for People with Hearing Loss, *New York Times* (January 16, 2012), available at <http://well.blogs.nytimes.com/2012/01/16/personal-health-lifelines-for-people-with-hearing-loss>

²² *Id.*

²³ Zelaya CE, Lucas JW, and Hoffman HJ, *supra* note 14.

²⁴ *Id.*

²⁵ *Id.*

²⁶ 28 C.F.R. § 35.160

²⁷ 28 C.F.R. § 35.164

²⁸ *Id.*

²⁹ 28 C.F.R. § 35.160(b)(1)

service, including the method of communication used by the individual, the nature, length, and complexity of the communication involved, and the context in which the communication takes place.³⁰ Public entities are encouraged to consult with individuals with disabilities whenever possible to determine the type of auxiliary aid necessary to ensure effective communication, but the final decision lies with the public entity so long as the chosen method results in effective communication.³¹ The ADA implementing regulations require that “[i]n determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities,”³² although the ADA does not require use of the most advanced technology if effective communication occurs without it.³³ Furthermore, a public entity is not required to provide personal devices to persons with disabilities.³⁴ Public entities do not have to take any action that it can demonstrate “would result in a fundamental alteration in the nature of a service, program or activity or in undue financial and administrative burdens,” but the public entity “has the burden of proving that compliance” with the Title II regulations’ communications requirements would result in such alterations or burdens.³⁵

The National Institute on Deafness and Other Communication Disorders defines an assistive device as “any device that helps a person with hearing loss or a voice, speech, or language disorder to communicate.”³⁶ Assistive listening devices (ALDs) or systems amplify certain sounds for an individual, particularly where there is distractive background noise, to allow them to more clearly hear and understand what is being said in their setting.³⁷ Several types of ALDs are available, designed depending on the size of the location in which they will be used and the nature of the communication (i.e. a large concert performance as opposed to a one-on-one conversation). In large facilities, ALD systems include hearing loops, frequency-modulated (FM) systems, and infrared systems. All ALDs may be used with or without hearing aids or a cochlear implant.

Hearing Loops

While modern digital hearing aids enhance hearing in conversational settings, when an individual is at a distance from live speakers or recorded broadcasts, in a room whose acoustics cause a reverberation of sound, or when there is background noise in the room, sound can become inaudible and muddled to many individuals with hearing loss.³⁸ Hearing loop (or induction loop) systems address this problem through the use of electromagnetic energy to directly transfer sound signals to hearing aids and cochlear implants equipped with a telecoil (t-coil) receiver. There are four parts to a hearing loop system: the sound source (e.g. public address system, microphone, TV or telephone), an amplifier, a thin loop of wire (either encircling a room or branching out beneath carpeting), and a receiver worn in the ears or as a headset.³⁹ Sound is amplified and is picked up by a hearing loop receiver or t-coil receiver after traveling through the loop of wire. A listener must be within or near the loop and wearing the receiver to pick up the signal. The result is a clearer sound without as much competing background noise.

According to the Hearing Loss Association of America, 71.5 percent of hearing aid models from major manufacturers have t-coils, and all new cochlear implant models now have t-coils.⁴⁰ However, hearing loop systems work even for those without hearing aids or cochlear implants, as individuals may use portable receivers and headsets to pick up the sound.⁴¹ Hearing loop costs are dependent on the size of the space and the building design of the venue, and can range from \$100-\$300 for self-installed home TV loops to several

³⁰ 28 C.F.R. § 35.160(b)(2)

³¹ 28 C.F.R. § 36.303

³² 28 C.F.R. § 35.160(b)(2)

³³ Rothstein, *Disabilities and the Law* § 5:6 (4th ed.)

³⁴ 28 C.F.R. § 35.135

³⁵ 28 C.F.R. § 35.164

³⁶ National Institute on Deafness and other Communication Disorders, NIDCD Fact Sheet: Assistive Devices for People with Hearing, Voice, Speech, or Language Disorders, NIH Publication 11-7672 (December 2011), available at <http://www.nidcd.nih.gov/staticresources/health/hearing/NIDCD-Assistive-Devices-FS.pdf>

³⁷ *Id.*

³⁸ Hearing Loss Association of America, *A Baker’s Dozen: Frequently Asked Questions about Hearing Loops*, http://www.hearingloss.org/sites/default/files/docs/FAQs_HearingLoops.pdf (last updated June 2015)

³⁹ National Institute on Deafness and other Communication Disorders, *supra* note 36.

⁴⁰ Hearing Loss Association of America, *supra* note 38.

⁴¹ *Id.*

thousand dollars for professionally installed loops in auditoriums or worship spaces.⁴² Hearing loop systems possess several advantages over other alternatives. Those venues that install loop systems have limited or no maintenance costs and do not have to purchase or maintain headphones such as those associated with FM or infrared systems. For users, loop systems enable them to benefit without using headphones (all that is necessary is to turn on their T-coil), provide sound optimized for the needs of the particular listener, and the universal technology of a loop system means that any T-coil equipped instrument user benefits in many settings.

The Hearing Loss Association of America's New York chapter maintains an ongoing list of venues in New York City that have been equipped with hearing loops. As of June 2016, this includes several public facilities, such as all IDNYC enrollment centers and all MTA subway station information booths and Help Points.⁴³ Additionally, the TLC will include hearing induction loops in all new "Taxi of Tomorrow" yellow cabs,⁴⁴ with a decal (designed in accordance with ADA regulations) to be displayed on the vehicle to make passengers aware that it is equipped with a loop.⁴⁵

Int. No. 882-A

Section 1 of Int. No. 882-A would add a new section 224.3 to Chapter 9 of the New York City Charter. Subdivision a of such section would provide the relevant definitions that would apply to the new section including the following terms:

Assembly area. The term "assembly area" means an assembly area, as defined in section 106.5 of the 2010 Americans with Disabilities Act standards for accessible design, in which audible communication is integral to the use of the space, except that such term shall not include classrooms in schools; facilities primarily used to deploy first responders, courthouses and outdoor facilities such as athletic fields and stadiums.

Baseline construction cost. The term "baseline construction cost" means the total cost of a proposed capital project not including the cost of installing an assistive listening system.

Capital project. The term "capital project" means a capital project as defined in section 210 of this chapter that is paid for in whole or in part from the city treasury.

Subdivision b of section 224.3 would require each capital project that would involve the construction or reconstruction of one or more assembly areas and that would have an estimated baseline construction cost of \$950,000 or more, to include in the project's design and construction the installation of an induction loop assistive listening system, or an alternative assistive listening system that the mayor deems significantly more effective for the hard of hearing, in at least one assembly area. The legislation would also require every security, information, or reception desk used for the checking-in or the screening of people attending a meeting or event held in a looped assembly area to be equipped with microloops.

Subdivision c of such section would provide that directional signage, be provided that includes guidance to an assistive listening assembly area, including raised graphics and letters with Braille descriptors, and other signage indicating any special accessibility features must also be provided. Further, subdivision d of such section would provide that any building containing an assistive listening assembly area to display, at the entrance, as well as at security, information, or reception area used for the checking-in or the screening of people attending a meeting or event in such assembly area, to include the international symbol of access for hearing loss, and a "T" in the lower right-hand corner of the symbol to indicate the availability of the system or a symbol indicating that an alternative system is available.

Subdivision e of section 224.3 would require the Mayor, or an office designated by the Mayor, to post on its website a list containing the locations of facilities with assistive listening systems at City-owned or operated facilities, including the cost associated with installation of new systems. Such list shall be updated annually.

⁴² *Id.*

⁴³ Hearing Loss Association of America, NYC Chapter, Hearing Loops in the New York City Metropolitan Area as of 30 June 2016, <https://static1.squarespace.com/static/56fd37ad3c44d8170e6a0b1a/t/579b7f8c2994ca23a79cb80e/1469808528912/June+2016+-+looped+NYC+venues+-+pdf.pdf>

⁴⁴ N.Y.C. Taxi and Limousine Commission, Taxi of Tomorrow-Rules Adoption, http://www.nyc.gov/html/tlc/downloads/pdf/tot_staff_presentation.pdf

⁴⁵ N.Y.C. Rules, Anti-Assault and Hearing Loop Decals, <http://rules.cityofnewyork.us/content/anti-assault-and-hearing-loop-decals>

Subdivision f of such section would provide that the section not apply to capital projects involving the construction or reconstruction of assembly areas that are not owned by the city unless 50 percent or more of the estimated cost of such project is to be paid for out of the city treasury, provided that this exemption shall not apply to any capital project that receives \$1,000,000 or more out of the city treasury.

Subdivision g of section 224.3 allows the Mayor to exempt from the provisions of this section projects accounting for up to 20% of the capital dollars in each fiscal year subject to this section for the installation of assistive listening systems if in the sole judgment of the Mayor such exemption is necessary in the public interest. At the conclusion of each fiscal year the mayor shall report to the City Council the exemptions granted pursuant to this section, including the basis for such exemption.

Subdivision h of such section provides that the Mayor or an office or agency designated by the Mayor shall promulgate rules to carry out the provisions of this section.

Subdivision i of section 224.3 would permit the use of new technology by providing that where the Mayor determines, after consulting with experts in the field of hearing disabilities and assistive listening systems and advocates for people who are hard of hearing, that there is new technology with respect to an assistive listening system that makes such system significantly more effective than an induction loop system, the Mayor may promulgate a rule allowing the use of such system as an alternative to an induction loop system in accordance with subdivision b of section 224.3.

Bill section 2 of the legislation provides the enactment clause and provides that the local law take effect on January 1, 2018, and would apply to projects for which an application for construction document approval is filed with the Department of Buildings on and after such date. The clause also expressly provides that prior to such effective date the Mayor or office or agency designated by the Mayor shall take all actions necessary for the timely implementation of this local law, including the promulgation of rules.

Technical correction

Finally, a technical correction was made to the bill title to insert the word "to" so as to provide that the title begins as follows:

A Local Law to amend the New York city charter,

Significant amendments to the legislation

The legislation was amended to amend the New York City Charter instead of the Administrative Code of the City of New York to require the installation of induction loops systems for certain capital projects paid in whole or in part from the city treasury and requiring the publication of public locations where such systems are available. The legislation was drafted to apply prospectively to certain capital projects with an estimated baseline construction cost of \$950,000 or more involving the construction or reconstruction of one or more assembly areas which shall be designed and constructed to include in at least one assembly area the installation of an induction loop assistive listening system or an alternative assistive listening system that has been determined by the Mayor to be significantly more effective for the hard of hearing than an induction loop system. The original legislation imposed a mandated compliance date for all meeting and hearing facilities to be equipped with a permanently installed induction loop assistive listening system by January 1, 2020. Under the amended bill, the legislation would apply to certain capital projects filed with the Department of Buildings on and after January 1, 2018. Further, the waiver provisions that were contained in the original legislation were removed and the amended bill provides the conditions for which any exemptions to the mandated provisions may occur. The amended legislation would also require every security, information, or reception desk used for the checking-in or the screening of people attending a meeting or event held in a looped assembly area to be equipped with microloops. No such provision, existed in the original legislation. In addition, certain directional signage would now be required under the amended legislation, as well as other signage, indicating any special accessibility features must also be provided.

This legislation and the ADA

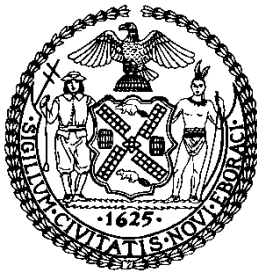
Int. No 882-A in no way attempts to reduce the City's obligations under the ADA (American with Disabilities Act) to provide effective communication for people who are hard of hearing, or to comply with the requirements of the ADA Guidelines that are triggered when the City does new construction or renovates an existing building. The ADA does not dictate what type of assistive listening system must be used to provide

accessibility. The bill reflects the policy that the City should choose a loop system when the conditions in the bill are met. The bill also provides exemptions from the requirement to install a loop system under certain circumstances. These are only exemptions as to the requirement to choose a loop system, they do not (and could not) exempt the City from any obligation to comply with the ADA. The exemption would simply allow the agency performing construction or renovation to use another type of assistive listening system in circumstances where the ADA requires an assistive listening system to be installed.

Update

On March 15, 2017, the Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services adopted this legislation by a vote of six in the affirmative, none in the negative and no abstentions. Accordingly, the Committee recommends its adoption.

(The following is the text of the Fiscal Impact Statement for Int. No. 882-A:)



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

INTRO. NO: 882-A

**COMMITTEE: Mental Health, Developmental Disability,
Alcoholism, Drug Abuse and Disability
Services**

TITLE: A local law to amend the New York City Charter, in relation to requiring the installation of induction loop systems for certain capital projects paid in whole or in part from the City treasury and requiring the publication of public locations where such systems are available.

SPONSOR(S): Council Members Rosenthal, Torres, Eugene, Koo, Koslowitz, Cabrera, Chin, Van Bramer, Crowley, Levin, Reynoso, Palma, Deutsch, Dromm, Menchaca and Cohen

SUMMARY OF LEGISLATION: The proposed legislation would require every capital project that (1) involves the construction or reconstruction of an assembly area and (2) claims an estimated baseline construction cost of \$950,000 or more, to include in the project's design and construction the installation of an induction loop assistive listening system—or an alternative assistive listening system that the mayor deems significantly more effective for the hard of hearing—in at least one assembly area. The proposed legislation would also require every security, information, or reception desk used for checking-in or screening people attending a meeting or event held in a looped assembly area to be equipped with microloops.

Regarding signage, the legislation would require—if applicable—any building containing an assistive listening assembly area to display, at the entrance, the international symbol of access for hearing loss, including a “T” in the lower right-hand corner of the symbol to indicate the availability of the system. The legislation would also require the Mayor, or an office designated by the Mayor, to post information on its website regarding assistive listening systems at City-owned or operated facilities, including the cost associated with installation of new systems.

EFFECTIVE DATE: This legislation would take effect on January 1, 2018 and would apply to projects that file an application for construction approval with the Department of Buildings on and after this date. The Mayor must post the aforementioned website information by July 1, 2018.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019**FISCAL IMPACT STATEMENT:**

	Effective FY 19	FY Succeeding Effective FY 20	Full Fiscal Impact FY 19
Revenues	\$0	\$0	\$0
Expenditures	\$5,720,000	\$0	\$5,720,000
Net	(\$5,720,000)	\$0	(\$5,720,000)

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

IMPACT ON EXPENDITURES: It is estimated that this bill would result in \$5.72 million in expenditures in Fiscal 2019. The projected expenditures assume an average induction loop system installation cost of \$20,000 per project, based on vendor estimates. A review of the Fiscal 2017 Adopted Capital Commitment Plan suggests 286 eligible City capital projects, including 124 School Construction Authority projects. Funding 286 projects at \$20,000 each results in \$5.72 million in expenditures; however, the expenditures are subject to change based on the number of eligible projects added to the Capital Commitment Plan.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
The Mayor's Office for People with Disabilities

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on August 13, 2015 and was referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services. The Committee held a hearing on October 22, 2015 and the bill was laid over. The bill was subsequently amended, and the Committee will vote on the amended legislation, Proposed Int. No. 882-A, at a hearing on March 15, 2017. Upon successful vote by the Committee, the full Council will vote on the legislation on March 16, 2017.

DATE PREPARED: March 13, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 882-A:)

Int. No. 882-A

By Council Members Rosenthal, Torres, Eugene, Koo, Koslowitz, Cabrera, Chin, Van Bramer, Crowley, Levin, Reynoso, Palma, Deutsch, Dromm, Menchaca, Cohen, Vallone, Kallos, Johnson and Borelli.

A Local Law amend the New York city charter, in relation to requiring the installation of induction loops systems for certain capital projects paid in whole or in part from the city treasury and requiring the publication of public locations where such systems are available

Be it enacted by the Council as follows:

Section 1. Chapter 9 of the New York city charter is amended by adding a new section 224.3 to read as follows:

§ 224.3 *Induction loop systems.* a. *As used in this section, the following terms have the following meanings:*

Assembly area. The term “assembly area” means an assembly area, as defined in section 106.5 of the 2010 Americans with Disabilities Act standards for accessible design, in which audible communication is integral to the use of the space, except that such term shall not include classrooms in schools; facilities primarily used to deploy first responders, courthouses and outdoor facilities such as athletic fields and stadiums.

Baseline construction cost. The term “baseline construction cost” means the total cost of a proposed capital project not including the cost of installing an assistive listening system.

Capital project. The term “capital project” means a capital project as defined in section 210 of this chapter that is paid for in whole or in part from the city treasury.

b. Each capital project with an estimated baseline construction cost of \$950,000 or more involving the construction or reconstruction of one or more assembly areas shall be designed and constructed to include in at least one assembly area the installation of an induction loop assistive listening system that complies with section N102 of appendix N of the New York city building code, or an alternative assistive listening system that complies with appendix N of the New York city building code that has been determined by the mayor in accordance with subdivision i of this section to be significantly more effective for the hard of hearing than an induction loop system. Each security, information, or reception desk used for the checking-in or screening of persons attending a meeting or event held in a looped assembly area shall be equipped with microloops. This section shall not apply to a capital project involving the reconstruction of an assembly area if the estimated cost of installing an induction loop system or alternative system exceeds 5% of the baseline construction cost of the project.

c. Directional signage that includes guidance to an assistive listening assembly area, including raised graphics and letters with Braille descriptors, must be provided in accordance with section 1110.2 of the New York city building code, and other signage indicating any special accessibility features must be provided in accordance with section 1110.3 of such code.

d. The entrance to any building containing an assistive listening assembly area and any security, information, or reception area used for the checking-in or screening of persons attending a meeting or event held in such assembly area shall display the international symbol of access for hearing loss pursuant to figure 703.6.3.3 of ICC A117.1-2009 and a “T” in the lower right-hand corner of such symbol indicating the availability of an induction loop system or a symbol indicating an alternative system if applicable.

e. No later than July 1, 2018, the mayor or an office or agency designated by the mayor shall post on its website the locations of facilities owned or operated by the city at which an assistive listening system such as an induction loop, infrared, FM, or other type of system, is permanently available or in the process of being installed, as well as which type of assistive listening system is permanently available or in the process of being installed, including the cost associated with installation of new assistive listening systems. The list shall be updated annually thereafter.

f. This section shall not apply to capital projects involving the construction or reconstruction of assembly areas that are not owned by the city unless 50 percent or more of the estimated cost of such project is to be paid for out of the city treasury, provided that this exemption shall not apply to any capital project that receives \$1,000,000 or more out of the city treasury.

g. The mayor may exempt from this section projects accounting for up to 20% of the capital dollars in each fiscal year subject to this section for the installation of assistive listening systems if in his or her sole judgment such exemption is necessary in the public interest. At the conclusion of each fiscal year the mayor shall report to the council the exemptions granted pursuant to this section, including the basis for such exemption.

h. The mayor or an office or agency designated by the mayor shall promulgate rules to carry out the provisions of this section.

i. Where the mayor determines, after consulting with experts in the field of hearing disabilities and assistive listening systems and advocates for people who are hard of hearing, that there is new technology with respect to an assistive listening system that makes such system significantly more effective than an induction loop system, the mayor may promulgate a rule allowing the use of such system as an alternative to an induction loop system in accordance with subdivision b.

