

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, March 7, 2018, 1:48 p.m.

The Public Advocate (Ms. James)

Acting President Pro Tempore and Presiding Officer

Council Members

Corey D. Johnson, *Speaker*

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

Absent: Council Members Borelli and King.

Medical Leave: Council Member Kallos.

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 48 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 Bishop Dr. Annette Lazarus-Rose, Bethesda Healing Center, 167 East 98th Street, Brooklyn, NY 11212.

Good afternoon, everyone.

Our Father in heaven we come before you this afternoon
with full understanding that you are Lord and we are mere humans.
Baring this in mind, we are committing our ways to you,
asking for direction as we begin this journey of transacting business
on behalf of the constituents of District 41 in this great City of New York.
I thank you for all 51 Council Members,
the Speaker Mr. Corey Johnson and our Public Advocate Letitia James,
Clergy and all other New York City officiants present.
Your word declares in Proverbs 29, verse 2,
that when the righteous are in authority, the people rejoice
but when the wicked man rules, the people groan.
Heavenly Father, I thank you for Councilwoman Alicka Ampry-Samuel
because of her love for the people, the people will rejoice.
I pray that you will continue to direct her
and her team as they go forth like the daughters of the Zeolopehad,
may she have the strength and the courage
to fight for the rights and the wellbeing of the people of New York,
specifically those of Bedford Stuyvesant, Ocean Hill,
Brownsville, East Flatbush, and Crown Heights
because of the disparities and injustices meted out for so long.
May she always be an agent of change
addressing the mental, social and economic injustices
that our communities face daily.
May she and her team strategize to build homes in our communities,
create programs to further our education and productivity,
improve our health and finances
ultimately making New York City
one of the greatest in this nation to live
and Dear God, I ask that those of us who are called to the clergy
will do our part to support her vision
and participate readily in the upliftment of New York City.
Help her Lord in her effort to practice law in the service of human needs.
This we ask in Christ's name, Amen.

Council Member Ampry-Samuel moved to spread the Invocation in full upon the record.

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) asked for a Moment of Silence in memory of two young children, four year old Abigail Blumenstein and one year old Joshua Lew, who were killed on March 5, 2018 by an out of control driver in Park Slope, Brooklyn. Abby's pregnant mother, Ruthie Ann and Joshua's mother Lauren were also struck and hospitalized. The Speaker (Council Member Johnson) expressed his deepest condolences to the families of the young children who were killed. At this point, he yielded the floor to Council Member Lander who spoke of the tragedy that took place within his district. A Moment of Silence was observed in the Chambers in memory of those who were killed and those who were in mourning.

ADOPTION OF MINUTES

Council Member Van Bramer moved that the Minutes of the Stated Meeting of January 16, 2018 and January 31, 2018 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-19

Communication from the Mayor – Submitting Preliminary Mayor's Management Report (PMMR) for Fiscal Year 2018.

(For text, please see the New York City Council website at <http://council.nyc.gov> for the [M-19 of 2018](#) file; also please see the Mayor's Office of Operations at the New York City site at <http://www1.nyc.gov/site/operations/performance/mmr.page>)

Received, Ordered, Printed & Filed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-20

Communication from the Comptroller - Charter Mandated Report to The Mayor and City Council on City Comptroller Audit Operations Fiscal Year 2017.

(For more information, please see the New York City Council website at <http://council.nyc.gov> for the [M-20 of 2018](#) file; also please see the New York City Comptroller's site at <https://comptroller.nyc.gov>)

Received, Ordered, Printed & Filed.

M-21

Communication from the Comptroller - Submitting certified statement containing a schedule of the appropriations required during the ensuing fiscal year for debt service, pursuant to Section 242 of the New York City Charter.

(For text, please see the New York City Council website at <http://council.nyc.gov> for the **M-21 of 2018** file; also please see the New York City Comptroller's site at <https://comptroller.nyc.gov>)

Received, Ordered, Printed & Filed.

LAND USE CALL-UPS

M-22

By Council Member Levin:

Pursuant to Rule 11.20(b) of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 26 Broadway, Borough of Brooklyn, Community Board 1, Application No. 20185143 TCK shall be subject to review by the Council.

Coupled on Call-Up Vote.

M-23

By Council Member Levin:

Pursuant to Rule 11.20(b) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure application no. C 180065 PCK shall be subject to Council review.

Coupled on Call-Up Vote.

M-24

By Council Member Rivera:

Pursuant to Rule 11.20(b) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure application no. C 180069 ZSM shall be subject to Council review.

Coupled on Call-Up Vote.

M-25

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

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure application no. C 180116 ZSM shall be subject to Council review. This item as related to application no. C 180115 HAM which is subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.

Coupled on Call-Up Vote.

M-26

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

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure application nos. C 180123 ZSX, C 180124 ZSX and C 180126 PPX shall be subject to Council review. These items are related to application nos. C 180121 ZMX and N 180122 ZRX which are 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 – Adams, Ampy-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Cumbo, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Matteo, and the Speaker (Council Member Johnson) – **48**.

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 Housing and Buildings

At this point, the Speaker (Council Member Johnson) announced that the following items had been **preconsidered** by the Committee on Housing and Buildings and had been favorably reported for adoption.

Report for Int. No. 720

Report of the Committee on Housing and Buildings in favor of approving and adopting, a Local Law to amend the New York city building code, in relation to clarifying the requirements for site safety training providers.

The Committee on Housing and Buildings, to which the annexed preconsidered proposed amended local law was referred on March 7, 2018, respectfully

REPORTS:

Introduction

The Committee on Housing and Buildings, chaired by Council Member Robert E. Cornegy, Jr. will hold a hearing on Preconsidered Int. No., in relation to clarifying the requirements for site safety training providers.

Background

Local Law 196 of 2017 sets forth requirements for a construction site safety training (SST) provider and establishes a number of pathways by which a “person”¹ may become such a provider.² Under one such pathway, a person may become an SST provider by showing that they have (i) successfully completed the necessary requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes³ and are authorized to conduct such classes and (ii) if such person will be providing training beyond the subject matter covered in an OSHA 10-hour class or OSHA 30-hour class, such person demonstrates sufficient knowledge of the New York City Construction Codes’ site safety requirements⁴ in a form and manner established by the Department of Buildings (DOB). This pathway was intended to strike the appropriate balance between (a) ensuring that SST providers have the ability to provide the kinds of training required by the law and (b) ensuring that a wide scope of training providers from diverse backgrounds would have the opportunity to serve as SST providers; the latter goal being accomplished by including language specifically providing that, under this particular pathway, a person need not show any additional licensure, professional standing, certification, etc., beyond showing qualification to provide OSHA 10 and 30-hour classes.

In January 2018, DOB proposed a rule to implement Local Law 196.⁵ The proposed rule would impose additional licensure, certification, and accreditation requirements on the pathway discussed above;⁶ requirements that would, in the view of this Committee and the Council, conflict with both the plain language and intent of

¹ The definition of “person” in Title 28 of the Administrative Code, which applies to Local Law 196 of 2017, is an “individual, partnership, corporation, or other legal entity.” Ad. Code § 28-101.5.

² Building Code § 3302.1, definition of “SITE SAFETY TRAINING (SST) PROVIDER.”

³ OSHA refers to the United States Department of Labor Occupational Safety and Health Administration. An OSHA 10-hour class is intended to provide workers with instruction in construction industry safety and health, and an OSHA 30-hour class is the corresponding course aimed at supervisors.

⁴ Contained in Chapter 33 of the Building Code.

⁵ https://www1.nyc.gov/assets/buildings/rules/rule_construction_site_safety_training_proposed.pdf

⁶ In addition to satisfying the requirements of the pathway, persons applying to become SST providers would need to show that they had been separately (1) approved or licensed by the New York State Department of Education, (2) accredited “by an accrediting organization recognized by the United States Department of Education or the Council for Higher Education Accreditation,” or (3) certified as a “Standards Developing Organization” by an organization that is itself accredited by the American National Standards Institute (ANSI). See § 105-03(e) of DOB’s proposed rule.

Local Law 196 and act as an unnecessary barrier preventing properly qualified training providers from diverse backgrounds from providing training under the law.

Proposed Legislation

The proposed legislation would clarify and reiterate the provisions of Local Law 196 of 2017 to guard against the issues posed by DOB's proposed rule, as discussed above, and to ensure that the goals of Local Law 196 are served.

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered bill, please see the Introduction and Reading of Bills section printed in these Minutes)

ROBERT E. CORNEGY, Jr., Chairperson; FERNANDO CABRERA, MARGARET S. CHIN, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, BILL PERKINS, MARK GJONAJ, CARLINA RIVERA; Committee on Housing and Buildings, March 6, 2018.

Laid Over by the Council.

Reports of the Committee on Land Use

Report for L.U. No. 15

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 170240 ZMK submitted by SP North of North Limited Partnership, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 28d, changing a portion of the block bounded by Neptune Avenue, West 28th Street, Mermaid Avenue, and West 29th Street, from R5 and R5/C1-2 zoning districts to R5, R6, R6A and R7A/C2-4 zoning districts, Borough of Brooklyn, Community Board 13, Council District 47.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 590), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 13

C 170240 ZMK

City Planning Commission decision approving an application submitted by SP North of North Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d.

INTENT

To approve an amendment to the Zoning Map, which in conjunction with the related action would facilitate construction of a new 100 percent affordable housing development.

PUBLIC HEARING

DATE: February 7, 2018

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 6, 2018

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

In Favor:

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

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger.*

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

Report for L.U. No. 16

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 170241 ZRK submitted by SP North of North Limited Partnership, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 13, Council District 47

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 590), respectfully

REPORTS:**SUBJECT****BROOKLYN CB - 13****N 170241 ZRK**

City Planning Commission decision approving an application submitted by SP North of North Limited Partnership, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve an amendment to the Zoning Resolution which in conjunction with the related action would facilitate construction of a new 100 percent affordable housing development.

PUBLIC HEARING**DATE:** February 7, 2018**Witnesses in Favor:** Four**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 6, 2018

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

In Favor:

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

Against:
None

Abstain:
None

COMMITTEE ACTION

DATE: March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:
None

Abstain:
None

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger.*

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

Report for L.U. No. 17

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 180050 (A) ZRX submitted by the New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 (Special Jerome Avenue District) to establish the Special Jerome Avenue District and establish a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 4, 5 and 7, Council Districts 14 and 16.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 590), respectfully

REPORTS:

SUBJECT

BRONX CBs - 4, 5, and 7

N 180050 (A) ZRX

City Planning Commission decision approving an application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 (Special Jerome Avenue District)

to establish the Special Jerome Avenue District and establish a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 4, 5 and 7.

INTENT

To approve the amendment to the Zoning Resolution which, in conjunction with several related actions, would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx.

PUBLIC HEARING

DATE: February 7, 2018

Witnesses in Favor: Twenty-one

Witnesses Against: Twenty-seven

SUBCOMMITTEE RECOMMENDATION

DATE: March 6, 2018

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

In Favor:

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

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger.*

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

Report for L.U. No. 18

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180051 (A) ZMX submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Map, Section Nos. 3b, 3c, and 3d, Borough of the Bronx, Community District 4, 5 and 7, Council Districts 14 and 16.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 591), respectfully

REPORTS:

SUBJECT

BRONX CBs - 4, 5, and 7

C 180051 (A) ZMX

City Planning Commission decision approving an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Map, Section Nos. 3b, 3c, and 3d, changing various zoning districts in the vicinity of Jerome Avenue between McClellan Street and East 184th Street, Community Districts 4, 5, and 7 of the Borough of the Bronx.

INTENT

To approve the amendment to the Zoning Map, which in conjunction with several related actions would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx.

PUBLIC HEARING

DATE: February 7, 2018

Witnesses in Favor: Twenty-one

Witnesses Against: Twenty-seven

SUBCOMMITTEE RECOMMENDATION**DATE:** March 6, 2018

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

In Favor:

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

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger.*

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

Report for L.U. No. 19

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 170305 MMX submitted by the New York City Department of City Planning and the New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment of the City Map including authorization for any acquisition or disposition of real property related thereto, Borough of the Bronx, Community District 4, Council District 16.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 591), respectfully

REPORTS:**SUBJECT****BRONX CB - 4****C 170305 MMX**

City Planning Commission decision approving an application submitted by the New York City Department of City Planning and the New York City Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue;
- the establishment of parkland in the area bounded by Nelson Avenue, West 170th Street, Shakespeare Avenue and West 169th Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in Community District 4, Borough of The Bronx, in accordance with Map No. 13140 dated August 8, 2017 and signed by the Borough President.

INTENT

To approve the amendment to the City Map, which in conjunction with several related actions would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx.

PUBLIC HEARING**DATE:** February 7, 2018**Witnesses in Favor:** Twenty-one**Witnesses Against:** Twenty-seven**SUBCOMMITTEE RECOMMENDATION****DATE:** March 6, 2018

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

In Favor:

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

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger.*

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

Report for L.U. No. 20

Report of the Committee on Land Use in favor of approving Application No. 20185126 HKM (N 180145 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the 827-831 Broadway Buildings, 827-829 and 831 Broadway (Block 564, Lots 17 and 19), as an historic landmark, Borough of Manhattan, Community Board 2, Council District 2.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 591) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN CB - 2****20185126 HKM (N 180145 HKM)**

Designation by the Landmarks Preservation Commission [DL-502/LP-2594] pursuant to Section 3020 of the New York City Charter of the landmark designation of the 827-831 Broadway Buildings, located at 827-829 and 831 Broadway (Tax Map Block 564, Lots 17 and 19 in part), as an historic landmark.

PUBLIC HEARING

DATE: February 6, 2018

Witnesses in Favor: Two

Witnesses Against: One

SUBCOMMITTEE RECOMMENDATION

DATE: February 26, 2018

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

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: February 27, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

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

Res. No. 231

Resolution affirming the designation by the Landmarks Preservation Commission of 827-831 Broadway Buildings, located at 827-829 and 831 Broadway (Tax Map Block 564, Lots 17 and 19 in part), Borough of Manhattan, Designation List No. 502, LP-2594 (L.U. No. 20; 20185126 HKM; N 180145 HKM).

By Council Members Salamanca and Adams.

WHEREAS, the Landmarks Preservation Commission filed with the Council on November 9, 2017 a copy of its designation report dated October 31, 2017 (the "Designation Report"), including the designation pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the 827-831 Broadway Buildings located at 827-829 and 831 Broadway, Community District 2, Borough of Manhattan, as a historic landmark and Tax Map Block 564, Lots 17 and 19 in part, as its landmark site (the "Designation");

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 12, 2018, its report on the Designation dated January 3, 2018 (the "City Planning Commission Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 6, 2018; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, ANTONIO REYNOSO, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, February 27, 2018.

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

Report for L.U. No. 26

Report of the Committee on Land Use in favor of approving Application No. 20185135 HKM (N 180180 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission (DL 503, LP-2374) of the Interborough Rapid Transit Company Powerhouse, 855-869 Eleventh Avenue (Block 1106, part of Lot 1), as an historic landmark, Borough of Manhattan, Community Board 4, Council District 6.

The Committee on Land Use, to which the annexed Land Use item was referred on February 14, 2018 (Minutes, page 827) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

20185135 HKM (N 180180 HKM)

Designation by the Landmarks Preservation Commission [DL-503/LP-2374] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Interborough Rapid Transit Company Powerhouse located at 855-869 Eleventh Avenue (aka 601-669 West 58th Street; 600-648 West 59th Street) (Tax Map Block 1106, Lot 1 in part), as an historic landmark.

PUBLIC HEARING**DATE:** February 26, 2018**Witnesses in Favor:** Five**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** February 26, 2018

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

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** February 27, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

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

Res. No. 232

Resolution affirming the designation by the Landmarks Preservation Commission of the Interborough Rapid Transit Company Powerhouse located at 855-869 Eleventh Avenue (aka 601-669 West 58th Street; 600-648 West 59th Street) (Tax Map Block 1106, Lot 1 in part), Borough of Manhattan, Designation List No. 503, LP-2374 (L.U. No. 26; 20185135 HKM; N 180180 HKM).

By Council Members Salamanca and Adams.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 14, 2017 a copy of its designation report dated December 5, 2017 (the "Designation Report"), including the designation pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Interborough Rapid Transit Company Powerhouse located at 855-869 Eleventh Avenue (aka 601-669 West 58th Street; 600-648 West 59th Street), Community District 4, Borough of Manhattan, as a historic landmark and Tax Map Block 1106, Lot 1 in part, as its landmark site (the "Designation");

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

WHEREAS, the New York City Planning Commission submitted to the Council on February 2, 2018, its report on the Designation dated January 31, 2018 (the "City Planning Commission Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 26, 2018; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, ANTONIO REYNOSO, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, February 27, 2018.

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

Report for L.U. No. 27

Report of the Committee on Land Use in favor of approving Application No. 20185134 HKK (N 180179 HKK) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission (DL 503, LP-2575) of the Empire State Dairy Company Buildings, 2840 Atlantic Avenue (Block 3964, part of Lot 8), as an historic landmark, Borough of Brooklyn, Community Board 5, Council District 37.

The Committee on Land Use, to which the annexed Land Use item was referred on February 14, 2018 (Minutes, page 827) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 5

20185134 HKK (N 180179 HKK)

Designation by the Landmarks Preservation Commission [DL-503/LP-2575] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Empire State Dairy Company Buildings located at 2840 Atlantic Avenue (aka 2840-2844 Atlantic Avenue; 181-185 Schenck Avenue) (Tax Map Block 3964, Lot 8 in part), as historic landmarks.

PUBLIC HEARING**DATE:** February 26, 2018**Witnesses in Favor:** Five**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** February 26, 2018

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

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** February 27, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

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

Res. No. 233

Resolution affirming the designation by the Landmarks Preservation Commission of the Empire State Dairy Company Buildings located at 2840 Atlantic Avenue (aka 2840-2844 Atlantic Avenue; 181-185 Schenck Avenue) (Tax Map Block 3964, Lot 8 in part), Borough of Brooklyn, Designation List No. 503, LP-2575 (L.U. No. 27; 20185134 HKK; N 180179 HKK).

By Council Members Salamanca and Adams.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 14, 2017 a copy of its designation report dated December 5, 2017 (the "Designation Report"), including the designation pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Empire State Dairy Company Buildings located at 2840 Atlantic Avenue (aka 2840-

2844 Atlantic Avenue; 181-185 Schenck Avenue), Community District 5, Borough of Brooklyn, as historic landmarks and Tax Map Block 3964, Lot 8 in part, as the landmark site (the "Designation");

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

WHEREAS, the New York City Planning Commission submitted to the Council on February 2, 2018, its report on the Designation dated January 31, 2018 (the "City Planning Commission Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 26, 2018; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, ANTONIO REYNOSO, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, February 27, 2018.

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

Report for LU No. 28

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 170299 ZMQ submitted by Astoria Boulevard LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 9a, changing an R6B district to a C4-3 district on property bounded by Astoria Boulevard, 36th Street, a line 100 feet southwesterly of Astoria Boulevard, and 35th Street, Borough of Queens, Community Board 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2018 (Minutes, page 904), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

C 170299 ZMQ

City Planning Commission decision approving an application submitted by Astoria Boulevard LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R6B District to a C4-3 District property bounded by Astoria Boulevard (southerly portion), 36th Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), and 35th Street, subject to the conditions of CEQR Declaration E-446.

INTENT

To approve an amendment to the Zoning Map, which in conjunction with the related zoning text amendment would facilitate the development of a new seven-story, mixed-use residential and commercial building with approximately 35 dwelling units of which 11 would be affordable pursuant to the Mandatory Inclusionary Housing program in the Astoria neighborhood of Queens.

PUBLIC HEARING

DATE: February 26, 2018

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 26, 2018

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

In Favor:

Moya, Constantinides, Levin, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: February 27, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

Barron

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, ANTONIO REYNOSO, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, February 27, 2018.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of

the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for LU No. 29

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 170300 ZRQ submitted by Astoria Boulevard LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2018 (Minutes, page 905), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

N 170300 ZRQ

City Planning Commission decision approving an application submitted by Astoria Boulevard LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to the text of the Zoning Resolution, which in conjunction with the related zoning map amendment would facilitate the development of a new seven-story, mixed-use residential and commercial building with approximately 35 dwelling units of which 11 would be affordable pursuant to the Mandatory Inclusionary Housing program in the Astoria neighborhood of Queens.

PUBLIC HEARING

DATE: February 26, 2018

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 26, 2018

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

In Favor:

Moya, Constantinides, Levin, Richards, Rivera, Torres, Grodenchik.

Against:
None

Abstain:
None

COMMITTEE ACTION

DATE: February 27, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:
Barron

Abstain:
None

RAFAEL SALAMANCA, Jr., *Chairperson*; ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, ANTONIO REYNOSO, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, February 27, 2018.

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

At this point, the Speaker (Council Member Johnson) announced that the following items had been **preconsidered** by the Committee on Land Use and had been favorably reported for adoption.

Report for L.U. No. 30

Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application No. 20185166 PXM (N 180167 PXM) related to a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 255 Greenwich Street (Block 127, Lot 18) (Campaign Finance Board office), Borough of Manhattan, Community District 1, Council District 1.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on March 7, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 1

20185166 PXM (N 180167 PXM)

Application submitted by the New York City Department of Citywide Administrative Services for the Notice of Intent to acquire office space, pursuant to Section 195 of the New York City Charter, for use of property located at 255 Greenwich Street (Block 127, Lot 18) (Campaign Finance Board office).

PUBLIC HEARING**DATE:** February 26, 2018**Witnesses in Favor:** One**Witnesses Against:** None

By letter dated March 6, 2018 and submitted to the City Council on March 6, 2018, the Applicant withdrew the application.

SUBCOMMITTEE RECOMMENDATION**DATE:** March 6, 2018

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

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res. No. 234

Resolution approving a motion to file pursuant to withdrawal of the application for the decision of the City Planning Commission on Non-ULURP Application No. 20185166 PXM; N 180167 PXM; (Preconsidered L.U. No. 30), for intent to acquire office space at 255 Greenwich Street (Block 127, Lot 18), Community Board 6, Borough of Manhattan, for use as offices by the New York City Campaign Finance Board.

By Council Members Salamanca and Adams.

WHEREAS, the City Planning Commission filed with the Council on February 16, 2018 its decision dated February 14, 2018 (the "Decision") on the application submitted pursuant to Section 195 of the New York City Charter by the New York City Department of Citywide Administrative Services (DCAS), for the intent to acquire office space located at 255 Greenwich Street (Block 127, Lot 18), (the "Office Space"), (Non-ULURP No. 20185166 PXM; N 180167 PXM), Community District 1, Borough of Manhattan (the "Application");

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2018;

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 determination that the application is a Type II action pursuant to 6 NYCRR Part 617.5(c)(26) and requires no further review under CEQR (the "Type II Determination").

WHEREAS, by submission dated March 6, 2018, and submitted to the City Council on March 6, 2018, the Applicant withdrew the application.

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.

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger.*

Coupled to be Filed pursuant to a Letter of Withdrawal.

Report of the Committee on Rules, Privileges and Elections

Report for M-14

Report of the Committee on Rules, Privileges and Elections approving the re-appointment of Fernando A. Bohorquez, Jr. as a member of the New York City Conflicts of Interest Board.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on February 14, 2018 (Minutes, page 601) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Rules, Privileges and Elections for M-16 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 2602 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Fernando Bohorquez as a member of the New York City Conflicts of Interest Board to serve for a six-year term that will begin on April 1, 2018 and expires on March 31, 2024.

This matter was referred to the Committee on February 15, 2018.

In connection herewith, Council Member Koslowitz offered the following resolution:

Res. No. 235

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF FERNANDO A. BOHORQUEZ, JR AS A MEMBER OF THE NEW YORK CITY CONFLICTS OF INTEREST BOARD.

By Council Member Koslowitz.

RESOLVED, that pursuant to § 2602 of the *New York City Charter*, the Council does hereby approve the re-appointment of Fernando A. Bohorquez, Jr. as a candidate for re-appointment by the Mayor as a member of the New York City Conflicts of Interest Board to serve for a six-year term that will begin on April 1, 2018 and expires on March 31, 2024.

KAREN KOSLOWITZ, *Chairperson*; VANESSA L. GIBSON, MARGARET S. CHIN, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., RITCHIE J. TORRES, MARK TREYGER, ADRIENNE E. ADAMS, STEVEN MATTEO, COREY D. JOHNSON; Committee on Rules, Privileges and Elections, March 7, 2018.

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

Report for M-15

Report of the Committee on Rules, Privileges and Elections approving the re-appointment of Anthony W. Crowell as a member of the New York City Conflicts of Interest Board.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on February 14, 2018 (Minutes, page 601) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Rules, Privileges and Elections for M-16 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 2602 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Anthony W. Crowell as a member of the New York City Conflicts of Interest Board to serve for a six-year term that will begin on April 1, 2018 and expires on March 31, 2024.

This matter was referred to the Committee on February 15, 2018.

In connection herewith, Council Member Koslowitz offered the following resolution:

Res. No. 236

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF ANTHONY W. CROWELL AS A MEMBER OF THE NEW YORK CITY CONFLICTS OF INTEREST BOARD.

By Council Member Koslowitz.

RESOLVED, that pursuant to § 2602 of the *New York City Charter*, the Council does hereby approve the re-appointment of Anthony W. Crowell as a candidate for re-appointment by the Mayor as a member of the New York City Conflicts of Interest Board to serve for a six-year term that will begin on April 1, 2018 and expires on March 31, 2024.

KAREN KOSLOWITZ, *Chairperson*; VANESSA L. GIBSON, MARGARET S. CHIN, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., RITCHIE J. TORRES, MARK TREYGER, ADRIENNE E. ADAMS, STEVEN MATTEO, COREY D. JOHNSON; Committee on Rules, Privileges and Elections, March 7, 2018.

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

Report for M -16

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment by the Mayor of Salvatore Scibetta as a member of the New York City Board of Standards and Appeals.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on February 15, 2018 (Minutes, page 832) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

Topic I: *New York City Board of Standards and Appeals – (Candidate for appointment by the Mayor, with the advice and consent of the City Council)*

- Salvatore Scibetta [M-016]

New York City Charter (“*Charter*”) § 659 provides for the establishment of an independent Board of Standards and Appeals (“BSA”) located within the Office of Administrative Trials and Hearings (“OATH”). The BSA consists of five Commissioners, each appointed by the Mayor for a term of six years. Pursuant to *Charter* § 31, appointments to the BSA are made with the advice and consent of the Council. The *Charter* further provides that one of the BSA’s members shall be a planner with professional qualifications and at least ten years’ experience as a planner; one of the members shall be a registered architect and shall have at least ten years’ experience as an architect; and one of the members shall be a licensed and professional engineer and shall have at least ten years’ experience as an engineer. The particular qualifications of the two remaining members are not delineated in the *Charter*.¹ The Mayor designates one of the members with the required experience of an architect, planner or engineer to serve as Chair, and designates one of the members to serve as Vice-Chair. In the absence of the Chair, or in the event that a vacancy exists in the office of the Chair, the Vice-Chair acts as Chair of the BSA. No more than two members may reside in one borough. The BSA is empowered to: (1) hear and decide appeals from and review, except as otherwise provided by law, any order, requirement, decision or determination of the Commissioner of Buildings or any Borough Superintendent of Buildings acting under written delegation of power from the Commissioner of Buildings filed in accordance with *Charter* § 645 (b); (2) hear and decide appeals from and review any order, requirement, decision or determination of the fire Commissioner, or any rule or regulation or amendment or repeal thereof made by the Fire Commissioner; or (3) hear and decide appeals from and review any order, requirement or determination of the Commissioner of Transportation, or the Commissioner of the Department of Business Services made in relation to the structures or uses on water front property under his or her jurisdiction in connection with the application or enforcement of the provisions of the *Zoning Resolution of the city of New York* (“*Zoning Resolution*”), the labor law and such other laws, rules, and regulations as may govern the construction, alteration, maintenance, use, occupancy, safety, sanitary conditions, mechanical equipment and inspection of structures in the City.

The BSA has the power to determine and vary the application of the *Zoning Resolution*, and to issue special permits as authorized by the *Zoning Resolution*. The BSA has the same powers as those exercised by the New York State Department of Labor with respect to buildings situated in the City. The BSA may also consider appeals to vary or modify any rule or regulation or the provisions of any law relating to the construction, use, structural changes, equipment, alteration or removal of buildings or structures, or vaults in sidewalks appurtenant thereto, where there are practical difficulties or unnecessary hardship in carrying out the strict letter of the law, so that the spirit of the law shall be observed, public safety secured and substantial justice done.

Each member of the BSA receives a salary, and may not engage in any other occupation, profession or employment. The Chair earns an annual salary of \$212,044. The Vice-Chair receives \$174,523 annually, while the other members earn an annual salary of \$166,000. Members attend the hearings and executive sessions of the BSA, and perform such other duties as may be required by the Chair. The Mayor fills vacancies for the unexpired term of the member whose place becomes vacant with a person having his or her qualifications.

Mr. Scibetta is scheduled to appear before the Committee on Rules, Privileges, and Elections on Wednesday, March 7, 2018. If appointed, Mr. Scibetta, who is being considered for appointment as a “lay member” will be eligible to serve the remainder of a six-year term that will expire on July 10, 2019.

Topic II: *New York City Conflicts of Interest Board (Candidates for appointment by the Mayor, with the advice and consent of the City Council)*

- **Fernando A. Bohorquez, Jr. [M-014]**
- **Anthony W. Crowell [M-015]**

COIB promulgates rules as necessary to implement and interpret the provisions of Chapter 68 of the New York City Charter, Conflicts of Interest (Chapter 68). COIB is required to inform the public servants and City

¹ BSA’s current members are: Margery Perlmutter (Chair); Shampa Chanda (Vice Chair); Dara Ottley-Brown; Nasr Sheta; and one vacancy.

employees of Chapter 68 and other related interpretive rules. COIB is furthermore required to administer an on-going program to educate public servants on Chapter 68.

COIB shall also provide training to all individuals who become public servants, to inform them of Chapter 68 and assist City agencies in conducting on-going training programs regarding Chapter 68.

COIB is also authorized to hear and decide violations of Chapter 68, impose fines of up to \$25,000 per violation and recommend penalties, including suspensions or removal from office, to the appointing authority or the body charged with the responsibility of imposing such penalties, where COIB deems it appropriate.

COIB is moreover required to issue and publish advisory opinions regarding matters covered under Chapter 68 that address proposed future conduct. COIB is furthermore required to issue report of the board, annually. COIB's mandate covers the Council as well as mayoral agency employees. COIB also collects and reviews financial disclosure reports.²

COIB consists of five members who are appointed by the mayor, with the advice and consent of the City Council.³ The mayor must also designate one of these members as the Chair. COIB members serve a six (6) year term. COIB members are prohibited from serving more than two consecutive six-year terms.⁴ Two members of COIB constitute a quorum and all actions of COIB must be by the affirmative vote of at least two members.⁵

COIB members are mandated to meet at least once per month. The *Charter* states that these members should be chosen for their "independence, integrity, civic commitment and high ethical standards. Members are prohibited from holding public office, seeking election to any public office, being a public employee in any jurisdiction, holding political party office, or appearing as a lobbyist before the city."⁶

COIB members are compensated on a per diem basis, for each calendar day, when performing work for COIB. Pursuant to Chapter 68, the compensation shall be no less than the highest amount paid to an official appointed to a board or commission, with the advice and consent of the Council.

The mayor has the authority to remove COIB members for substantial neglect of duty, gross misconduct of office, inability to discharge powers or duties of the office or violation of this section, following written notice of such removal and an opportunity for the member to reply.⁷

Pursuant to the *Charter*, COIB is authorized to appoint a Counsel to serve at its pleasure and employ or retain other such officers, employees and consultants as are necessary to exercise its powers and fulfill its obligations. The authority of the Counsel may be defined in writing, provided that neither the Counsel, nor any other officer, employee or consultant of COIB, shall be authorized to issue advisory opinions, promulgate rules, issue subpoenas, issue final determinations concerning violations of Chapter 68 of the *Charter*, or recommend or impose penalties. Also, COIB may, and has, delegated its authority to issue advisory opinions under *Charter* § 2604(e) to its Chair [*Charter* § 2602(g), and as per COIB's Executive Director].

² *Charter* §§ 2602 and 2603.

³ At present, COIB's members include: Richard Briffault (Chair), Fernando Bohorquez, Jr., Anthony Crowell, Jeffrey D. Friedlander, and Erika Thomas-Yuille.

⁴ *Charter* § 2602(c).

⁵ *Charter* § 2602 (h)

⁶ *Charter* § 2602(b).

⁷ *Charter* § 2602(f).

Mr. Bohorquez is scheduled to appear before the Council's Committee on Rules, Privileges and Elections on Wednesday, March 7. If re-appointed, Mr. Bohorquez, a Brooklyn resident, will serve a six-year term that begins on April 1, 2018 and expires on March 31, 2024.

Mr. Crowell is scheduled to appear before the Council's Committee on Rules, Privileges and Elections on Wednesday, March 7. If re-appointed, Mr. Crowell, a Brooklyn resident, will serve a six-year term that begins on April 1, 2018 and expires on March 31, 2024.

Copies of the candidates' résumés and the reports/resolutions message notice are annexed to this briefing paper.

PROJECT STAFF

Charles W. Davis III, Director
Alycia Vassell, Legislative Investigator
Andre Johnson Brown, Legislative Investigator

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominees Fernando A. Bohorquez, Jr. [M-14] and Anthony W. Crowell [M-15]], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-14 and M-15 printed in these Minutes; for nominee Salvatore Scibetta [M-16], please see immediately below:)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 659 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Salvatore Scibetta as a member of the New York City Board of Standards and Appeals to serve the remainder of a six-year term that expires on July 10, 2019.

This matter was referred to the Committee on February 15, 2018.

In connection herewith, Council Member Koslowitz offered the following resolution:

Res. No. 237

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF SALVATORE SCIBETTA AS A MEMBER OF THE NEW YORK CITY BOARD OF STANDARDS AND APPEALS.

By Council Member Koslowitz.

RESOLVED, that pursuant to §§ 31 and 659 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Salvatore Scibetta as a member of the New York City Board of Standards and Appeals to serve the remainder of a six-year term that expires on July 10, 2019.

KAREN KOSLOWITZ, *Chairperson*; VANESSA L. GIBSON, MARGARET S. CHIN, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., RITCHIE J. TORRES, MARK TREYGER, ADRIENNE E.

ADAMS, STEVEN MATTEO, COREY D. JOHNSON; Committee on Rules, Privileges and Elections, March 7, 2018.

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

Report of the Committee on Youth Service

Report for Int. No. 410-A

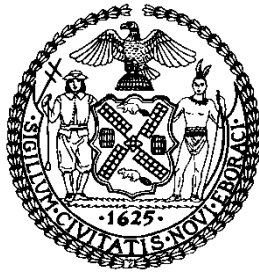
Report of the Committee on Youth Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to shelter for runaway and homeless youth.

The Committee on Youth Services, to which the annexed proposed amended local law was referred on February 14, 2018 (Minutes, page 637), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Youth Services for Int. No. 490-A printed below in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 410-A:



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

PROPOSED INT. NO.: 410-A
COMMITTEE: Youth Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to shelter for runaway and homeless youth
Sponsors: By Speaker Johnson and Council Members Rose, Treyger and Moya

SUMMARY OF LEGISLATION: This bill would require the Department of Youth and Community Development (DYCD) to report annually on runaway and homeless youth. The reports would include a description of the size and characteristics of the current population of runaway and homeless youth, a description of the service needs of the current population, a breakdown of the youth who exited the temporary shelter system in the previous calendar year, and a description of the public and private resources available to serve such youth. The bill would also require that DYCD develop a plan, no later than October 1, 2018, to provide shelter to all runaway and homeless youth who request shelter.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures from the enactment of this legislation, as DYCD will use existing resources to comply with the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jessica Ackerman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Eric Bernstein, Counsel
Eisha Wright, Unit Head

LEGISLATIVE HISTORY: This legislation was first considered by the Committee on Youth Services (Committee) as a Preconsidered Introduction on February 13, 2018, and was laid over by the Committee. The legislation was subsequently introduced by the full Council on February 14, 2018. The legislation was subsequently amended, and the amended legislation, Intro. 410-A, will be voted on by the Committee on March 6, 2018. Upon a successful Committee vote, Intro. 410-A will be submitted to the full Council for a vote on March 7, 2018.

DATE PREPARED: March 5, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 410-A:)

Int. No. 410-A

By The Speaker (Council Member Johnson) and Council Members Rose, Treyger, Moya, Chin, Eugene, Brannan and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to shelter for runaway and homeless youth

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended to add new section 21-408 to read as follows:

§ 21-408 Runaway and homeless youth reporting. a. Definitions. For the purposes of this section, the term “test assessing secondary completion (TASC)” means the New York state high school equivalency test which replaced the General Education Development (GED) as the primary pathway to a New York state high school equivalency diploma.

b. Not later than October 1, 2018, and on or before October 1 annually thereafter, the department shall submit to the speaker of the council and post on its website annual reports on the prior fiscal year ending June 30th regarding runaway and homeless youth. Such reports shall include, but not be limited to, the following information:

1. A description of the size and characteristics of the current population of runaway and homeless youth, to the extent known, including but not limited to gender identity, sexual orientation, race, ethnicity, pregnancy and parenting status, and disabilities.