§ 2. This local law takes effect on January 1, 2018, and applies to projects for which an application for construction document approval is filed with the department of buildings on and after such date, except that prior to such effective date the mayor or office or agency designated by the mayor shall take all actions necessary for the timely implementation of this local law, including the promulgation of rules.

ANDREW COHEN, *Chairperson*; ELIZABETH S. CROWLEY, COREY D. JOHNSON, PAUL A. VALLONE, BARRY S. GRODENCHIK, JOSEPH C. BORELLI; Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services, March 15, 2017. *Other Council Members Attending: Council Member Rosenthal.*

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

Report of the Committee on Transportation

Report for Int. No. 1071-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law in relation to requiring the department of transportation to study private streets.

The Committee on Transportation, to which the annexed proposed amended local law was referred on February 5, 2016 (Minutes, page 325), respectfully

REPORTS:

INTRODUCTION

On March 15, 2017, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a hearing on Proposed Int. No. 1071-A, a Local Law in relation to requiring the department of transportation to study private streets. This is the second hearing on this item. A first hearing on this item was held on January 26, 2017 at which the Committee heard testimony from the New York City Department of Transportation (“DOT”) and other interested stakeholders.

BACKGROUND

New York City has approximately 900 private streets¹. Private streets offer several benefits to their residents, including resident-only parking. However, private streets do not receive any of the normal services provided by the City, including paving and snow clearing. Instead, residents and homeowners are responsible for the maintenance and repair of their streets. The increasing expense of maintaining these streets is not only creating financial problems for many homeowners, but it is leading many private streets to fall into disrepair.

¹ Kate Hinds, *Illegal Streets: Off the Map, Not off the Grid*, WNYC, Dec. 29, 2010, available at <http://www.wnyc.org/story/284058-illegal-streets-off-the-map-not-off-the-grid/>; see also

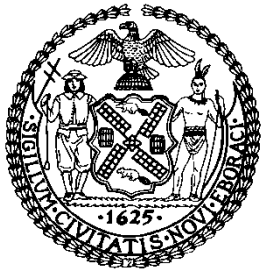
Mike McLaughlin, *Parking Dream: Residents can set parking and traffic rules city's more than 900 private streets*, N.Y. Daily News, Aug. 9, 2010, available at <http://www.nydailynews.com/new-york/parking-dream-residents-set-parking-traffic-rules-city-900-private-streets-article-1.203563>.

ANALYSIS OF PROPOSED INT. NO. 1071-A

Section one of Proposed Int. No. 1071-A would require DOT to conduct a study of private streets that are not within its jurisdiction. DOT would be required to obtain, from each Borough President and from the Department of City Planning, the locations of private streets in the city, to the extent such information is available. DOT would be required to review the factors that may be considered or necessary for the acquisition of built private streets. No later than June 30, 2018, DOT would be required to issue a report on the findings of the study to the Mayor and to the Speaker of the Council. The report would include, but not be limited to, the locations of private streets in the City that DOT obtained from each Borough President and the Department of City Planning pursuant to the study.

Section two of Proposed Int. No. 1071-A would provide that the local law would take effect immediately once it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 1071-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 1071-A
COMMITTEE: Transportation

TITLE: A Local Law in relation to requiring the department of transportation to study private streets.

SPONSORS: Council Members Maisel, Espinal, Jr., Gentile, Greenfield, Dromm and Ulrich

SUMMARY OF LEGISLATION: Proposed Intro. 1071-A would require the Department of Transportation to conduct a study of private streets, including a review of the factors that may be considered or necessary for the acquisition of previously built private streets for public use. Also, the bill requires the Department to submit a report on the findings of the study by June 30, 2018 to the Mayor and the Council Speaker.

EFFECTIVE DATE: The local law would take effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues 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 to comply with this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Existing resources would be used to comply with this local law for the reduction of revenues.

SOURCE OF INFORMATION: New York City Council Finance Division

Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Brandon West, Senior Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1071 on February 5, 2016 and referred to the Committee on Transportation. A hearing was held by the Committee on Transportation, jointly with the Committee on Public Safety, on January 26, 2017 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1071-A, will be considered by the Committee on Transportation on March 15, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1071-A will be submitted to the full Council for a vote on March 16, 2017.

DATE PREPARED: March 13, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1071-A:)

Int. No. 1071-A

By Council Members Maisel, Espinal, Gentile, Greenfield, Dromm, Deutsch, Kallos and Ulrich.

A Local Law in relation to requiring the department of transportation to study private streets

Be it enacted by the Council as follows:

Section 1. The department of transportation shall conduct a study of private streets that are not within its jurisdiction. As part of such study, the department shall obtain from each borough president and from the department of city planning the locations of private streets in the city, to the extent such information is available, and shall review the factors that may be considered or necessary for the acquisition of built private streets. Upon completion of such study, and no later than June 30, 2018, the department shall issue a report on the study's findings to the mayor and the speaker of the council. Such report shall include, but not be limited to, any locations of private streets in the city obtained from each borough president and the department of city planning pursuant to such study.

§ 2. This local law takes effect immediately.

YDANIS A. RODRIGUEZ, *Chairperson*; MARGARET S. CHIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, I. DANEEK MILLER, ANTONIO REYNOSO; DONOVAN J. RICHARDS; Committee on Transportation, March 15, 2017.

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

Report for Int. No. 1474-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to taxicab licenses.

The Committee on Transportation, to which the annexed proposed amended local law was referred on February 5, 2016 (Minutes, page 523), respectfully

REPORTS:**INTRODUCTION**

On March 15, 2017, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a hearing on Proposed Int. No. 1474-A, a Local Law in relation to taxicab licenses, and Proposed Int. No. 1475-A, A Local Law in relation to the definition of ownership and use of a licensed taxicab, and to repeal subdivision i of section 19-504 of the administrative code of the city of New York, relating to the ratio of the number of taxicab licenses. This is the second hearing on these items. A first hearing on these items was held on February 27, 2017 at which the Committee heard testimony from the New York City Taxi and Limousine Commission (“TLC”) and other interested stakeholders.

BACKGROUND

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 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).⁴ Fares are set by the City.⁵

There are currently two different types of taxi medallions: an independent medallion and a mini-fleet medallion.⁶ Mini-fleet medallions must be owned in groups of at least two.⁷ Many mini-fleet medallion owners maintain a fleet of taxi vehicles that are leased to drivers on a per shift basis.⁸ On the other hand, the owner of an independent medallion may only own one medallion.⁹ Historically, owners of independent medallions typically operated as owner-drivers who owned both the medallion and the taxi vehicle. Many were further required to personally drive their taxis for a minimum number of hours or shifts each year. This requirement was intended to “promote safety and quality customer service, in the belief that taxicab drivers who own a medallion would operate the medallion more responsibly than those who did not because of their financial stake in their medallion.”¹⁰ However, beginning in 2011, in response to discussions with the industry, TLC

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

² Id.

³ Id.

⁴ TLC, *Your guide to Boro Taxis*, available at http://www.nyc.gov/html/tlc/html/passenger/shl_passenger.shtml

⁵ TLC, *Taxicab Rate of Fare*, available at http://www.nyc.gov/html/tlc/html/passenger/taxicab_rate.shtml

⁶ TLC, *2014 Taxicab Fact Book*, available at http://www.nyc.gov/html/tlc/downloads/pdf/2014_taxicab_fact_book.pdf

⁷ Id.

⁸ Id.

⁹ Id.

¹⁰ TLC, *Notice of Promulgation of Rules - Owner Must Drive Repeal*, February 25, 2016, available at http://www.nyc.gov/html/tlc/downloads/pdf/newly_passed_rule_omd_repeal.pdf

gradually loosened these requirements before ultimately eliminating them in February 2016.¹¹ According to TLC, because its various Vision Zero-related initiatives are intended to promote driving safety for all drivers, including those who own and drive their medallion taxis, “specific requirements to promote driver safety for this category of licensee [were] no longer needed.”¹² The Administrative Code requires the ratio of mini-fleet to individual medallions, currently at approximately 60 percent mini-fleet and 40 percent individual, to remain constant.¹³

When medallions first began being traded after World War II, the average price was \$2,500.¹⁴ In subsequent decades, the value of a medallion increased exponentially. For instance, 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.¹⁵ By 2013, the average price of an independent medallion was approximately \$967,000 and approximately \$1.15 million for a mini-fleet medallion.¹⁶ 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.¹⁷

By many accounts, the situation today is significantly different. A review of postings on nycitycab.com of medallions for sale so far in February 2017 reveal asking prices between \$425,000 and \$650,000.¹⁸ In March 2016, TLC Chair Meera Joshi testified at the Committee’s preliminary budget hearing that the medallion market was essentially “frozen,” with “a lot less transactions” occurring compared to previous years, and cited that as a reason the City had decided to postpone a planned sale of new medallions.¹⁹ In 2011, the State authorized the City to sell 2,000 new medallions; between November 2013 and March 2014 TLC auctioned 400 of those, but no further sales have occurred since.²⁰ There are currently a total of 13,587 medallions.²¹

Industry members and observers cite a variety of factors behind the decline in the taxi medallion market, in particular increased competition for both passengers and drivers from app-based for-hire vehicle services such as Uber and Lyft. Daily fare-box revenues for yellow taxis were 10 percent lower in December 2016 than in the prior year and 25 percent lower than in December 2012.²² Total yellow taxi trips per day in April 2016 were down 8.7 percent compared to April 2015 and down 21 percent compared to April 2010.²³

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.²⁴ In September 2015, Montauk Credit Union, a major lender to taxi-medallion owners, was seized by State regulators due to “unsafe and unsound” operations.²⁵ Earlier this month, Melrose Credit Union was similarly seized.²⁶

¹¹ Id.

¹² Id.

¹³ N.Y.C. Admin. Code §19-504(i)

¹⁴ TLC, *supra* note 6.

¹⁵ Id.

¹⁶ Id.

¹⁷ 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

¹⁸ <http://nycitycab.com/Business/TaxiMedallionList.aspx> accessed on Feb. 22, 2017.

¹⁹ Testimony of TLC Chair Meera Joshi before the Committee on Transportation, March 2, 2016.

²⁰ 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

²¹ New York City Preliminary Mayor’s Management Report for Fiscal Year 2017, available at

<http://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2017/tlc.pdf>

²² Aaron Elstein, *As lender falls, taxi revenues continue to go downhill*, Crain’s New York, Feb. 19, 2017, available at

<http://www.crainsnewyork.com/article/20170219/FINANCE/170219870/as-lender-falls-taxi-revenues-continue-to-go-downhill>

²³ TLC Yellow Taxi Monthly Indicators available at <http://www.nyc.gov/html/tlc/html/about/statistics.shtml>

²⁴ Hu, *supra* note 15.

²⁵ 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>

²⁶ Aaron Elstein, *Credit union that lent heavily to yellow cabs goes belly-up*, Feb. 12, 2017, available at

<http://www.crainsnewyork.com/article/20170212/TRANSPORTATION/170219976/melrose-credit-union-that-lent-heavily-to-yellow-cabs-goes-belly-up-thanks-to-uber>

ANALYSIS OF PROPOSED INT. NO. 1474-A

Section one of Proposed Int. No. 1474-A would amend subdivision a of Section 11-1402 of the Code to change the rate of the tax on each transfer of a taxicab license or interest therein from five percent to 0.5 percent of the consideration given for such transfer.

Section two provides that Proposed Int. No. 1474-A would take effect immediately.

ANALYSIS OF PROPOSED INT. NO. 1475-A

Section one of Proposed Int. No. 1475-A would amend subdivision g of Section 19-504 of the Code. The amended subdivision would allow, rather than require, TLC to revoke any taxicab license for nonuse.

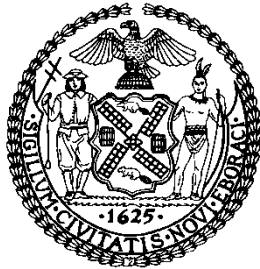
Section two of Proposed Int. No. 1475-A would repeal subdivision i of Section 19-504 of the Code, which requires that the ratio of the number of taxicab licenses, as determined by the total number of taxicab licenses held by owners of more than one taxicab license and the total number of taxicab licenses held by the owners of one taxicab license, remain constant.

Section three of Proposed Int. No. 1475-A would change the title of Section 19-512 of the Code from “Transferability of taxicab licenses issued prior to the effective date of this chapter” to “Transferability of taxicab licenses issued pursuant to this chapter.”

Section four of Proposed Int. No. 1475-A would amend Section 19-512 of the Code. As amended, subdivision a would provide that all taxicab licenses issued pursuant to chapter 19, not just those issued prior to July 16, 1971, are transferable pursuant to the provisions of the section. It would also remove taxicab license transfer requirements related to judgments and tort liability.

Section five provides that Proposed Int. No. 1475-A would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 1474-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 1474-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to taxicab licenses.

SPONSORS: Council Members Rodriguez, Constantinides, Vacca and Dromm.

SUMMARY OF LEGISLATION: Proposed Intro. 1474-A would change the tax on the transfer of a taxicab license from 5 percent of the consideration given for such transfer to 0.5 percent of the consideration given for such transfer.

EFFECTIVE DATE: This local law would take effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues	\$300,000	\$1,800,000	\$1,800,000
Expenditures	\$0	\$0	\$0
Net	\$300,000	\$1,800,000	\$1,800,000

IMPACT ON REVENUES: Currently the City anticipates annual revenue of \$2 million from transfer tax on taxicab licenses. This bill would reduce the tax rate from 5 percent to 0.5 percent, a 90 percent decrease, therefore, it is anticipated that there would be an annual revenue loss of \$1.8 million resulting from the enactment of this legislation. Assuming an effective date of May 1, 2017, the prorated revenue loss in Fiscal 2017 is estimated to be \$300,000.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: MISSING INFO

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

ESTIMATE PREPARED BY: Brandon West, Senior Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1474 on February 15, 2017 and referred to the Committee on Transportation (Committee). A hearing was held by the Committee on February 27, 2017 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1474-A, will be considered by the Committee on March 15, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1474-A will be submitted to the full Council for a vote on March 16, 2017.

DATE PREPARED: March 13, 2017.

(For text of Int. No. 1475-A and its Fiscal Impact Statement, please see the Report of the Committee on Transportation for Int. No. 1475-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int. Nos. 1474-A and 1475-A.

(The following is the text of Int. No. 1474-A:)

Int. No. 1474-A

By Council Member Rodriguez, Constantinides, Vacca and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to taxicab licenses

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 11-1402 of the administrative code of the city of New York is amended to read as follows:

a. [On and after July first, nineteen hundred eighty] *On or after the effective date of the local law that amended this subdivision*, there is hereby imposed and there shall be paid a tax on each transfer of a taxicab license or interest therein, at the rate of [five percent] *0.5 percent* of the consideration given for such transfer.

§ 2. This local law takes effect immediately.

YDANIS A. RODRIGUEZ, *Chairperson*; MARGARET S. CHIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, I. DANEEK MILLER, ANTONIO REYNOSO; DONOVAN J. RICHARDS; Committee on Transportation, March 15, 2017.

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

Report for Int. No. 1475-A

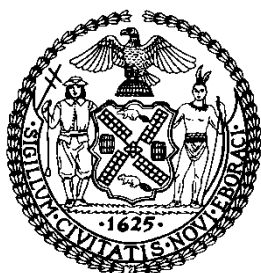
Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the definition of ownership and use of a licensed taxicab, and to repeal subdivision i of section 19-504 of the administrative code of the city of New York, relating to the ratio of the number of taxicab licenses.

The Committee on Transportation, to which the annexed proposed amended local law was referred on February 15, 2017 (Minutes, page 523), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int. No. 1474-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1475-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 1475-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the definition of ownership and use of a licensed taxicab, and to repeal subdivision i of section 19-504 of the administrative code of the city of New York, relating to the ratio of the number of taxicab licenses.

SPONSORS: Council Members Rodriguez, Constantinides, Vacca and Dromm

SUMMARY OF LEGISLATION: Proposed Intro. 1475-A would change the Taxi and Limousine Commission's (TLC) authority to revoke taxicab licenses for nonuse from mandatory to permissive. Also, this bill would repeal the provision requiring that the ratio of the total number of taxicab licenses held by owners of more than one taxicab license and the total number of taxicab license held by the owners of one taxicab license remain the same. Additionally, the bill would repeal the provision requiring a bond to be filed for outstanding tort liabilities for the transfer of a taxicab license.

EFFECTIVE DATE: The local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Brandon West, Senior Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1475 on February 15, 2017 and referred to the Committee on Transportation (Committee). A hearing was held by the Committee on February 27, 2017 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1475-A, will be considered by the Committee on March 15, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1475-A will be submitted to the full Council for a vote on March 16, 2017.

DATE PREPARED: March 13, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1475-A:)

Int. No. 1475-A

By Council Member Rodriguez, Constantinides, Vacca and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to the definition of ownership and use of a licensed taxicab, and to repeal subdivision i of section 19-504 of the administrative code of the city of New York, relating to the ratio of the number of taxicab licenses.

Be it enacted by the Council as follows:

Section 1. Subdivision g of section 19-504 of the administrative code of the city of New York is amended to read as follows:

g. The commission [shall] *may* revoke any license for nonuse in the event it shall determine that the vehicle has not been operated for sixty consecutive days, provided that such failure to operate shall not have been caused by strike, riot, war or other public catastrophe or other act beyond the control of the owner; or in the event the owner has sold his or her vehicle and has failed to replace the vehicle within one hundred and twenty days from the date of sale. However, in the event that it is shown to the commission by competent proof that an owner-driver has been disabled through illness, his or her license shall not be revoked because of such nonuse as provided in this subdivision.

§2. Subdivision i of section 19-504 of the administrative code of the city of New York is hereby REPEALED

§3. The title of section 19-512 of the administrative code of the city of New York is amended to read as follows:

Transferability of taxicab licenses issued [prior] *pursuant* to [the effective date of] this chapter.

§4. Section 19-512 of the administrative code of the city of New York, subdivision d as amended by local law number 50 for the year 1989, is amended to read as follows:

a. Any taxicab license *issued pursuant to this* chapter [first issued prior to July sixteenth, nineteen hundred seventy-one, and in force on such date,] and any renewals thereof, shall be transferable to a transferee who has demonstrated to the satisfaction of the commission that he is qualified to assume the duties and obligations of a taxicab owner[, provided that either the applicant or his or her vendor or transferor shall have filed a bond to cover all the outstanding tort liabilities of the vendor or transferor in excess of the amount covered by a bond or insurance policy which is in effect pursuant to the vehicle and traffic law of the state of New York].

b. [No voluntary sale or transfer of such taxicab license may be made if a judgment has been filed within the city against the holder of a license and remains unsatisfied and notice of said judgment has been filed with the commission, except that a transfer may be permitted if an appeal is pending from an unsatisfied judgment and a bond is filed in sufficient amount to satisfy the judgment. A transfer may also be permitted without filing a bond as set forth in this subdivision provided that all the judgment creditors of unsatisfied judgments file written permission for such a transfer with the commission or provided that the proceeds of sale are paid into court or held in escrow on terms and conditions approved by the commission which will have the effect of protecting the rights of all parties who may have an interest therein.

c.] An owner's interest in such taxicab license may be transferred involuntarily and disposed of by public or private sale in the same manner as personal property provided, however, that upon such involuntary transfer the owner's license shall immediately be cancelled and a new license issued to the purchaser or his or her vendee, provided that such purchaser or vendee satisfied the requirements of subdivision (a) hereof[, except that if the judgment against the involuntary transfer is by reason of a tort judgment against the involuntary transferor, no bond need be provided with respect to the same judgment].

[d.] c. The commission may charge a fee of one hundred sixty dollars for its administrative expenses in connection with the transfer (i) of an owner's interest in a taxicab license transferable pursuant to the provisions of this section or (ii) of the stock in a corporation which is an owner of a taxicab license that is transferable pursuant to the provisions of this section.

§ 5. This local law takes effect immediately.

YDANIS A. RODRIGUEZ, *Chairperson*; MARGARET S. CHIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, I. DANEEK MILLER, ANTONIO REYNOSO; DONOVAN J. RICHARDS; Committee on Transportation, March 15, 2017.

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

GENERAL ORDER CALENDAR**Resolution approving various persons Commissioners of Deeds**

By the Presiding Officer –

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

Approved New Applicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Senora Van Dyke	503-505 West 138th Street #2C New York, N.Y. 10031	7
Tiffany Huggins	536 New Jersey Avenue Brooklyn, N.Y. 11207	42
Margaret Amato	21 Clove Way Staten Island, N.Y. 10301	49
Jaritza Vazquez	2530 Richmond Terrace Staten Island, N.Y. 10303	49

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Marie DelGaudio	505 LaGuardia Place #8B New York, N.Y. 10012	1
Yvonne Rolland	505 LaGuardia Place #8B New York, N.Y. 10012	
Norma Rios	577 Grand Street #F1002 New York, N.Y. 10002	2
Edward M. Yood	340 West 28th Street #4H New York, N.Y. 10001	3
Michele A. Masucci	430 East 20th Street #4H New York, N.Y. 10009	4
Julie Marder	315 East 86th Street #19AE New York, N.Y. 10028	5
Reinaldo Pabon	1763 2nd Avenue #34H New York, N.Y. 10128	5
Alice Faye Henson	485 Lenox Avenue #13E New York, N.Y. 10037	9
Annabelle Feldman	500 Kappock Street #4L Bronx, N.Y. 10463	11
Vilma Guadalupe	75 West Mosholu Pkwy North #6M Bronx, N.Y. 10467	11
Noemi Rodriguez	300 Reservoir Place #3C Bronx, N.Y. 10467	12
LaShawn Clemons	100 Casals Place #27K Bronx, N.Y. 10475	12
Andrew Fraser	3664 Barnes Avenue Bronx, N.Y. 10467	12
Levi Earle Samuels	1415 Needham Avenue Bronx, N.Y. 10469	13
Cirino Lotta	1416 Crosby Avenue Bronx, N.Y. 10461	13

Josephine Rolon	1376 Ogden Avenue #4B Bronx, N.Y. 10452	16
Mabel C. Garcia	1159 Underhill Avenue Bronx, N.Y. 10472	18
Jerome Amato	26-25 Union Street #2G Queens, N.Y. 11354	20
Joann Guzman-Feliz	2507 Gillmore Street East Elmhurst, N.Y. 11369	21
Daniel Khanimov	147-11 Jewel Avenue Flushing, N.Y. 11367	24
Maria Vlahakis	85-26 161st Street Jamaica, N.Y. 11432	24
Alice Ansede	20-02 43rd Street Astoria, N.Y. 11105	26
Mayra Garcia	43-19 39th Place #21 Queens, N.Y. 11104	26
Velma P. Lewis	120-56 164th Street Jamaica, N.Y. 11434	27
Clive Wint	179-73 Selover Road Queens, N.Y. 11434	27
Shira Ali	101-34 117th Street Queens, N.Y. 11419	28
Michael Michel	66-71 74th Street Queens, N.Y. 11379	30
Margaret Ognibene	64-82 83rd Street Queens, N.Y. 11379	30
JoAnn Bush	3132 Westbourne Avenue Far Rockaway, N.Y. 11693	31
Lynette Mangual	105-18 90th Street Ozone Park, N.Y. 11417	32
Norma Paiva	89-2985th Street Queens, N.Y. 11421	32
Denise Stracuzza	98-17 158th Avenue Howard Beach, N.Y. 11414	32
Ivestia Blake	195 Adams Street #2G Brooklyn, N.Y. 11201	33

John Gangone	168 Jackson Street Brooklyn, N.Y. 11211	34
Evelyn Adjoa-Jean Gray	44 Hancock Street #4F Brooklyn, N.Y. 11216	36
Michael P.A. Ramoutar	244 Jefferson Avenue Brooklyn, N.Y. 11216	36
Betty Robinson	997 Dekalb Avenue #3#D Brooklyn, N.Y. 11221	36
Jose Floran	1397 Gates Avenue Brooklyn, N.Y. 11221	37
Ariel Courage	421 52nd Street #3 Brooklyn, N.Y. 11220	38
Concetta F. Riches	4404 6th Avenue #1D Brooklyn, N.Y. 11220	38
Lorretta Easley-Gipson	573 Decatur Street Brooklyn, N.Y. 11233	41
Guy Washington	377 East 46th Street #1 Brooklyn, N.Y. 11203	41
George A. Banat	7820 3rd Avenue Brooklyn, N.Y. 11209	43
Mindy Edelman	9040 Ft. Hamilton Parkway #5B Brooklyn, N.Y. 11209	43
Rhonda C. Perretto	1057 Shore Parkway Brooklyn, N.Y. 11228	43
Edward Ninive	2156 East 34th Street #1 Brooklyn, N.Y. 11234	43
Catherine Ninive	2156 East 34th Street #1 Brooklyn, N.Y. 11234	46
William L. Corey	140 Bay 32nd Street #2 Brooklyn, N.Y. 11214	47
Alex Derbaremdiker	2268 East 14th Street Brooklyn, N.Y. 11229	48
Harriet Keller	2365 East 13th Street #6A Brooklyn, N.Y. 11229	48

Boris Rubin	3111 Ocean Parkway #8E Brooklyn, N.Y. 11235	48
Marina Ukrainsky	3901 Nostrand Avenue #4L Brooklyn, N.Y. 11235	48
Angela Vaisman	2289 East 23rd Street Brooklyn, N.Y. 11229	48
Ninel Yermash	43 Corbin Place Brooklyn, N.Y. 11235	48
Jeffrey Conocchioli	83 Cliff Street Staten Island, N.Y. 10305	49
Lisette Peralta	53 Bush Avenue Staten Island, N.Y. 10303	49
Sharon L. Williams	39 Regal Walk Staten Island, N.Y. 10303	49
Sallyann Bartels	46 Bishop Street Staten Island, N.Y. 10306	50
Regina Davi	476 Ashworth Avenue Staten Island, N.Y. 10314	50
Jean K. Estabrook	17 Raritan Avenue Staten Island, N.Y. 10304	50
Michelle T. Messer	78A Debbie Street Staten Island, N.Y. 10314	50
Phyllis Monahan	57 Hett Avenue Staten Island, N.Y. 10306	50
Michele Agoglia	412 Main Street Staten Island, N.Y. 10307	51
Patricia A. McCarthy	243 Ridgecrest Avenue Staten Island, N.Y. 10312	51
Irina Rudyakova	46 Woodcutters Lane Staten Island, N.Y. 10306	51

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

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

- | | | |
|------|----------------------------------|--|
| (1) | M-486 & Res 1424 - | Transfer City funds between various agencies (MN-4). |
| (2) | M-487 & Res 1425 - | Appropriation of new revenues of \$770.8 million in Fiscal Year 2017 (MN-5). |
| (3) | M-490 & Res 1422 - | Operating Budget of the Council. |
| (4) | M-491 & Res 1423 - | OTPS Unit of Appropriation of the Operating Budget. |
| (5) | Int 247-A - | Criminal and civil penalties for the performance of unlicensed electrical work. |
| (6) | Int 748-B - | Drug strategy. |
| (7) | Int 882-A - | Installation of induction loops systems for certain capital projects paid in whole or in part from the city treasury. |
| (8) | Int 1071-A - | Department of transportation to study private streets. |
| (9) | Int 1198-A - | Flood mitigation in southeast Queens. |
| (10) | Int 1474-A - | Taxicab licenses. |
| (11) | Int 1475-A - | Definition of ownership and use of a licensed taxicab, and to repeal subdivision. |
| (12) | Res 1413 - | Receive funding in the Expense Budget. |
| (13) | L.U. 584 & Res 1427 - | App. C 170097 HAK Brooklyn, Community Board 7, Council District 38. |
| (14) | L.U. 585 & Res 1428 - | App. C 170098 PPK Brooklyn, Community Board 7, Council District 38 (Filed pursuant to a Letter of Withdrawal). |

- (15) **L.U. 586 & Res 1429 -** App. **C 170099 PQK** Brooklyn, Community Board 7, Council District 38.
- (16) **L.U. 587 & Res 1430 -** App. **20175195 TCK** Brooklyn, Community Board 4, Council District 34.
- (17) **L.U. 588 & Res 1426 -** Notre Dame Apartments.
- (18) **Resolution approving various persons Commissioners of Deeds.**

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

Affirmative – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levine, Maisel, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

The General Order vote recorded for this Stated Meeting was 45-0-0 as shown above.

The following Introductions were sent to the Mayor for his consideration and approval: Int. Nos. 247-A, 748-B, 882-A, 1071-A, 1198-A, 1474-A, and 1475-A.

INTRODUCTION AND READING OF BILLS

Int. No. 1499

By The Speaker (Council Member Mark-Viverito) and Council Member Cornegy.

A Local Law in relation to requiring the commissioners of housing preservation and development, buildings, sanitation and consumer affairs to create a list of violations for which civil penalties may be waived through a penalty mitigation program.

Be it enacted by the Council as follows:

Section 1. As used in this local law, the term “penalty mitigation program” means a program that allows individuals to have civil penalties waived if such individuals comply with such programs requirements.

§ 2. Within 180 days of the enactment of this section, the commissioner of housing preservation and development shall (i) conduct a review of all violations enforced by the department of housing preservation and development and established under the provisions of the administrative code and/or the rules of the city of New York, (ii) by rule, create a list of such violations for which civil penalties may be waived if the individual receiving such violation participates in a penalty mitigation program and (iii) submit to the mayor and the council a report providing an explanation for any such violations which were not included in such list.

§ 3. Within 180 days of the enactment of this section, the commissioner of buildings shall (i) conduct a review of all violations enforced by the department of buildings and established under the provisions of the administrative code and/or the rules of the city of New York, (ii) by rule, create a list of such violations for which civil penalties may be waived if the individual receiving such violation participates in a penalty mitigation program and (iii) submit to the mayor and the council a report providing an explanation for any such violations which were not included in such list.

§ 4. Within 180 days of the enactment of this section, the commissioner of sanitation shall (i) conduct a review of all violations enforced by the department of sanitation and established under the provisions of the administrative code and/or the rules of the city of New York, (ii) by rule, create a list of such violations for which civil penalties may be waived if the individual receiving such violation participates in a penalty mitigation program and (iii) submit to the mayor and the council a report providing an explanation for any such violations which were not included in such list.

§ 5. Within 180 days of the enactment of this section, the commissioner of fire shall (i) conduct a review of all violations enforced by the department of fire and established under the provisions of the administrative code and/or the rules of the city of New York, (ii) by rule, create a list of such violations for which civil penalties may be waived if the individual receiving such violation participates in a penalty mitigation program and (iii) submit to the mayor and the council a report providing an explanation for any such violations which were not included in such list.

§ 6. Within 180 days of the enactment of this section, the commissioner of health and mental hygiene shall (i) conduct a review of all violations enforced by the department of health and mental hygiene and established under the provisions of the administrative code and/or the rules of the city of New York, (ii) by rule, create a list of such violations for which civil penalties may be waived if the individual receiving such violation participates in a penalty mitigation program and (iii) submit to the mayor and the council a report providing an explanation for any such violations which were not included in such list.

§ 7. Within 180 days of the enactment of this section, the commissioner of consumer affairs shall (i) conduct a review of all violations enforced by the department of consumer affairs and established under the provisions of the administrative code and/or the rules of the city of New York, (ii) by rule, create a list of such violations for which civil penalties may be waived if the individual receiving such violation participates in a penalty mitigation program and (iii) submit to the mayor and the council a report providing an explanation for any such violations which were not included in such list.

§ 8. This local law takes effect immediately.

Referred to the Committee on Small Business.

Int. No. 1500

By The Speaker (Council Member Mark-Viverito) and Council Members Cumbo, Johnson, Levin, Menchaca, Rosenthal and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to gender and racial equity assessments

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119 to read as follows:

§ 3-119 Gender and racial impacts. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Gender. The term “gender” includes actual or perceived sex and shall also include a person’s gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the legal sex assigned to that person at birth.

Gender and racial equity assessment. The term “gender and racial equity assessment” means a systematic process of identifying policies and practices that may cause disparate outcomes on the basis of gender or race, carried out in consultation with the gender and racial equity committee established pursuant to this section.

Relevant city agencies. The term “relevant city agencies” means the department of health and mental hygiene, the administration for children’s services the department of social services/human resources administration, and any other agencies as determined by mayor.

b. Gender and racial equity assessment. Not later than July 1, 2018, relevant city agencies shall complete gender and racial equity assessments of their services and programs, employment practices, contracting practices and budgeting. Such assessments shall be submitted to the speaker and the gender and racial equity committee.

c. Gender and racial equity goals and action plan. Not later than January 1, 2019, relevant city agencies shall set goals to reduce the barriers that may cause disparate outcomes on the basis of gender or race that were identified in the findings of gender and racial assessments conducted by such agencies, and prepare a plan, in consultation with the gender and racial equity committee, to achieve such goals. Such plans shall be submitted to the speaker and the gender and racial equity committee.

d. Reporting requirement. Not later than July 1, 2019 and no later than July 1 every year thereafter, relevant city agencies shall report to the speaker and the gender and racial equity committee on their progress toward implementing their gender and racial equity action plan.

e. Gender and racial equity committee. 1. The mayor shall establish a gender and racial equity committee to advise the relevant city agencies with respect to the nature and scope of gender and racial equity assessments and the development and implementation of gender and racial equity action plans.

2. The committee shall consist of at least five members. The mayor shall appoint four members, including the chair of the committee, and the speaker shall appoint one member. Appointments to the committee shall occur within 90 days of the effective date of this section. Any vacancy in membership shall be filled in the same manner as the original appointment.

3. Prior to the completion of the action plans, the committee shall meet as often as needed, as determined by the committee in consultation with the mayor, but not less than quarterly. The committee shall meet as needed to review reports required pursuant to subdivision d of this section, and may make recommendations to the mayor and speaker based on such reports.

4. *The committee shall cease to exist following its submission to the mayor and the speaker of any recommendations it may make following its review of the third report required pursuant to paragraph d of this section.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Women's Issues.

Res. No. 1405

Resolution calling on the State Senate to pass and the Governor to sign the Comprehensive Contraception Coverage Act (A.1378/S.3668).

By The Speaker (Council Member Mark-Viverito) and Council Member Levin.

Whereas, Access to contraception plays a critical role in the economic, social, and educational advancement of women by empowering them to plan for their futures and invest in their careers; and

Whereas, Studies show that access to contraception reduces rates of unintended pregnancy and improves women's overall health and well-being; and

Whereas, Under the Patient Protection and Affordable Care Act (ACA), all new insurance plans obtained through health insurance exchanges must fully cover all FDA-approved contraceptive methods without any co-payments or other out-of-pocket costs; and

Whereas, President Donald Trump and members of the United States Congress have vowed to repeal much of the ACA, which could eliminate guaranteed contraception coverage; and

Whereas, On January 21 of this year, Governor Andrew Cuomo announced that the New York State Department of Financial Services (DFS) promulgated new regulations requiring health insurers to provide coverage for all contraceptive medication and devices; and

Whereas, DFS would also be required to cover at least one form of contraception in each of the FDA-approved contraceptive delivery methods without copays, coinsurance, or deductibles, regardless of the future of the Affordable Care Act; and

Whereas, These new regulations only include coverage for women and do not apply to grandfathered plans (i.e. plans that were created before March 23, 2010); and

Whereas, Assemblymember Kevin A. Cahill and Senator John J. Bonacic have introduced the Comprehensive Contraception Coverage Act (A.1378/S.3668), which would require commercial group health insurance policies to cover all FDA-approved contraceptive drugs, devices and products without copays or deductibles when prescribed by a health care provider; and

Whereas, This legislation would also prohibit a health insurer from imposing any cost-sharing requirements or other restrictions or delays with respect to this coverage; and

Whereas, Contrary to the new state regulations, the Comprehensive Contraception Coverage Act does not exempt insurance plans based on the date it was created, thereby expanding coverage and eliminating the confusion of grandfathered plans; and

Whereas, Although the Comprehensive Contraception Coverage Act provides many of the same protections as the new DFS regulations, this bill includes contraception coverage regardless of gender; and

Whereas, The Comprehensive Contraception Coverage Act also covers men's contraceptive methods including voluntary sterilization procedures, but allows for future FDA-approved contraceptive methods; and

Whereas, The Comprehensive Contraception Coverage Act would ensure broad contraceptive coverage and timely access to all federal FDA-approved methods of contraception for all individuals covered under health insurance plans in New York regardless of any actions taken by the federal government that may jeopardize this coverage; and

Whereas, The Comprehensive Contraception Coverage Act has passed the New York State Assembly but has not been brought to a vote in the Senate; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Senate to pass and the Governor to sign the Comprehensive Contraception Coverage Act (A.1378/S.3668).