2. A description of the service needs of the current population of runaway and homeless youth, to the extent known, including but not limited to educational assistance, TASC preparation, medical services, mental health services, services for sexually exploited children, and temporary shelter.

3. A breakdown of the dispositions of runaway and homeless youth who exited the temporary shelter system in the previous calendar year disaggregated by categories including but not limited to transitioned from a runaway and homeless youth crisis services program to a transitional independent living support program, reconnected with family, transitioned to a department of homeless services shelter, transitioned to a New York city housing authority apartment, transitioned to a private apartment, and exited to an unknown location.

4. A description of the public resources available to serve runaway and homeless youth including any new services established since the submission of the previous report required pursuant to this section and any existing services that will be expanded.

§ 2. Chapter 4 of title 21 of the administrative code of the city of New York is amended to add new section 21-409 to read as follows:

§ 21-409 Capacity plan. No later than October 1, 2018, the department shall develop and submit to the speaker of the council and post on its website a plan to provide shelter services to all runaway youth and homeless youth who request such shelter from the department, consistent with regulations of the office of children and family services. Such plan shall be informed by the report required pursuant to section 21-404.

§ 3. This local law takes effect immediately.

DEBORAH L. ROSE, Chairperson; MATHIEU EUGENE, MARGARET S. CHIN, ANDY L. KING, JUSTIN L. BRANNAN; Committee on Youth Services, March 6, 2018.

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

Report for Int. No. 490-A

Report of the Committee on Youth Services in favor of approving and adopting, as amended, a Local Law to the administrative code of the city of New York, in relation to time frames for runaway and homeless youth shelter services.

The Committee on Youth Services, to which the annexed proposed amended local law was referred on February 14, 2018 (Minutes, page 715), respectfully

REPORTS:

I. Introduction

On March 6, 2018, the Committee on Youth Services, chaired by Council Member Rose, held a hearing on Int. 410-A, 490-A and 556-A. The Committee passed both bills by a vote of five in the affirmative, zero in the negative and zero abstentions. This was the third hearing on the bills. The first was held last session on September 27, 2017 and the second was held on February 13, 2018. Representatives from the Department of Youth and Community Development (“DYCD”), advocates for homeless youth, shelter providers, and other concerned members of the runaway and homeless youth community testified at both hearings. Amendments were made to the bills after the last hearing.

II. Challenges Facing Runaway & Homeless Youth

Homeless youth account for one of the most vulnerable populations the New York City (“the City”) serves. There are many reasons that youth find themselves on the streets including family conflict, a lack of available affordable housing, and family poverty.¹ Youth run away from home for numerous reasons including violence, abuse or neglect at home, mental illness or substance abuse among family members, or challenges at school.² Some youth endure rejection from their families because of their sexual orientation or gender identity, an unplanned pregnancy, drug or alcohol use, or the inability to comply with parent/caretaker rules.³ Youth who age out of foster care or are discharged from detention in juvenile or other justice facilities are also at a high risk for homelessness.⁴ Risk factors of homeless youth are compounded because they “age out” and are unable to access many services the City offers to youth who are age 21 years or younger.⁵

The street homeless youth population is a unique population that is inherently difficult to accurately capture. Since the City does not have an accurate accounting of the number of homeless youth on the streets, there is a gap between the resources currently available to homeless youth, and the actual need. However, the City has recently made efforts to improve how it tracks the number of homeless youth in the City, which will be discussed further. Furthermore, advocates have called upon the Administration to provide additional beds for the youth population and the City responded with a plan to add 100 beds a year over the span of three years to try and close the gap.⁶

In addition to a lack of available beds for youth, stakeholders note that there is also a lack of mental health services for homeless youth.⁷ Runaway and homeless youth (RHY) experience high rates of physical, emotional, and sexual abuse, as well as neglect, trauma, and chronic stress throughout their lives.⁸ Additionally, not only can poverty and unstable housing severely impact the mental health of RHY; the experience of living on the streets and being exposed to violence and exploitation can cause young people to experience high levels of trauma, exacerbate past trauma, and spur further psychological issues such as anxiety and depression.⁹ This

¹ “The RHY Impact Study” available at, <http://www.cduhr.org/wp-content/uploads/2017/09/White-Paper-RHY-IMPACT-2017-09-15.pdf>.

² “The Department of Youth and Community Development Residential and Non-Residential Runaway and Homeless Youth Services Concept Paper” September 18, 2017, available at, https://www1.nyc.gov/assets/dycd/downloads/pdf/concept_papers/FY2018_RHY_Concept_Paper.pdf. (hereinafter “DYCD Concept Paper”).

³ *Id.*

⁴ *Id.*

⁵ DYCD, Runaway and Homeless Youth, available at, <http://www1.nyc.gov/site/dycd/services/runaway-homeless-youth.page>.

⁶ The City of New York, “Turning the Tide on Homelessness in New York City” (Feb. 23, 2017) available at <http://www1.nyc.gov/assets/dhs/downloads/pdf/turning-the-tide-on-homelessness.pdf> (hereinafter “Turning the Tide report”).

⁷ RHY Impact Study, *supra* note 1 at 60.

⁸ *Id.*

⁹ *Id.*

trauma experienced by youth makes the search for stable and permanent housing even more difficult.¹⁰ Currently providers do not collect much information on the mental health needs of homeless youth, but mental health issues continue to impede homeless youth's path to stable and permanent housing.¹¹

As mentioned above, homeless youth have a unique set of vulnerabilities that makes the path to permanency even more difficult than their older adult counterparts.¹² Many have not finished school or are trying to complete their education; many are disconnected from formal workforce settings, or are estranged from a parental support system and are forced to figure things out with little experience of the obligations of adulthood.¹³ Despite this increased vulnerability, youth were previously only allowed to stay in a DYCD Crisis Shelters on a voluntary basis for a maximum of 60 days.¹⁴ However, changes in the law discussed below would permit longer stays at the option of the locality.

III. DYCD Runaway and Homeless Youth Shelters and Services

Shelters and other services for RHY are under the jurisdiction of DYCD. DYCD's services for RHY are designed to protect and reunite RHY with their families when possible.¹⁵ These services include Transitional Independent Living ("TIL") facilities, Crisis Shelters, and Drop-In Centers. DYCD's shelter system is also complimented by its Street Outreach teams and referral services.¹⁶ DYCD also offers specialized programming for RHY who are either pregnant or parenting, sexually exploited, and Lesbian, Gay, Bisexual, Transgender and Questioning ("LGBTQ") youth.¹⁷

TIL facilities serve youth between the ages of 16 and 21.¹⁸ Currently, youth can live in a TIL facility for 18 months or beyond the 18-month time limit if the youth is not yet 18 when the time limit is reached.¹⁹ All TIL programs are open 24 hours a day, 365 days a year.²⁰ TIL programs offer youth services such as vocational training, educational programs, counseling, basic life skills training, and educational programs.²¹ For fiscal year (FY) 2017, the number of RHY served in TIL programs increased by 27 percent, going up from 519 in FY 2016 to 659 in FY 2017.²²

DYCD's Crisis Shelters offer short-term emergency shelter and crisis intervention services aimed at reuniting youth with their families, or where family reunification is not possible, arranging appropriate transitional and long-term placements.²³ Crisis Shelters serve youth up to the age of 21.²⁴ Currently, runaway youth may spend 30 days, or 60 days with the consent of a parent or guardian, in a crisis shelter.²⁵ This timeframe is a quick turn around for youth to organize and figure out their lives out and leaves many youth having to reapply for another stay at a crisis shelter or they end up back on the streets.²⁶ However, pursuant to changes in state law which took effect as of January 1, 2018, crisis shelters have the option of increasing these timeframes. For FY 2017, 2,340 youth were served in Crisis Shelters, an 8.5 percent decrease from FY 2016 where 2,539 youth were served.²⁷

¹⁰ "Homeless Young Adults Can Fall through a Crack in Shelter System" February 3, 2016, *available at*, <https://citylimits.org/2016/02/03/homeless-young-adults-can-fall-through-a-crack-in-shelter-system/>

¹¹ RHY Impact Study, *supra* note 1.

¹² Homeless Young Adults Can Fall through a Crack in Shelter System, *supra* note 10.

¹³ *Id.*

¹⁴ NY Exec. L § 532-b.

¹⁵ DYCD, Runaway and Homeless Youth, *supra* note 5.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ DYCD, Transitional Independent Living, *available at*, <http://www1.nyc.gov/site/dycd/services/runaway-homeless-youth/transitional-independent-living.page> (last accessed Sept. 20, 2017).

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² Fiscal 2017 Mayor's Management Report, (Sept. 2017), 237, *available at*, http://www1.nyc.gov/assets/operations/downloads/pdf/mmr2017/2017_mmr.pdf (hereinafter "FY 17 MMR").

²³ DYCD, Crisis Shelters, *available at*, <http://www1.nyc.gov/site/dycd/services/runaway-homeless-youth/crisis-shelters.page> (last accessed Sept. 20, 2017).

²⁴ *Id.*

²⁵ NY Exec. L § 532-b.

²⁶ Homeless Young Adults Can Fall through a Crack in Shelter System, *supra* note 10.

²⁷ FY 17 MMR, *supra* note 22.

Drop-In centers provide emergency intervention services for youth not older than 24 years of age and their families.²⁸ Drop-In centers are located in each of the five boroughs and provide necessary items such as immediate shelter, food, and clothing, and services such as counseling, support, and referrals to relevant services.²⁹ Three Drop-In centers are located Manhattan, Queens, Brooklyn, Bronx, and Staten Island each have one drop-in center.³⁰ Such centers are open six days a week.³¹ Although youth ages 21-24 may utilize drop-in centers, which can connect them to services, such facilities do not provide them with the temporary emergency housing that they often need.³² Outreach programs, like the Ali Forney Center, can help older youth find housing, but it can take up to 6 months to a year to find a bed.³³

RHY Outreach Efforts

DYCD also conducts outreach efforts to RHY through its Street Outreach teams who develop a rapport with RHY and inform them about the services available through DYCD.³⁴ The Street Outreach teams are also responsible for referring RHY to other service providers, transporting them to crisis shelters, a safe location, or back to their homes or to relatives.³⁵ Safe Horizon's Streetwork Project is the contracted provider responsible for conducting the street outreach to RHY.³⁶ The Street Outreach teams focus on areas such as subway stations and transportation hubs where RHY are known to congregate.³⁷ The Street Outreach teams are an important component of DYCD's RHY program because they serve as an entry point for youth into DYCD's RHY system.³⁸

Enhanced Services for RHY

In early 2016, as part of his comprehensive review and restructuring of the services provided to homeless individuals and families, Mayor Bill de Blasio announced that his Administration would be adding 300 beds to the RHY over the next three years.³⁹ In addition to the beds, more staff will be deployed to coordinate services for youth entering shelters under the purview of DHS.⁴⁰ In all, the de Blasio Administration plans to add an additional 500 beds for RHY, bringing that total to 753 beds by FY 2019.⁴¹ From FY 14 to FY 17, the number of certified residential RHY beds increased from 329 to 465⁴² and continued to increase to 525 as of the fall 2017.⁴³

On September 18, 2017, DYCD released a Concept Paper as a precursor to two forthcoming Requests for Proposals (RFP) in response to Mayor Bill de Blasio's funding and policy changes that would enable DYCD to significantly expand Crisis Shelters, TIL programs, and Drop-In Centers.⁴⁴ The expansion of services will also include specific services to RHY who identify as LGBTQ, who are over-represented in the RHY population as

²⁸ DYCD, Borough Based Drop in Shelters, *available at*, <http://www1.nyc.gov/site/dycd/services/runaway-homeless-youth/borough-based-drop-in-centers.page> (last accessed Sept. 20, 2017).

²⁹ *Id.*

³⁰ [Local Law 23 of 2013: 2016 Annual Report, page 9.](#)

³¹ *Id.*

³² *Id.*

³³ "Unplugged: Tackling Youth Homelessness," *available at*, <https://www.robinhood.org/unplugged-tackling-youth-homelessness/>.

³⁴ DYCD, Street Outreach, *available at*, <http://www1.nyc.gov/site/dycd/services/runaway-homeless-youth/street-outreach.page> (last accessed Sept. 20, 2017).

³⁵ *Id.*

³⁶ [Local Law 23 of 2013: 2016 Annual Report, page 9-10.](#)

³⁷ *Id.*

³⁸ *Id.*

³⁹ Office of the Mayor, Mayor de Blasio, DYCD Commissioner Chong, and HRA Commissioner Banks Announce Enhanced Services to Address Youth Homelessness, January 2016, *available at*, <http://www1.nyc.gov/office-of-the-mayor/news/032-16/mayor-de-blasio-dycd-commissioner-chong-hra-commissioner-banks-enhanced-services-to#0>

⁴⁰ *Id.*

⁴¹ Department of Youth and Community Development, 2016 Annual Report, 16, *available at*, https://www1.nyc.gov/assets/dycd/downloads/pdf/2016_Annual_Report_DYCD_Final.pdf

⁴² FY 17 MMR, *supra* note 22.

⁴³ According to testimony by DYCD Commissioner Chong at September 27, 2017 Youth Services Committee Oversight meeting on Safe and Accessible Shelter for Homeless Youth.

⁴⁴ DYCD Concept Paper, *supra* note 2.

previously mentioned.⁴⁵ Supplemental funding from ThriveNYC will also allow DYCD to better address RHY with mental health needs.⁴⁶

The RFP also stated that providers will be able to allow youth to stay in TIL programs for up to 24 months under forthcoming regulations by the Office of Children and Family Services (OCFS) pursuant to recent changes in New York Executive Law, which will be discussed in further detail below.⁴⁷ In addition to youth ages 16-20, under the new RFP, TIL programs will be able to serve youth ages 21-24, but with DYCD's permission "subject to the availability of additional resources and changes in the OCFS's regulations."⁴⁸ Programs with Crisis Shelters will also be able to serve youth ages 21-24 with permission from DYCD, subject to the availability of additional resources and changes in the OCFS's regulations.⁴⁹ The regulations also allow youth to remain in crisis shelters for up to 120 days.⁵⁰ As of now, there are no plans to allow shelters to serve homeless young adults aged 21-24.

New York City Youth Count

Every year, New York City conducts a point-in-time ("PIT") count of homeless adults, families, and youth based on the United States Department of Housing and Urban Development ("HUD").⁵¹ However, a supplemental youth count focusing specifically on unsheltered youth was initiated by City agencies, RHY service providers, and advocates because the Homeless Outreach Population Estimate ("HOPE") count was not accurately capturing unsheltered youth because unsheltered youth exhibit different characteristics than older adults experiencing homelessness.⁵² For example, homeless youth tend to congregate in different places than older adults or may have different survival methods than older adults.⁵³ Additionally, homeless youth may try to remain out of sight during the time the homeless count is taking place.⁵⁴

Understanding the characteristics of youth homelessness is particularly important because it allows the City to improve programs and policies targeting this population to better address their specific needs.⁵⁵ For example, basic demographic information such as gender, age, and sexual orientation can influence the types of additional programming that should be implemented or redesigned.⁵⁶ Even information highlighting a youth's history of homelessness, including the type of places stayed and the length of time they have been homeless, helps to formulate and establish better methods of prevention and intervention points of service.⁵⁷

The 2016 PIT and 2017 PIT count attempted to improve the accuracy of the 2015 PIT count by targeting more locations, conducting extensive outreach to community partners, and integrating youth participation in the planning process.⁵⁸ Some of the new sites that were targeted included drop-in centers, libraries, and other community-based services.⁵⁹ Additionally, communication about the count was extended to community boards, Borough Presidents' Offices, public recreation centers, community programs, and other City agencies.⁶⁰ The

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ New York City Youth Count Report 2016, *available at*,

http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth_count_report_2016.pdf.

⁵² *Id.*; HUD defines an unsheltered youth as an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground. This means youth who couch surf, exchange sex for shelter, are in institutions such as jail or hospitals or in shelters/drop-in centers do not count toward the unsheltered totals submitted to HUD. However, information about these youth was collected in the supplemental youth count.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.* at 4.

⁵⁷ *Id.*

⁵⁸ 2017 NYC Youth Count Report, *available at* http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth_count_report_2017_final.pdf,

⁵⁹ *Id.* at 6.

⁶⁰ 6;

New York City Youth Count Report 2016, *available at*, http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth_count_report_2016.pdf.

data was collected through outreach or through programs that youth, aged 24 and under, contacted.⁶¹ As a result of those efforts, 388 more youth were counted in 2016 than in 2015, while 504 more youth were counted in 2017 than in 2016, as shown in the chart below:⁶²

Overall Youth PIT Numbers
24 and Under

	PIT Numbers		
	2015	2016	2017
Unaccompanied Youth	1,706	1,805	2,003
Sheltered	1,518	1,653	1,738
Unsheltered	188	152	265
Parenting Youth	2,114	2,261	2,525
Sheltered	2,114	2,261	2,525
Unsheltered	0	0	0
Children with Parenting Youth	2,539	2,681	2,723
Sheltered	2,539	2,681	2,723
Unsheltered	0	0	0
Total	6,359	6,747	7,251
Sheltered	6,171	6,595	6,986
Unsheltered	188	152	265

The 2017 Youth Count Data also found 194 youth were in other unstable living situations⁶³ as well as 791 youth in stable living situations.⁶⁴ Both of these numbers are only from the Youth Count and does not include information about individuals counted through HOPE or the shelter census tabulations.⁶⁵ However, street homeless youth also tend to hang out in 24-hour businesses where they are able to pose as customers, charge their phones, and enjoy a safe and temperature-controlled environment in the middle of the night.⁶⁶ These 24-hour businesses are not subject to current PIT Count methodologies, and therefore, there may be even more homeless youth who are left unaccounted for.⁶⁷

⁶¹ *Id.* at 5

⁶² 2017 NYC Youth Count Report, available at, http://www1.nyc.gov/assets/cidi/downloads/pdfs/youth_count_report_2017_final.pdf,

⁶³ *Id.* at 9. Some of the unstable living situations include hospital/mental health facilities, hotel/motel, couch surfing, shelter/drop-in centers/transitional living centers/church, prison, sex for shelter, forced sex for shelter/trafficked, boyfriend/girlfriend's place (due to lack of stable housing).

⁶⁴ *Id.* Some of the stable living situations include parent's apartment, own apartment/room/dorm, other relative's apartment, friend's place (for social reasons), boyfriend/girlfriend's place (for social reasons) due to lack of stable housing, etc.

⁶⁵ *Id.*

⁶⁶ "Annual Street Homeless Count Shows 40 Percent Increase Over 2016," July 5, 2017, available at http://gothamist.com/2017/07/05/homeless_count_2017.php

⁶⁷ *Id.*

IV. Recent Changes to State Executive Law Article 19-H – “Runaway and Homeless Youth Act”

Article 19-H of the State Executive Law, otherwise known as the Runaway and Homeless Youth Act (“RHYA”), outlines services provided to RHY, along with the plan municipalities must submit describing its RHY services in order to qualify for State reimbursement.⁶⁸ Recently, through the FY 2018 State budget, the RHYA was amended to allow localities several options to provide additional services to the RHY population, if such options are provided for in the municipality’s plan. The law took effect January 1, 2018 and includes the following changes:

- RHY shelters may serve “homeless young adults,” which is defined as youth 21-24.
- The amount of time youth may remain in a crisis shelter or TIL facility was extended as follows:
 - A runaway youth aged 14 or older receiving shelter services in a residential crisis services program may remain in the program for up to 60 days, or up to 120 days if the runaway youth and the youth’s parent, guardian or custodian agree in writing that the youth may remain in the program. Youth may remain beyond that time limit if OCFS is notified in writing within 60 days.
 - A homeless youth receiving shelter services at a TIL facility may remain the program for up to 24 months, or beyond 24 months limit if the homeless youth entered the TIL facility before turning 21 and the OCFS is notified in writing within 60 days.

V. Bill Analysis

Int. 490-A - A Local Law to amend administrative code of the city of New York, in relation to time frames for runaway and homeless youth shelter services

Consistent with recent amendments to the New York State Runaway and Homeless Youth Act which came into effect January 1, 2018, this bill would require DYCD to require that runaway and homeless youth are provided with shelter services pursuant to certain time frames. After its hearing on February 13, 2018, several technical, non-substantive changes were made to this bill.

This bill would require that, consistent with Section 532-b of the New York State Executive Law, a runaway youth aged 14 or older residing in a residential runaway and homeless youth crisis services program would be allowed to stay in the program on a voluntary basis for up to 60 days, or up to 120 days if the youth and their parent, guardian or custodian agree in writing that the youth could remain in the program. Consistent with Section 420 of New York State Executive Law, Int. No. 1699 would allow a youth to remain in shelter beyond the time limits if the New York State Office of Children and Family Services (OCFS) is notified in writing within 60 days. Int. No. 1699 would also require that, consistent with Section 532-d of the New York State Executive Law, a homeless youth residing in a transitional independent living support program would be provided with shelter in the program for up to 24 months, or consistent with Section 420 New York State Executive Law, beyond the 24 months limit if the homeless youth entered the transitional independent living support program before the age of 21 and the OCFS is notified in writing within 60 days. This bill would take effect immediately.

Int. 410-A - A Local Law to amend administrative code of the city of New York, in relation to shelter for runaway and homeless youth

This bill would require DYCD to submit an annual report due October 1 of each year to the Speaker of the Council and post on its website on runaway and homeless youth. This bill would require the report to include a

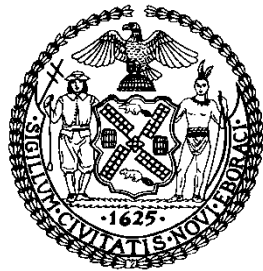
⁶⁸ NY Exec L. § 420.

description of the size and characteristics of the current population of runaway and homeless youth, a description of the service needs of the current population, a breakdown of the youth who exited the temporary shelter system in the previous calendar year, and a description of the public and private resources available to serve such youth. Since it was heard on February 13, 2018, the characteristics of the population to be reported were amended to include pregnancy and parenting status, among other listed characteristics. Several technical, non-substantive amendments were also made. This bill would also require DYCD to develop a capacity plan, due October 1, 2018, to provide shelter to all runaway and homeless youth who request shelter. This bill would take effect immediately.

Int. 556-A - A Local Law to amend administrative code of the city of New York, in relation to runaway and homeless youth services for homeless young adults

Consistent with recent amendments to the New York State Runaway and Homeless Youth Act which became effective January 1, 2018, this bill would require DYCD to include shelter services for homeless young adults among shelter services it provides to runaway and homeless youth. Since it was heard on February 13, 2018, the bill was amended to include clarifying language that DYCD would not be required to serve “all such young adults”; however, the requirement that it include some shelter services for this category remained. Homeless young adults would be defined the same as in Section 532-a of the New York State Executive Law, which is a person who is age 24 or younger but is at least 21 and who is in need of services and is without a place of shelter. This law would take effect January 1, 2019, which is a change from the prior bill heard on February 13, 2018 that would have taken effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 490-A:)



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

PROPOSED INTRO. NO.: 490-A
COMMITTEE: Youth Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to time frames for runaway and homeless youth shelter services

Sponsors: By Council Member Gibson, the Speaker (Council Member Johnson), Rose, Treyger and Moya

SUMMARY OF LEGISLATION: Proposed Intro. No. 490-A would require that runaway and homeless youth would be permitted to remain in runaway and homeless youth shelters for the extended time limits enacted by the New York State Runaway and Homeless Youth Act.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures from the enactment of this legislation because the costs are already assumed in the financial plan. The Department of Youth and Community Development began extending the time that runaway and homeless youth would be permitted to remain in shelters in December 2017 and therefore would use existing resources to implement the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jessica Ackerman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Counsel
Eisha Wright, Unit Head

LEGISLATIVE HISTORY: This legislation was considered at a hearing on February 13, 2018 by the Committee on Youth Services as a Preconsidered Intro. and the legislation was laid over. The legislation was introduced to the full Council as Intro. 490 on February 14, 2018 and referred to the Committee on Youth Services. The legislation was subsequently amended and the amended version, Proposed Intro. 490-A, will be considered by the Committee on Youth Services on March 6, 2018. Upon successful Committee vote, Proposed Intro. 490-A will be submitted to the full Council for a vote on March 7, 2018.

DATE PREPARED: March 5, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 490-A:)

Int. No. 490-A

By Council Members Gibson, the Speaker (Council Member Johnson), Rose, Treyger, Moya, Chin, Eugene, Brannan and Constantinides.

A Local Law to the administrative code of the city of New York, in relation to time frames for runaway and homeless youth shelter services

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended to add new section 21-407 to read as follows:

§ 21-407 Time frames for runaway and homeless youth shelter services. The department shall require that runaway youth and homeless youth are provided with shelter services pursuant to the following time frames:

a. Consistent with section 532-b of the executive law, a runaway youth aged 14 or older receiving shelter services in a residential runaway and homeless youth crisis services program shall be provided with shelter services in such program on a voluntary basis for up to 60 days, or up to 120 days if the runaway youth and such youth's parent, guardian or custodian agree in writing that such youth may remain in such program, or consistent with section 420 of the executive law, beyond such time limits if the office of children and family services is notified in writing within 60 days.

b. Consistent with section 532-d of the executive law, a homeless youth receiving shelter services in a transitional independent living support program shall be provided with shelter services in such program for up to 24 months, or consistent with section 420 of the executive law, beyond 24 months limit if the homeless youth entered the transitional independent living support program under the age of 21 and the office of children and family services is notified in writing within 60 days.

§ 3. This local law takes effect immediately.

DEBORAH L. ROSE, Chairperson; MATHIEU EUGENE, MARGARET S. CHIN, ANDY L. KING, JUSTIN L. BRANNAN; Committee on Youth Services, March 6, 2018.

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

Report for Int. No. 556-A

Report of the Committee on Youth Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to runaway and homeless youth services for homeless young adults.

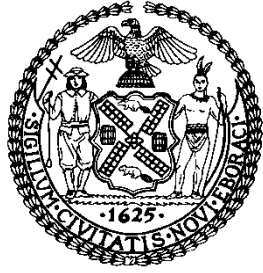
The Committee on Youth Services, to which the annexed proposed amended local law was referred on February 14, 2018 (Minutes, page 787), respectfully

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REPORTS:

(For text of report, please see the Report of the Committee on Youth Services for Int. No. 490-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 556-A:



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

PROPOSED INTRO. NO.: 556-A
COMMITTEE: Youth Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to runaway youth and homeless youth services for young adults
Sponsors: By Council Member Torres and the Speaker (Council Member Johnson), Rivera, Rose, Treyger and Moya

SUMMARY OF LEGISLATION: Recently enacted amendments to the New York State Runaway and Homeless Youth Act permits shelters for runaway and homeless youth to serve youth ages 21-24, referred to as homeless young adults, if municipalities include the extended age range in the runaway and homeless youth plan submitted to the New York State Office of Children and Family Services. Proposed Intro. 556-A would require the Department of Youth and Community Development (DYCD) to include in the continuum of services it provides transitional independent living support programs and runaway and homeless youth crisis services programs that offer shelter services to homeless young adults.

EFFECTIVE DATE: This local law would take effect January 1, 2019.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$1,000,000	\$1,000,000	\$1,000,000
Net	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)

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

IMPACT ON EXPENDITURES: Using current cost projections for DYCD’s current continuum of services for Fiscal 2019, it is estimated that one 20-bed program would cost approximately \$1 million in both Fiscal 2019 and each of the following outyears (each bed costs approximately \$50,000). However, this cost could change depending on the size of an individual program, as well as the scale or pace of implementation. This cost could also change depending on the Department’s determination of service needs for an older youth population, which may vary from those of the population currently served.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jessica Ackerman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Counsel
Eisha Wright, Unit Head

LEGISLATIVE HISTORY: This legislation was considered at a hearing on February 13, 2018 by the Committee on Youth Services as a Preconsidered Intro. and the legislation was laid over. The legislation was introduced to the full Council as Intro. 556 on February 14, 2018 and referred to the Committee on Youth Services. The legislation was subsequently amended and the amended version, Proposed Intro. 556-A, will be considered by the Committee on Youth Services on March 6, 2018. Upon successful Committee vote, Proposed Intro. 556-A will be submitted to the full Council for a vote on March 7, 2018.

DATE PREPARED: March 5, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 556-A:)

Int. No. 556-A

By Council Members Torres, The Speaker (Council Member Johnson), Rivera, Rose, Treyger, Moya, Chin, Eugene, Brannan and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to runaway and homeless youth services for homeless young adults

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended to add new section 21-406 to read as follows:

§ 21-406 *Services for homeless young adults. The department shall include shelter services for homeless young adults as part of runaway and homeless youth services, but need not serve all such young adults.*

§ 2. This local law takes effect January 1, 2019.

DEBORAH L. ROSE, Chairperson; MATHIEU EUGENE, MARGARET S. CHIN, ANDY L. KING, JUSTIN L. BRANNAN; Committee on Youth Services, March 6, 2018.

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

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

By the Presiding Officer –

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

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Armando Diaz	2864 Roosevelt Avenue Bronx, New York 10465	13
Elizabeth Jimenez	2845 University Avenue #2B Bronx, New York 10468	14
Gorge Gonzalez	2580 Bainbridge Avenue #5C Bronx, New York 10458	15
LaMar Foster	1425 University Avenue #6J Bronx, New York 10452	16
Melissa Del Rosario	505 East 161st Street #60 Bronx, New York 10451	17
Erica Roa	37-15 81st Street #6D Bronx, New York 11372	21
Kennia Plusas	149-05 79th Avenue Flushing, New York 11367	24
Tawana Gibbs	155-22 Jewel Avenue #3D Queens, New York 11367	24
Alexandra Belenkaya	4824 43rd Street #6K Woodside, New York 11377	26
Kewalawattie Singh	103-37 104th Street Ozone Park, New York 11417	28
Jenzo DuQue	1154 Pacific Street #1G Brooklyn, New York 11216	35
Samantha Grinevich	3723 Nautilus Avenue Brooklyn, New York 11224	41

Sharon Bishop	806 Midwood Street Brooklyn, New York 11203	47
Jeanette Violette Alvarez	874 Bard Avenue Staten Island, New York 10301	49
Lori-Ann Perez	355 Bryson Avenue Staten Island, New York 10314	50

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Mark K. Steinhauer	345 8th Avenue #14J New York, New York 10001	3
Verde Grey	10 East 116th Street #2A New York, New York 10029	9
Yvette M. Rivens	161 West 140th Street #52 New York, New York 10030	9
Arleen Hernandez	3512 Oxford Avenue #4C Bronx, New York 10463	11
Britney Ford	20 West Mosholu Parkway South #11F Bronx, New York 10468	11
Nancy H. Edmondson	2440 Hunter Avenue #4E Bronx, New York 10475	12
Yolanda S. Wilson	140 Casals Place #3C Bronx, New York 10475	12
Rena Broome	599 Morris Avenue #3G Bronx, New York 10451	17
Lashawnda Sterling	721 White Plains Road #4F Bronx, New York 10473	18
Mai Xuan Huynh	142-05 Roosevelt Avenue #210 Flushing, New York 11345	20
Margaret Royal	23-37 38th Street Astoria, New York 11105	22
Aisha Padgett	72-49 153rd Street #3F Flushing, New York 11367	24

Ann Gobioff	64-20 185th Street Fresh Meadows, New York 11365	24
Quantisha Jennings	12-21 35th Avenue #6F Astoria, New York 11106	26
Debra Henderson	164-17 104th Road Jamaica, New York 11433	27
Christina Jernigan	99-32 62nd Avenue Rego Park, New York 11374	29
Sue Ellen Doria	65-09 77th Place Queens, New York 11379	30
Michele D. Adams	222-03 141st Avenue Queens, New York 11413	31
Trumilla Stone	144-39 168 Street Queens, New York 11434	31
Emily Otero	91-18 91st Avenue Woodhaven, New York 11421	32
Shari Lopez	130-09 Beach Channel Drive Bell Harbor, New York 11694	32
Ada Torres	1091-1103 Gates Avenue Brooklyn, New York 11221	34
Carlmais Johnson	1006 Bushwick Avenue #4 Brooklyn, New York 11221	34
Francis Taveras	390 Central Avenue Brooklyn, New York 11221	34
Jasmine Martinez	73-06 Forest Avenue #1 Ridgewood, New York 11385	34
Charlene S. Lamar	55 North Elliot Place #10G Brooklyn, New York 11205	35
Kimberly Brutus	1185 Carroll Street #4C Brooklyn, New York 11225	35
Paulette Daniels	770 Fulton Street #33 Brooklyn, New York 11238	35
Ruth M. Fulcher Benjamin	475 Carlton Avenue #12F Brooklyn, New York 11238	35

Teresa Mills	212 Crown Street #2C Brooklyn, New York 11225	35
William Mathews	326A Greene Avenue Brooklyn, New York 11238	35
Zalmon Liberow	665 Crown Street Brooklyn, New York 11213	35
Ajah S. Griffin	582 Kosciuszko Street #1 Brooklyn, New York 11221	36
Germain Tillery	642 Monroe Street #2nd FL Brooklyn, New York 11221	36
Jean-Paul Lozada	442 Gates Avenue #2 Brooklyn, New York 11216	36
Kemeshia Horrell	1046 Park Place Brooklyn, New York 11213	36
Leo A. Morris	712 Hancock Street Brooklyn, New York 11233	36
Anna S. Nevarez	75 Bush Street #16 Brooklyn, New York 11231	38
Annery Nunez	362 41st Street #33 Brooklyn, New York 11232	38
Retoria Estaphan	917 Euclid Avenue Brooklyn, New York 11208	42
Chris Chalfant	9747 Shore Road #C3 Brooklyn, New York 11209	43
Petimat Sultakhabova	1215 Avenue M #5A Brooklyn, New York 11230	44
Jacqueline J. Jackson	1489 East 46th Street Brooklyn, New York 11234	45
Michael S. Fox	3920 Quentin Road Brooklyn, New York 11234	46
Lucia Acevedo	2842 West 25th Street Brooklyn, New York 11224	47
Anna Berlin	3903 Nostrand Avenue #5B Brooklyn, New York 11235	48

Marvario Ulmasova	1414 East 14th Street #4D Brooklyn, New York 11230	48
Tanya Litochevsky	2665 Homecrest Avenue #2W Brooklyn, New York 11235	48
Anatoly Petrikovsky	1169 Father Capodanno Blvd Staten Island, New York 10306	50
Sally Marcano	68 Fahy Avenue Staten Island, New York 10314	50
Zhanna Yakob	194 Stonegate Drive Staten Island, New York 10304	50
Ana I. Cruzado	3534 Amboy Road #A1 Staten Island, New York 10306	51
John Stringile	298 Maybury Avenue Staten Island, New York 10308	51
Sheryl F. Diamond	26 Florence Street Staten Island, New York 10308	51
Sue Dargenio	454 Elverton Avenue Staten Island, New York 10308	51
Daryl Williams	55 Rutgers Street #7B New York, New York 10002	1
Leonard Taubenblatt	150 East 69th Street New York, New York 10021	4
Rasheen Odom	4 East 107th Street #100 New York, New York 10029	9
Debra Wade	3227 Mickle Avenue Bronx, New York 10469	12
Frances Benjamin	1181 Tinton Avenue #30 Bronx, New York 10456	17
Joey Tai	198-11 32nd Avenue Flushing, New York 11358	19
Plinio Mateo	78-40 64th Street Glendale, New York 11385	30

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

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

- (1) **M-14 & Res 235 -** **Fernando A. Bohorquez, Jr.** - As a member of the New York City Conflicts of Interest Board
- (2) **M-15 & Res 236 -** **Anthony W. Crowell** – as a member of the New York City Conflicts of Interest Board.
- (3) **M-16 & Res 237 -** **Salvatore Scibetta** - As a member of the New York City Board of Standards and Appeals.
- (4) **Int 410-A -** Shelter for runaway and homeless youth.
- (5) **Int 490-A** Time frames for runaway and homeless youth shelter services.
- (6) **Int 556-A** Runaway and homeless youth services for homeless young adults.
- (7) **L.U. 20 & Res 231 -** App. **20185126 HKM (N 180145 HKM)** Manhattan, Community Board 2, Council District 2.
- (8) **L.U. 26 & Res 232 -** App. **20185135 HKM (N 180180 HKM)** Manhattan, Community Board 4, Council District 6.
- (9) **L.U. 27 & Res 233 -** App. **20185134 HKK (N 180179 HKK)** Brooklyn, Community Board 5, Council District 37.
- (10) **L.U. 30 & Res 234 -** App. **20185166 PXM (N 180167 PXM)** Manhattan, Community District 1, Council District 1.
(Coupled to be Filed pursuant to a Letter of Withdrawal)
- (11) **Resolution approving various persons Commissioners of Deeds.**

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

Affirmative – Adams, Ampy-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Cumbo, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Matteo, and the Speaker (Council Member Johnson) – **48**.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **M-14 & Res. No. 235:**

Affirmative – Adams, Ampy-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Cumbo, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Matteo, and the Speaker (Council Member Johnson) – **47**.

Abstention – Torres – **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int. Nos.410-A, 490-A, and 556-A.

RESOLUTIONS

Presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote item Res. No. 177

Report of the Committee on Public Safety in favor of approving a Resolution urging the New York State Legislature to amend the Penal Law Section 130.05 to include individuals in police custody as being categorically incapable of consenting to sexual conduct with a police officer.