Referred to the Committee on Women's Issues.

Int. No. 1501

By Council Members Barron and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to reducing civil penalties where retail establishments agree to make their restrooms publicly available

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-143 to read as follows:

§ 16-143 *Publicly available restrooms. a. As used in this section, the following terms have the following meanings:*

Eligible violation. The term "eligible violation" means (i) a violation which is set forth in rule by the department as eligible for the restroom access program and (ii) a violation issued for a failure to comply with any provision of the code or the rules of the city of New York enforced by the department and regarding source separation, the recycling of designated materials or the posting of signage.

Food service establishment. The term "food service establishment" means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.

Retail establishment. The term "retail establishment" means an establishment, other than a food service establishment, that sells products and has a restroom.

b. Notwithstanding any other provision of law, the commissioner shall establish a restroom access program. Such program shall allow an owner of a retail establishment who is issued an eligible violation to have the civil penalties for such violation waived where such owner (i) had not received the same or a substantially similar violation within the six month period before the issuance of such eligible violation, (ii) did not have any restrooms in such establishment open to the public at the time such violation was issued and (iii) enters into a regulatory agreement with the department requiring that at least one such restroom be open to the public for a period of at least three months and that a notice that such retail establishment has a restroom which is open to the public be posted conspicuously in accordance with rules of the department.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.

§ 2. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

**CHAPTER 11
INCENTIVIZING PUBLICLY AVAILABLE RESTROOMS**

§ 20-937 *Incentivizing publicly available restrooms.*

§ 20-937 *Incentivizing publicly available restrooms. a. As used in this chapter, the following terms have the following meanings:*

Eligible violation. The term "eligible violation" means (i) a violation which is set forth in rule by the department as eligible for the restroom access program and (ii) a violation issued for a failure to comply with any provision of the code or the rules of the city of New York enforced by the department and regarding the display of prices, the accuracy of scanners or the posting of signage.

Food service establishment. The term “food service establishment” means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.

Retail establishment. The term “retail establishment” means an establishment, other than a food service establishment, that sells products and has a restroom.

b. Notwithstanding any other provision of law, the commissioner shall establish a restroom access program. Such program shall allow an owner of a retail establishments who is issued an eligible violation to have the civil penalties for one such violation waived where such owner (i) had not received the same or a substantially similar violation within the six month period before the issuance of such eligible violation, (ii) did not have any restrooms in such establishment open to the public at the time such violation was issued and (iii) enters into a regulatory agreements with the department, requiring that at least one such restrooms be open to the public for a period of at least three months and that a notice that such retail establishment has a restroom which is open to the public be posted conspicuously in accordance with rules of the department.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.

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

Referred to the Committee on Small Business.

Int. No. 1502

By Council Members Barron and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to provide a list of organizations they consult with on chronic diseases

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.2 to read as follows:

§ 17-199.2 Consultation Reporting. No later than February 1 of each year, the department shall submit to the speaker a list of the non-governmental organizations that the department routinely consults with regarding the prevention and management of common chronic diseases, including but not limited to diabetes, hypertension, heart disease, stroke, cancer, obesity, and alzheimer’s disease. The organizations in such list shall be categorized by disease.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Res. No. 1406

Resolution calling on the New York State Legislature to introduce and pass, and the Governor to sign, legislation authorizing local police departments to enroll firearms license applicants into “Rap Back,” a federal criminal record monitoring service.

By Council Member Cabrera.

Whereas, New York State law requires that certain firearms license applicants undergo a criminal background check; and

Whereas, This criminal background check provides a snapshot detailing applicants' past criminal history; and

Whereas, New York State law currently does not require the registration of firearms license applicants using the "Rap Back" service, which would provide ongoing status notifications regarding applicants' and licensees' criminal activity that may occur after an initial background check; and

Whereas, Such ongoing status notifications would ensure that local authorities are aware of applicants who are granted firearms licenses who have been convicted of acts that would be grounds for revocation of those licenses, such as felonies or federal offenses committed in any jurisdiction nationwide; and

Whereas, Ongoing status notifications would allow authorities to track those who commit acts in other jurisdictions that are grounds for revocation, in order to ensure that they do not possess firearms; and

Whereas, Keeping firearms out of the possession of those who have committed acts that are grounds for revocation would ensure that potentially dangerous individuals do not have access to firearms; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to introduce and pass, and the Governor to sign, legislation authorizing local police departments to enroll firearms license applicants into "Rap Back," a federal criminal record monitoring service.

Referred to the Committee on Public Safety.

Res. No. 1407

Resolution calling Congress to pass and the President to sign, H.R.202, the Landlord Accountability Act of 2017.

By Council Members Chin, Reynoso and Levin.

Whereas, According to the Urban Institute, no county in the United States has the supply of affordable housing that meets the housing demand for low income households; and

Whereas, Data from the 2015 American Housing Survey shows that over 50 percent of renters in the United States pay 30 percent or more of their current income towards housing costs; and

Whereas, There is currently a need for the Section 8 Housing Choice Voucher Program (HCV), which is a federal housing program, to assist very low-income families, the elderly and disabled to find affordable housing; and

Whereas, The local public housing agencies (PHA), such as the New York City Housing Authority or the New York City Housing Preservation and Development, receive their funds from the United States Department of Housing and Urban Development (HUD) to administer HCV; and

Whereas, The recipient of the housing choice voucher is responsible to find a home within the HCV spending limits and the property owner is paid directly by the PHA on behalf of the recipient; and

Whereas, Some property owners refuse to offer available housing units due to the source of income tenants planned to use for their rental payment but a few states and local municipalities, such as New York City, have made this form of discrimination illegal; and

Whereas, HUD released a report titled, "The Impact of Source of Income Laws on Voucher Utilization and Locational Outcomes" to compared the utilization rates of public housing authorities that have laws that prohibit discrimination based on the source of income with public housing authorities that do not have such laws; and ; and

Whereas, The HUD report reviewed before and after the enactment of the law and found that these anti-discrimination laws appear to have made a substantial difference in voucher utilization rates and modest differences in the locations where the vouchers were utilized; and

Whereas, H.R.202, sponsored by Representative Nydia Velazquez, currently pending in the United States House of Representatives, would amend the Fair Housing Act to make it unlawful for a property owners to deny tenancy because a current or prospective tenant holds a housing voucher for rental assistance; and

Whereas, H.R 202, known as the Landlord Accountability Act of 2017, establishes civil monetary penalties if the property owner has intentions to disqualify their units for federal housing programs; and

Whereas, H.R 202 would establishes a new multifamily housing complaint resolution program to have the necessary staffing to handle the volumes of calls from voucher holders, and

Whereas, H.R 202 would requires HUD to disclose on their website information the complaints received and resolved from HCV recipients, and

Whereas, H.R 202 would also amend the Internal Revenue Code to establish a tax credit incentive for maintenance to property owners who own at least 5 units and have at least 3 tenants with HCV, and

Whereas, H.R 202 would also require owners of multifamily buildings to display notice describing tenants' rights under the federal housing voucher program; and

Whereas, H.R. 202 would also establish a grant program at HUD to support local programs that protect tenants from harassment; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign, H.R.202, the Landlord Accountability Act of 2017.

Referred to the Committee on Housing and Buildings.

Res. No. 1408

Resolution calling upon the State Legislature to pass and the Governor to sign S.26/A.4072, also known as, “the Tax Returns Uniformly Made Public Act,” which would amend State election law to require presidential candidates to submit a copy of their federal tax returns as a condition of access to the state’s official ballot in the general election.

By Council Members Cohen, Barron, Constantinides, Crowley, Dromm, Espinal, Ferreras-Copeland, Garodnick, Gentile, Johnson, Koslowitz, Lancman, Levin, Levine, Mendez, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Vacca, Van Bramer, Williams, Lander, Cabrera, Chin, Cumbo, Maisel and Gibson.

Whereas, For several decades, every major presidential candidate has made their recent tax returns available to the public; and

Whereas, The public disclosure of a presidential candidate’s tax returns is an act of good faith and transparency that the American electorate has come to expect; and

Whereas, Tax returns contain vital information that can be instructive to the public, such as whether the candidate paid their fair share of taxes, made charitable contributions, took advantage of tax loopholes or kept money offshore; and

Whereas, A presidential candidate’s tax returns also offer information on how that candidate’s wealth was obtained and may highlight potential conflicts of interest; and

Whereas, In 2016, presidential candidate and now President of the United States, Donald J. Trump, became the first presidential candidate in decades to withhold his tax returns from the public, despite pressure from the media and other candidates for him to do so; and

Whereas, In contrast, the Democratic candidate for president, Hillary Rodham Clinton, released nine years of her tax returns to the public; and

Whereas, While Mr. Trump has not made his tax returns public, information has recently surfaced that has generated concern; and

Whereas, A partial copy of Mr. Trump’s 1995 tax return was leaked to the New York Times showing a nearly \$916 million net operating loss, which according to some estimates, might have enabled Mr. Trump to not pay income taxes for as many as 18 years; and

Whereas, Furthermore, according to news reports, Mr. Trump has business dealings and holdings in multiple countries, raising concerns among legal ethicists that Mr. Trump may run afoul of the Emoluments Clause, which forbids presidents receiving gifts from foreign powers; and

Whereas, Mr. Trump has been vague regarding how he will prevent conflicts of interest and separate the operation of his business organization from his duties as President of the United States; and

Whereas, These concerns threaten our Constitution and the democracy upon which it is built—the public disclosure of Mr. Trump’s tax returns prior to the general election would have introduced greater clarity to these concerns, at a more appropriate time; and

Whereas, S.26/A.4072, also known as, the Tax Returns Uniformly Made Public Act, would require presidential and vice-presidential candidates to publicly release the most recent five years of their tax returns, fifty days before Election Day, as a condition of appearing on the State’s ballot; and

Whereas, Additionally, the bill would forbid the State’s electors from voting for non-compliant candidates; and

Whereas, The Tax Returns Uniformly Made Public Act would codify a long-standing American political tradition and bring necessary transparency to the State’s presidential political process; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to pass and the Governor to sign S.26/A.4072, also known as, “the Tax Returns Uniformly Made Public Act,” which would amend State election law to require presidential candidates to submit a copy of their federal tax returns as a condition of access to the state’s official ballot in the general election.

Referred to the Committee on State and Federal Legislation.

Int. No. 1503

By Council Member Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to exempting unenclosed sidewalk cafes and restaurants with French doors from air conditioning prohibitions

Be it enacted by the Council as follows:

Section 1. The definitions of the terms “door” and “window” as set forth in subdivision a of section 20-910 of the administrative code of the city of New York, as amended by local law number 92 for the year 2015, are amended to read as follows:

Door. The term "door" means any door used to close off any exterior entrance to a commercial building or structure and that when open allows for the co-mingling of indoor and outdoor air, but shall not include doors that (i) adjoin indoor seating areas where food or beverages are served and link such areas to [outdoor space, or outdoor seating areas,] *the outside* or (ii) allow for direct [table] service of food or beverages to outdoor [seating areas] *space* during times when servers are actively engaged in serving such [areas] *space*.

Window. The term "window" means any window used to close off any exterior opening to a commercial building or structure and that when open allows for the co-mingling of indoor and outdoor air, but shall not include windows that (i) *adjoin indoor seating areas where food or beverages are served and link such areas to the outside* or (ii) allow for direct service of food or beverages to outdoor space during times when servers are actively engaged in serving [customers present in] such space.

§ 2. Subdivision c of section 20-910 of the administrative code of the city of New York, is amended to read as follows:

c. The provisions of this section shall not apply when an emergency situation exists that requires an exterior door or window to be kept open *or to unenclosed sidewalk cafes*.

§ 3. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1504

By Council Members Constantinides, Cornegy and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an energy efficiency program for multiple dwellings

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new article 15 to read as follows:

ARTICLE 15

ENERGY EFFICIENCY PROGRAM FOR MULTIPLE DWELLINGS

§ 27-2056.19 Energy efficiency program for multiple dwellings.

§ 27-2056.20 Energy efficient measures taken after the issuance of a violation.

§ 27-2056.21 Eligible energy efficiency measures.

§ 27-2056.19 Energy efficiency program for multiple dwellings. a. For purposes of this chapter, the term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for the energy efficiency program for multiple dwellings and (ii) non-hazardous violations.

b. Notwithstanding any other provision of law, the commissioner shall develop an energy efficiency program for multiple dwellings. Such energy efficiency program shall allow an owner of a multiple dwelling who receives an eligible violation to have the civil penalties for such violations waived or reduced where such owner enters into a regulatory agreement with the commissioner, requiring such owner to undertake eligible energy efficiency measures. Such regulatory agreement shall specify that any eligible energy efficiency measures that an owner undertakes shall not be the basis for a rent increase. Civil penalties shall be reduced to an amount equal to the amount of money such owner spends to undertake such energy efficiency measures. Where an owner has received more than one eligible violation, such owner may couple the civil penalties for such violations in an amount not to exceed \$3,000 for the purposes of undertaking energy efficiency measures.

§ 27-2056.20 Eligible energy efficiency measures. The commissioner shall create a list of energy efficiency measures which owners may undertake as part of the energy efficiency program for multiple dwellings. Such energy efficiency measures shall include, but need not be limited to, the following:

(1) Energy efficient upgrades, including, building shell improvements, lighting upgrades, installing energy efficient appliances, installing programmable thermostats; and

(2) For multiple dwellings that do not exceed 25,000 gross square feet, benchmarking, undergoing energy audits, and undertaking retro-commissioning measures.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found to not be in compliance with such agreement shall have the original civil penalty or penalties reinstated or doubled.

§ 2. This local law takes effect 180 days after it becomes law, except that the office or agency designated by the mayor may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Small Business.

Res. No. 1409

Resolution in support of the launch and mission of The Climate Museum.

By Council Members Constantinides and Van Bramer.

Whereas, The trend of warming in Earth’s climate system over the last several decades is unprecedented – the atmosphere and ocean have warmed, sea levels have risen, and snow and ice levels have decreased; and

Whereas, The increasing concentration of greenhouse gases in Earth’s atmosphere is a main cause of climate change; and

Whereas, The principal human activity contributing to climate change is the emission of greenhouse gases through the burning of fossil fuels for power; and

Whereas, Climate change is impacting New York City’s public health, critical infrastructure, communities, vulnerable populations, natural systems, buildings and economy, and these impacts will worsen in the future; and

Whereas, According to the United States Environmental Protection Agency, the future rate and magnitude of climate change will depend on the rate at which greenhouse gas concentrations in Earth’s atmosphere continue to increase; and

Whereas, In order to mitigate the impacts of climate change, local, national and global societies must change their economic and social behaviors, and in order to change behaviors societies must be informed about the connection between human activities and climate change, possible consequences and potential solutions; and

Whereas, New York City has set a policy to reduce its own contribution to climate change; and

Whereas, In 2014, the Council passed, and Mayor Bill de Blasio signed, Local Law 66, requiring the City to reduce its greenhouse gas emissions 80%, relative to 2005 levels, by 2050; and

Whereas, When it opens, The Climate Museum (The Museum) will be the first of its kind in the United States; and

Whereas, The Museum will be a significant cultural and educational institution, located in the City, dedicated to climate issues and solutions; and

Whereas, The Museum’s mission is “[t]o employ the sciences, art, and design to inspire dialogue and innovation that address the challenges of climate change, moving solutions to the center of our shared public life and catalyzing broad community engagement”; and

Whereas, In 2015, the New York State Board of Regents approved a charter for The Museum, in 2016 The Museum received 501(c)(3) non-profit status and in 2017 The Museum’s first exhibitions and programs will be launched; and

Whereas, The Museum’s exhibitions and programs will serve as a multidisciplinary hub, directed by scientists, artists and social justice advocates; have a solutions focus, drawing attention not just to the challenges posed by climate change but also to opportunities and pathways forward; and encourage visitors to take action and participate in their own communities’ response to climate change; and

Whereas, The Museum plans to open an early exhibit on Governor’s Island in Fall 2017, and to find a permanent home thereafter; now, therefore, be it

Resolved, That the Council of the City of New York supports the launch and mission of The Climate Museum.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 1505

By Council Members Cornegy and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to the dissemination of electronic emergency notifications

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 30 of the administrative code of the city of New York is amended by adding a new section 30-115 to read as follows:

§ 30-115 Emergency notifications. Any emergency notification system operated and controlled by the city for the purposes of aggregating information obtained from other offices or agencies to inform the public about emergencies or disruptive events through e-mail, text, phone, social media platform, or internet-based feed shall include in each notification relevant media including, but not limited to, any image, map, video, or hyperlink related to such notification, provided that this requirement shall not delay or prohibit the immediate issuance of notifications without such media.

§ 2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1506

By Council Members Cornegy and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to establishing timelines for the approval of permits and expanding real time tracking of pending permits

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new section 23-602 to read as follows:

§ 23-602 Timelines for the approval of permits. a. Public timelines. Each city agency that issues permits or licenses shall establish and maintain, for each such permit or license, publicly available timelines that approximate how long an applicant should expect to wait for a decision on such applicant's permit or license application. Such timelines shall be publicly available no later than December 31, 2017.

b. Real time tracking. Each city agency that issues permits or licenses shall establish tools that allow applicants to track the status of their applications in real time. Such tracking systems shall be operational no later than December 31, 2017.

c. Accountability. On or before December 31, 2017, the mayor shall establish methods of holding agencies accountable if they do not adequately meet the timelines the agencies establish.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 1507

By Council Member Cornegy.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an on-site compliance consultation program for multiple dwellings

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new article 15 to read as follows:

ARTICLE 15

ON-SITE COMPLIANCE CONSULTATION PROGRAM FOR MULTIPLE DWELLINGS

§ 27-2056.19 On-site compliance consultation program for multiple dwellings.

§ 27-2056.20 Violations discovered as a result of on-site compliance consultations.

§ 27-2056.21 On-site compliance consultation requested following issuance of a violation.

§ 27-2056.22 Fee.

§ 27-2056.19 On-site compliance consultation program for multiple dwellings. a. For the purposes of this article, the term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for the on-site compliance consultation program for multiple dwellings and (ii) a non-hazardous violation of this chapter.

b. The commissioner, shall develop an on-site compliance consultation program for multiple dwellings. Under such program, the department shall, upon request of an owner of a multiple dwelling, perform an on-site consultation in order to ensure that such multiple dwelling is in compliance with this code and any rules promulgated thereunder. Such program shall also allow a multiple dwelling owner who receives an eligible violation to have the penalties for such violation waived if they request such an on-site consultation.