The Committee on Public Safety, to which the annexed resolution was referred on February 14, 2018 (Minutes, page 798), respectfully

REPORTS:

I. INTRODUCTION

On March 6, 2018, the Committee on Public Safety, chaired by Donovan Richards, will vote on Resolution Number 177 (Res. 177) which calls on New York State to amend the Penal Law Section 130.05 to include individuals in police custody as being categorically incapable of consenting to sexual conduct with a police officer. The Committee previously heard Res. 177 on February 26, 2018.

II. BACKGROUND

In October 2017, two NYPD detectives were charged with rape, kidnapping, official misconduct, and other related charges, following accusations that they arrested an 18-year-old woman on suspicion of drug possession and sexually assaulted her in a police van in September 2017.¹ The New York City Office of Chief Medical Examiner (OCME) determined that both detectives' DNA were found on the young woman following the incident.² At their arraignment, lawyers for the detectives suggested that the encounter was consensual.³ Advocates argue the power dynamic between police officers and civilians makes consent impossible, where anyone in police custody implicitly understands that not going along with a police officer's wishes could have serious adverse consequences.⁴ Currently, New York is one of 35 states where consent may be used as a defense when a police officer is charged with raping a person in his custody.⁵ At a hearing of the Public Safety Committee on February 26, 2018, NYPD representatives testified that they support Res. 177 as it is already department policy.⁶

III. ANALYSIS OF RES. 177

Res. 177 calls upon the New York State Legislature to amend the Penal Law Section 130.05, which relates to offenses where a sexual act was committed without consent of the victim. The amendment would create a new offense for individuals in police custody to be held as categorically incapable of consenting to sexual conduct with a police officer.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 177:)

Res. No. 177

Resolution urging the New York State Legislature to amend the Penal Law Section 130.05 to include individuals in police custody as being categorically incapable of consenting to sexual conduct with a police officer.

By Council Members Treyger, Rivera, Richards, Yeager, Holden, Miller, Gibson, Rosenthal, Menchaca, Williams, Brannan, Powers and Constantinides.

¹ Feuer, Alan. "Two New York Detectives Are Charged With Rape and Kidnapping," NYTimes, Oct. 30, 2017. Available at <https://www.nytimes.com/2017/10/30/nyregion/nypd-detectives-rape-kidnapping-charges.html> (Last accessed March 6, 2018).

² *Id.*

³ *Id.*

⁴ Bodde, Katharine. "There's No Such Thing As 'Consensual Sex' When A Person Is In Police Custody," Feb. 23, 2018. Available at <https://www.nyclu.org/en/news/theres-no-such-thing-consensual-sex-when-person-police-custody> (Last accessed March 6, 2018).

⁵ *Id.*

⁶ See Testimony of Oleg Chernyavsky, Joint hearing of Public Safety Committee and Justice Systems Committee, February 26, 2018.

Whereas, Pursuant to section 130.05 of the New York State Penal Law, individuals in certain custodial situations, such as incarcerated or hospitalized individuals, are incapable of consenting to sexual relations with those placed in charge of their custody; and

Whereas, These laws protect vulnerable individuals from abuse; and

Whereas, New York State law contains no such provisions categorically preventing an individual in police custody from consenting to sexual conduct with a police officer; and

Whereas, The power dynamic between police officers and individuals in their custody is such that genuine consent cannot be provided; and

Whereas, The power dynamic between police officers and individuals in their custody is substantially similar to that between correction officers and inmates and other relationships already addressed in State law, and

Whereas, The lack of a State law to address this issue has already led to the alleged abuse of a person in custody by police officers; and

Whereas, For example, on September 15, 2017, two New York City Police Department detectives, placed an eighteen year old woman in custody and both police officers engaged in sexual conduct with the woman who was handcuffed in the back of their police van; and

Whereas, Both officers claim that the sexual conduct was consensual, and the woman alleges that the officers forced her to engage in sexual conduct in exchange for being released from custody without facing criminal charges; and

Whereas, Consent should not be a defense when an officer is accused of a sex crime by someone in their custody; now, therefore, be it

Resolved, That the Council of the City of New York urges the New York State Legislature to amend the Penal Law Section 130.05 to include individuals in police custody as being categorically incapable of consenting to sexual conduct with a police officer.

DONOVAN J. RICHARDS, *Chairperson*; VANESSA L. GIBSON, FERNANDO CABRERA, CHAIM M. DEUTSCH, CARLOS MENCHACA, I. DANEEK MILLER, YDANIS A. RODRIGUEZ, JUMAANE D. WILLIAMS, JUSTIN L. BRANNAN, KEITH POWERS; Committee on Public Safety, March 6, 2018.

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing no objections, the Public Advocate (Ms. James) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Preconsidered Int. No. 612

By The Speaker (Council Member Johnson).

A Local Law to amend the New York city charter, in relation to anti-sexual harassment trainings at city agencies

Be it enacted by the Council as follows:

Section 1. Chapter 35 of the New York city charter is amended by adding a new section 815.1 to read as follows:

§815.1. Anti-sexual harassment training. a. Definitions. For purposes of this section, the following terms have the following meanings:

Agency. The term “agency” has the same meaning as such term is defined in section 385 of the charter.

Interactive training. The term “interactive training” means participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, or other participatory demonstrations as determined by the commission.

b. All personnel. The head of each agency, in consultation with the department, shall ensure that each employee of such city agency receives anti-sexual harassment interactive training twice per year. Such training shall be designed to create an environment that is free from sexual harassment, to discourage the development of sexual harassment, to raise awareness and sensitivity of employees to potential sexual harassment and to enable employees to prevent and respond to sexual harassment. Such training may be included as a part of a broader anti-discrimination training and shall include but not be limited to the following:

- 1. An explanation of sexual harassment as a form of unlawful discrimination under local law;*
- 2. A disclaimer that sexual harassment is a form of unlawful discrimination under federal and state law;*
- 3. A description of what sexual harassment is and is not, using practical examples that reflect such agency’s workforce and work environment;*
- 4. The internal complaint process available to employees within such city agency;*
- 5. The complaint process available through the commission, the division of human rights and the United State equal employment opportunity commission, including contact information;*
- 6. The prohibition of retaliation, pursuant to subdivision 7 of section 8-107, and examples thereof; and*
- 7. The importance of bystander intervention.*

c. Supervisory and managerial personnel. The head of each city agency, in consultation with the department, shall provide additional anti-sexual harassment interactive training to each supervisory and managerial employee at such agency twice per year. Such training shall include, the specific responsibilities of supervisory and managerial employees in the prevention of sexual harassment and retaliation, and measures that such employees may take to appropriately address sexual harassment complaints.

d. Compliance. 1. Agency heads shall maintain a record of all trainings required pursuant to this section for at least three years, including a signed employee acknowledgement that shall include (i) the date, time, title and location of the training; (ii) whether the training was live or web-based; and (iii) who conducted the training.

2. The training required pursuant to this section is intended to establish a minimum threshold and does not prohibit any agency from providing more frequent or additional anti-sexual harassment training.

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

Referred to the Committee on Women (preconsidered but laid over by the Committee on Women).

Preconsidered Int. No. 613

By Council Member Adams.

A Local Law in relation to assessing on workplace risk factors associated with sexual harassment within city agencies

Be it enacted by the Council as follows:

Section 1. Sexual harassment workplace risk factors report. a. Definitions. For purposes of this local law, the term “agency” has the same meaning as such term is defined in section 385 of the New York city charter.

b. The commission on human rights, in conjunction with the department of citywide administrative services, shall publish and submit to the mayor and speaker an assessment of risk factors associated with sexual harassment within city agencies in order to help provide a fair and safe work environment for all city workers. Such report shall include an analysis of the effectiveness of each agency’s anti-sexual harassment policies and procedures; what risk-factor specific strategies to reduce harassment are currently in place; what risk-factor specific strategies to reduce harassment need to be implemented and how long it will take to implement such strategies; and legislative, programmatic and budgetary recommendations for the development, implementation or improvement of such activities as the chairperson deems appropriate.

c. The workplace risk factors to be assessed shall include, but need not be limited to, the following:

- (a) Homogenous workforce;
- (b) Workplaces where some employees do not conform to workplace norms;
- (c) Cultural and language differences in the workplace;
- (d) Workplaces with employees younger than 21;
- (e) Workplaces with high concentration of senior-level employees;
- (f) Workplaces with significant power disparities;
- (g) Workplaces with unbalanced gender ratios;
- (h) Workplaces that rely on customer service or client satisfaction;
- (i) Workplaces where work is monotonous or tasks are low-intensity;
- (j) Workplaces that tolerate or encourage alcohol consumption; and
- (k) Decentralized workplaces.

d. The assessment required pursuant to this section shall be published according to the following schedule: the first report shall be due no later than September 1, 2018; the second report shall be due no later than January 31, 2022. The commission shall make such assessment publicly available on its website.

§ 2. This local law takes effect immediately and shall be deemed repealed upon publication of the second report.

Referred to the Committee on Women (preconsidered but laid over by the Committee on Women).

Preconsidered Int. No. 614

By Council Member Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring information about sexual harassment to be made available online for public access

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 8 of the administrative code of the city of New York is amended by adding a new section 8-132 to read as follows:

§ 8-132 *Sexual harassment information.* a. *The commission shall post conspicuously on the commission’s website online resources about sexual harassment, including but not limited to:*

1. *Information that sets forth in simple and understandable terms:*
 - (a) *An explanation of sexual harassment as a form of unlawful discrimination under local law;*
 - (b) *Specific descriptions and practical examples of sexual harassment, including how sexual harassment can become a criminal offense if it involves criminal behavior, including but not limited to, assault or rape, which are reportable to law enforcement;*
 - (c) *The complaint process available through, and directions on how to contact, the commission;*
 - (d) *The complaint process available through, and directions on how to contact, the state division of human rights;*
 - (e) *The complaint process available through, and directions on how to contact, the United States equal employment opportunity commission;*
 - (f) *The prohibition of retaliation, pursuant to subdivision 7 of section 8-107, and examples thereof; and*
 - (g) *Bystander intervention education and the importance of taking action to prevent workplace sexual harassment.*
 2. *An interactive tool provided by the commission describing each step of the complaint process available through the commission, from when a complaint is filed to when a determination is made on such complaint.*
- § 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Civil and Human Rights (preconsidered but laid over by the Committee on Civil and Human Rights).

Preconsidered Int. No. 615

By Council Members Ayala and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to syringe exchange programs

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 17-180.2 to read as follows:

§ 17-180.2 *Overdose prevention and reversal. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Opioid. The term "opioid" means an opiate as defined in section 3302 of the public health law.

Opioid antagonist. The term "opioid antagonist" means naloxone, naran or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

Syringe exchange program. The term "syringe exchange program" means a program where used syringe needles can be exchanged for clean syringes.

b. The department shall distribute opioid antagonists to all syringe exchange programs operating within the city.

c. The department, in conjunction with the department of social services, shall provide overdose prevention and reversal training to the staff of all syringe exchange programs operating in the city. Such training shall teach staff:

1. How to recognize an opioid overdose; and

2. How to properly administer common opioid antagonists to reverse an opioid overdose.

§ 2. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-129.1 to read as follows:

§ 21-129.1 *Overdose prevention and reversal at syringe exchange programs a. Definitions. For the purposes of this section, the term "syringe exchange program" means a program where used syringe needles can be exchanged for clean syringes.*

b. The department, in conjunction with the department of health and mental hygiene, shall provide overdose prevention and reversal training to the staff of all syringe exchange programs operating in the city. Such training shall teach staff:

- 1. How to recognize an opioid overdose; and*
 - 2. How to properly administer common opioid antagonists to reverse an opioid overdose.*
- § 3. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Mental Health, Disabilities and Addiction (preconsidered but laid over by the Committee on Mental Health, Disabilities and Addiction).

Int. No. 616

By Council Member Barron.

A Local Law to amend the administrative code of the city of New York, in relation to locating electrical conductors underground

Be it enacted by the Council as follows:

Section 1. Chapter four of title 24 of the administrative code of the city of New York is amended by adding a new section 24-426 to read as follows:

§24-426 Underground electrical conductors. The commissioner of transportation shall notify the owners or operators of electrical conductors located above ground on any street within the counties of Bronx, Kings, Queens and Richmond that all electrical conductors, where feasible, shall be placed underground within a certain time. The commissioner of transportation shall promulgate rules regarding the proper construction of underground conduits or other channels in the street in which underground electrical conductors will be placed.

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

Referred to the Committee on Transportation.

Res. No. 196

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation to change the admissions criteria for New York City's Specialized High Schools.

By Council Member Barron.

Whereas, There are nine Specialized High Schools in New York City that serve the needs of academically and artistically gifted students; and

Whereas, For eight of these schools, admission is based solely on the score attained on the Specialized High Schools Admissions Test (SHSAT), while for Fiorello H. LaGuardia High School of Music & Art and Performing Arts (LaGuardia), acceptance is based on an audition and a review of a student's academic records; and

Whereas, A 1971 State law, known as the Hecht-Calandra Act, makes the SHSAT exam the only measure that can be used to admit students to Stuyvesant High School, the Bronx High School of Science and Brooklyn Technical High School; and

Whereas, Civil rights advocates have long complained about the relatively small number of black and Hispanic students in these most selective high schools; and

Whereas, For the 2017-18 school year, black students were offered only 3.8% of the seats at the eight schools and Hispanics 6.5%, even though 64% of the city's public school students are black or Hispanic. Asians were offered 52.5% of the seats, while whites were offered 28%; and

Whereas, In September 2012, a coalition of educational and civil rights groups, including the NAACP Legal Defense and Educational Fund, filed a federal complaint saying that black and Hispanic students were disproportionately excluded from New York City's most selective high schools because of a single-test admittance policy that is racially discriminatory; and

Whereas, The Thomas B. Fordham Institute, an education policy group, researched 165 selective high schools around the country and found that New York City's specialized schools were the only ones that used a single test as the sole admission criterion, while others use multiple factors including grades, teacher recommendations, essays and interviews; and

Whereas, Similarly, college admissions generally do not rely on a single test score, but rather a variety of factors which may include SAT or ACT test scores as well as grades, teacher recommendations, essays and interviews; and

Whereas, Furthermore the three leading organizations in the area of educational test measurement — the American Psychological Association, the American Educational Research Association, and the National Council on Measurement in Education — have concluded that a high-stakes decision with a major impact on a student's educational opportunities, such as admission to a specialized or gifted/talented program, should not depend on the results of a single test; and

Whereas, State legislation could establish procedures and standards for admission to the special high schools of New York City that would consist of multiple objective measures of student merit including grade point averages, school attendance records, school admission test scores and state test scores; and

Whereas, Further, State legislation could require the City Board of Education or Chancellor to provide written explanation of the weightings of the factors selected and make such explanation publicly available; and

Whereas, State legislation could also require the Chancellor to conspicuously post notice of the special high schools' entrance examination; and

Whereas, Additionally, State legislation could also provide that the principal of a special high school may admit a student who has satisfactorily completed a Discovery Program; and

Whereas, A Discovery Program provides disadvantaged students with exam scores just below the admissions cutoff a chance to study over the summer and earn slots at the schools; 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 change the admissions criteria for New York City's Specialized High Schools.

Referred to the Committee on Education.

Int. No. 617

By Council Members Borelli, Treyger, Vallone, Ulrich, Deutsch, Matteo and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a real property tax exemption for Cold War veterans

Be it enacted by the Council as follows:

Section 1. Part 1 of subchapter 2 of chapter 2 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-245.76 to read as follows:

§11-245.76 Exemption for Cold War veterans. a. Definitions. As used in this section, the following terms have the following meanings:

The term "Cold War veteran" means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released therefrom under honorable conditions.

The term "armed forces" means the United States army, navy, marine corps, air force, and coast guard.

The term "active duty" means full-time duty in the United States armed forces, other than active duty for training.

The term "service connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.

The term "qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

The term "qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran, unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization.

The term "latest class ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of the real property tax law for use in a special assessing unit as defined in section eighteen hundred one of the real property tax law.

b. Amount of Exemption; Limitations. 1. Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed thirty-nine thousand dollars or the product of thirty-nine thousand dollars multiplied by the latest class ratio, whichever is less.

2. In addition to the exemption provided by paragraph one of this subdivision, where the Cold War veteran received a compensation rating from the United States department of veterans affairs or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed one hundred thirty thousand dollars, or the product of one hundred thirty thousand dollars multiplied by the latest class ratio, whichever is less.

3. If a Cold War veteran receives the exemption under section 11-245.45 or 11-245.5, the Cold War veteran shall not be eligible to receive the exemption under this section.

4. The exemption from taxation provided by this subdivision shall be applicable to the city of New York ad valorem taxes, but shall not be applicable to taxes levied for school purposes.

5. The exemption provided by paragraph one of this subdivision shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this paragraph. Where a qualified owner owns qualifying residential real property on the effective date of the local law that added this section, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after such effective date. Where a qualified owner does not own qualifying residential real property on the effective date of the local law that added this section, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the Cold War veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten year exemption period.

c. Application. Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. Such form shall be furnished by the department of finance and shall be filed at the department of finance on or before the fifteenth day of March. The exemption shall continue in full force and effect for all appropriate subsequent tax years and the owner or owners of the property shall not be required to refile each year. Applicants shall be required to refile on or before the taxable status date if the percentage of disability percentage increases or decreases or may refile if other changes have occurred which affect qualification for an increased or decreased amount of exemption. Any applicant convicted of willfully

making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.

d. Real property held in trust. Notwithstanding any other provision of law to the contrary, the provisions of this section shall apply to any real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to this section, were such person or persons the owner or owners of such real property.

e. Cooperative corporations. 1. For the purposes of this section, title to the portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides and which is represented by his or her share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.

2. Provided that all other eligibility criteria of this section are met, that proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such real property owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this section and any exemption so granted shall be credited by the department of finance against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

3. Notwithstanding paragraph two of this subdivision, a tenant-stockholder who resides in a dwelling that is subject to the provisions of article two, four, five or eleven of the private housing finance law shall not be eligible for an exemption pursuant to this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Preconsidered Int. No. 618

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to distributing educational materials on drugs and opiates awareness and prevention to junior high and high school students.

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 17-199.9 to read as follows:

§17-199.9 Educational materials on drugs and opiates awareness and prevention. a. Definitions. For the purposes of this section, the following terms have the following meanings:

DOE. The term "DOE" means the department of education.

DYCD. The term "DYCD" means the department of youth and community development.

b. The department shall develop age appropriate educational materials regarding drugs and opiates awareness and prevention.

c. Such materials shall be developed and made available by the department to DYCD and DOE for distribution, at a minimum, at the beginning of each academic calendar year.

d. The department shall ensure that such educational materials are available on the department's website in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code.

§ 2. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-406 to read as follows:

§21-406 Distribution of educational materials on drugs and opiates to youth services programs.

a. The department shall distribute to youth in the department's youth services programs annually, at a minimum, the educational materials on drugs and opiates awareness and prevention produced by the department of health and mental hygiene pursuant to section 17-200.

b. The department shall ensure that such educational materials are available on the department's website in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code.

§ 3. Chapter 8 of Title 21-A of the administrative code of the city of New York is amended by adding a new section 21-969 to read as follows:

§21-969 Distribution of educational materials on drugs and opiates awareness and prevention. a. Definitions. For the purposes of this section, the following terms have the following meanings:

School. The term "school" means any school of the city school district of the city of New York that contains any combination of grades from grade 6 through grade 12.

Student. The term "student" means any pupil under the age of 21 as of September 1 of the academic period being reported, who does not have a high school diploma and who is enrolled in grade 6 or higher.

b. The department shall distribute to each school for distribution to every student of such school at the beginning of the academic calendar year, the educational materials on drugs and opiates awareness and prevention produced by the department of health and mental hygiene pursuant to section 17-200.

c. The department shall ensure that such educational materials are available in the main or central office in each school and that such materials are available on the department's website in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code.

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

Referred to the Committee on Mental Health, Disabilities and Addiction (preconsidered but laid over by the Committee on Mental Health, Disabilities and Addiction).

Int. No. 619

By Council Members Brannan, Chin, Koo, Levine, Richards, Holden, Rosenthal, Dromm, Deutsch, Yeger, Perkins, Kallos, Ampy-Samuel, Treyger and Grodenchik.

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties on chain businesses for failure to remove snow, ice and dirt from sidewalks

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 16-123.1 to read as follows:

§16-123.1 Increased penalties for chain businesses for failure to remove snow, ice and dirt from sidewalks. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Chain business. The term "chain business" means any establishment that is part of a group of establishments that share a common owner or principal who owns at least thirty percent of each establishment where such establishments (i) engage in the same business or (ii) operate pursuant to franchise agreements with the same franchisor as defined in general business law section 681.

b. Notwithstanding the penalties contained in subdivision h of section 16-123, any chain business that violates the provisions of subdivisions a or b of section 16-123 shall be liable and responsible for a civil penalty of not less than five hundred dollars nor more than one thousand dollars for the first violation, except that for a second violation of either such subdivision within any twelve-month period, such chain business shall be liable for a civil penalty of not less than one thousand dollars nor more than three thousand dollars and for a third or subsequent violation of either such subdivision within any twelve-month period, such chain business shall be liable for a civil penalty of not less than three thousand dollars nor more than five thousand dollars. Penalties

for the violations mentioned herein shall be imposed in lieu of, not in addition to, those fixed by subdivision h of section 16-123.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Preconsidered Res. No. 197

Resolution calling upon the New York City Department of Education to include drug awareness education concerning opioids in the school curriculum.

By Council Member Brannan.

Whereas, According to the National Institute on Drug Abuse, opioids are drugs that include heroin, certain legally prescribed pain relievers, and synthetic opioids; and

Whereas, The New York City Department of Health and Mental Hygiene reported that more than 80 percent of drug overdose deaths from January 2017 to July 2017 included opioid use; and

Whereas, As the National Institute on Drug Abuse notes, drug consumption at an early age is a predictive factor of the development of a substance addiction, and most individuals with a substance use disorder began using substances prior to age 18; and

Whereas, The Federal Substance Abuse and Mental Health Services Administration acknowledged that one out of four teenagers believe prescription drugs can be taken to assist with studying, and according to a media source, some teenagers misuse prescription opioids because they believe it will help them with their school work; and

Whereas, As reported by the New York Daily News, in 2017, the Realization Center, an addiction treatment program in New York City, observed that they were treating almost double the amount of high school students for drug addiction at the time than in previous years, including drug addictions to opioids; and

Whereas, Data from the New York City Youth Risk Behavior Survey in 2015 shows that 7 percent of New York City high school students misused prescription opioid analgesics, and 3 percent of youth reported that they had used heroin previously; and

Whereas, The use of opioids can be life threatening for teens, and research conducted by the National Center for Health Statistics shows that in 2015, drug overdoses for youth ages 15-19, nationwide, were highest for opioid usage; and

Whereas, Research based interventions such as social supports and educational activities can help prevent early misuse of drugs, and numerous school districts across the country have adopted health curriculums that address the misuse of opioids among youth; and

Whereas, New York City's Department of Education contracts with the HealthSmart program to provide health education to middle school and high school students; and

Whereas, While HealthSmart includes information about drug addiction, the middle school and high school curricula fail to provide minimal information about opioid addiction; and

Whereas, It is imperative that New York City students are informed about the risk factors and preventative measures concerning opioid usage, especially at a time in which there is a growing opioid crisis; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to include drug awareness education concerning opioids in the school curriculum.

Referred to the Committee on Mental Health, Disabilities and Addiction (preconsidered but laid over by the Committee on Mental Health, Disabilities and Addiction).

Preconsidered Int. No. 620

By Council Member Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the cleaning of liquid generated by trash placed curbside for collection

Be it enacted by the Council as follows:

Section 1. Subdivision 2 of section 16-118 of the administrative code of the city of New York is amended by adding a new paragraph c to read as follows:

(c)(1) Every owner, lessee, tenant, occupant or person in charge of any food or beverage service establishment shall properly clean any liquid found on any sidewalk, flagging or curbstone resulting from the placement of garbage bags or waste receptacles for collection at or near any such location by any such person. Where collection of waste for any such establishment is scheduled to occur during such establishment's regular hours of operation, the owner, lessee, tenant, occupant or person in charge of such establishment shall properly clean any such liquid within one hour of waste collection. Where collection of waste for any such establishment is not scheduled to occur during such establishment's regular hours of operation, the following cleaning requirements shall apply: (i) where such collection is scheduled to occur before midnight, the owner, lessee, tenant, occupant or person in charge of such establishment shall properly clean any such liquid on the next day of business by the later of 7:00 a.m., or two hours before the time at which such establishment reopens for business; (ii) where such collection is scheduled to occur after midnight, the owner, lessee, tenant, occupant or person in charge of such establishment shall properly clean any such liquid by the later of 7:00 a.m. on the day that collection is scheduled to occur, or two hours before the time at which such establishment reopens for business on such day. If the food or beverage service establishment is not open for business on such day, the cleaning requirements of subparagraph i of this paragraph shall apply.

2) For purposes of this subdivision, "food or beverage service establishment" shall mean any establishment that serves food or beverages that is required to be permitted pursuant to articles 85, 87, 88, or 89 of the New York city health code or any beverage service establishment required to be licensed pursuant to section 100 of the New York state alcoholic beverage control law that sells beverages for on-premises consumption.

§ 2. Subdivision 9 of section 16-118 of the administrative code of the city of New York is amended by adding a new paragraph d of subdivision 9 to read as follows:

d. notwithstanding paragraph a of this subdivision, for any person who violates paragraph c of subdivision 2 of this section:

- (1) not less than 100 dollars and not more than 500 dollars for a first violation, and*
- (2) not less than 500 dollars nor more than 600 dollars for any second violation within any 12 month period, and*
- (3) not less than 700 dollars nor more than 900 dollars for any third or subsequent violation within any 12 month period.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Preconsidered Int. No. 621

By Council Member Chin.

A Local Law to amend the administrative code of the city of New York, in relation to rat mitigation zones

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 16-120 of the administrative code of the city of New York, as amended by local law number 6 for the year 2006, is amended to read as follows:

c. Incinerator[,] residue, ashes, refuse and liquid waste shall be stored in the building or dwelling or at the rear of the building or dwelling as may be required by the department of health and mental hygiene or the department of housing preservation and development until time for removal and kept in tightly covered metal receptacles or containers made of other materials of a type and grade acceptable to the department, department of health and mental hygiene, and the department of housing preservation and development. *Notwithstanding any other provision of law, a building that contains nine or more dwelling units and that is located in a rat mitigation zone designated pursuant to section 17-133.2 shall not place solid waste or recyclable material out for collection by the department at any time except between the hours of 4:00 a.m. and 6:00 a.m. on the scheduled day of collection.* After the contents have been removed by the department or other collection agency any receptacles remaining shall be removed from the front of the building or dwelling before 9:00 p.m. on the day of collection, or if such collection occurs after 4:00 p.m., then before 9:00 a.m. on the day following collection. The receptacles shall at all times be kept covered or closed and kept in a manner satisfactory to the department, the department of health and mental hygiene, and in the case of residential premises, the department of housing preservation and development. No receptacles, refuse, incinerator residue or ashes, or liquid waste shall be kept so as to create a nuisance. Yard sweepings, hedge cuttings, grass, leaves, earth, stone or bricks shall not be mixed with household wastes.

§ 2. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-133.2 to read as follows:

§ 17-133.2 *Rat mitigation zones.* a. *The department shall designate, by rule, one or more rat mitigation zones. In designating such zones, the department shall consider the following criteria:*

1. *The number and percentage of inspections for rat activity for properties within a given sanitation district or community district that resulted in the issuance of an order pursuant to section 151.02 of the New York city health code or an agency referral letter related to rat activity, and the location of such properties within such sanitation or community district;*

2. *The number and percentage of inspections for rat activity for properties within a given sanitation district or community district that have resulted in the issuance of a notice of violation pursuant to section 3.05 or section 151.02 of the New York city health code, and the location of such properties within such sanitation or community district;*

3. *The number of rat exterminations at properties within a given sanitation district or community district executed by the department pursuant to section 17-147 of this code, following a failure to comply with an order issued pursuant to section 151.02 of the New York city health code, and the location of such properties within such sanitation or community district;*

4. *The number and nature of 311 complaints related to rat activity within any twelve-month period within a given sanitation district or community district; and*

5. *The susceptibility of any properties managed by the department of parks and recreation within a given sanitation district or community district to rat infestation.*

b. *The department shall periodically review the criteria set forth in subdivision a of this section and may, by rule, and in accordance with such review, eliminate existing rat mitigation zones, change the boundaries of existing rat mitigation zones, or designate new rat mitigation zones.*

c. *The department may, in conjunction with any action taken pursuant to subdivision a or b of this section, and in consultation with the department of sanitation, review the boundaries of sanitation districts, or sections within sanitation districts, and may establish boundaries of rat mitigation zones that are, in whole or in part, coterminous with sanitation districts, or sections within sanitation districts.*

d. *The department may, in conjunction with any action taken pursuant to subdivision a or b of this section, consider the availability of resources to implement rat mitigation measures and, in designating rat mitigation zones, eliminating existing rat mitigation zones, or changing the boundaries of existing rat mitigation zones, exercise its discretion to maximize the efficient use of such resources.*

e. *If the department, following any review conducted pursuant to subdivision b of this section, determines, in consultation with the department of sanitation, that any rat mitigation measure applicable pursuant to law or rule only within a rat mitigation zone should be continued, then the department need not eliminate, or change*

the boundaries of, a rat mitigation zone, regardless of whether such review otherwise indicates that such rat mitigation zone should be eliminated, or its boundaries changed. If a review indicates that only certain rat mitigation measures should be continued in a rat mitigation zone, the department may continue only those measures and eliminate or limit other rat mitigation measures applicable pursuant to law or rule only within a rat mitigation zone.

§ 3. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Int. No. 622

By Council Member Cohen.

A Local Law to amend the administrative code of the city of New York, in relation to pesticide notification and reporting requirements for golf courses

Be it enacted by the Council as follows:

Section 1. Paragraph (3) of subdivision a of section 17-1205 of the administrative code of the city of New York, as added by local law 37 for the year 2005, is amended to read as follows:

(3) pesticides applied to professional playing fields[, golf courses] or used to maintain water quality in swimming pools;

§2. This local law takes effect 120 days after it becomes law, except that the commissioner may take such actions as are necessary to implement this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Preconsidered Int. No. 623

By Council Member Cohen

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to submit to the council reports relating to the administration of opioid antagonists

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended to add a new section 15-132, to read as follows:

§15-132 *Opioid antagonist report a. Definitions. For the purpose of this section, the following terms have the following meanings:*

Division. The term “division” has the same meaning as defined in section 15-129.

Opioid antagonist. The term “opioid antagonist” means naloxone, narkan or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

b. The commissioner shall submit to the mayor, city council and the department of health and mental hygiene on a quarterly basis a report relating to the administration of opioid antagonists, which shall include:

- 1. The number of opioid antagonists the department has available, disaggregated by borough and division;*
- 2. The number of emergency medical technicians and other first responders employed by the department that are trained to administer opioid antagonists, disaggregated by borough and division;*
- 3. The number of times in the quarter that an emergency medical technician or other first responder employed by the department administered an opioid antagonist to an overdose victim, disaggregated by borough, division, and by method of administration, such as syringe injection or nasal atomizer; and*

4. *The number, expressed in both absolute terms and as a percentage of all administrations, of fatalities that occurred after an emergency medical technician or other first responder employed by the department administered an opioid antagonist to an overdose victim,*

c. *The report created pursuant to this section shall be provided within 30 days of the end of the quarter to which the report corresponds. Where necessary, the department may use preliminary data to prepare the required report. If preliminary data is used, the department shall include an acknowledgment that such preliminary data is non-final and subject to change.*

§2. This local law shall take effect 60 days after its enactment into law.

Referred to the Committee on Mental Health, Disabilities and Addiction (preconsidered but laid over by the Committee on Mental Health, Disabilities and Addiction).

Int. No. 624

By Council Member Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on asthma medication administration forms

Be it enacted by the Council as follows:

Section 1. Section 21-965 of the administrative code of the city of New York, as added by local law 12 for the year 2016, is amended to read as follows:

§ 21-965 Student health services. a. Definitions. As used in this chapter, the following terms have the following meanings:

Asthma medication administration form. The term "asthma medication administration form" means a form approved by the department, completed by a medical provider and submitted by a student to a school, which outlines instructions to be followed in the event such student exhibits asthma symptoms or to prevent a student from exhibiting asthma symptoms prior to certain activities, including, but not limited to, before exercise.

Automated student health record database. The term "automated student health record database" means a database maintained by the department of health and mental hygiene to record information about students' medical care.

NYC FITNESSGRAM. The term "NYC FITNESSGRAM" means an annual fitness assessment used to determine students' overall physical fitness.

School based health center. The term "school based health center" means on-site health care services provided to students within the school building, which are operated by independent institutions including, but not limited to, hospitals and community based organizations.

Student. "Student" shall mean any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a district school or pre-kindergarten program in a district school within the city school district.

Student health encounter. The term "student health encounter" means any student visit to a school medical room recorded in the automated student health record database.

b. Not later than April 30, 2017, and no later than April 30th annually thereafter, the department shall submit to the council a report regarding information on health services provided to students for the preceding school year. Such report shall include, but not be limited to:

1. The number of school buildings where full time nurses are employed by the office of school health and the number of school buildings where part time nurses are employed by such office; the ratio of students to nurses in such school buildings; and the average number of student health encounters per nurse in such school buildings;

2. The total number of student health encounters;

3. The total number of NYC FITNESSGRAMS performed, and the percentage of students assessed who had a body mass index: (i) below the 5th percentile; (ii) in the 5th to 84th percentile; (iii) in the 85th to 94th percentile; and (iv) equal to or above the 95th percentile.

4. The total number of medication orders reviewed by the office of school health and recorded in the automated student health record database;

5. The total number of students reported to the office of school health as having a diagnosis of allergies, asthma, diabetes type 1 or diabetes type 2; [and]

6. *The total number of students who have submitted an asthma medication administration form to their school and the total number of incidents in which information from an asthma medication administration form has been utilized to prevent or alleviate a student's asthma symptoms during a school health encounter; and*

[6.]7. The total number of school based health centers disaggregated by the type of provider including, but not limited to, hospital and federally qualified health centers; and the total number of students enrolled in the school or schools served by each school based health center.

[d.]c. All information required to be reported by this section shall be disaggregated by community school district.

[e.]d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law or the New York city health code relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interest of law enforcement. If the category contains between [0]1 and 9 students, or allows another category to be narrowed to be between [0]1 and 9 students, the number shall be replaced with a symbol.

§ 3. This local law takes effect immediately.

Referred to the Committee on Education

Int. No. 625

By Council Member Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of nebulizers in schools

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.7 to read as follows:

§ 17-199.7 *Provision of nebulizers in schools. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Nebulizer. The term "nebulizer" means an electric device used to deliver medications for the respiratory system.

Nurse. The term "nurse" has the same meaning as such term is defined in section 17-187.

Public health advisor. The term "public health advisor" has the same meaning as such term is defined in section 17-187.

School. The term "school" means a school of the city school district of the city of New York.

b. The department shall make a nebulizer available at no cost to every school. The nebulizer shall be maintained in working order by the department and placed in a manner that ensures ready and appropriate access for use, including during emergencies.

c. The department, in consultation with the department of education, shall make appropriate training available for school nurses and public health advisors on the use and operation of a nebulizer.

d. Nothing in this section shall be construed to constrain existing or future department of education policy on the provision or use of nebulizers in schools.

e. The commissioner shall promulgate rules for the implementation of this section.

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

Referred to the Committee on Health.

Int. No. 626

By Council Member Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the prevalence of asthma and associated hospitalizations in the city

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.9 to read as follows:

§ 17-199.9 Asthma Reporting. No later than September 30, 2018, and annually no later than September 30 of each year, the department shall submit to the speaker and post on its website, in the form of a geographical map of the city, and shall include in the mayor's management report prepared pursuant to section 12 of the charter, the most recent fiscal year data available regarding the prevalence of asthma and associated hospitalizations. Such data shall be collected no less than annually and shall be disaggregated by age group, education, race or ethnicity, and community district, where available and statistically reliable.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 627

By Council Members Constantinides, Dromm and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an online system to access property tax information and receive notification of changes to property tax exemptions

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 11-141 to read as follows:

§11-141 Property tax information system. The department shall provide a secure website that shall require verification that the user is accessing their own record. The information presented in such website shall be updated with any applicable changes no less frequently than daily. Such website shall include, but not be limited to, the following functionality:

a. allowing any property owner who has submitted an application for a property tax exemption administered by the department to view the current status of their application. Such website shall indicate for each individual whether the department has:

- (1) received such property owner's application for a property tax exemption;*
- (2) approved or rejected such application, if applicable, and if rejected, a brief statement of the reason for rejection as well as a list of any missing documents that led the department to reject the request; and*
- (3) mailed or delivered a letter to such property owner containing information regarding the determination to approve or reject the application, and shall include the ability for such property owner to view an electronic version of the letter.*

b. allowing the property owner to view their property's exemption status, including but not limited to, for each exemption:

(1) active status, with the inclusion of the date on which the exemption became active, the date by which the property owner must apply to renew the exemption, and the date on which the exemption will become inactive; and

(2) inactive status, with a brief explanation of what this status means and why the exemption is categorized as such, as well as information on how the property owner can restore the exemption to active status.

c. allowing the property owner to view, if applicable, any documents such property owner has submitted to the department or that the department has submitted to such property owner, including the date on which such document was received by the department or submitted to such property owner;

d. allowing the property owner to view the payment status of their most recent property tax payment;

e. providing any property owner with the option to receive written or electronic alerts including, but not limited to, notification of a change in their exemption status; and

f. allowing the property owner to access existing online resources including, but not limited to, resources allowing such property owner to:

(1) apply for an exemption;

(2) update their individual or property information;

(3) pay their property tax bill; and

(4) submit questions to the department regarding property tax payments and exemptions.

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

Referred to the Committee on Finance.

Int. No. 628

By Council Member Constantinides, Richards, Miller, Adams and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a study on areas most susceptible to increased precipitation in the future

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-127 to read as follows:

§ 3-127 Map of areas susceptible to flooding; mitigation plan. a. By July 1 of 2018 and every second year thereafter, the office of long term planning and sustainability, with the cooperation of all relevant agencies, shall develop and make publicly available on its website:

1. A map of areas in the city susceptible to increased flooding due to the anticipated effects of climate change, including but not limited to increased precipitation and sea level rise; and

2. A long term plan for preventing or mitigating such increased flooding, and the effects thereof, in such areas.

b. Such office shall seek the cooperation of the United States geological survey and such other public or private persons as such office deems appropriate in developing such map and plan.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 629

By Council Members Constantinides and Torres.

A Local Law to amend the administrative code of the city of New York, in relation to requiring retail stores to ask consumers before providing paper receipts and requiring that new point-of-sale devices have paperless settings

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

*SUBCHAPTER 13
PAPER RECEIPTS*

§ 20-699.21 Definitions. As used in this subchapter, the following terms have the following meanings:

Paper receipt. The term “paper receipt” means any piece of paper constituting proof of purchase, and includes paper coupons printed along with the proof of purchase. The term does not include pieces of paper marked to be redeemable for an item or items purchased.

Point-of-sale device. The term “point-of-sale device” means any machine designed or used to aggregate the quantity and prices of items purchased, including but not limited to devices with cash drawers or other cash receptacles.

Retail store. The term “retail store” means a store engaged in selling items at retail and subject to the collection of sales tax.

§ 20-699.22 Issuance of paper receipts. No retail store shall provide a paper receipt to a consumer without first confirming that the consumer wishes to receive a paper receipt.

§ 20-699.23 Paperless option requirement for point-of-sale devices. a. No person shall sell, purchase or give away, or offer or attempt to sell, purchase or give away, a point-of-sale device that cannot be modified to not print paper receipts for use in the city. This subdivision does not apply to the discarding or recycling of used point-of-sale devices or to point-of-sale devices that will be used outside of the city.

b. No retail store that uses a point-of-sale device that can be modified to not print paper receipts shall print a receipt without first confirming that the consumer wishes to receive a paper receipt.

§ 20-699.24 Enforcement. Any person who violates the provisions of this subchapter or any rules promulgated pursuant thereto is liable for a civil penalty of \$250 for a first violation and \$500 for any subsequent violation within 18 months of the first violation, except that the department shall issue a warning instead of a notice of violation for any violation that occurs during the first 365 days after the law takes effect.

§ 20-699.25 Outreach and education. The commissioner shall conduct outreach and education efforts to inform retail stores and wholesale vendors of point-of-sale devices likely to be affected by this subchapter about its requirements.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of consumer affairs may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Consumer Affairs and Business Licensing.

Res. No. 198

Resolution calling upon the Metropolitan Transportation Authority (MTA) to add an additional member to the New York City Transit’s Paratransit Advisory Committee (PAC) who would represent pregnant women and families.

By Council Members Constantinides, Brannan, Holden, Koo, Ampry-Samuel, Rosenthal, Gjonaj, Cumbo, Grodenchik and Levine.

Whereas, Some pregnant women and families find it difficult to take public transportation in New York City; and

Whereas, When traveling on a New York City bus, strollers are required to be folded which can make it difficult for families to travel with young children; and

Whereas, The AutoGate is an automatic entry and exit to the subway, but it can only be opened by either a special Metrocard or a station attendant, however, some New York City subway stations do not have an attendant which means that the AutoGate cannot be opened for a family traveling with a stroller; and

Whereas, In addition to the factors that impact families, some women find it difficult to use New York City's public transportation system while pregnant; and

Whereas, Changes in a woman's body during pregnancy may affect a woman's stability and posture and pregnancy can cause dizziness, headaches, and backaches; and

Whereas, Many pregnant commuters find it difficult to obtain a seat on a bus or a train because sometimes people refuse to give them a seat; and

Whereas, In order to better accommodate pregnant women who take public transportation, the Metropolitan Transportation Authority (MTA) launched a pilot program from May through September of 2017, as part of their 'Courtesy Counts' campaign; and

Whereas, The MTA gave out free buttons that say, "baby on board" and "please offer me a seat" to help make it easier for pregnant women and people with disabilities to obtain a seat on public transit; and

Whereas, The campaign was meant to incentivize people to give up their seat without having an awkward interaction, such as mistakenly implying someone is pregnant or has a disability; and

Whereas, The MTA's program is modeled after a program that began in London in 2005, when they created a button program for pregnant women and then later for people with disabilities; and

Whereas, According to the MTA, London's government body, Transport for London, represents local transportation, has distributed approximately 130,000 buttons every year since 2005; and

Whereas, While the MTA is taking steps to make the commuting experience more hospitable for pregnant women and people with disabilities, it would be beneficial to have a dedicated representative on the New York City Transit's Paratransit Advisory Committee (PAC) who could advocate for the needs of pregnant women and families; and

Whereas, PAC is an advisory body created to serve as a liaison between the disability community and the New York City Transit's Paratransit Division; and

Whereas, The Paratransit Division of New York City Transit seeks PAC's comments on proposed changes in service, policies and procedures; and

Whereas, In order to be a member of PAC, an individual must either be an Access-A-Ride customer or a representative of a disability organization from the five boroughs; and

Whereas, PAC is currently limited to fifteen members; and

Whereas, The MTA's NYC Transit could add at least one additional position to PAC to represent pregnant women and families and to advocate for their needs on public transportation; now, therefore be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority (MTA) to add an additional member to the New York City Transit's Paratransit Advisory Committee (PAC) who would represent pregnant women and families.

Referred to the Committee on Transportation.

Preconsidered Int. No. 630

By Council Members Cornegy and Cumbo.

A Local Law to amend the administrative code of the city of New York, in relation to creating an anti-sexual harassment rights and responsibilities poster

Be it enacted by the Council as follows:

Section 1. Section 8-107 of the administrative code of the city of New York is amended by adding a new subdivision 29 to read as follows:

29. *Anti-sexual harassment rights and responsibilities; poster. (a) Every employer must conspicuously display an anti-sexual harassment rights and responsibilities poster designed by the commission, in employee breakrooms or other common places employees gather. Every employer shall display such poster in English and in Spanish.*

(b) The commission shall create a poster that sets forth in simple and understandable terms the following minimum requirements:

(1) An explanation of sexual harassment as a form of unlawful discrimination under local law;

(2) A disclaimer that sexual harassment is also a form of unlawful discrimination under state and federal law;

(3) A description of sexual harassment, using practical examples;

(4) The complaint process available through, and directions on how to contact, the commission;

(5) The complaint process available through, and directions on how to contact, the state division of human rights;

(6) The complaint process available through, and directions on how to contact, the United States equal employment opportunity commission; and

(7) The prohibition against retaliation, pursuant to subdivision 7 of section 8-107.

(c) The size and style of the poster shall be determined in accordance with rules promulgated by the commission, provided that such poster shall be at least 8 1/2 by 14 inches with a minimum 12 point type. Such poster shall be made available in English and Spanish, however, any such poster shall only contain one language.

(d) Any poster required pursuant to this section shall be made available on the commission's website for employers to download for legible color reproduction.

(e) The commission shall develop an information sheet on sexual harassment that employers shall distribute to individual employees at the time of hire. Such information sheet shall contain, at a minimum, the same elements of paragraph (b) of this subdivision. The information sheet shall be made available in English and Spanish.

(f) Any employer found to be in violation of this subdivision is liable for a civil penalty of no more than \$250 for the first violation, except such employer shall have 30 days to cure such first violation before a civil penalty shall be imposed. After the expiration of such cure period, every 30 day period in which such employer fails to display such poster pursuant to paragraph (a) shall constitute a subsequent violation and a civil penalty of \$250 shall be imposed for each subsequent violation. A civil penalty shall not be imposed on any individual employer more than once in any 30 day period.

§ 2. This local law takes effect 120 days after it becomes law; provided, however that the commission shall take all actions necessary for its implementation, including the promulgation of rules, before such date.

Referred to the Committee on Women (preconsidered but laid over by the Committee on Women).

Preconsidered Int. No. 631

By Council Member Cumbo.

A Local Law to amend the administrative code of the city of New York, in relation to organic waste requirements applicable to food service establishments, food manufacturers and food wholesalers in rat mitigation zones

Be it enacted by the Council as follows:

Section 1. Section 16-306.1 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. Any food service establishment, food manufacturer or food wholesaler that is located in a rat mitigation zone designated by the department of health and mental hygiene shall be deemed, upon the designation of such zone, to be a designated covered establishment for purposes of this section and any rules promulgated pursuant to this section, provided that any such food service establishment, food manufacturer or food wholesaler shall not be eligible for the waiver set forth in subdivision g of this section. This subdivision shall apply to any food service establishment, food manufacturer or food wholesaler, regardless of the floor area of such establishment, manufacturer or wholesaler.

§ 2. Subdivision e of section 16-324 of the administrative code of the city of New York, as added by local law number 146 for the year 2013, is amended to read as follows:

e. (1) Any covered establishment that violates section 16-306.1 of this chapter or rules of the department, the department of health and mental hygiene, or the department of consumer affairs promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner or the commissioner of health and mental hygiene, or the commissioner of consumer affairs, or in a proceeding returnable before the environmental control board, the health tribunal at the office of administrative trials and hearings, or the administrative tribunal of the department of consumer affairs, in the amount of two hundred fifty dollars for the first violation, five hundred dollars for the second violation committed on a different day within a period of twelve months, and one thousand dollars for the third and each subsequent violation committed on different days within a period of twelve months, except that the department, the department of health and mental hygiene, and the department of consumer affairs shall not issue a notice of violation, but shall issue a warning, for any violation by a designated covered establishment that occurs during the first twelve months after the commissioner designates such covered establishment pursuant to subdivision b of section 16-306.1, *and shall not issue a notice of violation, but shall issue a warning, for any violation by a designated covered establishment deemed to be a designated covered establishment pursuant to subdivision h of section 16-306.1 that occurs during the first six months after the department of health and mental hygiene designates a rat mitigation zone that includes, for the first time, the location of such designated covered establishment.*

(2) Any transfer station that violates section 16-306.1 of this chapter or rules of the department promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner or in a proceeding returnable before the environmental control board in the amount of two hundred fifty dollars for the first violation, five hundred dollars for the second violation committed on a different day within a period of twelve months, and one thousand dollars for the third and each subsequent violation committed on different days within a period of twelve months, except that the department shall not issue a notice of violation, but shall issue a warning, for any violation by a designated covered establishment that occurs during the first twelve months after the commissioner designates such covered establishment pursuant to subdivision b of section 16-306.1, *and shall not issue a notice of violation, but shall issue a warning, for any violation by a designated covered establishment deemed to be a designated covered establishment pursuant to subdivision h of section 16-306.1 that occurs during the first six months after the department of health and mental hygiene designates a rat mitigation zone that includes, for the first time, the location of such designated covered establishment.*

(3) Any private carter that violates section 16-306.1 of this chapter or rules of the business integrity commission promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the chair of the business integrity commission, or in a proceeding brought by the chair of the

business integrity commission held in accordance with title 16-A of this code, except that the chair of the business integrity commission shall not issue a notice of violation, but shall issue a warning, for any violation by a designated covered establishment that occurs during the first twelve months after the commissioner designates such covered establishment pursuant to subdivision b of section 16-306.1, *and shall not issue a notice of violation, but shall issue a warning, for any violation by a designated covered establishment deemed to be a designated covered establishment pursuant to subdivision h of section 16-306.1 that occurs during the first six months after the department of health and mental hygiene designates a rat mitigation zone that includes, for the first time, the location of such designated covered establishment.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Preconsidered Int. No. 632

By Council Member Cumbo and The Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to mandating anti-sexual harassment training for private employers

Be it enacted by the Council as follows:

Section 1. Section 8-107 of the administrative code of the city of New York is amended by adding a new subdivision 30 to read as follows:

30. Anti-sexual harassment training. (a) Definitions. For purposes of this subdivision, the following terms have the following meanings:

Interactive training. The term “interactive training” means participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, or other participatory forms of training as determined by the commission.

(b) Training. Employers with 15 or more employees shall conduct an anti-sexual harassment interactive training for all employees of such employer employed within the city of New York for more than 80 hours in a calendar year who perform work on a full-time or part-time basis within one year of enactment of this local law and every year thereafter. Such training must include, but need not be limited to, the following:

(1) An explanation of sexual harassment as a form of unlawful discrimination under local law;

(2) A disclaimer that sexual harassment is also a form of unlawful discrimination under state and federal law;

(3) A description of what sexual harassment is and is not, using practical examples;

(4) Any internal complaint processes available to employees to address sexual harassment claims;

(4) The complaint process available through the commission, the division of human rights and the United State equal employment opportunity commission, including contact information;

(5) The prohibition of retaliation, pursuant to subdivision 7 of section 8-107, and examples thereof; and

(6) The importance of bystander intervention.

(c) Supervisory and managerial personnel. Employers shall provide additional anti-sexual harassment interactive training to each supervisory and managerial employee annually. Such interactive training shall include, at a minimum, the specific responsibilities of supervisory and managerial employees in the prevention of sexual harassment and retaliation, and measures that such employees may take to appropriately address sexual harassment complaints.

(d) Compliance. (1) Employers shall keep a record of all trainings, including a signed employee acknowledgement that shall include (i) the date, time, title, duration and location of the training; (ii) whether the training was live or web-based; and (iii) who conducted the training.

(2) Employers shall maintain such training records for at least three years and such records must be made available for commission inspection upon request.

(3) *The commission shall develop online interactive training modules that may be used to satisfy the requirements of paragraph (b) of this subdivision and which shall be made publicly available at no cost on the commission's website. The commission shall develop such modules appropriate for small, medium and large-sized workplaces. Such training modules shall allow for the electronic provision of certification each time any such module is accessed and completed.*

(4) *The training required by this subdivision is intended to establish a minimum threshold and shall not be construed to prohibit any private employer from providing more frequent or additional anti-sexual harassment training.*

(e) *For purposes of this subdivision the term "employer" shall not apply to (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city of New York or any local government, municipality or county or any entity government by section 92 of the general municipal law or section 207 of the county law.*

(f) *Penalties. Any employer who violates this subdivision shall be liable for a civil penalty of not less than \$100 nor more than \$500 for the first violation and a civil penalty of not less than \$500 or more than \$2,000 for each succeeding violation; except that an employer shall not be subject to such civil penalty for a first-time violation of this subdivision, if such employer proves to the satisfaction of the commission, within 60 days of the issuance of the notice of violation, that such violation has been cured.*

§ 2. This local law takes effect September 1, 2018.

Referred to the Committee on Women (preconsidered but laid over by the Committee on Women).

Int. No. 633

By Council Members Cumbo, the Public Advocate (Ms. James), Miller and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to reporting of pay and employment equity data

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-208 to read as follows:

§ 12-208 *Pay and employment equity data. a. Not later than July 15, 2019, and on or before July 15 annually thereafter, all city agencies shall provide to the department of citywide administrative services information relevant to pay and employment equity. Such information for each employee within such agency shall include:*

- 1. the date of hire;*
- 2. the current job category as determined by the department of citywide administrative services, when applicable;*
- 3. the current job title category provided by the United States department of labor and the federal equal employment opportunity commission, as follows: officials and managers; professionals; technicians; sales workers; office and administrative support; craft workers; operatives; laborers; and service workers;*
- 4. the job title and initial compensation, before expected deductions and expected bonuses and overtime compensation, upon date of hire;*
- 5. the current job title and total current compensation, before deductions, and including bonuses and overtime compensation;*
- 6. the start date of such employee's currently held position;*
- 7. the total number of hours worked;*
- 8. the gender of such employee, where available; and*
- 9. the racial group of such employee, where available;*

b. The department shall issue a report to the mayor and the speaker of the council no later than January 15, 2020, and no later than January 15 annually thereafter, and shall make such report available to the public. Such report shall include, but not be limited to the following:

- 1. disaggregated data from each agency as provided by subdivision a;*
- 2. aggregated results of such data;*
- 3. recommended legislative, regulatory, and other changes to agency policies to address problems associated with pay and employment equity and to close or eliminate gaps in pay and job inequalities for city employees.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil Service and Labor.

Int. No. 634

By Council Member Diaz.

A Local Law to amend the administrative code of the city of New York, in relation to the waiver of licensing fees for accessible taxi-cabs and for-hire vehicles

Be it enacted by the Council as follows:

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

b. The license fee for each taxi-cab and coach shall be five hundred fifty dollars annually. The license fee for each wheelchair accessible van and each for-hire vehicle shall be two hundred seventy-five dollars annually. If a license is granted for a period other than one year, the fee shall be prorated accordingly. There shall be an additional fee of twenty-five dollars for late filing of a wheelchair accessible van or for-hire vehicle license renewal application where such filing is permitted by the commission. *Notwithstanding the foregoing, the license fee authorized by this subsection shall be waived for any for-hire vehicle license that shall be used with a wheelchair accessible vehicle, as defined in subdivision w of section 19-502, or a taxi-cab license used with an accessible vehicle, as defined in section 53-03 of title 35 of the rules of the city of New York, as of the date such license fees are due and payable.*

§ 2. This local law takes effect immediately.

Referred to the Committee on For-Hire Vehicles.

Int. No. 635

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting staged perp walks

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-175 to read as follows:

§ 14-175 *Perp walks. a. Definitions. As used in this section, the term “staged perp walk” means escorting an arrestee, defendant or suspect into a public place at a particular time or in a particular manner with the purpose of allowing the arrestee, defendant or suspect to be photographed or filmed for the benefit of the media.*

b. It is unlawful to enable or conduct a staged perp walk.

c. Notwithstanding subdivision b of this section, nothing herein shall prevent any law enforcement officer from transporting an arrestee, defendant or suspect in the normal course of performing one's duties and responsibilities.

§ 3. This local law takes effect immediately after it becomes law.

Referred to the Committee on Public Safety.

Res. No. 199

Resolution urging the United States Department of Homeland Security to investigate abuse allegations and take action to ensure the safety of lesbian, gay, bisexual, and transgender immigrants in the custody of the United States Department of Homeland Security.

By Council Member Dromm.

Whereas, There are approximately nine million lesbian, gay, bisexual, and transgender (LGBT) individuals living in the United States (U.S.); and

Whereas, The Williams Institute of the University of California Los Angeles School of Law reported in 2013 that there are approximately 267,000 LGBT adult, undocumented immigrants and 637,000 adult LGBT authorized immigrants the U.S.; and

Whereas, Many LGBT immigrants came to the U.S. to escape persecution, torture, or death in their home country on account of their sexual orientation or gender identity; and

Whereas, In December 2017, the U.S. Department of Homeland Security (DHS) reported that U.S. Immigration and Customs Enforcement (ICE) conducted approximately 143,470 arrests and 226,119 deportations in Fiscal Year 2017; and

Whereas, The DHS also reported that U.S. Customs and Border Protection (CBP) conducted 310,531 apprehensions in Fiscal Year 2017; and

Whereas, ICE reports that in Fiscal Year 2017 the average daily population in its immigration facilities was roughly 38,000 detainees, a number which may increase to 48,000 detainees daily if President Trump secures the additional funding included in his Fiscal Year 2018 budget; and

Whereas, According to the U.S. Government Accountability Office (GAO), there were over 200 allegations of sexual abuse in immigration detention facilities reported between 2009 and 2013, many of which were allegations of abuse against LGBT immigrants; and

Whereas, According to the Heartland Alliance's National Immigrant Justice Center (NIJC), sexual abuse is widespread in immigration detention facilities and ICE officials are unwilling or unable to protect immigrant detainees and provide necessary treatment; and

Whereas, On April 13, 2011, NIJC filed a complaint against DHS on behalf of 13 gay and transgender immigrant detainees who reported abuse at immigration detention facilities run by the United States Immigration and Customs Enforcement (ICE) and its contractors; and

Whereas, These complaints allege sexual assault, denial of adequate medical care, long-term solitary confinement, discrimination and abuse, and an ineffective complaint and appeal process; and

Whereas, The enactment of the Prison Rape Elimination Act of 2003 ("PREA"), through its zero tolerance policy, was a significant step in combatting prison rape; and

Whereas, Despite its proven effectiveness, the American Civil Liberties Union (ACLU) reports that, in 2012, the United States Department of Justice issued a rule that excluded immigration detention facilities from coverage under the PREA; and

Whereas, In March 2014, DHS announced that it had finalized PREA standards that require all DHS facilities and contract facilities that hold immigration detainees to comply with the PREA regulations; and

Whereas, According to the ACLU, these regulations (i) set forth a zero tolerance policy for any sexual abuse of immigration detainees; (ii) establish mandatory training for all staff; (iii) require that every facility undergo at least one outside audit for PREA compliance every three years; (iv) and display posters that clearly delineate the complaint mechanism and PREA protections available to detainees; and

Whereas, Despite the application of the PREA regulations to immigration detention facilities, there remains grave concern as to their implementation and enforcement, especially in situations involving LGBT detainees; and

Whereas, GAO reported in a 2016 audit that DHS and its components did not consistently communicate information about PREA protections to individuals in Customs and Border Patrol and ICE detention centers; and

Whereas, GAO auditors additionally observed that posters communicating DHS complaint mechanisms in detention facilities varied in their content and usefulness; and

Whereas, DHS must ensure that all immigration detention facilities truly comply with the requirements of the PREA and take immediate steps to investigate and remedy violations; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Department of Homeland Security to investigate abuse allegations and take action to ensure the safety of lesbian, gay, bisexual, and transgender immigrants in the custody of the United States Department of Homeland Security.

Referred to the Committee on Immigration.

Res. No. 200

Resolution calling on the State Legislature to enact, and for the Governor to sign, legislation to establish an Electric School Bus Worker Cooperative program.

By Council Members Espinal, Rosenthal, Richards, Constantinides, Levin, Cornegy, Dromm and Maisel.

Whereas, In New York City, the Department of Education Office of Pupil Transportation (“OPT”) is responsible for providing school bus transportation to eligible pupils; and

Whereas, According to proponents of an electric school bus worker cooperative program, OPT spends over \$1 billion annually on pupil transportation in New York City; and

Whereas, Moreover, according to the same advocates, the City currently maintains contracts with 125 private entities who provide pupil transportation services; and

Whereas, While OPT spends a substantial amount on school bus transportation, the quality of the transportation provided has been subject to criticism from parent and worker advocates; and

Whereas, Proponents of an electric school bus worker cooperative program argue that an alternative means of pupil transportation should be provided; and

Whereas, Such a cooperative program would be designed to benefit students, parents, workers, and the City; and

Whereas, Moreover, the cooperative would be required to utilize electric buses that would be beneficial to the environment; and

Whereas, The City is currently exploring numerous means to reduce air pollution, and dependence on fossil fuel technologies; and

Whereas, An electric school bus worker cooperative program has the potential of achieving improved service for students and parents, better working conditions for workers, and a cleaner environment for New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to enact, and for the Governor to sign, legislation to establish an Electric School Bus Worker Cooperative program.

Referred to the Committee on Education.

Res. No. 201

Resolution calling upon the New York City Department of Education to create a pilot program for a worker- and parent-controlled electric school bus company to provide services to New York City school children beginning in September 2018.

By Council Members Espinal, Rosenthal, Constantinides, Richards, Levin, Cornegy, Dromm and Maisel.

Whereas, Parent, education, labor, environmental and economic justice organizations have expressed support for the development of an electric school bus worker cooperative in New York City that would be governed by the workers themselves and include representation from students' parents; and

Whereas, Under the leadership of Mayor Bill de Blasio, the City's Department of Small Business Services has supported worker-owned cooperatives as a means of creating economic opportunity and better working conditions for all New Yorkers; and

Whereas, In several countries, worker-owned cooperatives have been successful in bringing together both workers and citizens to deliver public services; and

Whereas, Worker-owned cooperatives in the United States have been shown to be both productive and equitable for workers and consumers alike; and

Whereas, According to the Comptroller's Office, New York City spends \$1.2 billion annually on school busing contracts with private providers; and

Whereas, Few busing contracts are awarded to firms owned by women or minorities despite the fact that a majority of school bus workers are themselves women and minorities; and

Whereas, Private bus companies transport 150,000 children to and from New York City schools annually on approximately 9,000 diesel powered buses; and

Whereas, According to the Environmental Protection Agency, diesel exhaust from school buses has a negative impact on the environment and human health, especially for children who have a faster breathing rate than adults and whose lungs are not yet fully developed; and

Whereas, Electric-powered school buses could help to alleviate the negative impact that diesel exhaust has on the environment and human health; and

Whereas, The New York City Department of Education (DOE) is currently accepting bids from private companies to provide transportation services on 1,600 school bus routes starting in September 2018; and

Whereas, Advocates for electric school bus worker cooperatives are committed to the immediate implementation of a program for their use and the creation of a center where workers can learn more about cleaner school bus transportation in the City; and

Whereas, There is value in working with these advocates to develop a pilot program that would award to electric school bus worker cooperatives contracts for 40 out of the 1,600 school bus routes for which DOE is currently accepting bids; and

Whereas, The Procurement Policy and Procedures of the DOE permit the Chancellor to award demonstration projects; and

Whereas, Awarding a demonstration project for an electric school bus worker cooperative could help improve the city's school busing system by promoting better air quality and by demonstrating that citizens and workers can provide valuable public services; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to create a pilot program for a worker- and parent-controlled electric school bus company to provide services to New York City school children beginning in September 2018.

Referred to the Committee on Education.

Int. No. 636

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to requiring agencies to accept applications for employment by mail

Be it enacted by the Council as follows:

Section 1. Chapter one of title twelve of the administrative code of the city of New York is amended to add a new section 12-140 to read as follows:

§ 12-140 Applications for employment. The head of each agency shall accept applications for employment with the city of New York delivered by mail and shall maintain a mailing address to which applicants may address and send applications in lieu of electronic submission. This section shall not apply to appointments and examinations pursuant to the civil service law.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Civil Service and Labor.

Int. No. 637

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to regulating key kiosks

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new subchapter 36 to read as follows:

**SUBCHAPTER 36
KEY KIOSKS**

§ 20-563 a. Definitions. For purposes of this subchapter, the following terms have the following meanings: Electronically-stored key. The term “electronically-stored key” means any graphic image of a key that is stored as data to be accessed at a key kiosk for the purpose of recreating a physical key.

Key. The term “key” means any instrument, including any visual or electronic representations thereof, that is intended to be used on a specific lock.

Key kiosk. The term “key kiosk” means any automated machine that duplicates physical or electronically-stored keys on demand in exchange for a fee.

Master key. The term “master key” means any key that will open two or more different locks.

b. License required. 1. Any person or organization that provides the services of a key kiosk shall obtain a license for each such key kiosk.

2. Each key kiosk shall display such license in a conspicuous place where anyone using the kiosk can see the license.

3. The commissioner shall set a fee for such license.

c. Unauthorized uses; penalties. 1. No person other than a key owner or the key owner’s authorized agent may use the services of a key kiosk to create or make duplicates of that key.

2. No person may use the services of a key kiosk to create or make duplicates of a master key or of any key that is marked “do not duplicate.”

3. Any person who violates the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000, imprisonment for not more than three months, or both. In addition to or as an alternative to such penalty, any person who is found to have violated the provisions of this section shall be subject to a civil penalty of not more than \$1,000 which may be recovered in a proceeding before the department.

d. Operational requirements. The commissioner shall only license key kiosks that do the following:

- 1. Require a fingerprint scan to access electronically-stored keys;*
- 2. Record all transactions in a manner similar to ATMs;*
- 3. Require both sides of any electronically-stored keys to be scanned against a white background from a maximum distance of four inches;*
- 4. Provide real-time notification to key kiosk account holders whenever new activity occurs on an account;*
- 5. Store only necessary personal information of account holders and customers and maintain it in a manner, such as with encryption, that prevents any unauthorized party from linking any key to a particular person, location or lock; and*
- 6. Stamp all physical keys that it provides with the license number that the commissioner issues for that key kiosk.*

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 638

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to providing additional time to answer and/or pay any outstanding summonses, fines, or penalties for food and general vendor violations if such outstanding summonses, fines, or penalties are preventing the renewal of a food or general vendor license or permit

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision a of section 17-317 of title 17 of the administrative code of the city of New York is amended to read as follows:

2. the applicant, licensee, permittee, its officers, directors, shareholders, members, managers or employees have been found guilty of four or more violations of this subchapter or any rules promulgated pursuant thereto within a two-year period or have been found guilty of a violation of the provisions of part fourteen of the state sanitary code or of the New York city health code, or the applicant, licensee, permittee, its officers, directors, shareholders, members, managers, or employees have pending any unanswered summonses or unsatisfied fines or penalties for violation of this subchapter or any rules promulgated pursuant thereto. *Notwithstanding the aforementioned, the commissioner may renew a food vendor license or permit if, before such license or permit expires, a licensee or permittee, or its officers, directors, shareholders, members, managers or employees, submits a request in writing to the commissioner for additional time to answer any unanswered summonses for violation of this subchapter or the regulations promulgated thereto, or to pay the total dollar amount of any unsatisfied fine or penalty for violation of this subchapter or any rules promulgated pursuant thereto and: (i) answers any unanswered summonses for violation of this subchapter or any rules promulgated pursuant thereto within thirty days of the expiration date of the license or permit; or (ii) pays the total dollar amount of any unsatisfied fine or penalty for violation of this subchapter or any rules promulgated pursuant thereto within one hundred twenty days of the expiration date of the license or permit.*

§ 2. Subdivision b of section 20-456 of title 20 of the administrative code of the city of New York is amended to read as follows:

b. The commissioner may refuse to issue or renew a license if the applicant has been found to have violated chapter one or subchapter one of chapter five of this title or the rules or regulations thereto, provided, however, that in the event of a conflict between the provisions of such chapter and subchapter and the provisions of this subchapter, the provisions of this subchapter shall prevail; has pending any unanswered summonses or unsatisfied fines or penalties for violation of this subchapter or the regulations promulgated thereto; or for any

cause set forth in any other section of this chapter as a ground for suspension or revocation. *Notwithstanding the aforementioned, the commissioner may renew a general vendor license if before such license expires, the general vendor submits a request in writing to the commissioner for additional time to answer any unanswered summonses for violation of this subchapter or the regulations promulgated thereto, or to pay the total dollar amount of any unsatisfied fine or penalty for violation of this subchapter or any rules promulgated pursuant thereto and: (i) within thirty days of the expiration date of the license, a licensee answers any unanswered summonses for violation of this subchapter or the regulations promulgated thereto; or (ii) within one hundred twenty days of the expiration date of the license, a licensee pays the total dollar amount of any unsatisfied fine or penalty.*

§ 3. This local law shall take effect 120 days it has been enacted into law.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 639

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to distribute material on emergency preparedness to high school students

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter two of title three of the administrative code of the city of New York is amended by adding a new section 3-209.3 to read as follows:

§3-209.3 *Distribution of emergency preparedness materials. a. For the purposes of this section, the following terms shall have the following meanings.*

1. *"Department" shall mean the New York city department of education.*

2. *"High school" shall mean any school in a building owned or leased by the department, including charter schools, that contains any combination of grade nine through grade twelve.*

b. The department shall ensure that the publication "Get Ready NY" or any subsequent written or electronic publication or material prepared by the office of emergency management for use by high school students designed to help prepare such students for all types of emergencies is made available: (i) to each high school for distribution to every student upon his or her entry into grade nine and to each new student upon his or her entry into a high school; (ii) in the main administrative office in each high school for students, parents and employees who wish to obtain such materials; and (iii) on the individual web portal of each high school in electronic format.

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

Referred to the Committee on Education.

Int. No. 640

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the taxi and limousine commission to create a fine and civil penalty payment plan.

Be it enacted by the Council as follows:

Section 1. Chapter five of title 19 of the administrative code of the city of New York amended by adding a new section 19-548 to read as follows:

§ 19-548 Payment Plans. The commission shall provide by rule for the installment payment of any fines or civil penalties returnable before the commission or an administrative tribunal of the commission owed by any person who violates any of the provisions of this chapter or any rule or regulation issued thereunder. Notwithstanding any other provision of this chapter, the commission shall not suspend any drivers license issued by the commission solely for non-payment of any fines or civil penalties where the holder is in compliance with any terms and conditions related to such installment payment.

§ 2. This local law shall take effect 90 days after its enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

Referred to the Committee on For-Hire Vehicles.

Int. No. 641

By Council Member Eugene.

A Local Law to amend the New York city charter, in relation to establishing an office to combat bullying

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 19-a to read as follows:

§ 19-a. Office to combat bullying. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Bullying or harassment. The term “bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, whether verbal or nonverbal, including cyberbullying, that include, but are not limited to, conduct or threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, and that:

1. Has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being;

2. Reasonably causes or would reasonably be expected to cause a student to fear for such student’s physical safety;

3. Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or

4. Creates or would foreseeably create a risk of substantial disruption within the school environment, even if it occurs off school property, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Cyberbullying. The term “cyberbullying” means bullying or harassment that occurs through any form of electronic communication.

Director. The term “director” means the director of the office to combat bullying.

School. The term “school” means any public or private school in the city that contains any combination of grades from and including pre-kindergarten through grade 12.

b. The mayor shall establish an office to combat bullying. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. A director appointed by the mayor or head of such department shall head such office.

c. The director shall have the power to:

1. Advise and assist the mayor on issues related to bullying in schools;

2. Conduct research on bullying in schools;

3. Facilitate the exchange and dissemination of information in consultation with relevant city, state and federal agencies and officials, teachers and other education professionals, and organizations working in the field of bullying prevention, student safety and education;

- 4. Advise and assist the mayor in planning for increased coordination of services related to bullying prevention in schools;
 - 5. Provide educational materials on bullying and its effects to schools, students, parents and residents of the city;
 - 6. Recommend efforts to combat bullying in schools to the mayor; and
 - 7. Perform such other duties as the mayor may assign.
- d. No later than August 1, 2018, and by August 1 of every year thereafter, the director shall prepare and submit to the mayor and the speaker of the council a report that includes, but is not be limited to, the activities of the office to combat bullying and any recommendations developed by the director pursuant to subdivision b of this section.

Referred to the Committee on Governmental Operations.

Int. No. 642

By Council Member Eugene.

A Local Law to amend the New York city charter, in relation to the translation and publication of the New York city voters guide in additional languages

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 1053 of the New York city charter is amended to read as follows:

d. The board shall promulgate such rules as it deems necessary for the preparation and publication of voter guides in English, Spanish, *each of the top seven limited-English proficiency languages spoken by the population of New York City, as those languages are determined by the department of city planning, based on United States census data*, and any other languages the board determines to be necessary and appropriate and for the distribution of the guide in at least one media format. The purpose of such rules shall be to ensure that the guide and its distribution will serve to fully, fairly and impartially inform the public about the issues and candidates appearing on the ballot.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 643

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the placement of automated, self-administered blood pressure testing machines at certain public places

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.6 to read as follows:

§ 17-199.6 *Blood pressure machines in public places. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Blood pressure. The term “blood pressure” means the force of blood against the inner walls of an individual’s blood vessels.

Blood pressure machine. The term “blood pressure machine” means any unsupervised, automated machine that provides for self-administered testing and measurement of an individual’s blood pressure and expresses

that measurement as two numbers indicating a systolic pressure over a diastolic pressure, as such terms are commonly used in the medical profession.

Public place. The term “public place” means the publicly accessible areas of the following places to which the public is invited or permitted: (i) public buildings maintained by the division of facilities management and construction of the department of citywide administrative services or any successor; (ii) parks under the jurisdiction of the department of parks and recreation identified pursuant to subdivision e of this section; and (iii) senior centers, which include facilities operated by the city or operated by an entity that has contracted with the city to provide services to senior citizens on a regular basis, such as meals and other on-site activities.

b. Blood pressure machines required. Except as provided in subdivision f of this section, the city shall make available in public places one or more blood pressure machines in quantities and locations deemed adequate in accordance with rules promulgated pursuant to subdivisions e and h of this section. Such blood pressure machines shall be readily accessible for use at no charge.

c. Notice required. The city shall provide written notice to the public, by means of signs, printed material or other form of written communication, indicating the availability and location of blood pressure machines in public places. The type, size, style, location and language of such notice shall be determined in accordance with rules promulgated by the department pursuant to subdivision f of this section provided that each blood pressure machine required pursuant to subdivision b shall comply with the statement requirements of section 396-v of the general business law.

d. Reports. The department shall conduct a comprehensive study and submit a report to the council twelve months after the effective date of the local law that added this section and annually thereafter. Such report shall include, but not be limited to, the quantities and locations of blood pressure machines placed in public places pursuant to subdivision b of this section, usage statistics, and the identification of any public places that warrant the additional placement or removal of blood pressure machines.

e. Parks. The commissioner of the department of parks and recreation shall, no later than 120 days after the effective date of the local law that added this section, promulgate rules identifying at least 6 parks in each borough under the jurisdiction of the department of parks and recreation to be considered a public place for the purposes of this section, and determining the quantity and location of blood pressure machines to be placed in such parks, as long as at least one of the parks identified in each borough is over 170 acres.

f. Exception. When the city provides blood pressure testing by qualified medical and health personnel acting within their lawful scope of practice, and such testing is regularly performed in a public place during its normal operating hours, such provision will be deemed to satisfy the requirements of subdivision b of this section, subject to rules of the department promulgated pursuant to subdivision h of this section. For purposes of this subdivision, qualified medical and health personnel has the same meaning as defined in section 3001 of the public health law.

g. Public awareness. Within 180 days of the effective date of the local law that added this section, the department shall conduct public awareness and education campaigns in English and Spanish regarding blood pressure testing.

h. Rules. The department shall promulgate such rules as may be necessary to implement the provisions of this section, including, but not limited to, rules regarding the quantity and location of blood pressure machines to be placed in a particular public place or general category of public place excepting parks; the form of notice in which the availability of blood pressure machines in a public place will be made known to the public; and any information on the use of blood pressure machines that must accompany and be kept with each blood pressure machine subject to the requirements of section 396-v of the general business law.