§ 27-2056.20 Violations discovered as a result of on-site compliance consultations. Where an owner of a multiple dwelling requests an on-site compliance consultation such consultation shall not result in violations being issued. Upon completion of an on-site compliance consultation, the inspector shall review the results with the owner and advise such owner of potential violations and how to remedy such violations. If such owner is issued a violation for any condition which was or reasonably should have been identified during the on-site compliance consultation within 60 days after such consultation, the civil penalties for such violation shall be waived.

§ 27-2056.21 a. On-site compliance consultation requested following issuance of a violation. An owner may contact the department of housing preservation and development to request an on-site compliance consultation following the issuance of an eligible violation. Such owner may, as a result of requesting such on-site compliance consultation following the issuance of an eligible violation, request, in a form or manner to be provided or approved by the commissioner of housing preservation and development, that any civil penalties imposed in connection with such violation be waived. In order to be eligible to have civil penalties for an eligible violation waived, an owner must cure all violations issued before and potential violations discovered during an on-site compliance consultation. Such request shall be available to owners no more than once every five years.

b. An owner who fails to cure all violations issued before and potential violations discovered during an on-site compliance consultation within 60 days of requesting such on-site compliance consultation for the purposes of having eligible violations waived shall have the original civil penalty or penalties reinstated and doubled.

§ 27-2056.22 Fee. The department may charge a fee to cover such on-site compliance consultations which shall be set by rule.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of housing preservation and development may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Small Business.

Int. No. 1508

By Council Member Cornegy.

A Local Law to amend the administrative code of the city of New York, in relation to enabling compliance with the City's record keeping requirements

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

*CHAPTER 11
RECORD KEEPING ASSISTANCE PROGRAM*

§ 20-937 Record keeping assistance program.

§ 20-937 Record keeping assistance program. a. For the purposes of this chapter, the term "record keeping requirement" means any provision of the code or the rules of the city of New York enforced by the department and requiring that a person, as defined in section 1-112 of this code, create or maintain records.

b. Notwithstanding any other provision of law, the commissioner shall establish a record keeping assistance program. Such program shall allow a person that receives a violation for failing to comply with any record keeping requirement to have the civil penalty for such violation waived where such person (i) has not previously received a violation, which was not eligible for a cure period, for failing to comply with a record keeping requirement and (ii) attends a course that provides training in complying with such requirements and is approved by the commissioner.

c. In approving courses pursuant to subdivision b of this section, the commissioner shall ensure that there is an approved course in English and each of the languages set forth in subdivision j of section 8-1002 of the code.

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

Referred to the Committee on Small Business.

Int. No. 1509

By Council Members Cornegy and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to access to online business tools.

Be it enacted by the Council as follows:

Section 1. Chapter 10 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-1005 to read as follows:

§ 22-1005 Online Business Tools. a. The commissioner shall make available by posting on the department's website links to online business tools organized by business type, price point, and level of familiarity with computers, including but not limited to:

- 1. accounting, recordkeeping, bookkeeping resources;*
- 2. tools provided by the agency; and*
- 3. such other resources as the commissioner may deem appropriate.*

b. The city shall not be liable for nor shall any cause of action arise against the city for any damages as a result of the use of such online business tools, including any damages to or viruses that may infect, the user's computer equipment or other property on account of such user's access to, use of, browsing or downloading any

information, text, links or other items from the city's website.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Small Business.

Int. No. 1510

By Council Members Cornegy, Levin, Salamanca and Gentile.

A Local Law in relation to a small business workforce development plan

Be it enacted by the Council as follows:

Section 1. Small Business Workforce Development Plan. a. The commissioner shall create a comprehensive workforce development plan based on the results of the state of small business survey administered pursuant to section 22-1003, which shall be submitted to the mayor and the speaker, and posted online by December 1, 2017.

b. This plan should include but not be limited to a discussion of:

1. The need for and types of training programs necessary for small business workers to fill existing small business jobs;
2. How to connect the public to these training programs; and
3. How to connect qualified potential small business employees with small business jobs.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Small Business.

Int. No. 1511

By Council Members Cornegy and Levin.

A Local Law in relation to a state of small business survey

Be it enacted by the Council as follows:

Section 1. Definitions. As used in this chapter, the following terms have the following meanings:

Department. The term “department” means the department of small business services.

Commissioner. The term “commissioner” means the commissioner of small business services.

§ 2. State of Small Business Survey. The commissioner shall prepare and disseminate a state of small business survey by May 1, 2017, which shall be administered to collect information from small businesses including but not be limited to:

1. Hiring needs of small businesses;
2. Workforce development needs and skills necessary to fill small business jobs;
3. Issues that small businesses are experiencing, such as barriers to growth; and
4. The need for additional city-provided tools and resources that may assist small business

§ 3. This local law shall take effect immediately.

Referred to the Committee on Small Business.

Res. No. 1410

Resolution calling upon the State Legislature to pass, and the Governor to sign, legislation that would establish a tax credit for small businesses that pay their employees a minimum wage of \$15 per hour or greater

By Council Member Cornegy.

Whereas, Income inequality has grown substantially in recent decades as the nation's lowest-wage workers have seen minimal growth in their real weekly wages; and

Whereas, Raising the minimum wage reduces income inequality, expands opportunity and improves the overall standard of living for low-income New Yorkers; and

Whereas, According to the New York State Department of Labor, raising the minimum wage to \$15 per hour would benefit approximately 2.3 million workers in New York State; and

Whereas, Over 260,000 employees in New York City earn the minimum wage; and

Whereas, An estimated 54 percent of the City's minimum wage workers are women, 80 percent are over 25 years of age, and more than 50 percent aged 35 and older; and

Whereas, New York City's high cost of living has made it difficult for minimum wage workers to afford basic necessities, such as housing; and

Whereas, In 2016, Governor Andrew Cuomo signed legislation establishing a statewide minimum wage of \$15 per hour, to be phased in over four years for all businesses in New York City; and

Whereas, Based on the State's minimum wage rate schedule, the City's \$15 hourly minimum wage does not go into effect for employees of businesses with eleven or more employees until December 31, 2018, and does not go into effect for employees of businesses with ten or fewer employees until December 31, 2019; and

Whereas, To ensure that New Yorkers receive livable wages until the State minimum wage increase takes effect, small businesses should receive tax credits to encourage them to provide their employees with a minimum wage of \$15 per hour; and

Whereas, Incentivizing small businesses to pay a minimum wage of \$15 an hour would bring tangible and lasting financial benefits to the City; and

Whereas, The State Department of Labor has estimated that this measure would attract approximately \$6.5 billion of additional investment in the regional economy; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to pass, and the Governor to sign, legislation that would establish a tax credit for small businesses that pay their employees a minimum wage of \$15 per hour or greater.

Referred to the Committee on Finance.

Res. No. 1411

Resolution re-affirming the Council of the City of New York's commitment to promoting civil rights, reproductive rights, criminal justice reform and combatting climate change.

By Council Members Cumbo, Dromm and Levin.

Whereas, On January 20, 2017, Donald J. Trump became President of the United States; and

Whereas, Both as a candidate and as president, President Trump has made comments and taken positions of great concern; and

Whereas, For example, both on the campaign trail and shortly after becoming President, Mr. Trump indicated his intention to appoint Supreme Court justices who are opposed to abortion, and acknowledged the real possibility that *Roe v. Wade* would be overturned reverting decisions regarding a woman's right to choose to the states; and

Whereas, As a member of Congress, in 2000, Vice-President Michael Pence stated, “Congress should oppose any effort to recognize homosexuals as a ‘discrete and insular minority’ entitled to the protection of anti-discrimination laws similar to those extended to women and ethnic minorities”; and

Whereas, Regarding climate change Mr. Trump has stated, “The concept of global warming was created by and for the Chinese in order to make U.S. manufacturing non-competitive;” and

Whereas, According to the Brennan Center for Justice, nationwide crime is half of what it was in 1991, decreasing 26% in the last decade; and

Whereas, Despite this fact, Mr. Trump has continually emphasized the prevalence of crime and when accepting the Republican party nomination stated, “The first task for our new Administration will be to liberate our citizens from the crime and terrorism and lawlessness that threatens their communities;” and

Whereas, In addition to controversial positions Trump took while campaigning for the presidency, as president Trump has made several questionable nominations to replace the heads of federal agencies; and

Whereas, These appointments, some confirmed, pose a potential risk to the well-being of the City of New York and it’s residents; and

Whereas, The City of New York is both a global and domestic powerhouse, economically and culturally; and

Whereas, An ingredient of the City’s success is that it has the most diverse population of any major city in America; and

Whereas, New York City has long been committed to protecting the rights and freedoms of all its residents; and

Whereas, According to the American Civil Liberties Union, President Trump’s recently confirmed nominee for Attorney General, Senator Jeff Sessions, opposed reauthorization of the “Violence Against Women Act,” opposed marriage equality, voted to defund Planned Parenthood and once referred to the Voting Rights Act as an “intrusive piece of legislation;” and

Whereas, Under a Trump (and Sessions) Administration there are concerns that criminal justice and police reforms may stall or regress; and

Whereas, Both President Trump and his nominee to head the Environmental Protection Agency, Oklahoma Attorney General Scott Pruitt, question the science of climate change and its been reported that Mr. Pruitt has close ties to the energy industry; and

Whereas, Mr. Trump and his cabinet pose a risk to the values that make New York City the greatest city in the world; and

Whereas, New York City is home to Broadway and Hip Hop, Wall Street and Main Street—including diverse neighborhoods from Harlem and Greenwich Village to Coney Island and Great Kills; and

Whereas, New York City has moved away from stop and frisk policies that criminalized young men of color; and

Whereas, New York City is working towards bail reform, raising the age of criminal responsibility, and eliminating the use of solitary confinement for minors; and

Whereas, On June 28, 1969, in Greenwich Village, during the Stonewall Rebellion, gay men and women demonstrated openly, insisting on their rights and on their humanity, galvanized the LGBT community across the country and sparked a national movement; and

Whereas, The Council of the City of New York will continue to promote an environment in which all New Yorkers are treated equally regardless of race, gender or gender expression; and

Whereas, In 1921 Margaret Sanger founded the American Birth Control League in New York City—the League would later become the Planned Parenthood Federation of America; and

Whereas, Ms. Sanger helped provide birth control to low-income women, helping them take control of their bodies, their fertility and a portion of their economic future; and

Whereas, The Council of the City of New York will continue to support Planned Parenthood, a woman’s right to choose and the realization of young women’s full potential through programs like the Young Women’s Initiative; and

Whereas, The City of New York is a coastal city and the dangers of climate change pose an existential threat to the City; and

Whereas, In October 2012, Super storm Sandy accompanied by a tidal surge flooded large sections of New York City, including subway and power stations; and

Whereas, The storm left many homeless and caused electrical power outages that lasted for weeks—unaddressed, climate change increases the likelihood of such events; and

Whereas, The City of New York is fortunate to possess one of the cleanest, best tasting, municipal tap water supplies in the United States; and

Whereas, According to the City’s Department of Environmental Protection, which protects and manages the City’s water supply, climate change could lead to less snowpack, less water stored in our watershed and increased frequency and severity of droughts; and

Whereas, The City of New York has taken actions to reduce its carbon footprint, preserve its wetlands, protect its drinking water, and committed to reduce greenhouse gas emissions to 80% below 2005 levels by 2050; and

Whereas, The City welcomes assistance from the federal government on these fronts, but regardless of the federal government’s disposition, it cannot deviate from its current commitment to its values, it’s residents, it’s heritage and it’s future; now, therefore, be it

Resolved, That the Council of the City of New York re-affirms its commitment to promoting civil rights, reproductive rights, criminal justice reform and combatting climate change.

Referred to the Committee on Civil Rights.

Int. No. 1512

By Council Members Dromm, The Speaker (Council Member Mark-Viverito), Levin, Salamanca, Cumbo, Menchaca, Rosenthal and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to training for city agencies to promote gender and racial equity

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119 to read as follows:

§ 3-119 *Gender and racial equity training. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Gender. The term “gender” includes actual or perceived sex and shall also include a person’s gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the legal sex assigned to that person at birth.

Cultural competency. The term “cultural competency” means knowledge and skills that enable a person to appreciate, understand and interact with members of diverse populations within the local community.

Relevant city agencies. The term “relevant city agencies” means the department of health and mental hygiene, the administration for children’s services the department of social services/human resources administration, and any other agencies as determined by mayor.

b. Training. Not later than July 15, 2018, relevant city agencies shall provide all employees with trainings on implicit bias, discrimination, cultural competency and structural inequity, including with respect to gender, race and sexual orientation, and on how these factors impact the work of such agencies.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Women’s Issues.

Int. No. 1513

By Council Member Espinal.

A Local Law to amend the administrative code of the city of New York, in relation to banning the sale of personal care products which contain certain chemicals in the city of New York

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new section 20-699.7 to read as follows:

§ 20-699.7 *Ban on the sale of cosmetics containing harmful chemicals. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Person. The term “person” means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.

Formaldehyde-releasing chemicals. The term “formaldehyde-releasing chemicals” means methylene glycol, quaternium-15, or diazolidinyl urea.

Propyl paraben. The term “propyl paraben” means a chemical preservative used in various cosmetic products.

Cosmetic. The term “cosmetic” means any cosmetic, as defined under 21 U.S.C. §321(i).

Stock keeping unit. The term “stock keeping unit” means each group of items offered for sale of the same brand name, quantity of contents, retail price and variety.

b. Sales ban. It is unlawful for any person to sell or offer for sale any cosmetic containing formaldehyde-releasing chemicals or propyl paraben in the city of New York.

c. Penalty. Any person who violates subdivision b of this section or any of the regulations promulgated thereunder is liable for a civil penalty not to exceed \$250 for each violation. Each failure to comply with subdivision b of this section with respect to any one stock keeping unit constitutes a separate violation.

d. Rules and regulations. The department is authorized to promulgate such rules and regulations as it deems necessary to implement and enforce the provisions of this section.

§2. This local law shall take effect 120 days after it becomes law, except that the department may promulgate any rules and regulations necessary to implement section one of this local law on or before its effective date.

Referred to the Committee on Consumer Affairs.

Int. No. 1514

By Council Members Espinal, The Speaker (Council Member Mark-Viverito) and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to facilitating food donations

Be it enacted by the Council as follows:

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new chapter 4-G to read as follows:

**CHAPTER 4-G
FOOD WEB PORTAL**

§ 16-497 Food web portal. Within six months after the effective date of the local law that added this section, the department or another agency or office designated by the mayor, shall, in conjunction with the department of information technology and telecommunications, create and maintain a web portal that will allow prospective food donors and recipients, including but not limited to restaurants, grocery stores, produce markets, dining facilities and food rescue organizations, to post notifications concerning the availability of food, including food that would otherwise go to waste, and to arrange for the transportation or retrieval of such food. Such portal shall, at a minimum, allow (i) a prospective food donor to describe the type of food available and to specify logistical information such as size, refrigeration requirements, packing parameters and location, (ii) a prospective food recipient to specify the types and size of food donations it will accept and the areas of the city it will accept donations from and to receive immediate notification concerning the availability of food satisfying such specifications, and (iii) a prospective food donor and a prospective food recipient to communicate directly through a messaging system within such portal.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 1412

Resolution declaring June 22nd Veterans Tribute and Advocacy Day in New York City.

By Council Members Eugene, Gentile, Vallone and Ulrich.

Whereas, The men and women of the armed forces make enormous sacrifices and often risk their lives in order to serve this country; and

Whereas, Their bravery and heroism merits generous and extensive accommodation from government at the local, state, and federal levels, not only to reward current soldiers but also to encourage future citizens to consider joining the military; and

Whereas, The nation's first Commander-in-Chief, George Washington, articulated this concept eloquently, when he noted that "the willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive veterans of earlier wars were treated and appreciated by our nation;" and

Whereas, June 22nd is a day of special importance for our veterans; and

Whereas, On that day in 1944, President Franklin Delano Roosevelt signed the G.I. Bill of Rights, which provided returning soldiers with benefits such as college scholarships and zero down payments for home loans; and

Whereas, More than 2.5 million veterans served in Iraq and Afghanistan, and many of them saw multiple deployments; and

Whereas, As these individuals come home and reintegrate into civilian life, it is incumbent upon our elected civilian leaders to honor and pay tribute to these individuals whenever and wherever possible; and

Whereas, As a city that nearly 200,000 veterans call home, and a place of unique cultural, economic, and symbolic importance, New York City strives to acknowledge the contributions of our nation's veterans; now, therefore, be it

Resolved, That the Council of the City of New York declares June 22nd New York City Veterans Tribute and Advocacy Day

Referred to the Committee on Veterans.

Preconsidered Res. No. 1413

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

By Council Member Ferreras-Copeland.

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

Whereas, On June 25, 2014 the City Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

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

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

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

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

Resolved, That the City Council approves sets forth the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Financial Empowerment for NYC's Renters Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Community Housing Preservation Strategies Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HRA Teen RAPP Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the removal of funds from a certain organization pursuant to the Bail Fund Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Diversity, Inclusion & Equity in Tech Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 21.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 1413 printed in these Minutes).

Int. No. 1515

By Council Members Grodenchik and Cornegy

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an energy efficiency program for businesses

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

CHAPTER 10

ENERGY EFFICIENCY PROGRAM FOR BUSINESSES

§ 22-1001 Energy efficiency program for businesses.

§ 22-1002 Energy efficient measures taken after the issuance of a violation.

§ 22-1003 Eligible energy efficiency measures.

§ 22-1001 Energy efficiency program for businesses. a. As used in this chapter:

Eligible violation. The term “eligible violation” means (i) a violation which is set forth in rule by the departments of sanitation, fire, health and mental hygiene or consumer affairs as eligible for the energy efficiency program for businesses, (ii) a violation enforced by the department of consumer affairs and issued for a failure to comply with any provision of the code or the rules of the city of New York, regarding creating or maintaining records, the display of prices, the accuracy of scanners, or the posting of signage, (iii) a violation enforced by the department of sanitation and issued for a failure to comply with any provision of the code or the rules of the city of New York, regarding source separation, the recycling of designated materials or the posting of signage, and (iv) a violation of any provision of the code or the rules of the city of New York, which the mayor, or an office or agency designated by the mayor, deems eligible.

b. The mayor, or an office or agency designated by the mayor, shall develop an energy efficiency program for businesses. Such energy efficiency program shall allow a business owner who receives an eligible violation or violations to have the civil penalties for such violations waived or reduced where such business owner enters into a regulatory agreement with the mayor, or an office or agency designated by the mayor, requiring such business owner to undertake eligible energy efficiency measures. Civil penalties shall be reduced to an amount equal to the amount of money such business owner spends to undertake such energy efficiency measures. Where a business owner has received more than one eligible violation, such business owner may couple the civil penalties for such violations in an amount not to exceed \$3,000 for the purposes of undertaking energy efficiency measures.