§ 2. This local law takes effect 180 days after it becomes law except that the department shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Int. No. 644

By Council Member Eugene.

A Local Law to amend the New York city building code, in relation to requiring carbon monoxide detectors in commercial spaces

Be it enacted by the Council as follows:

Section 1. Section 908.7.3 of the New York city building code, as amended by local law number 10 for the year 2014, is amended to read as follows:

908.7.3 Buildings that are equipped with a fire alarm system and that contain Group A-1, A-2, A-3, [or certain] Group B or Group M occupancies. Listed carbon monoxide detectors shall be installed in buildings that are equipped with a fire alarm system and that contain Group A-1, A-2 or A-3, [occupancies or assembly spaces classified as] Group B or Group M occupancies [in accordance with Section 303.1, Exception 1]. Such detectors shall have built-in sounder bases, shall transmit a signal to a central supervising station and shall be permitted to initiate an audible and visual supervisory alarm at a constantly attended location. The department shall adopt rules and/or reference standards governing the installation and location of carbon monoxide detectors provided that such detectors shall be required within rooms containing carbon-monoxide producing equipment.

Exception: Carbon monoxide detectors shall not be required in kitchens.

§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 such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 645

By Council Member Eugene.

A Local Law to amend the New York city charter, in relation to requiring the department of small business services to report on its Workforce Development Centers

Be it enacted by the Council as follows:

Section 1. Chapter 56 of the New York city charter is amended by adding a new section 1309 to read as follows:

§ 1309. Workforce Development Centers. a. For the purpose of this section:

Adult. The term “adult” means a person aged 18 years and over who is unemployed because they do not have significant work experience, they were terminated, or laid off.

Community Partner. The term “community partner” means city agencies and community based organizations that partner with the department to provide workforce development services such as job training, education programs, financial literacy, and social services including, but not limited to, mental health counseling, substance abuse treatment and counseling, child care assistance, criminal justice counseling, and housing assistance.

Disconnected Youth. The term “disconnected youth” means youth between the ages of 18 and 24 years, who are neither attending school or employed.

Follow-up services. The term “follow-up services” means services that track the progress of disconnected youth in employment after they receive workforce development services for at least 12 months. Such services include, but are not limited to, regular contact with a disconnected youth's employer, assistance in addressing work-related problems, assistance in securing better paying jobs, career development and further education, work-related peer support groups, and adult mentoring.

Workforce1 Center. The term “Workforce1 Center” means a location, under the jurisdiction of the department, which delivers workforce development services that include, but are not limited to, job skills training, education programs, resume building, interview preparation, employment workshops, and recruitment events.

b. The commissioner shall submit to the speaker of the council and post on the department's website on a semi-annual basis, beginning on June 1, 2018, a report containing information pertaining to the utilization rates at Workforce1 Centers for the prior six months. Such semi-annual report shall include, but not be limited to, the following information:

- 1. The number of adults who registered, whether in person or online;*
- 2. The number of disconnected youth who registered, whether in person or online;*
- 3. The number of veterans who registered, whether in person or online;*
- 4. The number of adults with a disability who registered disaggregated by the type of disability;*
- 5. The number of disconnected youth with a disability who registered disaggregated by the type of disability;*
- 6. The number of adults who are parents and whether they have access to child care;*
- 7. The number of disconnected youth who are parents and whether they have access to child care;*
- 8. The educational attainment, work experience, and income of all the adults who registered;*
- 9. The educational attainment, work experience, and income of all the disconnected youth who registered;*
- 10. The number of adults who are receiving services from city agencies, the type of services they are receiving, and the city agency providing the service;*
- 11. The number of disconnected youth who are receiving services from city agencies, the type of services they are receiving, and the city agency providing the service;*
- 12. The number of job training programs and their descriptions offered by Workforce1 Centers and community partners to adults;*
- 13. The number of job training programs and their descriptions offered by Workforce1 Centers and community partners to disconnected youth;*
- 14. The number of adults who enrolled and completed a job training program disaggregated by the Workforce1 Center or community partner where such training took place;*
- 15. The number of disconnected youth who enrolled and completed a job training program disaggregated by the Workforce1 Center or community partner where such training took place;*
- 16. A list of the education programs and their descriptions offered by Workforce1 Centers and community partners;*
- 17. The number of adults who enrolled and completed an education program disaggregated by the Workforce1 Center or community partner that offered the education program;*
- 18. The number of disconnected youth who enrolled and completed an education program disaggregated by the Workforce1 Center or community partner that offered the education program;*
- 19. A list of employers to which the department or community partner referred adults for employment disaggregated by industry;*
- 20. A list of employers to which the department or community partner referred disconnected youth for employment disaggregated by industry;*
- 21. The number of adults who accepted full-time positions; the names of the employers that hired them disaggregated by industry and position; and the hourly starting wage or compensation rate;*
- 22. The number of disconnected youth who accepted full-time positions; the names of the employers that hired them disaggregated by industry and position; and the hourly starting wage or compensation rate;*
- 23. The number of adults who accepted part-time positions; the names of the employers who hired them disaggregated by industry and position; and the hourly starting wage or compensation rate;*
- 24. The number of disconnected youth who accepted part-time positions; the names of the employers who hired them disaggregated by industry and position; and the hourly starting wage or compensation rate;*

25. *The number of adults who accepted per diem positions; the names of the employers that hired them disaggregated by industry and position; and the hourly starting wage or compensation rate;*

26. *The number of disconnected youth who accepted per diem positions; the names of the employers that hired them disaggregated by industry and position; and the hourly starting wage or compensation rate;*

27. *The number of registered adults, disaggregated by age, gender, race, and ethnicity, who returned to Workforce1 Centers or community partners to look for new jobs, to receive additional job training, or to enroll in a postsecondary educational program;*

28. *The number of registered disconnected youth, disaggregated by age, gender, race, and ethnicity, who returned to Workforce1 Centers or community partners to look for new jobs, to receive additional job training, or to enroll in a postsecondary educational program;*

29. *The number of court involved adults who the department served in its Workforce1 Centers;*

30. *The number of court involved disconnected youth who the department served in its Workforce1 Centers;*

31. *The number of adults who the department referred to community partners to address issues that include, but are not limited to, child care, housing, health care and substance abuse, criminal justice, and language and cultural barriers;*

32. *The number of disconnected youth who the department referred to community partners to address issues that include, but are not limited to, child care, housing, health care and substance abuse, criminal justice, and language and cultural barriers;*

33. *The number of disconnected youth receiving follow-up services and the type of follow-up services they are receiving.*

c. All information required by this section shall be disaggregated by age, gender, race, and ethnicity; and the location of the Workforce1 Center where such registration took place, disaggregated by borough, council district, and community district.

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of an individual's information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Int. No. 646

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to permissible parking at senior centers

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-162.3 to read as follows:

§ 19-162.3 *Permissible parking at senior centers.* *a. For the purposes of this section "senior citizen center" shall mean a multi-purpose community facility with regular operating hours and staff that provide a variety of health, social, nutritional, and educational services and recreational activities for senior citizens.*

b. Notwithstanding any local law, regulation or rule to the contrary, but subject to the provisions of the vehicle and traffic law, the department shall designate the roadway adjacent to the front entrance of a senior citizens center as a senior citizen center parking area, solely for the use of any passenger vehicle owned, registered or leased by a senior citizen who attends a senior citizen center between the hours of 10:00 a.m. and 3:00 p.m. on days when such senior citizen center is open for services and activities, provided that such vehicle displays an appropriate vehicle permit in accordance with the rules of the department.

c. For a senior citizen center where the department determines that it is not feasible to designate a parking area adjacent to the front entrance, the department shall designate a senior center parking area for senior citizens who attend such senior citizen center's services at a distance no greater than one block from the senior citizen center's front entrance.

d. A senior citizen center may petition the department for a time extension, no greater than two hours for its senior citizen center parking area at least two weeks before the date for which such extension is requested.

e. The hearing officer shall dismiss any notice of violation issued to the owner of a passenger vehicle parked in a designated senior citizen center parking area upon receipt from the owner, in person or by mail, other suitable evidence showing compliance with the law, including evidence showing that the owner of such passenger vehicle was a senior citizen and evidence of attendance by such senior at a service or activity at a senior citizen center.

§ 2. This local law shall take effect 90 days after its enactment into law.

Referred to the Committee on Transportation.

Int. No. 647

By Council Member Eugene.

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

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter one of title 3 of the administrative code of the city of New York is amended by adding a new section 3-130 to read as follows:

§ 3-130 Peer support services. The office of veterans' affairs shall establish a peer support hotline and other peer support services in partnership with veterans associations and organizations which service veterans. The office of veterans' affairs shall post on its website the peer support hotline phone number and information concerning other peer support services offered.

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

Referred to the Committee on Veterans.

Int. No. 648

By Council Member Eugene

A Local Law to amend the administrative code of the city of New York, in relation to a mentorship program pairing middle school students with active duty police officers.

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-406 to read as follows:

§ 21-406 Mentorship program. The department shall develop a voluntary mentorship program for middle school students. Such program shall pair middle school students, who are recommended for such program by the department of education, with police officers from the precinct where such students' schools are located. The department shall coordinate with the department of education to receive such recommendations.

§ 2. This local law shall take effect immediately upon its enactment into law.

Referred to the Committee on Youth Services.

Int. No. 649

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to requiring bilingual after-school programs

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-406 to read as follows:

§ 21-406 *Bilingual after-school programs. a. Definitions. For the purposes of this section the following terms have the following meanings:*

After-school program. The term “after-school program” means recreational, educational or cultural programs provided by the department or a provider under contract or similar agreement with the department meeting on a daily basis for less than 24 hours a day and providing care for five or more enrolled children between the ages of six and 18 years on a year-round or perennial basis. The term “after-school program” shall include but not be limited to programs operated by settlement houses, community or religious schools, and other similar public and private organizations, firms, groups and associations;

English-language learner. The term “English-language learner” means students who speak a language other than English at home and score below proficient on English assessments administered when such students enter the department of education school system.

b. For all after-school programs located in school districts where more than one-third of the total number of students in such school districts are English-language learners, the department shall require that such programs have bilingual components, including but not limited to, bilingual instructors and staff, and activities conducted in native languages of the students. Such components shall be provided in the top two most commonly spoken native languages, other than English, of the students of such programs.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Youth Services.

Int. No. 650

By Council Member Eugene

A Local Law to amend the administrative code of the city of New York, in relation to a database on afterschool programs

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-407 to read as follows:

§ 21-407 *Database on afterschool programs. a. The department, in consultation with the department of parks and recreation, shall establish and maintain a public online searchable and interactive database on the city website that shall include summaries of all city-funded afterschool programs offered in the city of New York. Where such information is available, the department shall also include non-city funded afterschool programs in the database. The database shall include the program name, contact information, a description of the curriculum, age range of*

the youth served, whether such program was funded through a city, state or federal agency, and links to the specific afterschool program's website.

b. The department shall provide a method to allow non-city funded afterschool programs to register for inclusion in such database.

c. The department shall also provide an interactive map on such city website displaying the locations of all afterschool programs listed in such database.

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

Referred to the Committee on Youth Services.

Res. No. 202

Resolution calling upon New York City to allow city employees without children to take one-time paid six-week leave similar to Paid Parental Leave

By Council Member Eugene

Whereas, On January 7, 2016, New York City Mayor Bill de Blasio signed an order to provide paid parental leave to New York City employees who hold non-union or managerial titles; and

Whereas, The new order provides six weeks of paid leave at 100 percent of salary, and will benefit up to 20,000 employees; and

Whereas, Mayor de Blasio's order has been praised as a major step in bringing New York City in line with other jurisdictions in the United States and abroad; and

Whereas, However, the Mayor's order does not include employees who do not have children; and

Whereas, According to the 2015 National Vital Statistics Report released by the Centers for Disease Control and Prevention, fertility rates in the United States have been decreasing in recent years, both among married couples and unmarried women; and

Whereas, According to labor force experts all employees, including those without children, can benefit from programs similar to paid parental leave; and

Whereas, According to a recent article in the *Wall Street Journal*, companies in the financial services sector are offering a variety of opportunities to their employees to take time off from work to pursue outside work opportunities, such as working for a non-profit; and

Whereas, Extending paid leave to employees without children will allow all New York City employees to more equally share in the benefits of the new program; now, therefore, be it

Resolved, That the Council of the City of New York calls New York City to allow city employees without children to take one-time paid six-week leave similar to Paid Parental Leave.

Referred to the Committee on Civil Service and Labor.

Res. No. 203

Resolution establishing a Rosa Parks Day to commemorate the Civil Rights leader.

By Council Member Eugene

Whereas, Rosa Parks, was born Rosa Louise McCauley in Tuskegee, Alabama on February 4, 1913; and

Whereas, As a prominent Civil Rights activist, Rosa Parks was a long-time member of the Montgomery chapter of the National Association for the Advancement of Colored People (NAACP) and served as the chapter's secretary; and

Whereas, On December 1, 1955, Rosa Parks famously refused to surrender her seat to a white passenger on a Montgomery, Alabama bus, which led to a city-wide boycott of buses; and

Whereas, In 1900, Montgomery passed a city ordinance to segregate bus passengers by race, and created a white-only section in the front and a “colored” section for black people in the rear of the bus; and

Whereas, According to the law, no passenger would be required to move or give up their seat and stand if the bus was crowded and no other seats were available, though by custom Montgomery bus drivers adopted the practice of requiring black riders to move when there were no white-only seats available; and

Whereas, While returning home from her job as an assistant tailor at a department store, Rosa Parks and four other African-Americans were asked to give up their seats to white passengers who were standing; and

Whereas, After refusing to give up her seat, Rosa Parks was arrested and convicted of disorderly conduct and violating Montgomery’s racial segregation laws; and

Whereas, Her act of civil disobedience resulted in the Montgomery Bus Boycott, led by Martin Luther King Jr. where African Americans refused to ride city buses and instead walked or organized carpools; and

Whereas, 42,000 African Americans boycotted the Montgomery city buses for 381 days, beginning on December 5, 1955, until the bus segregation laws were changed on December 21, 1956; and

Whereas, The United States Supreme Court ruled on November 12, 1956 that the Montgomery segregation law was unconstitutional, and on December 20, 1956, Montgomery officials were ordered to desegregate buses; and

Whereas, Rosa Parks is the recipient of many awards and accolades for her efforts on behalf of racial harmony, including the Springarn Award, the NAACP’s highest honor for civil rights contributions, the Presidential Medal of Freedom, the Nation’s highest civilian honor, and the first International Freedom Conductor Award from the National Underground Railroad Freedom Center; and

Whereas, In 1999, President Bill Clinton honored Rosa Parks, on behalf of Congress, honoring her contributions to the United States and declaring her “the first lady of civil rights” and the “mother of the freedom movement”; and

Whereas, Her birthday, February 4, and the day she was arrested, December 1, have each been celebrated as “Rosa Parks Day” commemorated in California, Missouri, Ohio, and Oregon; and

Whereas, On December 1, 2005, transit authorities in New York City, Washington, D.C and other American cities symbolically left the seats behind bus drivers empty to commemorate Rosa Parks; and

Whereas, Within such a culturally diverse city that honors civil rights leaders, the Council should recognize Rosa Parks’ contributions; now, therefore, be it

Resolved, That the Council of the City of New York establishes a Rosa Parks Day to commemorate the Civil Rights leader.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 204

Resolution declaring May 4th New York City Teachers, Educational Administrators and Education Support Staff Recognition Day in order to recognize and highlight the important work they do to keep our city’s schools running and to educate our children and provide a suitable environment for learning.

By Council Member Eugene.

Whereas, The New York City public school system is the largest in the United States, serving more than 1 million students in over 1800 schools; and

Whereas, To keep our City’s massive school system running and to educate our children and provide a suitable environment for learning requires the efforts of more than 100,000 pedagogical and non-pedagogical staff; and

Whereas, This staff includes more than 75,000 teachers, more than 6,000 educational administrators, more than 15,000 classroom paraprofessionals, along with thousands of others such as school secretaries, attendance teachers, guidance counselors, psychologists, social workers, custodians, school aides and other support staff; and

Whereas, The efforts of these teachers, educational administrators and education support staff often receive scant recognition; and

Whereas, There are some national recognition days for school staff, but they are scattered at different times throughout the year; and

Whereas, According to the National Education Association (NEA), “National Teacher Appreciation Day” is observed on the Tuesday of the first full week in May, which is Teacher Appreciation Week; and

Whereas, Additionally, American Education Week is in November and “National Education Support Professionals Day” falls on the Wednesday of American Education Week, according to NEA; and

Whereas, Further, October has been jointly designated as “National Principals Month” by the National Association of Secondary School Principals, the National Association of Elementary School Principals, and the American Federation of School Administrators; and

Whereas, However, none of these national recognition days for school staff receives adequate attention in New York City; and

Whereas, A joint recognition day for all school staff in New York City public schools would help bring greater attention and support for their efforts serving City residents; and

Whereas, May 4, 1796 was the date of birth of Horace Mann, an American education reformer dedicated to promoting universal public education; and

Whereas, It is especially appropriate to recognize the efforts of public school staff on the birthday of such an ardent supporter of public schools as Horace Mann; now, therefore, be it

Resolved, That the Council of the City of New York declares May 4th New York City Teachers, Educational Administrators and Education Support Staff Recognition Day in order to recognize and highlight the important work they do to keep our city’s schools running and to educate our children and provide a suitable environment for learning.

Referred to the Committee on Education.

Res. No. 205

Resolution calling upon the New York City Department of Education, as well as the New York State and federal governments, to include instruction in peaceful conflict resolution as part of the required curriculum in all schools.

By Council Member Eugene.

Whereas, Social scientists increasingly believe that while conflict is a natural and inevitable part of human interaction, aggression or violence need not be; and

Whereas, The Centers for Disease Control and Prevention (CDC) defines interpersonal violence as "the intentional use of physical force or power, threatened or actual, against another person or against a group or community that results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation;" and

Whereas, The CDC also considers violence to be a serious public health problem in the United States (U.S.), particularly among youth aged 10 to 24; and

Whereas, According to the CDC, every day 13 young people are victims of homicide and more than 1,600 are treated in emergency departments for nonfatal physical assault-related injuries; and

Whereas, Additionally, the CDC reported that, during the 2013-14 school year, 1 out of 4 high school students was in at least one physical fight, 7% of high school students were threatened or injured with a weapon, and 1 out of every 5 high school students was bullied at school; and

Whereas, In order to combat the growing incidence of violence, the CDC established the Division of Violence Prevention in 1993 to conduct research and promote evidence-based violence prevention strategies; and

Whereas, Since the CDC considers violence to be a public health problem affecting all communities, they suggest that violence must be addressed by many players, including families, public health professionals, community and faith-based groups, using a range of strategies in homes, schools and communities; and

Whereas, According to the CDC, community-based organizations and programs that serve children and youth have an important role to play in violence prevention; and

Whereas, Sports programs for children and youth are particularly well-suited to aid in violence prevention; and

Whereas, In fact, in recent years, a wide variety of organizations, including the United Nations, have used sport as an interventionist tool to nurture peacemaking across divided communities, such as using soccer to promote conflict resolution and peaceful co-existence of Jewish and Arab children in Israel; and

Whereas, Among other CDC recommended approaches to combat violence are school-based youth violence prevention programs that provide students and educators with information about violence and teach skills to nonviolently resolve disputes; and

Whereas, Peaceful conflict resolution has been utilized more in schools in recent years, primarily in the realm of school discipline; and

Whereas, Conflict resolution is among several restorative practices increasingly used to replace zero tolerance disciplinary policies adopted by many school systems in response to a surge in juvenile crime during the 1980s and a number of school shootings starting in the late 1990s; and

Whereas, Such restorative practices have been found to be more effective, both for addressing school violence and improving student behavior, than punitive approaches to school discipline; and

Whereas, Not only can conflict resolution programs help prevent school violence, diminish inappropriate behavior and create a positive school climate, they can also enhance academic learning; and

Whereas, When incorporated into the curriculum, comprehensive conflict resolution instruction teaches skills basic to all learning: effective communication and listening, critical and creative thinking, and an emphasis on personal responsibility and self-discipline; and

Whereas, Such conflict resolution education programs emphasize problem-solving processes of negotiation, mediation, and consensus decisionmaking; and

Whereas, Conflict resolution education should be introduced early in elementary school to be most effective; and

Whereas, A longitudinal study of students in Seattle, conducted by the University of Washington, found that children exposed to conflict resolution curriculum in grades 5 and 6 did not benefit as much as those who were exposed to it beginning in 1st grade; and

Whereas, The Seattle study found that exposure to an elementary school curriculum that emphasizes conflict resolution, negotiation, and decisionmaking skills can reduce the chances that students will commit violent acts, abuse alcohol, and engage in risky sexual relationships as teenagers; and

Whereas, Further, the study found that students who participate in conflict resolution education are more likely than those who don't to behave better in school, achieve at higher levels, and have a more positive attitude toward school; and

Whereas, These efforts can also save taxpayers money in the long run by heading off future criminal-justice and crime-victim costs, according to the Washington State Institute for Public Policy; and

Whereas, Conflict resolution education programs provide a framework for addressing intergroup conflict, whether based on differences in national origin or ethnicity, gender, sexual orientation, class, physical or mental abilities; and

Whereas, According to a guide on *Conflict Resolution Education*, developed through a collaboration of the United States Departments of Justice and Education, one of the primary purposes of conflict resolution education is to promote responsible citizenship; and

Whereas, As stated in that guide, "Conflict resolution can be viewed as a responsibility of law-abiding members of our society... [r]esponsible citizens in a democracy express their concerns peacefully and seek resolutions to problems that take into account common interests and recognize the human dignity of all involved"; and

Whereas, Schools are where children prepare to assume their future roles as parents, as community members and leaders, and as productive members of the workforce and conflict resolution skills are essential to public life in schools, communities, and workplaces; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education, as well as the New York State and federal governments, to include instruction in peaceful conflict resolution as part of the required curriculum in all schools.

Referred to the Committee on Education.

Res. No. 206

Resolution calling upon the State of New York to include in its curriculum requirements, swimming lessons and water safety education to all students in public schools from kindergarten through 12th grade where appropriate and swimming-related instruction, such as water safety and dry land strokes to all students in public schools from kindergarten through 12th grade when their school does not have a pool in the building or is not within 10 miles of a pool where appropriate.

By Council Member Eugene.

Whereas, According the New York State Department of Health (NYS DOH), regardless of their age group, drowning is a leading cause of injury-related death in children; and

Whereas, According to the NYS DOH, African American males and females have a significantly higher drowning rate than White and Hispanic males and females; and

Whereas, Out of all of the 1,477,146 youth ages 5 years old to 19 years old in NYC in 2010, 26.2% are African American youth; and

Whereas, New York City is home to a multitude of beaches and pools which provide free recreation and enjoyment for millions of New Yorkers and visitors each year; and

Whereas, Exercising water safety measures can prevent drownings and water-related injuries and ensure that fun does not unnecessarily turn into tragedy; and

Whereas, Swimming is also a valuable component in a number of efforts to maintain good health and can aid in preventing potential life threatening conditions, such as obesity and diabetes, and learning to swim can provide beneficial opportunities such as participation on a team or employment as a lifeguard; and

Whereas, The New York City Administration for Children's Service and the New York City Department of Health and Mental Hygiene recommend enrolling children in swimming lessons by a qualified instructor, usually at age 4 or older; and

Whereas, New York City Parks has 12 recreational centers with indoor pools and 53 free outdoor pool sites; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State of New York to include in its curriculum requirements, swimming lessons and water safety education to all students in public schools from kindergarten through 12th grade where appropriate and swimming-related instruction, such as water safety and dry land strokes to all students in public schools from kindergarten through 12th grade when their school does not have a pool in the building or is not within 10 miles of a pool where appropriate.

Referred to the Committee on Education.

Res. No. 207

Resolution calling upon the New York City Department of Education to add the history of Haiti, including the Haitian Revolution and the abolition of slavery, to the public schools' Black History Month curriculum.

By Council Member Eugene.

Whereas, The Republic of Haiti, located on the island of Hispaniola in the Caribbean, was originally inhabited by the indigenous Taíno people when Christopher Columbus established a Spanish settlement, which was the first colony in the New World, in 1492; and

Whereas, By 1550, only 150 out of hundreds of thousands Taíno remained on the island after being subjected to forced labor, abuse, hunger, mass killings and diseases against which they had no immunity; and

Whereas, In the early 16th century, the Spanish began to forcibly transport large groups of enslaved Africans, most of whom came from Senegambia, Guinea and Congo-Angolan (Bantu) areas, to work in mines and on sugar plantations on Hispaniola; and

Whereas, By the late 17th century, following attacks by the British, Dutch and French and a devastating earthquake in 1591, much of Hispaniola had become unpopulated and the colony increasingly unprofitable, unstable, and neglected by the Spanish, who had become more concerned with extracting gold in present day Central America and Mexico; and

Whereas, In 1697, Spain officially ceded the western portion of Hispaniola to the French, who founded the colony of St. Domingue and created the modern day border between Haiti and the Dominican Republic on the island; and

Whereas, Over the next 100 years, St. Domingue became the most profitable colony in the Americas due to its successful slave-based sugar and coffee industries, which demanded more slave labor and eventually created a 10-to-1 ratio of slaves to free people on the island; and

Whereas, On August 22, 1791, an organized slave rebellion, led by Toussaint L'Ouverture, broke out in St. Domingue, marking the start of a 12 year resistance, which culminated not only in the proclamation of independence but also the abolishment of slavery in Haiti; and

Whereas, On January 1, 1804, President Jean Jacques Dessalines declared the new Republic of Haiti's independence from France to become the only republic to rise from a successful slave rebellion, the world's first Black republic in the Western Hemisphere and the second independent democracy in the Americas after the United States (U.S.) in 1783; and

Whereas, As a nation borne out of a slave revolt, American political leaders, many of them slave owners, reacted to the emergence of Haiti with ambivalence and the U.S. did not officially recognize Haitian independence until 1862; and

Whereas, Haiti has a rich history that has significantly impacted geopolitical trajectory of the Western Hemisphere; and

Whereas, Haitians and their descendants have made great contributions to New York City and to the U.S. throughout its history, from major achievements in the arts, athletics, culture, music and science, to social advancement for persons of African descent, to leadership in elected offices from the local to the national level; and

Whereas, According to the U.S. Census Bureau, as of 2009, New York had second largest population of Haitian-Americans with nearly 100,000 foreign-born Haitians and more than 140,000 persons of Haitian descent living in NYC; and

Whereas, In the U.S., the month of February is observed as Black History Month, which is celebrated to highlight and remember the important achievements and contributions of African Americans, including Haitians, throughout the nation and world history; and

Whereas, Students engaged and challenged in historical thinking, consider many perspectives and cultivate decision-making skills that will serve them well as participating citizens of a democracy; and

Whereas, The NYC Department of Education services a diverse student population and strives to create an inclusive environment that values the experience, perspective and contributions of all peoples; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York City Department of Education to add the history of Haiti, including the Haitian Revolution and the abolition of slavery, to the public schools' Black History Month curriculum.

Referred to the Committee on Education.

Res. No. 208

Resolution calling on the New York City Department of Education to acknowledge the participation of Haitian soldiers in the Siege of Savannah and the impact of the Haitian Revolution on the Louisiana Purchase, by adding these events to the public schools' social studies curriculum.

By Council Member Eugene.

Whereas, The Republic of Haiti, located on the island of Hispaniola in the Caribbean, was originally inhabited by the indigenous Taíno people when Christopher Columbus established a Spanish settlement, which was the first colony in the New World, in 1492; and

Whereas, By 1550, only 150 out of hundreds of thousands Taíno remained on the island after being subjected to forced labor, abuse, hunger, mass killings and diseases against which they had no immunity; and

Whereas, In the early 16th century, the Spanish began to forcibly transport large groups of enslaved Africans, most of whom came from Senegambia, Guinea and Congo-Angolan (Bantu) areas, to work in mines and on sugar plantations on Hispaniola; and

Whereas, By the late 17th century, following attacks by the British, Dutch and French and a devastating earthquake in 1591, much of Hispaniola had become unpopulated and the colony increasingly unprofitable, unstable, and neglected by the Spanish, who had become more concerned with extracting gold in present day Central America and Mexico; and

Whereas, In 1697, Spain officially ceded the western portion of Hispaniola to the French, who founded the colony of St. Domingue and created the modern day border between Haiti and the Dominican Republic on the island; and

Whereas, Over the next 100 years, St. Domingue became the most profitable colony in the Americas due to its successful slave-based sugar and coffee industries, which demanded more slave labor and eventually created a 10-to-1 ratio of slaves to free people on the island; and

Whereas, More than 500 freemen from St. Domingue fought alongside the United States (U.S.) Continental Army against the British Army during the Siege of Savannah in 1779, one of the most significant foreign contributions to the Revolutionary War; and

Whereas, On August 22, 1791, an organized slave rebellion, led by Toussaint L'Ouverture, broke out in St. Domingue, marking the start of a 12 year resistance, which culminated not only in the proclamation of independence but also the abolishment of slavery in Haiti; and

Whereas, On January 1, 1804, President Jean Jacques Dessalines declared the new Republic of Haiti's independence from France to become the only republic to rise from a successful slave rebellion, the world's first Black republic in the Western Hemisphere and the second independent democracy in the Americas after the U.S. in 1783; and

Whereas, The significant loss of life and financial burden of the failed efforts to quell the Haitian Revolution prompted France to sell the territory of Louisiana to the U.S. in 1803, a territory that now comprises 22.3 percent of the country; and

Whereas, Major Joseph Savary, a Haitian, was the first Black Major in the U.S. Army, and led the Second Battalion of Freemen of Color at the Battle of New Orleans in 1815, under then-General Andrew Jackson; and

Whereas, The acclaimed naturalist and wildlife artist John James Audubon, a Haitian, inspired the American conservation society that bears his name; and

Whereas, Activist, civil rights leader and famed writer of Haitian descent, W.E.B. Du Bois became the editor of the magazine *The Crisis* in 1910 in New York City (NYC), aimed at exposing the widespread prejudice against persons of color, and which became a major publication critiquing segregation and advocating for civil rights, women's rights and labor rights; and

Whereas, NYC native and famed artist of Haitian descent, Jean-Michel Basquiat was a leader of the neo-expressionist movement during the 1980s, working with other major artists including Andy Warhol, with major exhibits at the Whitney Museum of American Art; and

Whereas, Haiti has a rich history that has significantly impacted geopolitical trajectory of the Western Hemisphere; and

Whereas, Haitians and their descendants have made great contributions to NYC and to the U.S. throughout its history, from major achievements in the arts, athletics, culture, music and science, to social advancement for persons of African descent, to leadership in elected offices from the local to the national level; and

Whereas, According to the U.S. Census Bureau, as of 2009, New York had second largest population of Haitian-Americans with nearly 100,000 foreign-born Haitians and more than 140,000 persons of Haitian descent living in NYC; and

Whereas, The NYC Department of Education services a diverse student population and strives to create an inclusive environment that values the experience, perspective and contributions of all peoples; and

Whereas, Social Studies is the study of history, geography, economics, government and civics, and of people and events that have individually and collectively shaped the U.S. and the world; and

Whereas, A strong and effective social studies program helps students make sense of the world in which they live, allows them to make connections between major ideas and their own lives, and it helps them see themselves as active members of a global community; and

Whereas, Students engaged and challenged in historical thinking, consider many perspectives and cultivate decision-making skills that will serve them well as participating citizens of a democracy; and

Resolved, That the Council of the City of New York calls on the New York City Department of Education to acknowledge the participation of Haitian soldiers in the Siege of Savannah and the impact of the Haitian Revolution on the Louisiana Purchase, by adding these events to the public schools' social studies curriculum.

Referred to the Committee on Education.

Res. No. 209

Resolution calling on the City of New York to commemorate July 31st as New York City Firefighters Recognition Day.

By Council Member Eugene.

Whereas, In 1865 the modern-day New York City Fire Department ("FDNY") was established; and

Whereas, The FDNY is now the largest municipal fire department in the United States; and

Whereas, The FDNY provides first responder services for approximately 322 square city miles; and

Whereas, The FDNY responds to a wide variety of emergency incidents including structural fires, public safety emergencies, both medical and non-medical emergencies, natural disasters, and terrorist acts; and

Whereas, The FDNY responded to over 1.7 million incidents, including fire emergencies and both medical and non-medical emergencies, during the 2016 calendar year; and

Whereas, Today, more than 16,000 men and women serve in the FDNY, risking their lives daily to ensure the safety and well-being of residents and visitors to New York City; and

Whereas, The FDNY not only responds to fire and medical emergencies, but also plays a role in advancing public safety through its fire prevention and education programs; and

Whereas, One example of the FDNY's educational programming is training over 21,000 civilians in Cardiopulmonary Resuscitation or CPR during the 2016 calendar year; and

Whereas, FDNY firefighters and emergency medical personnel dedicate their lives to protect the well-being of New York City residents and its visitors; and

Whereas, The world witnessed the tremendous courage of our City's Bravest through such events as the terrorist attacks of 9/11 and Superstorm Sandy; and

Whereas, In honor of the City's first professional fire department unit, Engine Company Number 1, which went into service on July 31, 1865, the City of New York should establish July 31st as Firefighter Recognition Day; now, therefore, be it

Resolved, That the Council of the City of New York calls on the City of New York to commemorate July 31st as New York City Firefighters Recognition Day.

Referred to the Committee on Fire and Emergency Management.

Res. No. 210

Resolution calling on the New York State Legislature to pass and the Governor to sign, legislation to amend the Domestic Relations Law and the Family Court Act to prevent the Division of Child Support Enforcement from suspending driving privileges for individuals who need a functioning New York State driver's license in order to earn a living.

By Council Member Eugene.

Whereas, Pursuant to New York State law, a child support enforcement unit, which in New York city is administered by the Human Resources Administration, or a family court judge may order the Department of Motor Vehicles to suspend an individual's driving privileges if the individual owes child support arrears equivalent to or greater than the amount of support past due for a period of four months; and

Whereas, Additionally pursuant to New York State law, the suspension of driving privileges cannot be applied to individuals who are receiving public assistance or supplemental security income, or low-income individuals whose income falls below the self-support reserve amount; and

Whereas, Individuals whose driving privileges are suspended may apply to the Department of Motor Vehicles for a restricted use license which enables an individual with a suspended license to drive to and from their employment, school or necessary medical appointments; and

Whereas, However, restricted use licenses are not available for the operation of commercial or for-hire vehicles such as a taxicab, livery, coach, limousine, van or wheelchair accessible van or tow truck; and

Whereas, In addition to the suspension of a driver's license, child support arrears may be collected by a child support enforcement unit through income executions, unemployment insurance benefits executions, income tax refund interceptions, reports to credit bureaus, lottery winnings interceptions, property executions, passport denials, liens, and referrals to the New York State Department of Taxation and Finance; and

Whereas, According to the Annie E. Casey Foundation "often the loss of a license is caused more by poverty . . . than it is by a willful disregard for the law"; and

Whereas, Although the suspension of a driver's license may serve as an effective enforcement method for some individuals, it is illogical to revoke the license of an individual who relies on a driver's license to generate income; and

Whereas, There are many other enforcement methods to collect child support arrears other than the suspension of a driver's license, which prohibits individuals such as taxicab drivers and deliverymen, whose ability to drive a vehicle is essential to their capacity to earn a living, from paying their child support; now, therefore, be it

Resolved, That the Council of the City of New calls on the New York State Legislature to pass and the Governor to sign, legislation to amend the Domestic Relations Law and the Family Court Act to prevent the Division of Child Support Enforcement from suspending driving privileges for individuals who need a functioning New York State driver's license in order to earn a living.

Referred to the Committee on General Welfare.

Res. No. 211

Resolution declaring the last day in February as Rare Disease Day in New York City.

By Council Member Eugene.

Whereas, According to Global Genes, a rare disease patient advocacy organization based in California, a disease is considered rare in the United States (U.S.) if it affects fewer than 200,000 persons; and

Whereas, There are approximately 7,000 different types of rare diseases and disorders; and

Whereas, Ten percent of the U.S. population, or 30 million people, are living with rare diseases and it is estimated that 350 million people worldwide suffer from rare diseases; and

Whereas, Eighty percent of rare diseases are genetic and approximately 50% of the people affected by rare diseases are children; and

Whereas, Rare diseases are often prevalent in pockets of ethnic minorities due to their genetic origin; and

Whereas, For example, sickle cell anemia is rare globally but an estimated 1 in 11 African Americans is a carrier and a person of 100% Ashkenazi Jewish descent has a 50% chance of carrying one of several rare genetic diseases, according to the Genetic Disease Foundation; and

Whereas, According to an April 2013 Shire Rare Disease Impact Report, it takes an average of 7.6 years in the U.S. for a patient with a rare disease to receive a proper diagnosis; and

Whereas, A patient typically visits up to eight physicians and receives two to three misdiagnoses before the correct diagnosis is made; and

Whereas, The Shire report finds that rare disease patients in the U.S. face considerable financial hardship, including 55% of survey respondents stating that direct medical expenses were not covered by insurance, 37% had to borrow money from family and/or friends to pay for expenses, 34 percent sought help from charity or public assistance and 32% reported a negative impact on their credit score; and

Whereas, The economic strains and lengthy diagnosis process, as well as the lack of treatment options, available information and resources can take a major emotional toll on patients and their caregivers; and

Whereas, Patient and caregiver respondents in the Shire study reported depression (75% for patients, 72% for caregivers), anxiety and stress (86% for patients, 89% for caregivers), isolation from friends/family (65% for patients, 64% for caregivers), and worry based on future outlook of disease (90% for patients, 97% for caregivers); and

Whereas, The Orphan Drug Act of 1983 facilitates the development and commercialization of drugs to treat rare diseases by offering federal benefits to developers of medication designated as "orphan drugs"; and

Whereas, According to Global Genes, during the first 25 years of the Orphan Drug Act, only 326 new drugs were approved by the Food and Drug Administration and brought to market for all rare disease patients combined; and

Whereas, Global Genes also reports that approximately 50% of rare diseases do not have a dedicated foundation supporting or researching their rare disease; and

Whereas, Rare diseases with increased awareness also have an increased opportunity for research funding, as is the case with well-known but uncommon diseases such as Amyotrophic Lateral Sclerosis (ALS); and

Whereas, Rare Disease Day is an international awareness day on the last day in February organized by Eurordis, a non-governmental alliance of patient organizations and individuals focused on rare diseases in Europe, and the National Alliances, which are umbrella organizations who regroup several rare disease organizations in a given country or region; and

Whereas, The number of countries participating in Rare Disease Day grows every year with 94 countries participating in 2017; and

Whereas, The objective of Rare Disease Day is to raise awareness among the general public, policy-makers, industry representatives, researchers, and health professionals about rare diseases and their impact on patients' lives; and

Whereas, The National Organization for Rare Disorders (NORD) partnered with Eurordis to sponsor and advocate for Rare Disease Day in the U.S., with education programs in schools and a "Handprints Across America" photo campaign to raise awareness; now, therefore, be it

Resolved, That the Council of the City of New York declares the last day in February as Rare Disease Day in New York City.

Referred to the Committee on Health.

Res. No. 212

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation to amend the Education Law to require more than one school staff person to be trained to administer CPR at all schools during regular school hours.

By Council Member Eugene.

Whereas, The Mayo Clinic states that cardiopulmonary resuscitation (CPR) is a lifesaving technique for someone whose heart or breathing has stopped; and

Whereas, The treatment for cardiac arrest is CPR, followed by the use of an Automated External Defibrillator (AED); and

Whereas, The United States National Library of Medicine describes CPR as an emergency technique that combines rescue breathing and chest compressions to manually keep blood and oxygen flowing through the body until further advanced measures can be taken; and

Whereas, Cardiac arrest can occur because of heart disease, heart attacks, respiratory arrest, drowning or choking; and

Whereas, According to the New York State Department of Health, choking is the fourth leading cause of unintentional death in children under the age of 5; and

Whereas, An average of 12,400 children ages 0 to 14 years of age were treated in emergency departments for nonfatal food-related choking annually, which equals 34 children per day, according to a study by the American Academy of Pediatrics; and

Whereas, Without medical attention, a person in cardiac arrest will die within a few minutes; and

Whereas, According to the American Heart Association, a bystander who performs CPR immediately after a sudden cardiac arrest can double or triple a victim's chance of survival; and

Whereas, On December 5, 2011, a fourth grade student at Public School 47 in the Bronx choked on a meatball, which resulted in cardiac arrest; and

Whereas, Various media accounts of the incident raise concerns that school staff did not respond appropriately or in a timely fashion; and

Whereas, Ultimately, the child was unable to be resuscitated and died; and

Whereas, On October 21, 2015, a 7-year-old girl similarly choked during lunch, this time at PS 250 in Williamsburg; and

Whereas, According to news reports, school staff did not help the child, but instead flagged down a passing paramedic who said that five minutes likely passed before he got there and was able to provide treatment; and

Whereas, The girl suffered brain damage and died 10 days after the choking incident; and

Whereas, Currently, section 917 of the New York State Education Law requires that at least one staff person who is trained in using an AED be in each public school during school-sponsored curricular or extra-curricular events; and

Whereas, However, the law should be amended to require staff members to be certified not only in using an AED, but also in CPR, and to require more than one staff member to be certified in CPR; and

Whereas, The American Heart Association and the American Red Cross offer combination courses in CPR/ First Aid/ AED training; and

Whereas, The State of New York should take precautionary measures to avoid delays in emergency treatment to ensure the health and well-being of students in public schools; 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 amend the Education Law to require more than one school staff person to be trained to administer CPR at all schools during regular school hours.

Referred to the Committee on Health.

Res. No. 213

Resolution declaring the fourth Wednesday in May as Stroke Awareness Day in the City of New York.

By Council Member Eugene.

Whereas, The National Institute of Neurological Disorders and Stroke (NINDS) defines stroke, also known as a cerebrovascular accident, as an event that occurs when the blood supply to part of the brain is suddenly interrupted or when a blood vessel in the brain bursts, spilling blood into the spaces surrounding brain cells; and

Whereas, NINDS indicates that brain cells die when they no longer receive oxygen and nutrients from the blood or there is sudden bleeding into or around the brain; and

Whereas, Two million brain cells die every minute during a stroke, increasing the risk of permanent brain damage, disability or death; and

Whereas, According to the National Stroke Association, approximately 795,000 strokes occur annually, averaging one every forty seconds; and

Whereas, Stroke kills 133,000 people each year and is the leading cause of adult disability, according to the American Stroke Association (ASA); and

Whereas, Up to 80 percent of strokes can be prevented; and

Whereas, Recognizing stroke symptoms and acting fast to get medical attention can save a life and limit any potential disabilities; and

Whereas, ASA states the chance of having a stroke approximately doubles for each decade of life after age 55; and

Whereas, Prevention includes learning about lifestyle and medical risk factors that may contribute to stroke such as smoking, being overweight, drinking too much alcohol, high cholesterol, high blood pressure, heart disease, and carotid artery disease; and

Whereas, Persons over age 55, females, African-Americans, persons with diabetes, and those with a family history of stroke are at a greater risk of having a stroke; and

Whereas, Few Americans know the symptoms of a stroke, however, learning to recognize such symptoms and knowing what to do when they occur could save lives; now, therefore, be it

Resolved, That the Council of the City of New York declares the fourth Wednesday in May as Stroke Awareness Day in the City of New York.

Referred to the Committee on Health.

Res. No. 214

Resolution declaring the first Tuesday in May as World Asthma Day in New York City.

By Council Member Eugene.

Whereas, According to the United States Centers for Disease Control and Prevention, asthma is a disease that affects the lungs and may cause wheezing, chest tightness, coughing and breathlessness; and

Whereas, According to the American Lung Association, approximately 26 million Americans have asthma, including more than 7 million children; and

Whereas, In 2010, an estimated 1.8 million people with asthma required treatment in the emergency department with 439,000 hospitalizations; and

Whereas, Asthma is the leading chronic illness among children and accounts for 10 million lost school days annually in this country; and

Whereas, Asthma is the third leading cause of hospitalization among children under the age of 15 years; and

Whereas, This disease disproportionately affects minorities, low-income populations and children living in inner cities; and

Whereas, Asthma can be controlled by adhering to a medical management plan and by avoiding contact with certain environmental triggers, including dust, mold, smoke, insects, and other chemicals; and

Whereas, According to the Department of Health and Mental Hygiene (DOHMH), approximately 13 percent of children and 11 percent of adults in New York have been diagnosed with asthma at some point in their lifetime; and

Whereas, DOHMH recommends that patients and providers partner to create an asthma action plan and promote self-management, including education and the joint development of treatment goals; and

Whereas, DOHMH administers multiple programs to combat asthma, including Open Airways For Schools, an educational curriculum for children diagnosed with asthma to help them control their own asthma more effectively resulting in reduced absences and hospital visits; and

Whereas, Due to the impact of asthma throughout the City and the country, many advocacy groups both nationally and internationally have emerged to reduce the negative impact of this disease; and

Whereas, The Global Initiative for Asthma (GINA) began in 1993, in collaboration with the National Heart, Lung, and Blood Institute, the United States National Institutes of Health and the World Health Organization, to partner with health care officials and professionals throughout the world to reduce asthma prevalence, morbidity and mortality; and

Whereas, Notably, GINA commemorates World Asthma Day, a day to raise awareness and advocate for ways in which asthma can be better treated and managed; and

Whereas, Given the prevalence and impact of asthma, specifically on children, New York City should increase all public and private efforts to expand outreach and education to ensure that more individuals have an asthma management plan to help reduce the factors that trigger or contribute to asthma; now, therefore, be it

Resolved, That the Council of the City of New York declares the first Tuesday in May as World Asthma Day in New York City.

Referred to the Committee on Health.

Res. No. 215

Resolution calling upon the state of New York to provide blood pressure machines in public places throughout the state.

By Council Member Eugene.

Whereas, The American Heart Association (“AHA”) warns that high blood pressure is a “silent killer” because it has no symptoms and many people are unaware of it; and

Whereas, When left untreated, high blood pressure could lead to vision loss, artery and kidney damage, stroke, heart disease and loss of life; and

Whereas, The AHA stresses the importance of monitoring one’s blood pressure through regular medical checkups with a health provider, or at home, yet many of those who are most at risk of high blood pressure, such

uninsured, lower income, senior citizen, and homeless individuals, do not have regular access to health providers or to devices that would enable them to monitor their blood pressure; and

Whereas, The Department of Health and Mental Hygiene reports that three in ten residents of New York City have been told that they have high blood pressure and that hundreds of thousands more have it but do not know they have it; and

Whereas, The New York State Department of Health reports that 31% of all adults and 62% of adults over 65 report being told by a health professional that they have high blood pressure; and

Whereas, Providing free access to automated blood pressure machines in public places could help those without access to testing resources to routinely self-monitor their blood pressure and seek potentially life-saving care in the event of high readings; now, therefore, be it

Resolved, That the Council of the City of New York call upon the state of New York to provide public automated blood pressure machines in public places throughout the state.

Referred to the Committee on Health.

Res. No. 216

Resolution recognizing the first week of this and every February as Heart Disease Awareness Week in New York City.

By Council Member Eugene.

Whereas, According to the Centers for Disease Control, 610,000 people die of heart disease every year in the United States, making it the cause of one out of every four deaths; and

Whereas, Statistics from the Heart Foundation indicate that heart disease is the number one cause of death in the United States, the state of New York, and the city of New York and that it claims more lives than all forms of cancer combined; and

Whereas, The New York State Department of Health has found that 43,112 people in New York State and 16,573 people in New York City died of heart disease in 2013; and

Whereas, Research from the American Heart Association shows that since 1984, more women than men have died of heart disease; and

Whereas, The National Institutes of Health advises that individuals eat plenty of fruits and vegetables, monitor their blood pressure, and refrain from smoking to lower their risks of developing heart disease; and

Whereas, The United States Congress, by joint resolution approved on December 30, 1963, has requested the President to issue annually a proclamation designating February as American Heart Month, with President Obama issuing the most recent proclamation for February 2015; and

Whereas, Heart Disease Awareness Week would also present an opportunity to educate young people and adults alike about steps one can take to prevent heart disease and live in a healthy way; and

Whereas, The prevalence of heart disease poses grave risks to people both in New York City and nationwide; now, therefore, be it

Resolved, That the Council of the City of New York recognizes the first week of this and every February as Heart Disease Awareness Week.

Referred to the Committee on Health.

Res. No. 217

Resolution calling upon the Metropolitan Transportation Authority to study and expand the designation of entry-only and exit-only turnstiles at busy subway stations during peak times.

By Council Member Eugene.

Whereas, The subway system is the backbone of New York City's transit network, serving as an essential mode of transportation that millions of New Yorkers rely on every day; and

Whereas, The subway system is experiencing historically high ridership levels, with annual subway ridership higher in 2014 than it had been in more than 65 years; and

Whereas, Metropolitan Transportation Authority ("MTA") officials have repeatedly cited the high ridership levels, and the resulting crowding in trains and stations, as a major cause of delays throughout the system; and

Whereas, The MTA has implemented a series of measures aimed at reducing delays in the subway system, including increasing the use of platform control personnel tasked with getting passengers off and on trains more efficiently and quickly at some of the busiest stations; and

Whereas, At very busy stations during peak times exiting passengers are often forced to wait to exit as crowds enter using all available turnstiles, or vice versa; and

Whereas, Setting aside certain turnstiles for the exclusive use of exiting passengers and others for entering passengers could help to move passengers into and out of crowded stations at busy times more quickly and efficiently; and

Whereas, The MTA currently implements such practices in a limited number of instances, such as at Grand Central-42nd Street; and

Whereas, The MTA should study the effectiveness of these practices where they are currently in use and expand them to more stations and times of day where and when it determines that such measures might be effective at improving passenger flow; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to study and expand the designation of entry-only and exit-only turnstiles at busy subway stations during peak times.

Referred to the Committee on Transportation.

Res. No. 218

Resolution declaring Youth Day in New York City, to be held annually each year on August 12th, coinciding with International Youth Day.

By Council Member Eugene.

Whereas, Youth Day (YD) is a special day celebrated by many countries around the world to appreciate and celebrate the achievement of youth in each country; and

Whereas, YD is celebrated also to promote the contributions made by young persons to the development of their nations; and

Whereas, There is no one day selected around the world for YD, as this varies among the countries that celebrate YD, often aligned to a certain occasion or event in the past significant to that country; and;

Whereas, The Altius Directory (AD) states that there is also a celebration of youth around the world known as International Youth Day (IYD), celebrated since 1999 annually on August 12; and

Whereas, According to the AD, the aim of IYD is to endorse consciousness, particularly among youth aged 10 to 24; and

Whereas, According to the United Nations (UN), the theme of IYD in 2014 was "Youth and Mental Health"; and

Whereas, The UN advises that youth with mental health conditions can often experience stigma and discrimination, which can lead to exclusion and/or discourage people from seeking treatment for fear of being negatively “labeled”; and

Whereas, The UN further notes that the 2014 observance of IYD was to raise awareness on this important topic, as well as highlight the experiences of brave, young individuals who have chosen to speak out about these issues; and

Whereas, The AD also notes that the particular consciousness sought to be raised among youth by participating in IYDs includes consciousness in the particular fields of starvation, poverty, education, employment, health, drug exploitation, childhood felony, recreational events, children and young women, and the environment; and

Whereas, According to Global Youth Service Day (GYSD), in the United States, GYSD is a coordinated annual event, held each April, which gathers young people from around the world in a program of conducting community service, service learning, youth voice, and other activities that benefit the youth’s communities, their countries and the world; and

Whereas, Speaking about GYSD, Jane Goodall commented, “I have often said that every individual counts, every individual has a role to play, and every individual makes a difference. Global Youth Day proves it.”, and

Whereas, According to the Archdiocese of New York’s Office of Youth Ministry (ANY), New York Catholic Youth Day is their annual Catholic youth celebration, a day filled with prayer, music, fun, games, and powerful speakers and conversations; and

Whereas, A YD in New York City could be used to draw attention to the need for more youth programs within the city, and to underline the important need for such programs to be available for young New Yorkers from all walks of life; now, therefore, be it

Resolved, That the Council of the City of New York hereby declares Youth Day in New York City, to be held annually each year on August 12th, coinciding with International Youth Day.

Referred to the Committee on Youth Services.

Int. No. 651

By Council Member Koo

A Local Law to amend the New York city charter, in relation to notification to community boards of pilot programs

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 2800 of the New York city charter is amended to read as follows:

e. 1. Each agency shall furnish promptly to each community board on request any information or assistance necessary for the board’s work. Each agency shall also report periodically to each board on its service activities, programs and operations within the community district, *including any pilot programs.*

2. *Not less than 60 days prior to the initiation of a pilot program within one or more community districts, an agency shall provide written notification of the scope and anticipated duration of such pilot program to the community board of each such district by regular mail, electronic mail, or by personal service to the district manager for such community board. For the purposes of this subdivision, a “pilot program” shall mean any program or activity conducted by an agency within one or more community districts as a test or trial prior to initiating such program or activity in such community district or districts on a permanent basis, or in other community districts, or on a citywide basis.*

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

Referred to the Committee on Governmental Operations.

Int. No. 652

By Council Member Levine

A Local Law to amend the administrative code of the city of New York, in relation to permits for large special events issued by the department of parks and recreation

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-155 to read as follows:

§ 18-155 *Special event permits a. No less than 20 days before granting or denying an application for a permit to use park facilities under the jurisdiction of the department for the purposes of holding an event where (i) more than 500 persons are expected to attend and (ii) revenue generating activities during such event are expected to occur, the department shall provide written notification of such application by facsimile, regular mail, electronic mail or by personal delivery to the community board for each community district where such park facilities are located and shall post such application on the website of the department. Any comments provided from such community boards regarding such proposed event shall be posted on the website of the department upon the receipt of such comments.*

b. Where more than one person applies for a permit to hold an event on the same date and in the same location on park facilities under the jurisdiction of the department, and the department determines that such facilities cannot reasonably accommodate both such proposed events at such date and time, the department, in determining which of the applicants shall be granted such permit, shall consider the application that the department first received and also consider the following factors: (i) the proposed length of time over which such proposed events may occur; (ii) the number of attendees expected to attend such proposed events; (iii) the effect that such proposed events may have on the maintenance of the park where they may occur, including any possibility of damage to parkland or facilities; (iv) whether any of the applicants have previously been granted permits for events to be held in parks under the jurisdiction of the department and whether such event was conducted in a way that was caused damage or injury to park users, parkland or park facilities; (v) whether any of the applicants have previously been granted permits for events to be held in parks and did, on that prior occasion, knowingly violate a term or condition of the permit, or any law, ordinance, statute or regulation relating to the use of the parks; and (vi) the expected cost to the department for each proposed event.

§ 2. This local law takes effect 90 days after it becomes law, except that the commissioner of parks and recreation may promulgate rules or take other actions for the implementation of this local law prior to such effective date.

Referred to the Committee on Parks and Recreation.

Preconsidered Int. No. 653

By Council Members Levine, Williams, Torres and Cabrera.

A Local Law to amend the administrative code of the city of New York, in relation to mandating annual reporting on workplace sexual harassment within city agencies

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.2 to read as follows:

§ 3-119.2 *Annual reporting on workplace sexual harassment. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Administering agency. The term “administering agency” means the agency that the mayor designates to administer the annual reporting required by this section.

Agency. The term “agency” has the same meaning as such term is defined in section 385 of the charter.

Reporting individual. The term “reporting individual” means a city job or intern applicant, employee, intern or independent contractor who brings forth a report of workplace sexual harassment.

Respondent. The term “respondent” means a city job or intern applicant, employee, intern or independent contractor accused of workplace sexual harassment who has entered into the agency’s official complaint process.

b. The administering agency shall annually compile complaints of workplace sexual harassment within each agency for the preceding fiscal year and shall annually submit by December 31 to the mayor, the council and commission on human rights, and post on its website, a report containing the following information:

1. The number of such complaints that were reported to the agency’s office of human resources;
2. Of those complaints in paragraph 1 of this subdivision, the number of reporting individuals who sought the agency’s official discrimination claim process;
3. Of those reporting individuals in paragraph 2 of this subdivision, the number of complaints processed through the agency’s official discrimination claim process;
4. Of those complaints in paragraph 3 of this subdivision, the number of complaints substantiated and respondents found responsible through the agency’s official discrimination claim process;
5. Of those complaints in paragraph 3 of this subdivision, the number of complaints not substantiated through the agency’s official discrimination claim process;
6. A description of the final disciplinary actions imposed by the agency for each substantiated complaint for which a respondent was found responsible, as provided in paragraph 4 of this subdivision, through the agency’s official discrimination claim process;
7. The number of complaints in the agency’s official discrimination claim process that were closed prior to a final determination and an explanation why; and
8. The number of complaints in the agency’s official discrimination claim process that were closed because the complaint was withdrawn by the reporting individual prior to a final determination.

c. The information required pursuant to subdivision b of this section shall be disaggregated by agency, except that agencies with 10 employees or less shall be aggregated together.

d. No report required pursuant to subdivision b of this section shall contain personally identifiable information. If any category requested contains between 1 and 5 incidents of sexual harassment claims, the number shall be replaced with a symbol.

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

Adopted by the Council (preconsidered but laid over by the Committee on Women).

Res. No. 219

Resolution calling upon the New York City Department of Education to provide school principals with the discretion to declare primary days as staff development days, specifically if they believe election operations will significantly disrupt a regular school day.

By Council Member Levine

Whereas, Primary and general elections are held in polling sites throughout New York City, with a vast majority held in school buildings; and

Whereas, Currently, schools close on election day but not during the primaries; and

Whereas, Primary voting therefore occurs with students in the school building; and

Whereas, Although a single police officer is present at polling sites as required by election law, the officer’s primary concern is to oversee voting rather than student safety; and

Whereas, Throughout the school year there are security measures in place for entering school buildings

including requiring visitors to sign in and show identification; and

Whereas, Primary day, however, allows strangers to enter the school building without such measures despite the presence of students; and

Whereas, According to a March 2014 DNAinfo New York article, a recent primary election in New York City left some parents and community leaders outraged after observing voters wander the halls and using student bathrooms; and

Whereas, In light of recent occurrences involving horrific attacks on students in various schools in our nation, security measures are being re-evaluated and strengthened in many jurisdictions; and

Whereas, Allowing students to be at school while elections occur seems to undermine the very nature of such increased security measures; and

Whereas, While civic engagement is a cornerstone of our democracy, it shouldn't come at the expense of student safety; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to provide school principals with the discretion to declare primary days as staff development days, specifically if they believe election operations will significantly disrupt a regular school day.

Referred to the Committee on Education.

Res. No. 220

Resolution calling upon the New York City Board of Elections to allow poll workers to work half-day shifts.

By Council Member Levine.

Whereas, Poll workers are currently required to report to the polling place at 5AM and remain until the polls close at 9PM, the poll site votes are tallied, all equipment is put away, and the police officer assigned onsite retains possession of the tally; and

Whereas, This translates into at least a sixteen hour work day for poll workers on Election Day; and

Whereas, There are many seniors who have worked Election Day for many years and are therefore very experienced and knowledgeable about voting procedures, but stop doing poll work because they are no longer able to withstand the long hours; and

Whereas, In general, the length of the workday reduces the New York City Board of Elections' ability to recruit the necessary number of knowledgeable poll workers, thereby creating more problems and difficulties for voters; and

Whereas, Additionally, successful recruitment will increase if populations that work or go to school part time are included in the pool of potential Election Day poll workers; and

Whereas, Productivity and efficiency would increase with shorter shifts; and

Whereas, Election Day procedures are complex and poll worker performance would improve if poll workers were trained and responsible for either opening or closing the poll site rather than doing both; and

Whereas, Furthermore, the quality of poll worker performance will improve if poll workers are not fatigued, especially after the poll site closes when the complexity of the work increases; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Board of Elections to allow poll workers to work half-day shifts.

Referred to the Committee on Governmental Operations.

Res. No. 221

Resolution calling upon the New York State Legislature and the Governor to expand the Compassionate Care Act, which legalized the medicinal use of marijuana.

By Council Member Levine.

Whereas, On July 7, 2014, New York Governor Andrew Cuomo signed into law the Compassionate Care Act (CCA), making New York the 23rd state to legalize medicinal marijuana; and

Whereas, This law recognizes and affirms progress in the medical community concerning the therapeutic value of medicinal marijuana; and

Whereas, The CCA is a historic step forward in providing vital medical assistance to New Yorkers suffering from debilitating and life-threatening medical conditions, such as cancer, HIV/AIDS, amyotrophic lateral sclerosis (ALS), Parkinson's Disease, multiple sclerosis, spinal cord damage, inflammatory bowel disease (Crohn's Disease), neuropathies, and Huntington's Disease; and

Whereas, However, the CCA has several restrictions that unnecessarily burden those in the most need from obtaining and using medicinal marijuana in an effective and timely way; and

Whereas, The CCA prohibits patients from choosing to administer their medicinal marijuana through smoking, leaving options such as edibles, oils, and vaporization up to the discretion of the New York State Department of Health (DOH); and

Whereas, DOH announced new regulations in December 2017 that would allow for the manufacturing and distribution of additional products including topicals such as ointments, lotions and patches; solid and semi-solid products, including chewable and effervescent tablets and lozenges; and certain non-smokable forms of ground plant material; and

Whereas, Administering medicinal marijuana through vapor requires the purchase of a vaporizer unit, which can cost hundreds of dollars, and thus be prohibitively expensive for patients desperately in need; and

Whereas, Smoking medicinal marijuana provides rapid and efficient delivery, according to a 2012 report authored by researchers at the Center for Medicinal Cannabis Research, University of California, San Diego, published in The Open Neurological Journal; and

Whereas, Smoking medicinal marijuana has not been proven to impair lung function, according to the Coronary Artery Risk Development in Young Adults (CARDIA) report, a twenty-year longitudinal study published in the Journal of the American Medical Association in January 2012; and

Whereas, Of the 28 other states that have legalized medicinal marijuana, Minnesota and West Virginia are the only other states to have banned smoking; and

Whereas, Based on evidence of its effectiveness and cost considerations, the CCA should be amended to allow physicians the ability to choose the method of administering medicinal marijuana, including the option of smoking it; and

Whereas, The CCA originally did not include debilitating and severe medical conditions such as post-traumatic stress disorder, Alzheimer's Disease, muscular dystrophy, dystonia, and rheumatoid arthritis, that are among the top medical conditions for which medicinal marijuana is prescribed; and

Whereas, The CCA gave DOH an 18-month period of consideration for the admission of these diseases but DOH has only added post-traumatic stress disorder from the list of reviewed conditions; and

Whereas, In 2017, chronic pain was also added to the list of conditions to qualify for medicinal marijuana; and

Whereas, While this is a positive step in the right direction, the Compassionate Care Act should be expanded immediately to include Alzheimer's Disease, muscular dystrophy, dystonia, and rheumatoid arthritis; and

Whereas, DOH originally permitted only five organizations a total of 20 dispensaries (four each) to produce and dispense medicinal marijuana to the entire geographic region of New York State, which is among the nation's largest, most densely populated state; and

Whereas, In 2017, the number of organizations and dispensaries permitted to produce and dispense medicinal marijuana was doubled, but these are being phased in over a lengthy two year period; and

Whereas, Acknowledging New York State's geographic size and population, the New York State Department of Health should increase the dispensary limit; and

Whereas, According to New York Physicians for Compassionate Care, a coalition of over 600 New York physicians, medicinal marijuana is more tightly regulated than any other medication, including more dangerous medications that are routinely prescribed; and

Whereas, Expanding the CCA will ensure patients find the relief they need by removing hurdles to obtaining a necessary medicine prescribed by their doctor; 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 expand the Compassionate Care Act, which legalized the medicinal use of marijuana.

Referred to the Committee on Health.

Int. No. 654

By Council Member Maisel.

A Local Law to amend the administrative code of the city of New York, in relation to food service establishment closures

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1506 to read as follows:

§ 17-1506 Food Service Establishment Closures. Prior to ordering the closure or cessation of operations of a food service establishment pursuant to subdivision b, c or d of section 81.39 of the health code of the city of New York, the supervisor of a food service establishment inspector must personally observe any violations identified by such food service establishment inspector as the basis for ordering such closure or cessation of operations.

§2. This local law takes effect 120 days after it becomes law, except that the commissioner may take such actions as are necessary to implement this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Preconsidered Int. No. 655

By Council Member Matteo.

A Local Law to amend the administrative code of the city of New York, in relation to evidence of unlawful dumping

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 16-119 of the administrative code of the city of New York is amended by adding a new subdivision 5 to read as follows:

(5) The department may use identifying information found in waste that has been unlawfully dumped as evidence of a violation of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Res. No. 222

Resolution calling upon the United States Congress to pass, and the President to sign S.2203/H.R.4734, known as the “Ending Forced Arbitration of Sexual Harassment Act of 2017,” which prohibits a predispute arbitration agreement from being valid or enforceable if it requires arbitration of a sex discrimination dispute

By Council Members Miller, Rose, Rosenthal, Chin, Powers, Constantinides, Kallos, Adams, Eugene, Lander, Rivera and Ayala.

Whereas, In the United States, a large number of employers tend to require their workers to sign arbitration agreements, which require that any disputes between employer and employee, including sexual harassment, be settled in private arbitration, outside of the court system; and

Whereas, The Economic Policy Institute conducted a survey on nonunion private-sector employers, finding that more than 56 percent of American workers, which equates to roughly 60.1 million workers, are subject to mandatory arbitration agreements; and

Whereas, As a result of the increased use of mandatory arbitration agreements, some estimate that more than half of American workers are not able to take sexual harassment claims to court and instead forced to use a private arbitration process; and

Whereas, The Economic Policy Institute states that mandatory arbitration agreements suppress claims, with many employees citing fear of retaliation and lack of attorney participation due to claims being harder to win and damages awarded being much lower than court-awarded damages as main causes of not reporting claims related to sexual harassment and other civil rights claims; and

Whereas, According to reports by the federal Equal Employment Opportunity Commission (EEOC), 70 percent to 90 percent of victims of sexual harassment do not formally make a complaint or file a charge with fair employment agencies, with many cases of sexual harassment being left unaddressed; and

Whereas, In light of recent high-profile cases, and the advent of the #MeToo movement, it is important to bring attention to the problem of workplace sexual harassment and mandatory arbitration agreements, while also working towards solutions to this problem; and

Whereas, Many advocates, including Gretchen Carlson, a publicly-known victim of sexual harassment in the workplace, believe that reforming arbitration laws is key to stopping sexual harassment; and

Whereas, S.2203, introduced by Senator Kirsten E. Gillibrand, and H.R.4734, introduced by Representative Cheri Bustos, will prohibit a predispute arbitration agreement from being valid or enforceable if it requires arbitration of a sex discrimination dispute; and

Whereas, This legislation would effectively increase the number of workers coming forward with claims of sexual harassment, increase attorney participation, make employers accountable for workplace sexual harassment, and make the workplace more fair, safe and equal; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign S.2203/H.R.4734, known as the “Ending Forced Arbitration of Sexual Harassment Act of 2017,” which prohibits a predispute arbitration agreement from being valid or enforceable if it requires arbitration of a sex discrimination dispute

Referred to the Committee on Civil and Human Rights.

Preconsidered Int. No. 656

By Council Member Miller.

A Local Law to amend the administrative code of the city of New York, in relation to unlawful dumping and the improper placement of discarded material

Be it enacted by the Council as follows:

Section 1. Subdivisions a and b of section 16-119 of the administrative code of the city of New York, subdivision a as amended by local law number 4 for the year 2010 and subdivision b as amended by local law number 29 for the year 1995, are amended to read as follows:

a. It shall be unlawful for any person, his or her agent, employee or any person under his or her control to suffer or permit any *amount of* dirt, sand, gravel, clay, loam, stone, rocks, rubble, building rubbish, sawdust, shavings or trade or household waste, refuse, ashes, manure, garbage, rubbish or debris of any sort or any other organic or inorganic material or thing or other offensive matter being transported in a dump truck or other vehicle to be dumped, deposited or otherwise disposed of in or upon any *sidewalk*, street, lot, park, public place, wharf, pier, dock, bulkhead, slip, navigable waterway or other area whether publicly or privately owned.

b. Any person who violates the provisions of this section *while engaged in commercial activities* shall be liable to arrest and upon conviction thereof shall be deemed guilty of a misdemeanor and shall be punished by a fine of [not less than one thousand five hundred dollars nor more than ten thousand dollars] *\$4,000 for the first offense and \$9,000 for any subsequent offense* or by imprisonment not to exceed [ninety] 90 days or by both such fine and imprisonment.

§ 2. Paragraph (1) of subdivision c of section 16-119 of the administrative code of the city of New York, as designated by chapter 500 of the laws of 1999, is amended to read as follows:

(1) Any person who violates the provisions of subdivision a of this section shall also be liable for a civil penalty of [not less than one thousand five hundred dollars nor more than ten thousand dollars] *\$4,000* for the first offense, [and not less than five thousand dollars nor more than twenty thousand dollars] *\$9,000 for the second offense within any eighteen-month period and \$18,000* for each subsequent offense *within any eighteen-month period*. In addition, every owner of a dump truck or other vehicle shall be liable for a civil penalty of [not less than one thousand five hundred dollars nor more than ten thousand dollars] *\$4,000* for the first offense [and not less than five thousand dollars nor more than twenty thousand dollars] , *\$9,000 for the second offense within any eighteen-month period and \$18,000* for each subsequent offense *within any eighteen-month period* of unlawful dumping described in subdivision a of this section by any person using or operating the [same] *dump truck or other vehicle*, in the business of such owner or otherwise, with the permission, express or implied, of such owner. *It shall not be a defense for any owner of a dump truck or other vehicle that the person using or operating the dump truck or other vehicle in violation of this section is a member of the owner's immediate family, including, but not limited to, spouse, domestic partner, sibling, child, grandchild, parent or grandparent.*

§ 3. Paragraph 2 of subdivision e of section 16-119 of the administrative code of the city of New York is amended to read as follows:

(2) In addition to any other penalties provided in this section, the interest of an owner as defined in subdivision c of this section in any vehicle impounded pursuant to paragraph (1) of this subdivision shall be subject to forfeiture upon notice and judicial determination thereof if such owner (i) has been convicted of or found liable for a violation of this section in a civil or criminal proceeding or in a proceeding before the environmental control board [three] *two* or more times, [all] *both* of which violations were committed within an eighteen month period or (ii) has been convicted of or found liable for a violation of this section in a civil or criminal proceeding or in a proceeding before the environmental control board if the material unlawfully dumped is a material identified as a hazardous waste or an acute hazardous waste in regulations promulgated pursuant to section 27-0903 of the environmental conservation law.

§ 4. Subdivisions e and f of section 16-120 of the administrative code of the city of New York, as amended by local law number 42 for the year 2007, are amended to read as follows:

e. No person shall deposit household or commercial refuse or liquid wastes in a public litter basket placed on the streets by the department or any other person *or in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, bulkhead, slip, navigable waterway or other area whether publicly or privately owned, except in accordance with rules of the department relating to collection (i) by the department or (ii) by a private carter that is required to be licensed or registered pursuant to chapter 1 of title 16-A of the code*. There shall be a rebuttable presumption that the person whose name, or other identifying information, appears on any household or commercial refuse or liquid wastes deposited in such public litter basket *or in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, bulkhead, slip, navigable waterway or other area whether publicly or privately owned* violated this subdivision.

f. Any person violating the provisions of this section, except subdivision e, shall be liable for a civil penalty of not less than [twenty-five] \$25 nor more than [one hundred dollars] \$100 for the first violation, not less than [one hundred dollars] \$100 nor more than [two hundred dollars] \$200 for a second violation within any twelve-month period, and not less than [two hundred dollars] \$200 nor more than [three hundred dollars] \$300 for a third or subsequent violation [with] *within* any twelve-month period. Any person violating the provisions of subdivision e of this section shall be liable for a civil penalty of [not less than one hundred dollars nor more than three hundred dollars] \$100 for the first violation, [not less than two hundred fifty dollars nor more than three hundred fifty dollars] \$250 for a second violation within any twelve-month period, and [not less than three hundred fifty dollars nor more than four hundred dollars] \$350 for a third or subsequent violation within any [twelve month] *twelve-month* period.

§ 5. Subdivision h of section 16-120 of the administrative code of the city of New York, as amended by local law number 1 for the year 2003, is amended to read as follows:

h. In the event that a person fails to answer such notice of violation within the time provided therefor by the environmental control board, that person shall become liable for additional penalties. The additional penalties shall [not exceed three hundred dollars] *be* \$300 for each violation.

§ 6. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Preconsidered Int. No. 657

By Council Member Powers.

A Local Law to amend the administrative code of the city of New York, in relation to expanding sexual harassment protections to all employees

Be it enacted by the Council as follows:

Section 1. Subdivision 5 of section 8-102 of the administrative code of the city of New York is amended to read as follows:

5. For purposes of subdivisions one, two, three, eleven-a, twenty-two, subparagraph one of paragraph a of subdivision twenty-one, and paragraph e of subdivision twenty-one of section 8-107 of this chapter, the term "employer" does not include any employer with fewer than four persons in his or her employ, *provided, however, that in an action for unlawful discriminatory practice based on a claim of gender-based harassment pursuant to subdivision one of section 8-107, the term "employer" shall include any employer, including those with fewer than four persons in their employ.* For purposes of this subdivision, natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers shall be counted as persons in the employ of such employer.