§ 22-1002 Eligible energy efficiency measures. The mayor, or an office or agency designated by the mayor, shall create a list of energy efficiency measures, which business owners may undertake as part of the energy efficiency program for businesses. Such energy efficiency measures shall include, but need not be limited to, the following:

(1) Energy efficient upgrades, including, building shell improvements, lighting upgrades, installing energy efficient office equipment, installing energy efficient appliances, installing refrigerated display case curtains or doors, installing double or triple panel windows, and installing programmable thermostats; and

(2) For buildings that do not exceed 25,000 gross square feet, benchmarking, undergoing energy audits, and undertaking retro-commissioning measures.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found to not be in compliance with such agreement shall have the original civil penalty or penalties reinstated and doubled.

§ 2. This local law takes effect 180 days after it becomes law, except that the office or agency designated by the mayor may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Small Business.

Int. No. 1516

By Council Members Johnson and Cornegy.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an on-site compliance consultation program for businesses

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

CHAPTER 10

ON-SITE COMPLIANCE CONSULTATION PROGRAM FOR BUSINESSES

§ 22-1001 *On-site compliance consultation program for businesses.*

§ 22-1002 *Violations discovered as a result of on-site compliance consultations.*

§ 22-1003 *On-site compliance consultation requested following issuance of a violation.*

§ 22-1004 *Fee.*

§ 22-1001 *On-site compliance consultation program for businesses. a. For the purposes of this chapter, term “eligible violation” means (i) a violation which is set forth in rule by the departments of sanitation, fire, health and mental hygiene or consumer affairs as eligible for the on-site compliance consultation program for businesses, (ii) a violation enforced by the department of consumer affairs and issued for a failure to comply with any provision of the code or the rules of the city of New York, regarding creating or maintaining records, the display of prices, the accuracy of scanners, or the posting of signage, and (iii) a violation enforced by the department of sanitation and issued for a failure to comply with any provision of the code or the rules of the city of New York, regarding source separation, the recycling of designated materials or the posting of signage.*

b. The commissioner of small business services, shall, in consultation with the department of health and mental hygiene, the department of sanitation, the department of consumer affairs, the fire department, and any other agencies such commissioner deems appropriate, develop an on-site compliance consultation program for businesses. Such program shall allow a business owner who receives an eligible violation to have the penalties for such violation waived if they request an on-site consultation in order to ensure that their business is in compliance with all applicable laws and rules enforced by such agencies and related to the operation of such business.

§ 22-1002 *Violations discovered as a result of on-site compliance consultations. Where an owner of a business requests an on-site compliance consultation, such consultation shall not result in violations being issued. Upon completion of an on-site compliance consultation, the inspector shall review the results with the owner of the business and advise such owner of potential violations and how to remedy such violations. If such owner is issued a violation for any condition which was or reasonably should have been identified during the on-site compliance consultation within 60 days after such consultation, the civil penalties for such violation shall be waived.*

§ 22-1003 *a. On-site compliance consultation requested following issuance of a violation. A business owner may contact the department of small business services to request an on-site compliance consultation following the issuance of an eligible violation. Such business owner may, as a result of requesting such on-site compliance consultation following the issuance of an eligible violation, request, in a form or manner to be provided or approved by the commissioner of small business services, that any civil penalties imposed in connection with such eligible violation be waived. In order to be eligible to have civil penalties for an eligible violation waived, a business owner must cure all violations issued before and potential violations discovered during such on-site compliance consultation. Such request shall be available to business owners no more than once every five years.*

§ 22-1004 *Fee. The department of small business services may charge a fee to cover such on-site compliance consultations which shall be set by rule promulgated by the commissioner*

b. An owner who fails to cure all violations issued before and potential violations discovered during an on-site compliance consultation within 60 days of requesting such on-site compliance consultation for the purposes of having eligible violations waived shall have the original civil penalty or penalties reinstated and doubled.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of small business services may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Small Business.

Int. No. 1517

By Council Member Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to the timing of a disclosure report for candidates for public office*Be it enacted by the Council as follows:*

Section 1. Paragraph 2 of subdivision b of section 12-110 of the administrative code of the city of New York is amended to read as follows:

2. Candidates for public office.

(a) Each person, other than any person described in paragraph one, who has declared his or her intention to seek a *designation* or nomination for election to an office described in paragraph one of this subdivision and who has filed papers or petitions for a *designation* or nomination for election, or on whose behalf a [declaration or nominating paper or petition] *certification of nomination or designating or independent nominating petition* has been [made or] filed which has not been declined, for an office described in paragraph one [of subdivision b of this section] shall file such report [on or before] *within 30 days after* the last day for filing his or her designating *or independent nominating* petitions pursuant to the election law.

(b) Each person, other than any person described in paragraph one, who was a write-in candidate at the primary election for an office described in paragraph one of subdivision b of this section and whose name is thereafter entered in the nomination book at the board of elections, shall file such report within [twenty] 30 days after such primary election.

(c) Each person, other than any person described in paragraph one, who has been designated to fill a vacancy in a designation or nomination for an office described in paragraph one of subdivision b of this section shall file such report within [fifteen] 30 days after a certificate designating such person to fill such vacancy is filed with the board of elections, or within five days before the election for which the certificate is filed, whichever is earlier.

(d) The conflicts of interest board shall obtain from the board of elections lists of all candidates for the elected positions set forth [below] *in paragraph one of subdivision b of this section*, and from such lists, shall determine and publish lists of those candidates who have not, within ten days after the required date for filing such reports, filed the reports required by this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Res. No. 1414

Resolution calling upon Congress to pass and the President to sign, legislation that would establish an American Museum of Women's History as a part of the Smithsonian in Washington, D.C.

By Council Members Kallos, The Speaker (Council Member Mark-Viverito), Koslowitz, Cumbo, Van Bramer, Crowley and Levin.

Whereas, Women comprise about 51% of the United States (U.S.) population, and yet it is estimated by some that they only comprise 10% of the figures represented in United States history textbooks; and

Whereas, Women should have equal recognition for their immense contributions to our nation; and

Whereas, In 2014, the President signed legislation creating the Commission to Study the Potential Creation of a National Women's History Museum (The Commission); and

Whereas, On November 16, 2016, The Commission released The American Museum of Women's History Congressional Report to the President of the United States and to Congress; and

Whereas, The report includes recommendations for the location, funding, governance structure, content of the museum, along with a timeline of the development of the project; and

Whereas, The American Museum of Women’s History would highlight the numerous contributions women have made to the U.S.; and

Whereas, Women are currently underrepresented in main sites of public history, including textbooks, currency, postage stamps, and monuments; and

Whereas, In the National Statuary Hall of the U.S Capitol building, there are 91 statues of men but only 9 statues of women; and

Whereas, Out of the roughly 5,000 public outdoor sculptures in the United States, only 394 or 8 percent are of women; and

Whereas, Only one of the 44 national memorials managed by the National Park Service specifically focuses on women and their achievements; and

Whereas, The Commission recommends that the American Museum of Women’s History be made a full component museum of the Smithsonian, which is currently the world’s largest museum; 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 would establish an American Museum of Women’s History as a part of the Smithsonian in Washington, D.C.

Referred to the Committee on Women’s Issues.

Int. No. 1518

By Council Members King and Cornegy.

A Local Law to amend the administrative code of the city of New York, in relation to waiving civil penalties for housing maintenance code violations where an owner made a good faith effort to correct such violations

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding new paragraphs 49 and 50 to read as follows:

49. *Eligible violation.* The term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for a penalty mitigation program and (ii) a non-hazardous violation of this chapter.

50. The term “penalty mitigation program” means a program that allows individuals to have civil penalties waived or reduced if such individuals comply with such programs requirements.

§ 2. Subdivision a of section 27-2115 of the administrative code of the city of New York is amended to read as follows:

(a) (1) A person who violates any law relating to housing standards shall be subject to a civil penalty of not less than ten dollars nor more than fifty dollars for each non-hazardous violation, not less than twenty-five dollars nor more than one hundred dollars and ten dollars per day for each hazardous violation, fifty dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing five or fewer dwelling units, from the date set for correction in the notice of violation until the violation is corrected, and not less than fifty dollars nor more than one hundred fifty dollars and, in addition, one hundred twenty-five dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing more than five dwelling units, from the date set for correction in the notice of violation until the violation is corrected. A person wilfully making a false certification of correction of a violation shall be subject to a civil penalty of not less than fifty dollars nor more than two hundred fifty dollars for each violation falsely certified, in addition to the other penalties herein provided.

(2) *Notwithstanding any other provision of law, the owner shall be responsible for the correction of all violations placed pursuant to this code, but civil penalties for such violations may be waived where such*

violations are eligible violations and such owner certifies to the department, on a form established by the department, and submits supporting documentation, that he or she began to correct the conditions which constitute the violations prior to receiving such violations, but that full correction could not be completed expeditiously because of an inability:

- (i) to obtain necessary materials despite diligent efforts;
- (ii) to gain access to the dwelling unit wherein the violation occurs, or to such other portion of the building as might be necessary to make the repairs, despite multiple attempts; or
- (iii) inability to obtain a permit or license necessary to correct the violation, despite diligent and prompt applications being made.

(3) An owner who has civil penalties waived pursuant to paragraph (2) of this subdivision, and who fails to certify correction of the violations for which they received such civil penalties by the date set for correction in the notice of violation shall have such civil penalties reinstated and doubled.

(4) An owner of a distressed building shall not be eligible to have civil penalties waived pursuant to paragraph (2) of this subdivision. For purposes of this subdivision the criteria used to identify distressed buildings shall be:

(i) in a multiple dwelling that contains not less than three and not more than nineteen units, a ratio of open hazardous and immediately hazardous violations which were issued by the department within the two-year period prior to such identification that equals in the aggregate five or more such violations for every dwelling unit in the multiple dwelling, and in a multiple dwelling that contains not less than twenty units, a ratio of open hazardous and immediately hazardous violations which were issued by the department within the two-year period prior to such identification that equals in the aggregate three or more such violations for every dwelling unit in the multiple dwelling; and

(ii) paid and unpaid emergency repair charges, including liens, which were incurred within the two-year period prior to such identification, of two thousand five hundred or more dollars in a multiple dwelling that contains not less than three and not more than nineteen units, and paid and unpaid emergency repair charges, including liens, which were incurred within the two-year period prior to such identification, of five thousand or more dollars in a multiple dwelling that contains twenty or more units.

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

Referred to the Committee on Small Business.

Int. No. 1519

By Council Members Koslowitz, The Speaker (Council Member Mark-Viverito), Chin, Levin, Salamanca, Gentile, Vacca and Vallone.

A Local Law to amend the administrative code of the city of New York, in relation to supplemental nutrition assistance program enrollment at senior centers

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 by adding a new section 21-131.1 to read as follows:

§ 21-131.1 *Supplemental nutrition assistance program enrollment at senior centers. a. The commissioner shall distribute applications for the supplemental nutrition assistance program to all senior centers. For purposes of this section, the term "senior center" has the same meaning as such term is defined in section 21-201.*

b. The commissioner shall, in coordination with the commissioner of the department for the aging, establish and implement a program to enable enrollment in the supplemental nutrition assistance program at all senior centers. Such program shall, at a minimum, enable eligible seniors to enroll in the supplemental nutrition assistance program in person at each senior center.

c. Beginning January 1, 2018, and on the first business day of each succeeding calendar quarter thereafter, the commissioner shall submit a report to the speaker of the city council indicating, at a minimum, (1) the number of seniors enrolled in the supplemental nutrition assistance program at each senior center in the previous calendar quarter; and (2) the number of seniors enrolled in the supplemental nutrition assistance program at each senior center during the current calendar year.

§ 2. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-207 to read as follows:

§ 21-207 *Supplemental nutrition assistance program enrollment. a. The commissioner shall, in coordination with the commissioner of social services, require each senior center to offer programming no less than once each month to enable eligible seniors to enroll in the supplemental nutrition assistance program established pursuant to section 95 of the social services law.*

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner of social services and the commissioner of the department for the aging may take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Aging.

Int. No. 1520

By Council Members Lander, Levin, Cumbo, Menchaca, Rosenthal and Rose.

A Local Law to amend the New York city charter, in relation to measuring and addressing gender and racial inequality in New York City.

Be it enacted by the Council as follows:

Section 1. Section 16 of the New York city charter is amended to read as follows:

§16 Report on social indicators *and gender and racial inequality*. The mayor shall submit an annual report to the council, borough presidents, and community boards analyzing the social, economic and environmental health of, *and equality and equity between the genders and races within the city,* and proposing strategies for addressing the issues raised in such analysis. The report shall present and analyze data on the social, economic and environmental conditions, *and any gender and racial inequalities within such conditions*, which are significantly related to the jurisdiction of the agencies responsible for the services specified in section twenty seven hundred four, the health and hospitals corporation, and such other agencies as the mayor shall from time to time specify. The report shall include the generally accepted indices of unemployment, poverty, child welfare, housing quality, homelessness, health, physical environment, crime, and such other indices as the mayor shall require by executive order or the council shall require by local law, *and the gender and racial inequality within all such indices*. Such report shall be submitted no later than sixty days before the community boards are required to submit budget priorities pursuant to section two hundred thirty and shall contain: (1) the reasonably available statistical data, for the current and previous five years, on such conditions in the city and, where possible, in its subdivisions; and a comparison of this data *by gender and racial group, and* with such relevant national, regional or other standards or averages as the mayor deems appropriate; (2) a narrative discussion of the differences *and the inequities* in such conditions *by gender* and among the subdivisions *and racial groups* of the city, and of the changes over time in such conditions; and (3) the mayor's short and long term plans, organized by agency or by issue, for responding to the significant problems *and inequalities* evidenced by the data presented in the report.

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

Referred to the Committee on Women's Issues.

Res. No. 1415

Resolution calling upon the New York State Education Department to convene a task force to assess the cultural relevance of state learning standards across subject areas in elementary, middle, and high school and explore the grounding of standards in core content that challenges racism, ableism, and sexism, and is LGB and TGNC-affirming.

By Council Members Palma, the Speaker (Council Member Mark-Viverito), Levin, Menchaca and Barron.

Whereas, Research shows that people of color, people with disabilities, women, and those who identify as lesbian gay bisexual (LGB) and transgender nonconforming (TGNC) are vastly underrepresented in education curriculum; and

Whereas, For example, according to the National Education Association (NEA), education textbooks are often dominated by White history and perspectives, which causes many students of color to disengage from academic learning; and

Whereas, Furthermore, the NEA acknowledges that African Americans, the second most represented racial group in school textbooks, appear in limited references and are mainly included in history lessons in relationship to slavery; and

Whereas, According to the NEA, Asian Americans and Latinos appear in school textbooks as if they have no history or contemporary ethnic experiences; and

Whereas, New York City public schools serve a diverse population of students, and according to the New York City Department of Education (DOE), 40.5% of students are Hispanic, 27.1 % are Black, 15.5% are Asian and 14.8% are White; and

Whereas, According to the NEA, school textbooks incorporate limited information about contemporary race relations, racial issues and racism, and therefore are not encouraging students to think critically about racism; and

Whereas, According to the NEA, minimal attention to racism results in students perceiving racism as an issue from the past rather than an ongoing problem; and

Whereas, According to the Disability Studies Quarterly, individuals with disabilities, one of the largest minority groups in America, are also underrepresented in school textbooks and curricula despite the fact that they have made significant contributions to our history; and

Whereas, Research shows that students with disabilities are disproportionately victims of bullying in comparison to their abled bodied peers; and

Whereas, According to the DOE, students with disabilities represent 18.7% of the DOE's student population, however the DOE does not separately track students with physical disabilities only; and

Whereas, Advocates acknowledge that the more able bodied students learn about the experiences of students with disabilities, the more they will embrace students with disabilities; and

Whereas, According to Ed Change, there is a gender biased curriculum in schools that is unfair to girls, and that gender bias is taught implicitly in classrooms; and

Whereas, Research shows that textbooks often portray women in stereotypical roles such as homemakers, while men are significantly represented as politicians, scientists, engineers, and law enforcement; and

Whereas, According to the DOE, female students represent 48.6% of the student population; and

Whereas, Numerous reports show that discriminatory gender norms and practices in textbooks can negatively impact the way girls engage in school, and the underrepresentation of girls in textbooks can negatively impact their self-esteem; and

Whereas, Research reveals that LGB and TGNC students are also underrepresented in school curricula; and

Whereas, According to a survey conducted by the Gay Lesbian Straight Education Network (GLSEN), less than 1 in 5 students reported being taught a positive representation of LGBT people in school, and approximately 1 in 5 students reported being taught negative content about LGBT topics in their classroom; and

Whereas, According to GLSEN's school climate report, 74.1% of LGBT students were verbally harassed and 36.2% of LGBT students were physically harassed; and

Whereas, Advocates argue that positive representations of LGBT history and events contribute to creating a more welcoming school climate for LGBT students; and

Whereas, Numerous advocacy groups argue that the curriculum in New York City schools lacks cultural relevance for many students and their experiences are underrepresented; and

Whereas, Research shows that educators are often unaware of their own biased teaching behaviors; and

Whereas, Additionally, fostering critical thinking is one of the DOE's central values, but it is unknown to what extent school curriculum is fostering students to challenge racism, ableism, and sexism; and

Whereas, New York City is one of the most diverse cities in the world and champions diversity, tolerance and inclusion of all individuals, and it is imperative that we encourage students to respect, accept, and learn about people with different identities; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Education Department to convene a task force to assess the cultural relevance of state learning standards across subject areas in elementary, middle, and high school and explore the grounding of standards in core content that challenges racism, ableism, and sexism, and is LGB and TGNC-affirming.

Referred to the Committee on Education.

Res. No. 1416

Resolution urging the New York State Legislature to pass and the Governor to sign the Reproductive Health Act.

By the Public Advocate (Ms. James), the Speaker (Council Member Mark-Viverito) and Council Members Levin and Constantinides.

Whereas, In 1970, New York State was one of the first states in the nation to support the reproductive rights of women by pioneering legislation that decriminalized abortion; and

Whereas, This legislation was groundbreaking and crucial to ensuring the reproductive health and freedom of women; and

Whereas, In 1973, the United States Supreme Court legalized abortion throughout the country with the Roe v. Wade decision; and

Whereas, Following this ruling many states passed laws limiting women's ability to access the procedure in an effort to erode the rights granted by the Supreme Court; and

Whereas, According to the Guttmacher Institute, between 2011 to 2016, there have been 334 abortion restrictions adopted nationally, constituting 30% of all abortion restrictions enacted since the 1973 decision; and

Whereas, Furthermore, members of Congress who have anti-abortion positions have been trying for several years to pass a national ban on all abortions at or after 20 weeks of pregnancy; and

Whereas, In addition, President Donald Trump stated his intention to appoint a Supreme Court Justice who will help overturn Roe v. Wade; and

Whereas, The ability to access safe abortions is necessary so that women can plan their families without risking their health; and

Whereas, The Guttmacher Institute notes that improved contraceptive use has helped women to better avoid unintended pregnancies, and as a result, the national abortion rate declined to 17 per 1,000 women aged 15-44 in 2011, the lowest since 1973; and

Whereas, According to the New York City (NYC) Department of Health and Mental Hygiene, in 2013, almost 6 in 10 known pregnancies among NYC women were unintended; and

Whereas, While abortion rates have declined, women who are struggling financially experience higher levels of abortion; and

Whereas, In 2011, there were 225 abortion providers in New York state, and 94 of those were in clinics, which was a 10% decline in overall providers and a 9% decline in clinics from 2008; and

Whereas, According to the New York Civil Liberties Union, 7 out of 10 New Yorkers support a woman's right to choose; and

Whereas, The New York State legislation passed in 1970 is now outdated and needs revision; and

Whereas, On January 17, 2017 the New York State Assembly passed the Reproductive Health Act, as it has for the past several legislative sessions; and

Whereas, Despite having overwhelming support of New Yorkers, the New York State Senate continues to deny the passage of this legislation; and

Whereas, The Reproductive Health Act is legislation that would provide safeguards for New York's women in the face of eroding federal protections by codifying current federal law into state law; and

Whereas, The Reproductive Health Act would also take abortion out of the penal code, and regulate it as a matter of public health and medical practice; and

Whereas, It is critical that the New York State Legislature takes action to pass this legislation to explicitly outline these fundamental rights in state law; and

Whereas, The rights of women should include full control over their bodies and reproductive choices; and

Whereas, It is now more vital than ever for New York to take the lead and stand up for the health and freedom of its women; now, therefore, be it

Resolved, That the Council of the City of New York urges the New York State Legislature to pass and the Governor to sign the Reproductive Health Act.

Referred to the Committee on Women's Issues.

Res. No. 1417

Resolution calling on the State Legislature to amend the Estates, Powers and Trusts Law such that, in the case that a building owner passes away intestate, and no immediate family can be identified as next-of-kin, if a majority of building tenants are willing to purchase the building as a cooperative and they are willing to pay the appraised value of the property, they should have a right of first refusal.

By Council Member Reynoso.

Whereas, Tenants should be allowed to remain in their homes whenever possible, as it promotes stability among tenants and helps slow the pace of gentrification; and

Whereas, If an owner of a building dies intestate, and the building is liquidated at a public auction, it is less likely that tenants will be allowed to remain in their homes; and

Whereas, According to an article in the Ridgewood Times, there is at least one case in the City of New York of a building owner passing away without a will; and

Whereas, The tenants of said rent-regulated building were willing to purchase the building as a cooperative, but the building was liquidated at a public auction; and

Whereas, Although it is too late for the residents of said building, action by the State Legislature could help prevent such events from happening again; and

Whereas, State law provides for the procedures for disposing of real property when an individual dies intestate; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to amend the Estates Powers and Trusts Law such that, in the case that a building owner passes away intestate, and no immediate family can be identified as next-of-kin, if a majority of building tenants are willing to purchase the building as a cooperative and they are willing to pay the appraised value of the property, they should have a right of first refusal.

Referred to the Committee on Housing and Buildings.

Int. No. 1521

By Council Members Reynoso, Cornegy and Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to reducing civil penalties where food service establishments donate or recycle organic waste

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-143 to read as follows:

§ 16-143 Organic waste donation and recycling. a. As used in this section, the following terms have the following meanings:

Eligible violation. The term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for the organic waste donation and recycling program and (ii) a violation issued for a failure to comply with any provision of the code or the rules of the city of New York, which is enforced by the department and requires source separation, the recycling of designated materials or the posting of signage.

Food service establishment. The term “food service establishment” means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.

b. Notwithstanding any other provision of law, the commissioner shall establish an organic waste donation and recycling program. Such program shall allow an owner of a food service establishment who is issued an eligible violation to have the civil penalties for such violation waived where such owner (i) had not received the same or a substantially similar violation within the six month period prior to the issuance of such eligible violation, (ii) was not donating or recycling organics at the time such violation was issued (iii) enters into an agreement, approved by the department, to donate or recycle all of such establishment’s organic waste for a period of at least three months and (iv) provides to the department, at the end of such period, a statement from the entity or entities to whom such owner was donating such organic waste, that such owner has donated or recycled all of such establishment’s organic waste over such period.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.

§ 2. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

**CHAPTER 11
INCENTIVIZING ORGANIC WASTE RECYCLING AND DONATIONS**

§ 20-937 Incentivizing organic waste recycling and donations.

§ 20-937 Incentivizing organic waste recycling and donations. a. As used in this chapter, the following terms have the following meanings:

Eligible violation. The term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for the organic waste donation and recycling program and (ii) a violation which is issued for a failure to comply with any provision of the code or the rules of the city of New York which is enforced by the department and requires the display of prices, the accuracy of scanners or the posting of signage.

Food service establishment. The term “food service establishment” means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.

Organic waste. The term “organic waste” shall have the same meaning as provided in section 16-303 of this code.

b. Notwithstanding any other provision of law, the commissioner shall establish an organic waste donation and recycling program. Such program shall allow an owner of a food service establishment who is issued an eligible violation to have the civil penalties for such violation waived where such owner (i) had not received the same or a substantially similar violation within the six month period prior to the issuance of such eligible violation, (ii) was not donating or recycling organics at the time such violation was issued (iii) enters into an agreement, approved by the department, to donate or recycle all of such establishment’s organic waste for a period of at least three months and (iv) provides to the department, at the end of such period, a statement from the entity or entities to whom such owner was donating such organic waste, that such owner has donated or recycled all of such establishment’s organic waste over such period.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.

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

Referred to the Committee on Small Business.

Res. No. 1418

Resolution calling upon the New York State Legislature, and the Governor, to enact legislation to require the Metropolitan Transportation Authority (“MTA”) to submit projects that involve the conversion of MTA properties and facilities in New York City into residential housing to be subject to the Uniform Land Use Review procedure.

By Council Member Richards.

Whereas, The Uniform Land Use Review Procedure (“ULURP”) is a standardized review process pursuant to the City of New York affecting the land use of the City; and

Whereas, ULURP requires City agencies to review and approve actions related to “the use, development, or improvement of real property” in New York City; and

Whereas, Key agencies involved in the approval process, include the Department of City Planning, the City Planning Commission, and the City Council; and

Whereas, The ULURP procedure was designed to increase transparency and public participation in the zoning and land use decision making process; and

Whereas, However, ULURP generally does not extend to projects initiated by the New York State agencies, including the Metropolitan Transportation Authority (“MTA”); and

Whereas, The need to generate new revenue streams has led the MTA to explore the potential residential and commercial redevelopment of some of its properties and facilities in New York City; and

Whereas, Some elected officials and advocates have argued that the present definition of “transportation purpose” in State law allows the MTA to pursue property redevelopment without local community input or oversight; and

Whereas, Moreover, some advocates support legislative proposals to amend current State law to require the MTA to respect local land use and zoning review procedures; and

Whereas, New York City continues to suffer from a chronic shortage of affordable housing; and

Whereas, New York City has adopted and modified existing policies, through Mandatory Inclusionary Housing/Zoning for Quality and Affordability (“MIH/ZQA”) and other measures, to encourage the development of additional affordable housing; and

Whereas, While the MTA may be able to redevelop some of their properties in order to generate additional revenues, such redevelopment should also address the community concerns, especially in the area of affordable housing; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature, and the Governor, to enact legislation to require the Metropolitan Transportation Authority (“MTA”) to submit projects that involve the conversion of MTA properties and facilities in New York City into residential housing to be subject to the Uniform Land Use Review procedure.

Referred to the Committee on Land Use.

Int. No. 1522

By Council Members Rodriguez, Salamanca and Gentile

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to provide notice to council members of certain gas piping-related violations

Be it enacted by the Council as follows:

Section 1. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-103.26 to read as follows:

§ 28-103.26 Report on gas piping-related violations. *Where an officer or employee of the department issues a gas piping-related immediately hazardous violation, the department shall notify the council member for the council district in which such violation was located, within twenty-four hours after issuing such violation.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 1523

By Council Members Rosenthal, Levin and Salamanca.

A Local Law to amend the New York city charter, in relation to the creation of an office of the tenant advocate within the department of buildings

Be it enacted by the Council as follows:

Section 1. Chapter 26 of the New York city charter is amended by adding a new section 650 to read as follows:

§ 650. a. Establishment of the office of the tenant advocate. *There shall be in the department an office of the tenant advocate, whose duties shall include, but not be limited to:*

- 1. approving tenant protection plans to ensure that such plans comply with the requirements of section 28-104.8.4 of the administrative code;*
- 2. approving site safety plans, for work on occupied multiple dwellings, to ensure that such plans comply with the requirements of section 28-110.1 of the administrative code;*
- 3. establishing a system to receive comments, questions and complaints with respect to tenant protection plans and site safety plans for work on occupied multiple dwellings, including, but not limited to, establishing and publicizing the availability of a telephone number to receive such comments, questions and complaints;*

4. *establishing a system to communicate with tenants who are affected by work in occupied multiple dwellings to ensure that such tenants have notice of such work, understand the applicable tenant protection plan and/or site safety plan and understand their rights as tenants during such work; and*

5. *monitoring sites with tenant protection plans to ensure that such sites are complying with such plan and, where applicable, with a site safety plan.*

b. Reporting. The office of the tenant advocate shall submit to the mayor and the speaker of the city council, and publish on the department's website, quarterly reports related to the responsibilities of the office, including but not limited to:

1. the number of complaints received by the office and a description of such complaints;

2. the average time taken to respond to such complaints;

3. the number of tenant protection plans reviewed;

4. the number of site safety plans reviewed;

5. a list of the instances where the tenant protection plan did not meet the requirements of section 28-104.8.4 of the administrative code, and the follow-up action taken by the office;

6. a list of the instances where the site safety plan did not meet the requirements of section 28-110.1 of the administrative code, and the follow-up action taken by the office; and

7. a description of efforts made to communicate with tenants.

c. Posting of office information. The department shall post on its website the phone number of the office of the tenant advocate and a statement indicating that any person may contact such office if such person has a comment, question or complaint regarding tenant protection plans or site safety plans in occupied multiple dwellings.

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

Referred to the Committee on Housing and Buildings.

Res. No. 1419

Resolution calling upon Congress to pass and the President to sign, H.R. 771, the Equal Access to Abortion Coverage in Health Insurance ("EACH Woman") Act of 2017, which would effectively nullify the Hyde Amendment and require that both public and private health insurance providers cover abortions.

By Council Members Rosenthal and Levin.

Whereas, In 1973, the United States Supreme Court decision *Roe v. Wade* determined that that abortions are legal in the United States; and

Whereas, Since the 1973 Supreme Court decision both the federal government and state governments have increased restrictions on abortion access and insurance coverage of abortions; and

Whereas, The Hyde Amendment bans the use of federal funds for abortion services unless the mother's life is at risk or in the case of rape or incest; and

The Hyde Amendment was included in the 1976 Congressional budget package, and has been included in every budget package since; and

Whereas, The Hyde Amendment has restricted women on Medicaid, servicewomen, and certain other public employees from receiving abortion coverage; and

Whereas, The Hyde Amendment unfairly restricts low-income women from receiving public health insurance coverage for an abortion forcing many women to pay out of pocket; and

Whereas, According to the Guttmacher Institute, thirty-two states and the District of Columbia adhere to the Hyde Amendment and only provide coverage for an abortion in the case of life endangerment, rape or incest; and

Whereas, In 2014, three-fourths of abortion patients were low-income and forty-nine percent of abortion patients were living below the federal poverty level; and

Whereas, In 2014, fifty-three percent of women paid for abortions out of pocket; and

Whereas, Low-income women need a considerable amount of time to come up with the money to pay for an abortion and the longer a woman waits the more the procedure costs; and

Whereas, While the Hyde Amendment does not restrict private health coverage of abortions, according to the Guttmacher Institute, twenty-five states have restricted abortion coverage in plans offered through the Affordable Care Act's health insurance market place; and

Whereas, Ten of those states have laws in effect that restrict health insurance coverage of an abortion in all private insurance plans regulated by the state; and

Whereas, These twenty-five states restrict private health insurance coverage of abortion to instances where the mother's life is in danger, in cases of rape, incest or if there is fetal impairment; and

Whereas, On January 31, 2017, Congresswoman Barbara Lee introduced the Equal Access to Abortion Coverage in Health Insurance ("EACH Woman") Act of 2017, which would ensure that public or private health insurance covers an abortion for every woman regardless of her the type of health insurance coverage; and

Whereas, The Each Woman Act of 2017 would ensure that an abortion is covered for participants and beneficiaries in public health insurance programs including Medicare, Medicaid and the Children's Health Insurance Program; and

Whereas, The Each Woman Act of 2017 would ensure that the federal, state, and local governments would not be able to interfere in the insurance coverage of abortions in both public and private insurance; and

Whereas, While the legality of abortions in the United States was determined by the Supreme Court, state and local governments continue to impede women from getting an abortion by restricting the public and private health insurance coverage of abortions; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign , H.R. 771, the Equal Access to Abortion Coverage in Health Insurance ("EACH Woman") Act of 2017, which would effectively nullify the Hyde Amendment and require that both public and private health insurance providers cover abortions.

Referred to the Committee on Woman's Issues.

Int. No. 1524

By Council Members Salamanca, Vacca and Gentile (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to radiator inspections in homeless shelters

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 21-317 to read as follows:

§ 21-317 Radiator inspections. a. Definitions. For the purposes of this section, the term "shelter" means temporary emergency housing provided to homeless adults, adult families, and families with children by the department or a provider under contract or similar agreement with the department.

b. During any inspection conducted or overseen by the department related to health, safety, or the physical conditions of a shelter, or part thereof, the department shall also inspect any radiators within such shelter.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1525

By Council Members Torres and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to agency social media accounts

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-303, to read as follows:

§ 23-303 *Agency social media accounts.* a. *For purposes of this section, the term “social media platform” means a website or application that enables users to publish and share content on such website or application and to communicate with other users.*

b. *In July of each year, the commissioner of information technology and telecommunications shall designate no fewer than five social media platforms for which all agencies shall be required to open and maintain an account. Maintenance of such account shall include but not be limited to distributing content about agency activities on such platform and receiving communications from the public.*

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

Referred to the Committee on Technology.

Int. No. 1526

By Council Members Treyger, Cornegy, Reynoso and Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to reducing civil penalties where food service establishments donate left over food

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-143 to read as follows:

§ 16-143 *Food donations.* a. *As used in this section, the following terms have the following meanings:*

Eligible violation. The term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for the food donation program and (ii) a violation issued for a failure to comply with any provision of the code or the rules of the city of New York, which is enforced by the department and requires source separation, the recycling of designated materials or the posting of signage.

Food service establishment. The term “food service establishment” means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.

Not-for-profit corporation. The term “not-for-profit corporation” means a not-for-profit corporation as defined in subparagraph 5 or subparagraph 7 of subdivision a of section 102 of the New York state not-for-profit corporation law.

Qualifying excess food. The term “qualifying excess food” means food that (i) such food service establishment does not intend to make, or intends to stop making available to its customers and (ii) meets all quality and labeling standards imposed by federal, state and local laws and rules.

b. *Notwithstanding any other provision of law, the commissioner shall establish a food donation program. Such program shall allow an owner of a food service establishment who is issued an eligible violation to have the civil penalties for such violation waived where such owner (i) had not received the same or a substantially*

similar violation within the six month period prior to the issuance of such eligible violation, (ii) enters into an agreement, approved by the department, with a not-for-profit corporation to donate such establishment's qualifying excess food for a period to be determined by the department and (iii) provides to the department, at the end of such period, a statement from such not-for-profit corporation certifying that such establishment has donated its qualifying excess food over such period.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.

§ 2. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

**CHAPTER 11
INCENTIVIZING FOOD DONATIONS**

§ 20-937 *Incentivizing food donations.*

§ 20-937 *Incentivizing food donations. a. As used in this chapter, the following terms have the following meanings:*

Eligible violation. The term "eligible violation" means (i) a violation which is set forth in rule by the department as eligible for the food donation program and (ii) a violation which is issued for a failure to comply with any provision of the code or the rules of the city of New York which is enforced by the department and requires the display of prices, the accuracy of scanners or the posting of signage.

Food service establishment. The term "food service establishment" means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.

Not-for-profit corporation. The term "not-for-profit corporation" means a not-for-profit corporation as defined in subparagraph 5 or subparagraph 7 of subdivision a of section 102 of the New York state not-for-profit corporation law.

Qualifying excess food. The term "qualifying excess food" means food that (i) such food service establishment does not intend to make, or intends to stop making available to its customers and (ii) meets all quality and labeling standards imposed by federal, state and local laws and rules.

b. Notwithstanding any other provision of law, the commissioner shall establish a food donation program. Such program shall allow an owner of a food service establishment who is issued an eligible violation to have the civil penalties for such violation waived where such owner (i) has not received the same or a substantially similar violation within the six month period prior to the issuance of such eligible violation, (ii) enters into an agreement, approved by the department, with a not-for-profit corporation to donate such establishment's qualifying excess food for a period to be determined by the department and (iii) provides to the department, at the end of such period, a statement from such not-for-profit corporation certifying that such establishment has donated its qualifying excess food over such period.

c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.

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

Referred to the Committee on Small Business.

Int. No. 1527

By Council Member Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to parks department recreation center fees for volunteer firefighters and EMS workers

Be it enacted by the Council as follows:

Section 1. Section 18-146 of the administrative code of the city of New York is amended to read as follows:

§ 18-146 Discounted recreation center fees. Annual membership fees for each recreation center under the jurisdiction of the department shall be reduced for persons 62 years of age or older, persons between 18 and 24 years of age, veterans [and] persons with disabilities, *volunteer firefighters and emergency medical services volunteers*. Such reduced fees shall be no greater than 25 percent of the highest annual membership fee charged at such recreation center.

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

Referred to the Committee on Parks and Recreation.

Res. No. 1420

Resolution calling on the City to recognize May as Military Appreciation Month in New York City.

By Council Member Ulrich, Vallone, Koslowitz, Chin, Espinal, Grodenchik, Lancman, Gentile and Maisel.