§ 2. Section 8-102 of the administrative code of the city of New York, as added by local law number 63 for the year 2018, is amended to read as follows:

Employer. For purposes of subdivisions 1, 2, 3, 11-a, and 22, subparagraph 1 of paragraph a of subdivision 21, and paragraph e of subdivision 21 of section 8-107, the term "employer" does not include any employer with fewer than four persons in the employ of such employer, *provided however, that in an action for unlawful discriminatory practice based on a claim of gender-based harassment pursuant to subdivision one of section 8-107, the term "employer" shall include any employer, including those with fewer than four persons in their employ.* For purposes of this definition, natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers shall be counted as persons in the employ of such employer.

§ 3. Section 1 of this local law takes effect immediately. Section 2 of this local law takes effect on the same effective date as section 3 of local law number 63 for the year 2018.

Referred to the Committee on Civil and Human Rights (preconsidered but laid over by the Committee on Civil and Human Rights).

Preconsidered Int. No. 658

By The Public Advocate (Ms. James)

A Local Law to amend the administrative code of the city of New York, in relation to abating rodents as a requirement for the issuance of certain construction permits

Be it enacted by the Council as follows:

Section 1. Article 105 of chapter 1 of title 28 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to add a new 28-105.2.3 to read as follows:

§ 28-105.2.3 *Rodent abatement. No new building or alteration permit for a site located in a rat mitigation zone designated by the department of health and mental hygiene shall be issued or renewed unless the applicant demonstrates that glue traps, rodenticidal bait or other rodent abatement measures approved by the department of health and mental hygiene have been taken at such site. Such measures shall be maintained for the duration of work under such permit.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings and the commissioner of health and mental hygiene may take any actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Preconsidered Int. No. 659

By Council Member Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to rat mitigation progress in rat mitigation zones

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 17-133.3 to read as follows:

§ 17.133.3. *Rat Mitigation. Annually no later than September 1 in each year, the department shall submit, and make publicly available online, a report to the mayor and the speaker of the city council on the progress of rat mitigation in rat mitigation zones designated by such department. Such report shall include, but need not be limited to:*

a. The metrics that the department is using to measure the efficacy of rat mitigation in such zones and the department's performance with respect to those metrics;

b. An overview of current and planned rat mitigation programs, including goals and specific benchmarks and timelines, in each rat mitigation zone;

c. Explanations of the creation or elimination of rat mitigation zones or change of boundaries of a rat mitigation zone since the last report.

d. Explanations of the elimination or limitations of certain rat mitigation measures in rat mitigation zones.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Preconsidered Int. No. 660

By Council Member Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to making improvements to clarify and strengthen the human rights law

Be it enacted by the Council as follows:

Section 1. Section 8-101 of the administrative code of the city of New York, as amended by local law number 119 for the year 2017, is amended to read as follows:

In the city of New York, with its great cosmopolitan population, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of their actual or perceived differences, including those based on race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, caregiver status, uniformed service, any lawful source of income, status as a victim of domestic violence or status as a victim of sex offenses or stalking, whether children are, may be or would be residing with a person or conviction or arrest record. The council hereby finds and declares that prejudice, intolerance, bigotry, and discrimination, bias-related violence or harassment and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the institutions and foundation of a free democratic state. *The council further finds and declares that sexual or gender-based harassment, which can include unwanted sexual advances or requests for sexual favors, threatens the terms, conditions and privileges of employment.* A city agency is hereby created with power to eliminate and prevent discrimination from playing any role in actions relating to employment, public accommodations, and housing and other real estate, and to take other actions against prejudice, intolerance, bigotry, discrimination, *sexual harassment* and bias-related violence or harassment as herein provided; and the commission established hereunder is hereby given general jurisdiction and power for such purposes.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights (preconsidered but laid over by the Committee on Civil and Human Rights).

Int. No. 661

By Council Member Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of finance to report on motor vehicles removed to satisfy an outstanding judgment for parking violations

Be it enacted by the Council as follows:

Section 1. Section 19-212 of chapter 2 of title 19 of the administrative code of the city of New York, as amended by local law number 63 for the year 2005, is amended to read as follows:

a. Notwithstanding any other provision of law, a motor vehicle shall not be removed from any street or other public area solely for the purpose of satisfying an outstanding judgment or judgments for parking violations against the owner unless the total amount of such judgment or judgments, including interest, is greater than three hundred fifty dollars. The provisions of this section shall not be construed to prohibit the removal of a motor vehicle which is illegally parked, stopped or standing.

b. No later than January 15 and July 15 of each year, the department shall submit to the speaker of the council and post on its website a report on motor vehicles removed pursuant to subdivision a of this section. The report due no later than January 15 shall cover the period of July 1 through December 31 of the prior calendar year and the report due no later than July 15 shall cover the period of January 1 through June 30 of the current calendar year. Such report shall be provided in a non-proprietary format that permits automated processing and shall include, but not be limited to, the following information for each motor vehicle removed:

- 1. the date of removal;*
 - 2. the location from which the motor vehicle was removed;*
 - 3. the council district from which the motor vehicle was removed;*
 - 4. the amount of the outstanding judgment or judgments for parking violations that led to the removal of the motor vehicle;*
 - 5. whether the motor vehicle had been booted prior to being removed;*
 - 6. whether the motor vehicle was redeemed or sold at auction; and*
 - 7. any other information deemed relevant by the department.*
- §2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 662

By Council Member Rose.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a minimum curb height before planting new trees in front of residential properties

Be it enacted by the Council as follows:

Section 1. Section 18-106 of the administrative code of the city of New York is amended to read as follows:
 § 18-106. Tree planting; permission of commissioner of transportation.

a. In performing the duties required by sections 18-104 and 18-105 [of this title], the commissioner shall not make openings or excavations in any street for the purpose of planting or cultivating trees, without having first obtained the written approval of the commissioner of transportation nor shall any tree be so planted as to permanently interfere with the ordinary usage of the street, nor shall the planting be performed in any case so as to injure or impair any sewer, drain, water pipe, or other structure erected by legal authority.

b. The commissioner may not plant any tree adjacent to a curb unless the commissioner has received a written confirmation from the department of transportation that the curb meets an appropriate minimum curb height, to be determined by the commissioner of transportation.

§ 2. Section 19-147 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. Whenever any tree is planted adjacent to a curb, the curb must meet an appropriate minimum height, to be determined by the commissioner by rule. The department may create exceptions for bioswales or where necessary. The department shall ensure that appropriate curb heights are maintained whenever the department of parks and recreation takes up and restores any pavement, sidewalk, curb or gutter in any street for the planting of new trees.

§ 3. This local law takes effect 90 days after it becomes law, except that the commissioner may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation.

Preconsidered Int. No. 663

By Council Member Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to the statute of limitations for filing certain harassment claims arising under the city human rights law

Be it enacted by the Council as follows:

Section 1. Subdivision (e) of section 8-109 of the administrative code of the city of New York, as amended by local law number 11 for the year 1993, is amended to read as follows:

(e) The commission shall not have jurisdiction over any complaint that has been filed more than one year after the alleged unlawful discriminatory practice or act of discriminatory harassment or violence as set forth in chapter six of this title occurred; *provided, however, that the commission shall have jurisdiction over a claim of harassment based on unwelcome conduct that intimidates, interferes with, oppresses, threatens, humiliates or degrades a person based in whole or in part on such person's gender if such claim is filed within three years after the alleged harassing conduct occurred.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights (preconsidered but laid over by the Committee on Civil and Human Rights).

Preconsidered Int. No. 664

By Council Member Rosenthal.

A Local Law in relation to climate surveys and action plans to combat sexual harassment

Be it enacted by the Council as follows:

Section 1. Sexual harassment climate surveys. a. Definitions. For purposes of this local law, the term "agency" has the same meaning as such term is defined in section 385 of the New York city charter.

b. The commission on human rights, in consultation with the department of citywide administrative services, shall develop a climate survey to assess the general awareness and knowledge of workplace sexual harassment policies and prevention at city agencies, including employee experience with and knowledge of reporting. In addition, such survey shall include questions, that may be completed in full or in part, at the discretion of the employee respondent, including race, ethnicity, gender, sexual orientation and age of the employee. The commission shall use such survey to assess each agency regarding the following:

(1) The extent that employees are familiar with the sexual harassment policy of such agency they are employed by or assigned to;

(2) The extent that employees are knowledgeable about where they can get help, such as filing a complaint or accessing support services, if they believe that they were sexually harassed;

(3) The extent that employees are knowledgeable about how to file a formal complaint with the commission or at their agency about sexual harassment or related misconduct to initiate a disciplinary procedure;

(4) The extent that employees are knowledgeable about the process that occurs after an employee has filed a complaint of sexual harassment or related misconduct;

(5) For supervisory and managerial employees, the extent that such employees are knowledgeable about their responsibilities with respect to the prevention of sexual harassment and retaliation as such conduct is prohibited by the city's human rights law;

(6) For supervisory and managerial employees, the extent that such employees are knowledgeable about measures that such employee may take to appropriately address sexual harassment complaints;

(7) Whether employees have witnessed or experienced sexual harassment, as described by local law, at their agency of employment or at an agency sanctioned event;

(8) Whether employees feel that their current workplace is safe and free from sexual harassment or retaliation;

(9) Whether employees believe that their current workplace or their agency of employment protects the rights of its employees to pursue their duties in a respectful workplace;

(10) Whether employees believe that their current workplace or their agency of employment ensures that all employees are protected from workplace harassment and ensures that all employees are treated equally and fairly;

(11) Whether employees believe that their current workplace or their agency of employment takes steps to prevent incidents of sexual harassment or retaliation;

(12) Whether employees believe that their current workplace or their agency of employment takes seriously and investigates claims of sexual harassment; and

(13) Whether employees believe that current workplace or their agency of employment adequately responds to those who report incidences of sexual harassment and ensures that services are provided to those individuals.

c. The commission shall make the climate survey available to all agencies for dissemination to agency employees on or before July 31, 2018. Agencies shall ensure that each employee receives such climate survey and are advised that such climate survey is not mandatory or required as part of such employee's job. Agencies shall take steps to ensure that the assessment remains anonymous and that no individual employee is personally identified.

d. No later than December 31, 2018, the commission shall prepare and submit to the mayor and the speaker a report with the results of the climate survey prepared pursuant to subdivision b of this section. Any agency may provide additional information to the commission in preparation of each such report. Such additional information may include prior relevant reports or underlying data that can provide context to the results of such agency's climate assessment, including an assessment of risk factors associated with sexual harassment within such agency.

e. No later than December 31, 2019, the department of citywide administrative services shall work with each agency to develop an action plan to address the results of each agency's climate survey including but not limited to:

(1) Identifying any issues at such agency identified by the climate survey required by subdivision a and outlining what steps such agency will take to address and cure those issues; and

(2) Incorporating the recommendations of the report issued pursuant to subdivision d of this section.

f. After each agency develops and implements an action plan pursuant to subdivision e, and no later than January 31, 2020, each agency shall redistribute the climate survey required by subdivision b to each agency employee. The commission shall produce a report to the mayor and the speaker on or before December 31, 2021 with the results of the climate survey prepared pursuant to this subdivision.

§ 2. This local law takes effect 90 days after it becomes law and is deemed repealed one year after the submission of the report due pursuant to subdivision f.

Referred to the Committee on Women (preconsidered but laid over by the Committee on Women).

Int. No. 665

By Council Member Torres.

A Local Law to amend the administrative code of the city of New York, in relation to the receipt of rental assistance payments

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 21-140 to read as follows:

§ 21-140 *Rental assistance payments. a. Definitions. For the purposes of this section, the term “rental assistance payments” means payments made by the department to landlords on behalf of tenants pursuant to programs administered by the department.*

b. The department shall provide landlords the option to accept rental assistance payments via an electronic transfer into a bank account.

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

Referred to the Committee on General Welfare.

Int. No. 666

By Council Member Torres.

A Local Law to amend the administrative code of the city of New York, in relation to requiring information on the timeliness of city-funded rental payments

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 21-140 to read as follows:

§ 21-140 *Rental assistance payments. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Rental assistance payments. The term “rental assistance payments” means payments made by the department to landlords on behalf of tenants pursuant to programs administered by the department.

Scheduled payment date. The term “scheduled payment date” means the date the department has informed tenants that rental assistance payments will be sent by the department to landlords on behalf of such tenants.

b. The department shall submit to the speaker of the council and post on its website quarterly reports on the timeliness of rental assistance payments. The first such report shall be due 30 days following the end of the calendar quarter covering October 1, 2018 to December 31, 2018, and all subsequent reports shall be due 30 days following the last day of each succeeding calendar quarter. Such reports shall include, but not be limited to, the following information:

1. The total number of rental assistance payments sent disaggregated by month and rental assistance program;

2. The number of rental assistance payments sent after the scheduled payment date, disaggregated by the reasons such payments were late; and

3. A description of the actions the department will take to ensure rental assistance payments are consistently made on or before the scheduled payment date.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Preconsidered Int. No. 667

By Council Member Torres.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services and the department of homeless services to refer individuals receiving opioid antagonists for additional services

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 21-129.1 to read as follows:

§ 21-129.1 Referral of additional services. a. Definitions. For the purposes of this section, the term “HASA facility” means single room occupancy hotels or congregate facilities managed by a provider under contract or similar agreement with the department.

b. The department shall refer any individual who received an opioid antagonist to combat the effects of an opioid overdose occurring within a HASA facility to appropriate service providers for appropriate additional services.

Section 2. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-323 to read as follows:

§ 21-323 Referral of additional services. a. Definitions. For the purposes of this section, the term “shelter” means temporary emergency housing provided to homeless individuals by the department or by a provider under contract or similar agreement with the department.

b. The department shall refer any individual who received an opioid antagonist to combat the effects of an opioid overdose occurring within a shelter to appropriate service providers for appropriate additional services.

§ 3. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Mental Health, Disabilities and Addiction (preconsidered but laid over by the Committee on Mental Health, Disabilities and Addiction).

Preconsidered Int. No. 668

By Council Member Torres.

A Local Law to amend the administrative code of the city of New York, in relation to overdose prevention and reversal training

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 17-180.1 to read as follows:

§ 17-180.1 Overdose Prevention and Reversal Training. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Opioid. The term “opioid” means an opiate as defined in section 3302 of the public health law.

Opioid antagonist. The term “opioid antagonist” means naloxone, naran or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

b. The department shall offer overdose prevention and reversal training to the general public. Such training shall include:

1. How to recognize an opioid overdose; and

2. How to properly administer common opioid antagonists to reverse an opioid overdose.

c. The department shall develop a public awareness strategy to inform the public of the existence of such trainings and the danger of opioid addiction and abuse.

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

Referred to the Committee on Mental Health, Disabilities and Addiction (preconsidered but laid over by the Committee on Mental Health, Disabilities and Addiction).

Preconsidered Int. No. 669

By Council Member Torres.

A Local Law to amend the charter of the city of New York, in relation to requiring the municipal drug strategy advisory council to report on opioid antagonist distribution

Be it enacted by the Council as follows:

Section 1. Paragraph b of section 20-c of the New York city charter, as added by local law number 48 for the year 2017, is amended to read as follows:

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[.]; *and*

7. *Data on the projected number of opioid antagonists needed by all relevant city agencies, the actual number of opioid antagonists distributed to all relevant city agencies and the number of opioid antagonists distributed to registered opioid overdose prevention programs citywide.*

§ 2. This local law takes immediately.

Referred to the Committee on Mental Health, Disabilities and Addiction (preconsidered but laid over by the Committee on Mental Health, Disabilities and Addiction).

Int. No. 670

By Council Members Torres and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information regarding the use of limited access letters

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

*CHAPTER 21
REPORTING ON LIMITED ACCESS LETTERS*

§ 21-988 Reporting on limited access letters.

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

Limited access letter. The term "limited access letter" means a document issued by a superintendent, principal, or other employee of the department to a parent of a student that restricts such parent's access to such student's school.

Student. The term "student" means any pupil under the age of 21 as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school of the city school district of the city of New York.

b. Not later than August 31, 2018, and annually thereafter on or before August 31, the department shall submit to the speaker of the council and post conspicuously on the department's website a report that shall include but not be limited to the following:

1. A description of the department's policy for issuing limited access letters;

2. A description of the department's process for allowing a parent to challenge or appeal the issuance of a limited access letter;

3. The number of limited access letters issued during the prior school year, disaggregated by (i) student race and ethnicity; (ii) student gender; (iii) student special education status; (iv) student English language learner status; (v) student eligibility for the free and reduced price lunch program; (vi) parent race and ethnicity; (vii) parent gender; (viii) primary language of parent; (ix) community school district; and (x) grade level.

c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between one and five students, or contains an amount that would allow the amount of another category that is five or less to be deduced, the number shall be replaced with a symbol.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 671

By Council Members Treyger, Chin and Miller.

A Local Law in relation to establishing a task force on the cost of taking civil service exams for the first time

Be it enacted by the Council as follows:

Section 1. Civil service examination fee task force. a. Definitions. For purposes of this section, the following terms have the following meanings:

City. The term "city" means the city of New York.

Commissioner. The term "commissioner" means the commissioner of the department of citywide administrative services.

Department. The term "department" means the department of citywide administrative services.

State. The term "state" means the state of New York.

b. There shall be a civil service examination fee task force consisting of the commissioner, who shall serve as chairperson; the director of management and budget for the city; one member to be appointed by the mayor,

who is an appropriate department employee with experience in developing civil service examinations or setting civil service examination fees; and one member to be appointed by the speaker of the council, who is a representative of a labor union that represents civil service employees.

c. Each member of the task force shall serve without compensation for a term of 12 months, to commence after the final member of the task force is appointed. All members shall be appointed within 60 days after the effective date of this local law.

d. No appointed member of the task force shall be removed except for cause by the appointing authority. In the event of a vacancy on the task force during the term of an appointed member, a successor shall be selected in the same manner as the original appointment to serve the balance of the unexpired term.

e. The commissioner may designate a person to serve in the commissioner's place on the task force, and such designee shall be counted as a member for the purpose of determining the existence of a quorum and may vote on behalf of the commissioner. The director of management and budget may also designate a person to serve in the director's place on the task force, who shall be counted as a member for the purpose of determining the existence of a quorum and may vote on behalf of the director of management and budget.

f. The task force shall meet at least quarterly and shall hold at least two public meetings prior to the submission of the cost analysis report and report of recommendations required pursuant to subdivisions h and i of this section to solicit public comment on the impact of civil service examination application fees on first-time applicants and how to mitigate the relevant costs.

g. The mayor may designate one or more agencies to provide staffing and other administrative support to the task force.

h. No later than 12 months after the final member of the task force is appointed, the task force shall submit to the mayor and the speaker of the council a cost analysis report concerning the number of people taking, for the very first time, a civil service examination administered by the department and the relevant examination fees. Such a report shall include, but need not be limited to, the following information:

1. A comprehensive listing of each individual taking a civil service examination for the very first time, with the name of each individual replaced with a symbol to ensure anonymity, the title of the civil service examination for which each such individual registered and the related civil service examination fee that each such individual paid, for each year in the 2014 to 2018 time period;

2. The total number of individuals per year taking a civil service examination for the very first time, for each year in the 2014 to 2018 time period; and

3. The cumulative cost of first-time civil service examination application fees per year, as calculated by adding the civil service examination application fees paid by individuals taking a civil service examination for the very first time and any surcharges applied for using a payment card, for each year in the 2014 to 2018 time period.

i. No later than 12 months after the final member of the task force is appointed, the task force shall also submit to the mayor and the speaker of the council a report of its recommendations to mitigate costs for individuals taking a civil service examination for the very first time. In developing such recommendations, the task force shall also consider the relevance, usefulness and feasibility of the following options:

1. Calling upon the state to amend its civil service laws to require the municipal civil service commission of the city to waive the relevant fees for individuals taking a civil service examination for the very first time;

2. Instituting a reimbursement program through the city budget to cover the relevant fees for individuals taking a civil service examination for the very first time, or having the city subsidize such fees in some other way; and

3. Any other options the task force deems relevant to mitigating costs for individuals taking a civil service examination for the very first time.

j. The civil service examination fee task force shall dissolve upon submission of the cost analysis report and report of recommendations required pursuant to subdivisions h and i of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil Service and Labor.

Int. No. 672

By Council Members Treyger, Chin and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide information about the department of citywide administrative services civil service examinations to students

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

*CHAPTER 21
DISTRIBUTION OF INFORMATION REGARDING CIVIL SERVICE EXAMINATIONS*

§ 21-988 Distribution of information regarding civil service examinations administered by the department of citywide administrative services. a. Definitions. For purposes of this section, the term “school” means a school of the city school district of the city of New York.

b. No later than June 1, 2019, and annually thereafter no later than June 1 of each year, the department shall distribute to each school, for distribution to every student of such school who will be graduating from high school in that school year, the following information in writing, in hard copy or electronically if distribution of other similar documents occurs electronically, using plain and simple language:

1. General information about the city’s civil service process, including the related hiring system, typical test parts for civil service examinations and the scoring process for such examinations;

2. The title of each upcoming civil service examination that is open to high school graduates, along with the relevant job descriptions and the relevant salaries;

3. The testing period for each such civil service examination and the related application and scheduling period, with a note that exact dates and times for both periods are usually released online each month;

4. Applicable fees for each such civil service examination;

5. A link to the online application system for civil service examinations;

6. A link to the civil service examination information page of the department of citywide administrative services website, with a note that this online page contains additional and up-to-date information about examination locations and timing and job eligibility requirements; and

7. Any other information that the department deems relevant.

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

Referred to the Committee on Education.

Int. No. 673

By Council Members Treyger, Adams and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to requiring each police precinct to have a licensed social worker.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-175 to read as follows:

§ 14-175 Social workers at precincts. The department shall have a licensed clinical social worker located at every precinct. Such social workers shall be available at the precinct twenty four hours a day and every day of the week.

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

Referred to the Committee on Public Safety.

Int. No. 674

By Council Members Ulrich, Borelli, Cohen, Holden, Vallone, Cabrera, Lancman, Torres, Moya and Kallos.

A Local Law in relation to reducing apprenticeship program directive requirements

Be it enacted by the Council as follows:

Section 1. By March 1, 2019, the mayor's office of contract services, in consultation with any other relevant agencies or offices, shall reduce the threshold value for individual construction contracts and construction-related maintenance contracts covered by the apprenticeship program directive issued by the mayor's office of contract services on May 21, 2015 to \$1,000,000, pursuant to approval by the New York State department of labor.

§ 2. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 675

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to appropriation of funds for the capital needs of the library systems.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The council finds that the public libraries of the city provide critical educational, cultural, and technological resources to the citizens of the city. The council further finds that public libraries suffer from inadequate capital funding, despite the growing needs of the library systems such as major infrastructure needs at library branches, combined with increased circulation and program attendance numbers. The council finds that despite being valuable assets to neighborhoods in the city, public libraries are not guaranteed consistent funding to cover basic building needs. The council further finds that an equitable means to remedy this problem is to allocate a portion of the city's capital budget to ensure that the libraries have sufficient funds to meet their expanding capital needs.

§2. Chapter 1 of title 5 of the administrative code of the city of New York is amended by adding a new section 5-108 to read as follows:

§5-108 Items to be included in annual budget. a. Upon agreement between the mayor and the council, a sum representing five percent of the capital budget assessed each fiscal year shall be appropriated for the capital projects of the library systems.

§3. This local law takes effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 676

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to the investigating, reviewing, studying, and auditing of and making of recommendations relating to the operations, budget, and staffing of the New York Public Library, the Brooklyn Public Library and the Queens Public Library by the commissioner of investigation

Be it enacted by the Council as follows:

Section 1. Section 803 of chapter 34 of the New York city charter, as amended by local law 165 of 2016, is amended by adding a new subdivision d, re-lettering current subdivisions d through f as new subdivisions e through g, and amending re-lettered subdivision e to read as follows:

d. The commissioner shall, on an ongoing basis, investigate, review, study, audit and make recommendations relating to the operations, budget, and staffing of the New York Public Library, the Brooklyn Public Library and the Queens Public Library.

[d]e. 1. The commissioner shall, immediately upon appointment of the individual described in paragraph 2 of this subdivision, in addition to the investigatory work done in the normal course of the commissioner's duties, on an ongoing basis, conduct system-wide investigations, reviews, studies, and audits, and make recommendations regarding system-wide operations, policies, programs, and practices of the department of correction, with the goal of improving conditions in city jails, including but not limited to, reducing violence in departmental facilities, protecting the safety of departmental employees and inmates, protecting the rights of inmates, and increasing the public's confidence in the department of correction. The commissioner may consider, in addition to any other information the commissioner deems relevant, information regarding civil actions filed in state or federal court against individual correction officers or the city regarding the department of correction, notices of claim received by the comptroller filed against individual correction officers or the city regarding the department of correction, settlements by the comptroller of claims filed against individual correction officers or the city regarding the department of correction, complaints received and investigations conducted by the board of correction, complaints received and any investigations regarding such complaints conducted by the department of correction, complaints received pursuant to section 804, and any criminal arrests or investigations of individual correction officers known to the department of investigation in its ongoing review of the department of correction.

2. No later than 90 days after the effective date of the local law that added this subdivision, the commissioner shall appoint an individual responsible for implementing the duties described in paragraph 1 of this subdivision and shall report to the council regarding the identity and qualifications of such individual, the number of personnel assigned or to be hired to assist such individual as deemed necessary by the commissioner, and the details of the management structure covering them. In the event such individual is removed or resigns, the commissioner shall replace such individual within 90 days of such removal or resignation and shall provide notification of such replacement, and the identity and qualifications of the new individual responsible for overseeing the implementation of the duties described in paragraph 1 of this subdivision.

3. No officer or employee of an agency of the city shall take any adverse personnel action with respect to another officer or employee in retaliation for such person making a complaint to, disclosing information to, or responding to queries from the commissioner pursuant to activities undertaken pursuant to paragraph 1 of this subdivision unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity. Any officer or employee who believes he or she has been retaliated against in violation of this subdivision may report such action to the commissioner as provided for in subdivision c of section 12-113 of the administrative code.

4. The department's website will provide a link for individuals to report any problems and deficiencies relating to the department of correction's operations, policies, programs and practices. Individuals making such reports will not be required to provide personally identifying information.

5. *For any investigation, review, study, or audit made pursuant to subdivision d of this section, the commissioner shall prepare a written report or statement of findings and shall forward a copy of such report or*

statement to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library upon completion. Within ninety days of receiving such report or statement, each such president shall provide a written response to the commissioner, the mayor, and the council. Each such written report or statement, along with a summary of its findings, as well as the reports described in paragraph 6 of this subdivision, shall be posted on the department's website in a format that is searchable and downloadable and that facilitates printing no later than 10 days after it is delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library. All such reports, statements, and summaries so posted on the department's website shall be made easily accessible from a direct link on the homepage of the website of the department.

6. In addition to the written reports and statements of findings to be delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library pursuant to paragraph 5 of this subdivision, the department shall submit quarterly report on the activities undertaken pursuant to subdivision d of this section. The first quarterly summary report required by this paragraph shall be completed and delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library by October 31, 2018. Subsequent reports shall be submitted by January 31, 2019, April 30, 2019, and July 31, 2019 and shall be submitted to the mayor and the council by these four days each year.

[e]f. 1. For any investigation made pursuant to subdivision a or b of this section, the commissioner shall prepare a written report or statement of findings and shall forward a copy of such report or statement to the requesting party, if any. In the event that any matter investigated, reviewed, studied, or audited pursuant to this section involves or may involve allegations of criminal conduct, the commissioner, upon completion of the investigation, review, study, or audit, shall also forward a copy of his or her written report or statement of findings to the appropriate prosecuting attorney, or, in the event the matter investigated, reviewed, studied, or audited involves or may involve a conflict of interest or unethical conduct, to the conflicts of interest board.

2. For any investigation, review, study, or audit made pursuant to paragraph 1 of subdivision c or any investigation, review, study, or audit undertaken to examine system-wide operations, policies, programs, and practices made pursuant to paragraph 1 of subdivision d of this section, the commissioner shall prepare a written report or statement of findings and, upon completion, shall forward a copy of such report or statement to the mayor, the council, and either the commissioner of correction or the police commissioner, as applicable. Within 90 days of receiving such report or statement, the police commissioner or commissioner of correction, as applicable, shall provide a written response to the commissioner, the mayor, and the council. Each such written report or statement, along with a summary of its findings, as well as the reports described in paragraph 3 of this subdivision, shall be posted on the department's website in a format that is searchable and downloadable and that facilitates printing no later than 10 days after it is delivered to the mayor, the council, and either the department of correction or the police department, as applicable. The commissioner may redact such report or statement as necessary to preserve safety and security in the facilities under the control of the department of correction. All such reports, statements, and summaries so posted on the department's website shall be made easily accessible from a direct link on the homepage of the website of the department.

3. In addition to the reports and statements of findings to be delivered to the mayor, the council, the commissioner of correction, and the police commissioner pursuant to paragraph 2 of this subdivision, there shall be an annual summary report on the activities undertaken pursuant to paragraph 1 of subdivision c and paragraph 1 of subdivision d of this section containing the following information: (a) a description of all significant findings from the investigations, reviews, studies, and audits conducted in the preceding year; (b) a description of the recommendations for corrective action made in the preceding year; (c) an identification of each recommendation described in previous annual reports on which corrective action has not been implemented or completed; and (d) the number of open investigations, reviews, studies, or audits that have been open, as of the close of the preceding calendar year, for a time period of (1) six months up to and including one year, (2) more than one year up to and including two years, (3) more than two years up to and including three years, and (4) more than three years. The annual summary report required by this paragraph relating to the police department shall be completed and delivered to the mayor, the council, and the police commissioner on April 1, 2015 and every April 1 thereafter. The annual summary required by this paragraph relating to the department of correction shall be completed and delivered to the mayor, the council, and the commissioner of correction on April 1 beginning in 2018.

[f]g. The jurisdiction of the commissioner shall extend to any agency, officer, or employee of the city, or any person or entity doing business with the city, or any person or entity who is paid or receives money from or through the city or any agency of the city.

[g]h. The commissioner shall forward to the council and to the mayor a copy of all reports and standards prepared by the corruption prevention and management review bureau, upon issuance by the commissioner.

§ 2. This law shall take effect immediately upon enactment.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 677

By Council Member Van Bramer.

A Local Law to amend the New York city charter, in relation to cultural liaisons.

Be it enacted by the Council as follows:

Section 1. Chapter 67 of the New York city charter is amended by adding a new section 2508 to read as follows:

§ 2508. *Cultural liaisons. a. For purposes of this section, “cultural liaison” means at least one individual designated by a city agency to advise such city agency on how best to facilitate arts programming and collaboration with cultural institutions.*

b. Every city agency shall designate, at a minimum, one individual to serve as a cultural liaison. Such cultural liaisons shall coordinate with the department and incorporate the arts into city agencies.

c. Every city agency shall establish a plan to delineate the responsibilities of the cultural liaisons. Such plan shall include, but not be limited to, a mechanism for the cultural liaison to invite input from local arts organizations, members of the arts community, representatives of cultural institutions, elected officials, community planning board members, and other concerned members of the community. Within 90 days of the effective date of the local law that added this section, every city agency shall submit to the speaker of the city council and the commissioner such plan.

d. There shall be in the department a liaison whose duties shall include, but shall not be limited to encouraging and facilitating the development of cultural programming in New York city housing authority developments and to interact with cultural liaisons in other agencies. The department shall post on its website the name of the person designated to act as such liaison. All city agencies are directed to cooperate with such liaison, to help coordinate and promote cultural activities in the city.

e. There shall be in the department a liaison whose duties shall include, but shall not be limited to encouraging and facilitating the development of cultural and artistic programming in New York city public schools at the discretion of the chancellor of education and in consultation with the department of education. The department shall post on its website the name of the person designated to act as such liaison.

§ 2. This local law shall take effect 90 days following its enactment into law.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 678

By Council Member Van Bramer.

A Local Law to amend the New York city charter, in relation to members of the art commission.

Be it enacted by the Council as follows:

Section 1. Subdivision a of Section 851 of the New York city charter is amended to read as follows:

a. There shall be an art commission the members of which shall be the mayor, who may appoint a person to represent him and replace such representative at his pleasure, the president of the Metropolitan Museum of Art, the president of the New York Public Library (Astor, Lenox and Tilden foundations), *the president of the Brooklyn Public Library, the president of the Queens Public Library*, the president of the Brooklyn Museum, one painter, one sculptor, one architect, and one landscape architect, all of whom shall be residents of the city, and three other residents of the city no one of whom shall be a painter, sculptor, architect, landscape architect or active member of any other profession in the fine arts.

§ 2. This local law shall take effect 90 days following its ratification by the voters of New York city in a referendum to be held in the general election next following its enactment.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 679

By Council Member Van Bramer.

A Local Law to amend the New York city charter, in relation to members of the art commission.

Be it enacted by the Council as follows:

Section 1. Subdivision a of Section 851 of the New York city charter is amended to read as follows:

a. There shall be an art commission the members of which shall be the mayor, who may appoint a person to represent him and replace such representative at his pleasure, *the speaker of the city council or the speaker's representative*, the president of the Metropolitan Museum of Art, the president of the New York Public Library (Astor, Lenox and Tilden foundations), the president of the Brooklyn Museum, one painter, one sculptor, one architect, and one landscape architect, all of whom shall be residents of the city, and three other residents of the city no one of whom shall be a painter, sculptor, architect, landscape architect or active member of any other profession in the fine arts.

§ 2. This local law shall take effect 90 days following its ratification by the voters of New York city in a referendum to be held in the general election next following its enactment.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 680

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to appropriation of funds for the operation and maintenance of the library systems

Be it enacted by the Council as follows:

Section 1. Section 5-509 of the administrative code of the city of New York is amended by adding a new subdivision 7 to read as follows:

7. *Upon agreement between the mayor and the council, a sum representing two and one-half percent of the real property tax revenue assessed each fiscal year shall be appropriated to the operation and maintenance of the library systems.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 681

By Council Members Van Bramer and Brannan.

A Local Law in relation to increasing penalties for repeated violations of unlawful parking on a sidewalk or crosswalk

Be it enacted by the Council as follows:

Section 1. The commissioner of finance shall implement a schedule of graduated penalties for repeat violations of rules promulgated pursuant to sections 1200 to 1203 of the vehicle and traffic law prohibiting stopping, standing or parking a vehicle on a sidewalk or crosswalk. The schedule of graduated penalties shall include double penalties for a second violation within one year of any first violation and triple penalties for a third violation within two years of the first violation.

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 682

By Council Member Van Bramer.

A Local Law to amend the New York city charter, in relation to the public library systems

Be it enacted by the Council as follows:

Section 1. Chapter 55 of the New York City charter is amended to add a new section 1206 to read as follows:
§1206. *Projects relating to the public library systems. No later than December first of each year, for projects managed by the department relating to the public library systems, the commissioner shall provide a report to the speaker of the council detailing the appropriation of funds in the previous fiscal year for such projects. Such report shall be in a searchable, sortable format and shall include the following information, disaggregated by each project:*

- a. the name of the contractor, and subcontractor if known;*
- b. a detailed description of project, including, but not limited to, the physical address, block and lot numbers, estimated dates of start and completion;*
- c. scope or purpose of the project;*
- d. original project cost;*
- e. revised project cost, if applicable;*
- f. the total amount originally appropriated for a project, the total expenditure of funds, disaggregated by fiscal year; and*
- g. services or materials purchased with such expenditure of funds, if known.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 683

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to below ground work near flammable materials

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-233 to read as follows:

§15-233 Underground work near flammable materials. a. In addition to all other permits required by law, it shall be unlawful for any person to drill, dig or perform any other work below ground unless the department has been notified at least twenty days prior to such drilling or digging or other below ground work, where such drilling, digging or other below ground work would occur within one hundred feet of any pipe or other such instrument that carries oil, gas or any other similar such flammable substance. Such notification shall be in writing and hand delivered to the department.

b. The permitting agency shall have a representative present at all times when such drilling, digging or other below ground work is occurring, when such work is located within one hundred feet of such pipeline or other such instrument that carries gas, oil or other similar such flammable substance.

c. Any person who violates the provisions of subdivision a of this section shall be liable for a civil penalty of not less than one thousand nor more than five thousand dollars for each day on which such violation exists.

§2. This local law shall take effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 684

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to the publication of quarterly reports by the New York City Police Department on quality of life summonses issued and graffiti-related arrests made

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-175 to read as follows:

§ 14-175. On a quarterly basis, the department shall publish on its website the following report on quality of life summonses and graffiti-related arrests: 1) a listing of all of the offenses designated by the department as quality of life offenses and graffiti-related offenses during the preceding quarter, 2) the total number of quality of life summonses issued during the quarter, 3) the total number of summonses issued for the seven most frequently charged quality of life offenses, disaggregated by charge, and 4) the total number of graffiti-related arrests, disaggregated by charge. Subdivisions 2, 3, and 4 of this section shall be disaggregated by precinct.

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

Referred to the Committee on Public Safety.