Whereas, For centuries, the armed forces have played a central role in American life, defending American values and interests from Bunker Hill to Baghdad; and

Whereas, The men and women who serve in the Army, the Navy, the Air Force, the Marines, and the Coast Guard come from all 50 states and embody the socioeconomic, racial, and religious diversity of our nation; and

Whereas, Although it would be impossible to fully repay the debt we owe them for their service, civic institutions should make every effort to commemorate the service of veterans; and

Whereas, There are several opportunities in May to honor those who serve; and

Whereas, These include Loyalty Day, Victory in Europe Day, Military Spouse Appreciation Day, Armed Forces Day, and Memorial Day; and

Whereas, In 1999, both houses of Congress, led by Senator John McCain, a former Navy aviator, designated May as National Military Appreciation Month; and

Whereas, New York City is home to roughly 200,000 veterans, and it is the first city in the nation to establish a Department of Veterans Services; and

Whereas, As a national leader on veterans' issues, New York should recognize May as Military Appreciation Month in the five boroughs; and

Whereas, This recognition would reaffirm New York's commitment to its veterans and create opportunities for civic engagement; and

Whereas, It could also complement Fleet Week, which, according to the New York City Economic Development Corporation (NYCEDC), brings approximately \$20 million in revenue to the City each year; and

Whereas, In light of the significant contributions that veterans have made to American life, and New York City's extensive engagement with military issues, establishing this commemorative month is an important step toward becoming the most veteran-friendly city in the country; now, therefore, be it

Resolved, That the Council of the City of New York should pass a resolution recognizing May as Military Appreciation Month in New York City.

Referred to the Committee on Veterans.

Int. No. 1528

By Council Member Vacca.

A Local Law to amend the administrative code of the city of New York, in relation to names of public datasets requested under the freedom of information law

Be it enacted by the Council as follows:

Section 1. Subdivision f of Section 23-502 of the administrative code of the city of New York, as added by local law number 7 for the year 2016, is amended to read as follows:

f. Agencies shall review responses to freedom of information law requests that include the release of data to determine if such responses consist of or include public data sets that have not yet been included on the single web portal or the inclusion of which on the single web portal is not provided for in the compliance plan prepared pursuant to section 23-506. Each agency shall disclose in the update to such compliance plan the total number, since the last update, of such agency's freedom of information law responses that included the release of data, the total number of such responses determined to consist of or include a public data set that had not yet been included on the single web portal *and the name of such public data set, where applicable*, and the total number of such responses that resulted in voluntarily disclosed information being made accessible through the single web portal.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Technology.

Int. No. 1529

By Council Members Vacca, Johnson, and Salamanca (at the request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the phase-out of existing cluster sites

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 21-317 to read as follows:

§ 21-317 Cluster sites phase-out. *a. For the purposes of this section, the following terms have the following meanings:*

Cluster site. The term "cluster site" means an individual unit, which is being utilized as shelter for a homeless family, within a private building.

Homeless family. The term "homeless family" means a family containing adults and children under the age of 21 residing in a shelter.

Shelter. The term "shelter" means a building, or individual units within a building, being utilized by the department or a provider under contract or similar agreement with the department to provide temporary emergency housing.

b. The department shall develop a plan to phase-out the use of cluster sites in operation as of the date of the local law that added this section. Such plan shall establish metrics to assess whether existing cluster sites should (i) be converted for use as permanent housing for the homeless family residing in the cluster site, or another homeless family, (ii) be converted to a stand-alone shelter for homeless families, or (iii) no longer be used by the department as shelter or as permanent housing for a homeless family. No later than September 1, 2017, the department shall submit to the Council and post on its website the metrics used to develop the plan to phase-out the use of cluster sites as shelter. Such metrics shall include, but not be limited to the following: (i) the condition of the cluster site, (ii) whether the owner of the building and the provider under contract or

similar agreement with the department to operate the cluster sites within such building have cooperated with the department in maintaining the cluster sites, (iii) whether the cluster site is rent regulated, and (iv) whether the homeless families residing in the cluster sites have expressed an interest in remaining in the cluster site as tenants.

c. The department shall submit to the speaker of the council and post on its website quarterly reports on the progress of phasing-out cluster sites in operation as of the date of the local law that added this section. The first such report shall be posted no later than 30 days following the end of the calendar quarter covering October 1, 2017 to December 31, 2017, and all subsequent reports shall be due 30 days following the last day of each succeeding calendar quarter, until such time that no such cluster sites are in operation. The information in such reports shall be disaggregated by each building that contains a cluster site unit. If any information required pursuant to this section varies by cluster site within the same building, such information shall be further disaggregated by cluster site or groups of cluster sites within such building. Such reports shall include but not be limited to the following information:

1. The number of cluster sites in the building and the total number of units in the building.
2. The owner of the building and the provider under contract or similar agreement with the department to operate the cluster sites within such building.
3. The number of times the building was inspected by the department, the department of housing preservation and development, the department of buildings or the fire department during the reporting period.
4. Whether any legal actions were initiated against the owner of the building or provider operating the cluster sites within such building.
5. Whether any repairs were made pursuant to section 21-2125 and whether the department recouped the costs of such repairs.
6. Whether the department changed the provider under contract or similar agreement with the department operating the cluster site and the reason for such change.
7. The plan for the use of the cluster sites within the building, including the month and year the department projects such cluster sites will completely be phased-out and the goal for such cluster sites, including whether such cluster sites will (i) be converted for use as permanent housing for the family residing in the cluster site, or another homeless family, (ii) be converted to a stand-alone shelter for homeless families, or (iii) no longer be used by the department as shelter or as permanent housing for a homeless family.
8. When a cluster site is phased-out during the reporting period, the date such cluster site was no longer under contract or similar agreement with the department and whether such cluster site was (i) converted for use as permanent housing for the family residing in the cluster site, or another homeless family, (ii) converted to a stand-alone shelter for homeless families, or (iii) no longer used by the department as shelter or as permanent housing for a homeless family.

d. If the department enters into a new contract or similar agreement for a cluster site not in operation on the date of the local law that added this section, the department shall notify the speaker of the council no later than 10 days following the date the department enters into a contract or similar agreement for the operation of the cluster site. The department shall submit to the speaker of the council and post on its website the following information regarding the cluster site:

1. An analysis of the current shelter capacity, including why other types of shelter are insufficient to meet the needs of the shelter census.
2. The steps the department took to ensure that such cluster sites are suitable for a homeless family prior to entering into the contract or similar agreement.
3. The information required pursuant to subdivision c of this section. Such information shall be reported quarterly until such time that no such cluster sites are in operation.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Res. No. 1421

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation to require all real property conveyances to be memorialized by a deed recorded in the office of the clerk of the county where such real property is situated.

By Council Member Vallone.

Whereas, New York State Real Property Law provides that a conveyance of an interest in real property is effective against the whole world when a grantor executes and delivers a deed to the grantee; and

Whereas, New York State Real Property Law also provides that any written instrument conveying an interest in real property may be recorded in the office of the clerk of the county where such real property is situated; and

Whereas, New York State Real Property Law provides that every such conveyance not so recorded is void against any person who subsequently purchases such property in good faith for valuable consideration and whose conveyance is first duly recorded; and

Whereas, In New York City, the Department of Finance oversees the Office of the City Register; and

Whereas, According to the Commissioner of the New York City Department of Finance, Jacques Jiha, it is easy for people to fraudulently record deeds to property they don't own; and

Whereas, New York State Real Property Law requires the Office of the City Register to record any properly filed instrument conveying an interest in real property without inquiring into its authenticity; and

Whereas, According to Commissioner Jiha, people who inherit property and do not record the deeds to their property are often the targets of fraud; and

Whereas, According to the New York Daily News, in order to recover property that has been fraudulently taken by the filing of a false deed, a property owner may expend significant resources on litigation in actions to cancel and discharge fraudulent deeds and liens on the property, and in squatter holdover proceedings to evict and remove the false filer; and

Whereas, The Department of Finance of has established a "Notice of Recorded Document System" to alert registered property owners when documents are recorded without their knowledge and to allow property owners to take steps to limit the harm caused by the recording of fraudulent documents against their property; and

Whereas, In order to receive notices of recorded documents from the Department of Finance, a property owner must first record the deed conveying their interest in such property; and

Whereas, New York State Real Property Law does not currently require conveyances of interests in real property to be recorded; and

Whereas, The New York City Housing Maintenance Code requires all owners of multiple dwellings and all owners of one- and two-family dwellings where neither the owner nor any family member occupies such dwelling to register with the Department of Housing Preservation and Development so that such owners may be contacted in the event of an emergency; and

Whereas, The New York City Housing Maintenance Code also requires all such owners to provide notice to the Department of Housing Preservation and Development whenever such owner transfers title to another person; and

Whereas, The registration requirements of the Housing Maintenance Code do not register an owner of real property with the "Notice of Recorded Document System" maintained by the Department of Finance; and

Whereas, Owners of buildings not subject to the Housing Maintenance Code are not required to register with the City at all; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation to require all real property conveyances to be memorialized by a deed recorded in the office of the clerk of the county where such real property is situated.

Referred to the Committee on Finance.

Preconsidered L.U. No. 588

By Council Member Ferreras-Copeland:

**Notre Dame Apartments, Block 3085, Lot 45; Bronx, Community District No. 6, Council District No. 15.
Finance**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

L.U. No. 589

By Council Member Greenfield:

Application No. C 160221 ZMK submitted by Riverside Developers USA Inc. pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, Section 12d, changing an existing M1-2 district to an R7A/C2-4 district and an M1-2/R6A district, Borough of Brooklyn, Community District 3, Council District 33.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 590

By Council Member Greenfield:

Application No. N 160222 ZRK submitted by Riverside Developers USA Inc. pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, modifying Appendix F to establish a Mandatory Inclusionary Housing Area, Borough of Brooklyn, Community District 3, Council District 33.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 591

By Council Member Greenfield:

Application No. N 160396 ZRM submitted by 23rd and 11th Associates, LLC pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, relating to Article IX, Chapter 8, the Special West Chelsea District, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 592

By Council Member Greenfield:

Application No. C 160378 ZMR submitted by Clara Fazzino pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the zoning map, Sections 21b and 27a, establishing a C1-1 district within an existing R3-1 district, Borough of Staten Island, Community District 2, Council District 50.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 593

By Council Member Greenfield:

Application No 20175218 HKM (N 170252 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of United Nations Hotel, First Floor Interiors (Block 1337, Lot 7502 and 14), as an interior landmark, Borough of Manhattan, Community Board 6, Council District 4.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses.

L.U. No. 594

By Council Member Greenfield:

Application No. C 170127 PPK submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property located at 794 Flatbush Avenue (Block 5063, Lot 58), Borough of Brooklyn, Community Board 14, Council District 40. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 595

By Council Member Greenfield:

Application No. C 170128 ZMK submitted by the Department of Citywide Administrative Services and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the zoning map, Section 16d, changing an existing R7A district to an R8A/C2-4 district, Borough of Brooklyn, Community District 14, Council District 40.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 596

By Council Member Greenfield:

Application No. N 170129 ZRK submitted by the Department of Citywide Administrative Services and the Economic Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution modifying Appendix F to establish a Mandatory Inclusionary Housing Area, Borough of Brooklyn, Community District 14, Council District 40.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 597

By Council Member Greenfield:

Application No. C 170153 HAK submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law, for an urban development action area designation and project approval, and the disposition of city-owned property located at 210-214 Hegeman Avenue (Block 3639, Lots 35 and 37), Borough of Brooklyn, Community Board 16, Council District 42.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 598

By Council Member Greenfield:

Application No. C 170154 ZSK submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements for community facility floor area ratio to facilitate the development of a proposed eight-story building located at 210-214 Hegeman Avenue (Block 3639, Lots 35 and 37), Borough of Brooklyn, Community Board 16, Council District 42. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

<http://legistar.council.nyc.gov/Calendar.aspx>

ANNOUNCEMENTS

Monday, March 20, 2017

- 10:00 a.m. Health Committee – Council Chambers – City Hall**
 10:00 a.m. Medical Examiner
 11:00 a.m. Department of Health & Mental Hygiene
 1:00 p.m. Health + Hospitals
 2:30 p.m. Public
- 3:00 p.m. Mental Health, Developmental Disabilities, Alcoholism, Substance Abuse & Disability Services Committee – Committee Room – City Hall**
 3:00 p.m. Department of Health & Mental Hygiene
 4:30 p.m. Public

Tuesday, March 21, 2017

- 10:00 a.m. Education Committee – Council Chambers – City Hall**
 10:00 a.m. Department of Education (Expense)
 1:00 p.m. Public
- ★ *Deferred*
- ~~**10:00 a.m. Economic Development Committee – Committee Room – City Hall**~~
~~10:00 a.m. Department of Small Business Services and Economic Development Corporation (Capital) – (joint with Small Business Committee)~~
~~12:00 p.m. Public~~
- 10:00 a.m. Parks & Recreation Committee – Committee Room – City Hall**
 10:00 a.m. Department of Parks & Recreation
 1:00 p.m. Public

Wednesday, March 22, 2017

- 10:00 a.m. Immigration Committee – Council Chambers – City Hall**
 10:00 a.m. Mayor's Office of Immigrant Affairs/Human Resources Administration/Department of Youth and Community Development/City University of New York
 12:00 p.m. Public
- 1:00 p.m. Civil Rights Committee – Committee Room – City Hall**
 1:00 p.m. Human Rights Commission
 1:30 p.m. Public

Thursday, March 23, 2017

- 10:00 a.m. Environmental Protection Committee – Committee Room – City Hall**
 10:00 a.m. Department of Environmental Protection
 12:30 p.m. Public

[Committee on Housing and Buildings](#)10:00 a.m.

Int 393 - By Council Members Gentile, Constantinides, Cornegy, Koo, Lancman, Cohen, Rodriguez, Treyger, Miller, Rose, Grodenchik, Vallone and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to illegal residential conversions.

Int 750 - By Council Members Kallos, Cabrera, Constantinides and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring landlords to distribute voter registration forms.

Int 1133 - By Council Members Vacca, Rose, Chin and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to the denial of building permits where outstanding charges are owed to the city.

Committee Room – 250 Broadway, 16th Floor

Jumaane D. Williams, Chairperson

★ *Deferred*

~~10:00 a.m. — Mental Health, Developmental Disabilities, Alcoholism, Substance Abuse & Disability Services Committee — Council Chambers — City Hall~~

~~10:00 a.m. — Department of Health & Mental Hygiene~~

~~11:30 a.m. — Public~~

Monday, March 27, 2017

★ *Deferred*

~~[Subcommittee on Zoning & Franchises](#)9:30 a.m.~~

~~[See Land Use Calendar](#)~~

~~Committee Room — 250 Broadway, 16th Floor~~

~~Donovan Richards, Chairperson~~

- 10:00 a.m. General Welfare Committee – Council Chambers – City Hall**
- 10:00 a.m. Human Resources Administration / Department of Social Services
- 11:30 a.m. Department of Homeless Services
- 1:30 p.m. Administration for Children’s Services joint with Women’s Issues
- Juvenile Justice Committees
- 3:00 p.m. Public

★ *Deferred*

~~[Subcommittee on Landmarks, Public Siting & Maritime Uses](#)11:00 a.m.~~

~~[See Land Use Calendar](#)~~

~~Committee Room — 250 Broadway, 16th Floor~~

~~Peter Koo, Chairperson~~

★ *Deferred*

~~[Subcommittee on Planning, Dispositions & Concessions](#)1:00 p.m.~~

~~[See Land Use Calendar](#)~~

~~Committee Room — 250 Broadway, 16th Floor~~

~~Rafael Salamanca, Chairperson~~

- 1:00 p.m. Sanitation & Solid Waste Management Committee – Committee Room – City Hall**
- 1:00 p.m. Department of Sanitation
- 3:00 p.m. Business Integrity Commission
- 3:30 p.m. Public

Tuesday, March 28, 2017**★ Addition**

[Subcommittee on Zoning & Franchises](#)..... 9:30 a.m.

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor

Donovan Richards, Chairperson

10:00 a.m. Transportation Committee – Council Chambers – City Hall

10:00 a.m. Department of Transportation

11:30 a.m. MTA/NYC Transit

12:30 p.m. Taxi and Limousine Commission

1:15 p.m. Public

★ Addition

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#)..... 11:00 a.m.

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor

Peter Koo, Chairperson

★ Addition

[Subcommittee on Planning, Dispositions & Concessions](#)..... 1:00 p.m.

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....Rafael Salamanca, Chairperson

Wednesday, March 29, 2017**★ Note Time Change**

[Committee on Land Use](#)..... ★10:30 a.m.

[All items reported out of the Subcommittees](#)

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall

David G. Greenfield, Chairperson

★ Addition**11:00 a.m. Land Use Committee – Committee Room – City Hall**

11:00 a.m. Landmarks Preservation Commission

12:00 p.m. Department of City Planning

1:00 p.m. Department of Information, Technology & Telecommunications (joint with the Technology Committee)

2:00 p.m. Public

★ Note Time and Location Change

[Committee on Technology](#)..... ★12:00 p.m.

Proposed Int 564-A - By Council Members Vacca, Chin, Eugene, Koo, Rosenthal, Grodenchik and Borelli - **A Local Law** in relation to online submission of applications for permits, licenses and registrations and a single web portal for such applications.

★Council Chambers – City Hall

James Vacca, Chairperson

Thursday, March 30, 2017

★ Addition

10:00 a.m.	Public Safety Committee – Council Chambers – City Hall
10:00 a.m.	District Attorneys/Special Narcotics Prosecutor
12:00 p.m.	Civilian Complaint Review Board
1:00 p.m.	Criminal Justice Coordinator
2:00 p.m.	Police Department
4:00 p.m.	Public

Monday, April 3, 2017

★ Addition

[Committee on Cultural Affairs, Libraries & International Intergroup Relations](#).....1:00 p.m.
Proposed Res 1393-A - By Council Members Van Bramer, Levin, Dromm, Cohen and Koslowitz -
Resolution calling upon President Donald Trump to fully fund the Corporation for Public Broadcasting, the Institute of Museum and Library Services, the National Endowment for the Arts and the National Endowment for the Humanities, and not to eliminate or diminish any of these agencies in any form.
 Committee Room – City Hall James Van Bramer, Chairperson

Wednesday, April 5, 2017

[Stated Council Meeting](#).....*Ceremonial Tributes – 1:00 p.m.*
*Agenda – 1:30 p.m.*

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) wished farewell to departing Council Community Engagement Director Danielle Porcaro. Ms. Porcaro served in the Council for nearly thirteen years in several divisions. The Speaker (Council Member Mark-Viverito) thanked her for her years of service and record of accomplishment in the Council. Those assembled in the Chambers applauded and cheered.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, April 5, 2017.

MICHAEL M. McSWEENEY, City Clerk
 Clerk of the Council