Int. No. 685

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to the purchase and use of etching pens

Be it enacted by the Council as follows:

Section 1. Subdivisions b, c, d and e of section 10-117 of the Administrative Code of the city of New York are amended to read as follows:

b. No person shall possess an aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid with the intent to violate the provisions of subdivision a of this section.

c. No person shall sell or offer to sell an aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid to any person under twenty-one years of age.

c-1. No person under twenty-one years of age shall possess an aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid in or on the property of another. This subdivision shall not be deemed to prohibit the possession of an aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid where such item is contained in a manufacturer-sealed package or completely enclosed in a locked container, which shall include bags, backpacks, briefcases and other containers that can be closed and secured with a key or combination lock.

c-2. This section shall not apply to any person possessing an aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid while in or on the property of another in violation of subdivision c-1 of this section, where:

(1) the owner, operator or other person having control of the property, building or facility consented in writing to the use or possession of the aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid; or

(2) such person uses or possesses the aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid under the supervision of the owner or person in control of such property; or

(3) such person is at his or her place of employment and the aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid was, will be or is being used during the course of such employment and used only with written permission from, or under the supervision of his or her employer or such employer's agent; or

(4) such person is at an educational facility and uses or will use the aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid at the educational facility, where he or she is enrolled, and is participating in a class at the educational facility that requires the use or possession of such items; or

(5) such person is on the property of another and uses or will use the aerosol spray paint can, broad tipped indelible marker, *etching pen* or etching acid in or on the property of another if such use or possession is necessary to participate in a government-sponsored function or in other circumstances where a government agency gives its consent to such use or possession.

d. All persons who sell or offer for sale aerosol spray paint cans, broad tipped indelible markers, *etching pens* or etching acid shall not place such cans, markers, *pens* or etching acid on display and may display only facsimiles of such cans, markers, *pens* or etching acid containing no paint, ink or etching acid.

e. For the purpose of this section, the term "broad tipped indelible marker" shall mean any felt tip marker or similar implement containing a fluid that is not water soluble and which has a flat or angled writing surface one-half inch or greater. For the purpose of this section, the term "etching acid" shall mean any liquid, cream, paste or similar chemical substance that can be used to etch, draw, carve, sketch, engrave, or otherwise alter, change or impair the physical integrity of glass or metal. *For the purposes of this section, the term "etching pen" shall mean any implement with a carbide, diamond, or other hard tip designed to etch, draw, carve, sketch, engrave or otherwise alter, change or impair the physical integrity of glass or metal.*

§2. Section 20-611 of title 20 of the Administrative Code of the city of New York is amended to read as follows:

§20-611. Definitions

Whenever used in this subchapter, the following terms shall have the following meanings:

1. "Dealer of etching acid *and/or etching pens*" shall mean any person, firm, partnership, corporation or company that engages in the business of dispensing etching acid *and/or etching pens*.

2. "Dispense" shall mean to dispose of, give away, give, lease, loan, keep for sale, offer, offer for sale, sell, transfer or otherwise dispose of.

3. "Etching acid" shall have the same meaning set forth in subdivision e of section 10-117.

4. "*Etching pen*" shall have the same meaning set forth in subdivision e of section 10-117.

[4] 5. "Personal information" shall mean data pertaining to the purchaser of etching acid that may be used to identify such purchaser. Such information shall be limited to the purchaser's name, address, type of identification used in the purchase, identification number, if applicable, the date of purchase and amount of acid dispensed to the purchaser.

[5] 6. "Purchasing records" shall mean all written or electronically recorded personal information about a purchaser of etching acid *and/or an etching pen or pens* gathered at the time of purchase by a dealer of etching acid *and/or etching pens* as required by this subchapter.

§3. Section 20-612 of title 20 of the Administrative Code of the city of New York is amended to read as follows:

§ 20-612 Requirements for purchase or sale.

1. Every dealer of etching acid *and/or etching pens* shall request valid photo identification from each purchaser of etching acid *and/or etching pens* at the time of such purchase and contemporaneously record in writing or electronically such purchaser's personal information.

2. No person shall purchase etching acid *and/or an etching pen or pens* without first providing his or her personal information to the dealer of etching acid *and/or etching pens* pursuant to this subchapter. It shall be an affirmative defense to a violation of this subdivision that the dealer failed to request personal information from the purchaser of etching acid *and/or an etching pen or pens*.

3. It shall be unlawful for any person to dispense etching acid *and/or an etching pen or pens* to any person without recording such purchaser's personal information.

§4. Section 20-613 of title 20 of the Administrative Code of the city of New York is amended to read as follows:

§ 20-613 Posting notice. Every dealer of etching acid *and/or etching pens* shall conspicuously post at every table, desk or counter where orders are placed and/or payment is made a notice, the form and manner of which are to be provided by rule of the commissioner, indicating that all purchasers of etching acid *and/or etching pens* shall be required to provide valid photo identification and their personal information and such information shall be recorded by the dealer of etching acid *and/or etching pens* prior to purchase.

§5. Section 20-614 of title 20 of the Administrative Code of the city of New York is amended to read as follows:

§ 20-614 Records of purchase. 1. Purchasing records shall be kept in a secure location and made available only to the commissioner and his or her designee, or a police officer, and shall be used solely for the purposes of enforcement of this subchapter and of state and local anti-graffiti laws and rules.

2. a. Purchasing records shall be kept by dealers of etching acid *and/or etching pens* for one year.

b. All purchasing records and any other information pertaining to the purchase or sale of etching acid *and/or etching pens* shall be disposed of by the following methods only:

i. shredding the records before the disposal of the records; or

ii. destroying the personal information contained in the records; or

iii. modifying the records to make the personal information unreadable; or

iv. taking actions consistent with commonly accepted industry practices reasonably believed to ensure that no unauthorized person will have access to the personal information contained in the records.

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

Referred to the Committee on Public Safety.

Int. No. 686

By Council Member Van Bramer.

A Local Law to amend the New York city charter, in relation to requiring that the meetings of local authorities and entities subject to section two hundred sixty-a of the state education law within the city of New York be webcast

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 1063 of the New York city charter is amended to read as follows:

d. 1. Each city agency, committee, commission, task force, and the council shall record or cause to be recorded in digital video format its meetings and hearings, or portions thereof, that are required to be public pursuant to article seven of the public officers law, provided that this section shall not apply to community boards or local school boards. Such recordings shall be webcast live, where practicable, and shall be archived and made available to the public on the city's website or on the website of such agency, committee, commission, task force, or council, not more than seventy-two hours after adjournment of the meeting or hearing recorded.

2. *The department of information technology and telecommunication, or its successor agency, shall record or cause to be recorded in digital video format the meetings, or portions thereof, that are required to be public pursuant to article seven of the public officers law, of all local authorities and entities subject to section two hundred sixty-a of the education law in the city of New York. Such recordings shall be webcast live, where practicable, and shall be archived and made available to the public on the city's website not more than seventy-two hours after adjournment of the meeting recorded.*

§ 2. This local law shall take effect one hundred twenty days after its enactment.

Referred to the Committee on Technology.

Int. No. 687

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the duration of street resurfacing projects.

Be it enacted by the Council as follows:

Section 1. Section 19-115 of the administrative code of the city of New York is amended to read as follows:

§ 19-115 Paving, generally. All streets shall be paved and arched in full accordance with department specifications for such work, which shall be prescribed by the commissioner and kept on file in his or her office[.], *provided that for street resurfacing projects, paving shall be completed within two weeks of the completion of milling. The commissioner may extend such time period to accommodate delays caused by weather.*

§ 2. This local law shall take effect 90 days after enactment.

Referred to the Committee on Transportation.

Int. No. 688

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring signage

as to the location of libraries

Be it enacted by the Council as follows:

Section 1. Subchapter two of chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.6 to read as follows:

§19-175.6 Library Signage. The department shall post signage at prominent locations within a five block radius of public libraries that indicates the location of such public libraries.

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

Referred to the Committee on Transportation.

Int. No. 689

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to report on its PARK Smart program

Be it enacted by the Council as follows:

Section 1. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-216 to read as follows:

§ 19-216 Reporting on Parking Initiatives. a. No later than March 1, 2019, and every year thereafter on March 1, the department of transportation shall submit to the council and post on its website a report on the progress of its PARK Smart program and other parking initiatives, including:

- 1. An inventory of the city's parking by type, including free curbside spaces, metered curbside spaces, parking fields and garages and any other category the department of transportation deems appropriate;*
- 2. Information on occupancy, pricing, turnover and revenue for those spaces, disaggregated by neighborhood and type;*
- 3. Implementation plans for technology upgrades, such as pay-by-phone, sensor technology and mobile applications; and*
- 4. Implementation plans for other initiatives, including programs that modify parking rates using peak and off-peak meter rates.*

b. All data required to be reported by this section shall be transmitted to the council in a non-proprietary format that permits automated processing.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Int. No. 690

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to the installation of energy-efficient street lights

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-160 to read as follows:

§19-160 Energy-Efficient Street Light Installation. a. Any lamp to be used in the illumination of streets, highways, parks, or any other public place shall utilize light-emitting diode technology or the best available technology if such technology is more energy efficient than light-emitting diode technology.

b. On or before April 1, 2018, the department shall provide a report to the council and shall post on its website (i) the number of street light fixtures that have been installed with light-emitting diode technology or the best available energy efficient technology as described in subdivision a of this section and (ii) the number of street light fixtures that remain to be installed with lamps utilizing light-emitting diode technology or the best available energy efficient technology as described in subdivision a of this section. Such data shall be disaggregated by borough and council district.

§2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Int. No. 691

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the department of transportation shall give certain notice of permanent street sign changes that will affect parking.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-175.2 of the administrative code of the city of New York is amended to read as follows:

§19-175.2 Notification of changes in parking restrictions. a. Following any permanent change in parking restrictions posted by the department, the department shall post notice, in the affected areas, indicating the effective date of such change. Such notice shall be posted at least 72 hours before the effective date of such street sign change. An owner of a motor vehicle parked in the affected areas who receives a notice of a parking violation that occurred within five days of posting of the notice of the parking restriction change shall have an affirmative defense that the vehicle of the owner was parked in compliance with the applicable parking restriction that was in effect prior to such change. Within one business day of making a permanent change in parking restrictions, such change will be reflected on the website containing parking restrictions as required by section 19-175.1 of the code.

§ 2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Transportation.

Int. No. 692

By Council Members Van Bramer and Adams.

A Local Law to amend the administrative code of the city of New York, in relation to requiring snow removal from bus shelters

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-198 to read as follows:

§19-198 Removal of snow from bus shelters. a. For purposes of this section, "bus shelter" shall mean a location which has a cover or ceiling and is used as shelter for individuals waiting to board a New York city transit authority vehicle, and shall include three feet on any open side of such shelter and to the curb on all portions of the sidewalk covered under this provision.

b. Notwithstanding any other provision of this code, the commissioner, after any snowfall or the formation of ice on sidewalks and gutters due to weather precipitation, shall clear or cause to be cleared all debris, snow and ice from bus shelters within the time frames set by subdivisions a and b of section 16-123 of this code.

§ 2. This law shall take effect immediately upon enactment.

Referred to the Committee on Transportation.

Preconsidered Int. No. 693

By Council Members Van Bramer, Rose, Rosenthal, Chin, Powers, Constantinides, Lander, Ayala, Miller, Adams, Rivera and Koslowitz.

A Local Law to amend the New York city charter, in relation to division of labor services employment reports

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision e of section 1305 of chapter 56 of the New York city charter, as added by local law 61 for the year 1991, is amended to read as follows:

e. 2. An employment report shall include, but not be limited to, employment practices, policies[,] and procedures, *including those related to preventing and addressing sexual harassment*, statistics and collective bargaining agreements. The contracting agency shall transmit the employment report to the commissioner after the selection of a proposed contractor or subcontractor. The commissioner shall review all employment reports to determine whether such contractors and subcontractors are in compliance with the equal employment opportunity requirement of local, state and federal law and executive orders.

§ 2. This local law takes effect 60 days after it becomes law; provided, however that the commissioner shall take all action necessary for its implementation, including the promulgation of rules, before such date.

Referred to the Committee on Women (preconsidered but laid over by the Committee on Women).

Int. No. 694

By Council Members Van Bramer and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to conflict of interest disclosures from officers of city contractors

Be it enacted by the Council as follows:

Section 1. Paragraph i of subdivision b of section 6-116.2 of the administrative code of the city of New York, as added by local law 5 for the year 1991, the opening paragraph as amended by local law 44 for the year

1992, subparagraph 1 as amended by local law number 21 for the year 1992, subparagraph 22 as amended and subparagraph 23 as added by local law number 49 for the year 1992, is hereby amended to read as follows:

b. (i) The mayor and comptroller shall be responsible for the maintenance of a computerized data system which shall contain information for every contract, in the following manner: the mayor shall be responsible for operation of the system; the mayor and the comptroller shall be jointly responsible for all policy decisions relating to the system. In addition, the mayor and the comptroller shall jointly review the operation of the system to ensure that the information required by this subdivision is maintained in a form that will enable each of them, and agencies, New York city affiliated agencies, elected officials and the council, to utilize the information in the performance of their duties. This system shall have access to information stored on other computerized data systems maintained by agencies, which information shall collectively include, but not be limited to:

(1) the current addresses and telephone numbers of:

A. the contractor's principal executive offices and the contractor's primary place of business in the New York city metropolitan area, if different,

B. the addresses of the three largest sites at which it is anticipated that work would occur in connection with the proposed contract, based on the number of persons to be employed at each site,

C. any other names under which the contractor has conducted business within the prior five years, and

D. the addresses and telephone numbers of all principal places of business and primary places of business in the New York city metropolitan area, if different, where the contractor has conducted business within the prior five years;

(2) the dun & bradstreet number of the contractor, if any;

(3) the taxpayer identification numbers, employer identification numbers or social security numbers of the contractor or the division or branch of the contractor which is actually entering into the contract;

(4) the type of business entity of the contractor including, but not limited to, sole proprietorship, partnership, joint venture or corporation;

(5) the date such business entity was formed, the state, county and country, if not within the United States, in which it was formed and the other counties within New York State in which a certificate of incorporation, certificate of doing business, or the equivalent, has been filed within the prior five years;

(6) the principal owners and officers of the contractor, their dates of birth, taxpayer identification numbers, social security numbers and their current business addresses and telephone numbers;

(7) the names, current business addresses and telephone numbers, taxpayer identification numbers and employer identification numbers of affiliates of the contractors;

(8) the principal owners and officers of affiliates of the contractor and their current business addresses and telephone numbers;

(9) the principal owners and officers of every subcontractor;

(10) the type, amount and contract registration number of all other contracts awarded to the contractor, as reflected in the database maintained pursuant to subdivision a of this section;

(11) the contract sanction history of the contractor for the prior five years, including, but not limited to, all cautions, suspensions, debarments, cancellations of a contract based upon the contractor's business conduct, declarations of default on any contract made by any governmental entity, determinations of ineligibility to bid or propose on contracts and whether any proceedings to determine eligibility to bid or propose on contracts are pending;

(12) the contract sanction history for the prior five years of affiliates of the contractor including, but not limited to, all cautions, suspensions, debarments, cancellations of a contract based upon such entity's business conduct, declarations of default on any contract made by any governmental entity, determinations of ineligibility to bid or propose on contracts and whether any proceedings to determine eligibility to bid or propose on contracts are pending;

(13) the name and telephone number of the chief contracting officer or other employee of the agency, elected official or the council responsible for supervision of those charged with day-to-day management of the contract;

(14) judgments or injunctions obtained within the prior five years in any judicial actions or proceedings initiated by any agency, any elected official or the council against the contractor with respect to a contract and any such judicial actions or proceedings that are pending;

(15) record of all sanctions imposed within the prior five years as a result of judicial or administrative disciplinary proceedings with respect to any professional licenses held by the contractor, or a principal owner or officer of the contractor;

(16) whether city of New York income tax returns, where required, have been filed for the past five years;

(17) outstanding tax warrants and unsatisfied tax liens, as reflected in the records of the city;

(18) information from public reports of the organized crime control bureau and the New York state organized crime task force which indicates involvement in criminal activity;

(19) criminal proceedings pending against the contractor and any principal owner or officer of such contractor;

(20) record of all criminal convictions of the contractor, any current principal owner or officer for any crime related to truthfulness or business conduct and for any other felony committed within the prior ten years, and of any former principal owner or officer, within the prior ten years, for any crime related to truthfulness or business conduct and for any other felony committed while he or she held such position or status;

(21) all pending bankruptcy proceedings and all bankruptcy proceedings initiated within the past seven years by or against the contractor and its affiliates;

(22) whether the contractor has certified that it was not founded or established or is not operated in a manner to evade the application or defeat the purpose of this section and is not the successor, assignee or affiliate of an entity which is ineligible to bid or propose on contracts or against which a proceeding to determine eligibility to bid or propose on contracts is pending;

(23) the name and main business address of anyone who the contractor retained, employed or designated influence the preparation of contract specifications or the solicitation or award of this contract[.];

(24) if a large contractor, whether the large contractor has certified that its officers have filed annual disclosure reports pursuant to section 12-110 of the administrative code of the city of New York.

§2. Subdivision i of section 6-116.2 of the administrative code of the city of New York, as added by local law 5 for the year 1991, as amended by local law 44 for the year 1992 and local law 72 for the year 2017 is hereby amended to read as follows:

i. Except as otherwise provided, for the purposes of subdivision b of this section,

[(1)] "affiliate" shall mean an entity in which the parent of the contractor owns more than fifty percent of the voting stock, or an entity in which a group of principal owners which owns more than fifty percent of the contractor also owns more than fifty per cent of the voting stock;

[(2)] "cautionary information" shall mean, in regard to a contractor, any adverse action by any New York city affiliated agency, including but not limited to poor performance evaluation, default, non-responsibility determination, debarment, suspension, withdrawal of prequalified status, or denial of prequalified status;

[(3)] "contract" shall mean and include any agreement between an agency, New York city affiliated agency, elected official or the council and a contractor, or any agreement between such a contractor and a subcontractor, which (a) is for the provision of goods, services or construction and has a value that when aggregated with the values of all other such agreements with the same contractor or subcontractor and any franchises or concessions awarded to such contractor or subcontractor during the immediately preceding twelve-month period is valued at \$250,000 or more; or (b) is for the provision of goods, services or construction, is awarded to a sole source and is valued at \$10,000 or more; or (c) is a concession and has a value that when aggregated with the value of all other contracts held by the same concessionaire is valued at \$100,000 or more; or (d) is a franchise. However, the amount provided for in clause a herein may be varied by rule of the procurement policy board, where applicable, or rule of the council relating to procurement, or, for franchises and concessions, rule of the franchise and concession review committee, as that amount applies to the information required by paragraphs 7, 8, 9 and 12 of subdivision b of this section, and the procurement policy board, where applicable, or the council, or, for franchises and concessions, the franchise and concession review committee, may by rule define specifically identified and limited circumstances in which contractors may be exempt from the requirement to submit information otherwise required by subdivision b of this section, but the rulemaking procedure required by chapter forty-five of the charter may not be initiated for such rule of the procurement policy board or franchise and concession review committee less than forty-five days after the submission by the procurement policy board or,

for franchises and concessions, the franchise and concession review committee, to the council of a report stating the intention to promulgate such rule, the proposed text of such rule and the reasons therefor;

[(4)] "contractor" shall mean and include all individuals, sole proprietorships, partnerships, joint ventures or corporations who enter into a contract[, as defined in paragraph three herein,] with an agency, New York city affiliated agency, elected official or the council;

"large contractor" shall mean and include all individuals, sole proprietorships, partnerships, joint ventures or corporations who enter into a contract valued at fifty million dollars or more with an agency, New York city affiliated agency, elected official or the council;

[(5)] "officer" shall mean any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the contractor, by whatever titles known;

[(6)] "New York city affiliated agency" shall mean any entity the expenses of which are paid in whole or in part from the city treasury and the majority of the members of whose board are city officials or are appointed directly or indirectly by city officials, but shall not include any entity established under the New York city charter, this code or by executive order, any court or any corporation or institution maintaining or operating a public library, museum, botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar facility;

"officer" shall mean any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the contractor, by whatever titles known;

[(7)] "parent" shall mean an individual, partnership, joint venture or corporation which owns more than fifty percent of the voting stock of a contractor;

[(8)] "principal owner" shall mean an individual, partnership, joint venture or corporation which holds a ten percent or greater ownership interest in a contractor or subcontractor;

[(9)] "subcontract" shall mean any contract[, as defined in paragraph three herein,] between a subcontractor and a contractor; and

[(10)] "subcontractor" shall mean an individual, sole proprietorship, partnership, joint venture or corporation which is engaged by a contractor pursuant to a contract[, as defined in paragraph three herein].

§3. Subdivisions a and b of section 12-110 of the administrative code of the city of New York, as added by local law 43 for the year 2003, as amended by local law 58 for the year 2012, are hereby amended to read as follows:

a. Definitions. As used in this section:

1. The term "affiliated" shall mean a firm that is a subsidiary of another firm, or two firms that have a parent in common, or two firms with a stockholder in common who owns at least twenty-five per cent of the shares of each such firm.

2. The term "agency" or "city agency" shall mean a city, county, borough or other office, position, administration, department, division, bureau, board, commission, authority, corporation, committee or other agency of government, the expenses of which are paid in whole or in part from the city treasury, and shall include but not be limited to the council, the offices of each elected city official, the board of education, community boards, the health and hospitals corporation, the New York city industrial development agency, the offices of the district attorneys of the counties of Bronx, Kings, New York, Queens and Richmond, and of the special narcotics prosecutor, the New York city housing authority, and the New York city housing development corporation, but shall not include any court or any corporation or institution maintaining or operating a public library, museum, botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar facility or any advisory committee as that term is defined in subdivision one of section twenty-six hundred one of the charter.

3. The term "business dealings" shall mean any transaction involving the sale, purchase, rental, disposition or exchange of any goods, services, or property, any license, permit, grant or benefit, and any performance of or litigation with respect to any of the foregoing, but shall not include any transaction involving a public servant's residence or any ministerial matter.

4. The term "city" shall mean the city of New York and shall include an agency of the city.

5. The term "conflicts of interest board" or "board" shall mean the conflicts of interest board appointed pursuant to section twenty-six hundred two of the New York city charter.;

6. The term "domestic partners" shall mean persons who have a registered domestic partnership, which shall include any partnership registered pursuant to section 3-240 of the administrative code of the city of New York.

7. The term "gift" shall mean anything of value for which a person pays nothing or less than fair market value and may be in the form of money, services, reduced interest on a loan, travel, travel reimbursement, entertainment, hospitality, thing, promise, or in any other form. "Gift" shall not include reimbursements.

8. The term "income" shall include, but not be limited to, salary from government employment, income from other compensated employment whether public or private, directorships and other fiduciary or advisory positions, contractual arrangements, teaching income, partnership income, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents, and recognized gains from the sale or exchange of real or other property.

9. The term "independent body" shall mean any organization or group of voters which nominates a candidate or candidates for office to be voted for at an election, and which is not a political party as defined in paragraph [twelve]thirteen of this subdivision.

10. *The term "large contractor" shall mean all individuals, sole proprietorships, partnerships, joint ventures or corporations who enter into a contract valued at fifty million dollars or more with an agency.*

[10.] 11. The terms "local authority," "local public authority" or "city public authority" shall be given the same meaning as the term "local authority" is given in subdivision two of section two of the public authorities law and shall include only such entities that have their primary office in the city of New York.

[11.] 12. The term "local political party official" shall mean:

(a) any chair of a county committee elected pursuant to section 2-112 of the election law, or his or her successor in office, who received compensation or expenses, or both, from constituted committee or political committee funds, or both, during the reporting period aggregating thirty thousand dollars or more;

(b) that person (usually designated by the rules of a county committee as the "county leader" or "chair of the executive committee") by whatever title designated, who pursuant to the rules of a county committee or in actual practice, possesses or performs any or all of the following duties or roles, provided that such person received compensation or expenses, or both, from constituted committee or political committee funds, or both, during the reporting period aggregating thirty thousand dollars or more:

(1) the principal political, executive and administrative officer of the county committee;

(2) the power of general management over the affairs of the county committee;

(3) the power to exercise the powers of the chair of the county committee as provided for in the rules of the county committee;

(4) the power to preside at all meetings of the county executive committee if such a committee is created by the rules of the county committee or exists de facto, or any other committee or subcommittee of the county committee vested by such rules with or having de facto the power of general management over the affairs of the county committee at times when the county committee is not in actual session;

(5) the power to call a meeting of the county committee or of any committee or subcommittee vested with the rights, powers, duties or privileges of the county committee pursuant to the rules of the county committee, for the purpose of filling an office at a special election in accordance with section 6-114 of the election law, for the purpose of filling a vacancy in accordance with section 6-116 of such law or for the purpose of filling a vacancy or vacancies in the county committee which exist by reason of an increase in the number of election districts within the county occasioned by a change of the boundaries of one or more election districts, taking effect after the election of its members, or for the purpose of determining the districts that the elected members shall represent until the next election at which such members of such committee are elected; provided, however, that in no event shall such power encompass the power of a chair of an assembly district committee or other district committee smaller than a county and created by the rules of the county committee, to call a meeting of such district committee for such purpose;

(6) the power to direct the treasurer of the party to expend funds of the county committee; or

(7) the power to procure from one or more bank accounts of the county committee the necessary funds to defray the expenses of the county committee. The terms "constituted committee" and "political committee" as used in this subparagraph shall have the same meanings as those contained in section 14-100 of the election law.

[12.] 13. The term "policymaking position" shall mean the position held by a person charged with "substantial policy discretion" as referenced in paragraphs twelve and fifteen of subdivision b of section twenty-six hundred four of the New York city charter and as defined by rule of the conflicts of interest board.

[13.] 14. The term "political party" shall mean any political organization which at the last preceding election for governor polled at least fifty thousand votes for its candidate for governor.

[14.] 15. The term "political organization" shall mean any political party as defined in paragraph thirteen of this subdivision, or independent body, as defined in paragraph nine of this subdivision, or any organization that is affiliated with or a subsidiary of a party or independent body.

[15.] 16. The term "reimbursements" shall mean any travel-related expenses provided by non-governmental sources, whether directly or as repayment, for activities related to the reporting person's official duties, such as speaking engagements, conferences, or fact-finding events, but shall not include gifts.

[16.] 17. The term "relative" shall mean the spouse, domestic partner, child, stepchild, brother, sister, parent, or stepparent of the person reporting, or any person whom the person reporting claimed as a dependent on his or her most recently filed personal income tax return, and each such relative's spouse or domestic partner.

[17.] 18. The term "securities" shall mean bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in limited or general partnerships and such other evidences of indebtedness and certificates of interest as are usually referred to as securities.

[18.] 19. The terms "state agency" and "local agency" shall be given the same meanings as such terms are given in section eight hundred ten of the general municipal law.

[19.] 20. The term "unemancipated child" shall mean any son, daughter, stepson or stepdaughter who is under age eighteen, unmarried and living in the household of the person reporting at the time the person files his or her annual disclosure report, and shall also include any son or daughter of the spouse or domestic partner of such person who is under age eighteen, unmarried and living in the household of the person reporting at the time the person files his or her annual disclosure report.

b. Persons required to file an annual disclosure report.

The following persons shall file with the conflicts of interest board an annual disclosure report, in such form as the board shall determine, disclosing certain financial interests as hereinafter provided. Reports shall, except as otherwise provided by the board, be filed electronically, in such form as the board may determine.

1. Elected and political party officials.

(a) Each elected officer described in sections four, twenty-four, twenty-five, eighty-one, ninety-one and eleven hundred twenty-five of the New York city charter, and each local political party official described in paragraph eleven of subdivision a of this section, shall file such report not later than such date designated by the conflicts of interest board each year.

(b) A local political party official required to file a report pursuant to subparagraph (a) of this paragraph who is also subject to the financial disclosure filing requirements of subdivision two of section seventy-three-a of the public officers law may satisfy the requirements of paragraph one by filing with the conflicts of interest board a copy of the statement filed pursuant to section seventy-three-a of the public officers law, on or before the filing deadline provided in such section seventy-three-a, notwithstanding the filing deadline otherwise imposed by paragraph one of this subdivision.

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 nomination or election and who has filed papers or petitions for nomination or election, or on whose behalf a declaration or nominating paper or 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 the last day for filing his or her designating 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 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 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, 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.

3. (a) The following categories of persons who had such status during the preceding calendar year or up until the date of filing their annual disclosure report shall be required to file a report not later than the date designated by the conflicts of interest board each year:

(1) Each agency head, deputy agency head, assistant agency head, and member of any board or commission who on the date designated by the board for filing holds a policymaking position, as defined by rule of the board and as annually determined by the head of his or her agency, subject to review by the board;

(2) Each officer or employee of the city in the mayor's office, the city council, a district attorney's office, the office of the special narcotics prosecutor, or any other agency that does not employ M-level mayor's management plan indicators for its managers, whose responsibilities on the date designated by the board for filing involve the independent exercise of managerial or policymaking functions or who holds a policymaking position on such date, as defined by rule of the board and as annually determined by the appointing authority of his or her agency, subject to review by the board;

(3) Each officer or employee of the city, other than an officer or employee of the city in the mayor's office, the city council, a district attorney's office or the special narcotics prosecutor's office, who, on the date designated by the board for filing, is paid in accordance with the mayor's management pay plan at level M4 or higher, or who holds a policymaking position on such date, as defined by rule of the board and as annually determined by the head of his or her agency, subject to review by the board;

(4) Each officer or employee of the city whose duties at any time during the preceding calendar year involved the negotiation, authorization or approval of contracts, leases, franchises, revocable consents, concessions and applications for zoning changes, variances and special permits, as defined by rule of the board and as annually determined by his or her agency head, subject to review by the board.

(5) Each assessor required to file a report solely by reason of section three hundred thirty-six of the real property tax law.

(6) Each of the following members, officers and employees of city public authorities:

(i) Each member of the authority;

(ii) Each head, deputy head or assistant head of the authority;

(iii) Each officer and employee of the authority who on the date designated by the board for filing holds a policymaking position, as defined by rule of the board and as annually determined by the head of his or her authority, subject to review by the board; and

(iv) Each officer or employee of the authority whose duties at any time during the preceding calendar year involved the negotiation, authorization or approval of contracts, leases, franchises, revocable consents, concessions and applications for zoning changes, variances and special permits, as defined by rule of the conflicts of interest board and as annually determined by the head of his or her authority, subject to review by the board.

(7) *Each officer of a large contractor.*

[(7)] (8) Any person required by New York state law to file an annual disclosure report with the conflicts of interest board.

(b) Separation from service:

(1) Each person described in this paragraph shall, following separation from service, file such report for the portion of the last calendar year in which he or she served in his or her position within sixty days of his or her separation from service or on or before the date designated by the conflicts of interest board for filing pursuant to subparagraph (a) of this paragraph, whichever is earlier, if such person met the criteria of this subparagraph on his or her last day of service. Each such person who leaves service prior to the date designated by the board for filing pursuant to subparagraph (a) of this paragraph shall also file a report for the previous calendar year within sixty days of his or her separation from service or on or before such date designated by the board, whichever is earlier.

(2) Each such person who is terminating or separating from service shall not receive his or her final paycheck, and/or any lump sum payment to which he or she may be entitled, until such person has complied with the requirements of this section.

(3) Each elected officer and each local political party official described in paragraph eleven of subdivision a of this section shall, after leaving office, file such report for the previous calendar year, if such officer or local political party official has not previously filed such report, and shall file such report for the portion of the last calendar year in which he or she served in office, within sixty days of his or her last day in office or on or before

the date designated by the board for filing pursuant to subparagraph (a) of paragraph one of this subdivision, whichever is earlier.

§4. Paragraph 1 of subdivision d of section 12-110 of the administrative code of the city of New York, as added by local law 58 for the year 2012, is hereby amended to read as follows:

d. Information to be reported.

1. Officers and employees of the city; members of city boards and commissions entitled to compensation; *officers of large contractors*; candidates for public office; elected and political party officials. The report filed by officers and employees of the city, members of city boards and commissions entitled to compensation, *officers of city-funded not-for-profit organizations*, candidates for public office, elected officials, political party officials, and any other person required by state law to file a report other than a person described by paragraph three or four of this subdivision, shall contain the information required by this paragraph on such form as the board shall prescribe. For purposes of filing an annual disclosure report, members of the New York city housing development corporation shall be deemed to be members of a city board or commission entitled to compensation.

§5. This law shall take effect 45 days after its enactment into law and shall apply to contracts for which a request for bids or proposals is issued on or after the effective date.

Referred to the Committee on Contracts.

Int. No. 695

By Council Members Van Bramer and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to pass through contracts

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-143 to read as follows:

§ 6-143. *Pass through contracts. a. Definitions. For the purposes of this section, the term “New York city affiliated agency” shall mean any entity the expenses of which are paid in whole or in part from the city treasury and the majority of the members of whose board are city officials or are appointed directly or indirectly by city officials.*

b. The commissioner of the department of design and construction shall prepare and submit to the speaker of the council quarterly reports regarding sole source contracts with New York city affiliated agencies for construction projects. Such reports, which shall be submitted to the speaker of the council and posted on the website of the department of design and construction by January first, April first, July first, and October first of each year, shall include, but not be limited to, the following information for each contract: (i) the New York city affiliated agency with which the department of design and construction contracts; (ii) a description of the construction project undertaken by such New York city affiliated agency; (iii) the manner in which such New York city affiliated agency circulated information to prospective bidders regarding such construction project, including the publication(s) and frequency with which any such notice was posted; (iv) the number of bids received; (v) the contract value; (vi) the name and business address of the contractor(s) selected; and (vii) the name and business address of subcontractor(s) utilized, if any.

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

Referred to the Committee on Finance.

Int. No. 696

By Council Members Van Bramer and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to contracts of the department of design and construction

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-142 to read as follows:

§ 6-142. *Department of design and construction contracts.* a. *Definitions.* For the purposes of this section, the following terms shall have the following meanings:

“Agency” shall mean a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

“New York city affiliated agency” shall mean any entity the expenses of which are paid in whole or in part from the city treasury and the majority of the members of whose board are city officials or are appointed directly or indirectly by city officials.

b. The commissioner of the department of design and construction shall prepare and submit to the speaker of the council quarterly reports regarding construction contracts executed pursuant to the powers and duties set forth in subdivision a of section 1202 of the New York city charter. Such reports, which shall be submitted to the speaker of the council and posted on the website of the department of design and construction by January first, April first, July first, and October first of each year, shall include, but not be limited to, the following information for each contract: (i) the agency or New York city affiliated agency for whom the department of design and construction manages the construction project; (ii) a description of the construction project; (iii) the contractor(s) and subcontractor(s); (iv) the original contract value; (v) the total value of contract expenditures to date and funds remaining on the contract; and (vi) to the extent that such contract is modified or extended, the cost and basis for any such contract modification or extension.

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

Referred to the Committee on Finance.

Int. No. 697

By Council Members Van Bramer and Cabrera.

A Local Law to amend the New York city charter, in relation to the creation of a community advisory review panel for zoning variance and special permit applications.

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision c of Section 668 of the New York city charter is amended to read as follows:

4. (i) The receipt of such a recommendation or waiver from every community or borough board involved, or the expiration of the time allowed for such boards to act, shall constitute an authorization to the board of standards and appeals to review the application and to make a decision[.], *unless such application is referred to the community advisory review panel.*

(ii) *No later than three days after an application to vary the zoning resolution or application for a special permit first appears on the board’s published hearing calendar, any person or persons residing within the affected community district may file a petition to have the matter referred to the community advisory review*

panel. The petition shall be signed and notarized, and shall state the basis for referral. The board shall then refer the matter to the community advisory review panel, except that the board may decline to refer a matter to the community advisory review panel if it finds that a petition was filed in bad faith.

(iii) A matter referred to the community advisory review panel shall be reviewed by a panel that consists of three members, including a representative of the city planning commission, a representative of the community board for the affected community district, and a representative of the council member for the affected council district. Within thirty days of the date on which a matter is referred to the panel, the panel may hold a public hearing on the matter and submit a recommendation to the board. In the event the panel does not convene within such period, the matter shall be returned to the board with no recommendation.

(iv) Upon receipt of a recommendation from the panel, the board shall proceed with its review of the application before it. In rendering a decision, the board shall consider the panel's recommendation and explain its basis for adopting or rejecting the panel's recommendation.

(v) For purposes of this paragraph, the term "affected community district" shall mean the community district in which land at issue in an application is located, and the term "affected council district" shall mean the council district in which land at issue in an application is located.

§ 2. This local law take effect 90 days after it becomes law; provided, however, that the board of standards and appeals shall promulgate rules in accordance with the provisions of this local law and such other rules as may be necessary for the purpose of implementing and carrying out the provisions of this local law prior to its effective date.

Referred to the Committee on Governmental Operations.

Int. No. 698

By Council Members Van Bramer and Cabrera.

A Local Law to amend the New York city charter, in relation to expanding the membership of the board of standards and appeals

Be it enacted by the Council as follows:

Section 1. Section 659 of the New York city charter, as amended by local law 49 of 1991, is amended to read as follows:

§ 659 Constitution and apportionment. a. There shall be an independent board of standards and appeals located within the office of administrative trials and hearings. The board of standards and appeals shall consist of [five] *sixteen* members to be termed commissioners, *five* to be appointed by the mayor, *one to be appointed by the public advocate, five to be appointed, one each, by the borough presidents, and five to be appointed by the council,* each for a term of six years.

b. One of the members *appointed by the mayor, and one of the members appointed by the council,* shall be a planner with professional qualifications and at least ten years' experience as a planner. One of the members *appointed by the mayor, and one of the members appointed by the council,* shall be a registered architect and shall have had at least ten years' experience as an architect. One of the members *appointed by the mayor, and one of the members appointed by the council,* shall be a licensed professional engineer and shall have had at least ten years' experience as an engineer. The mayor shall designate one of the members, who shall have the required experience as an architect, planner or as an engineer, to serve as chair and shall designate one of the members to serve as vice-chair, who shall act as chair in the absence of the chair or in the event that a vacancy exists in the office of chair. Of the five members *appointed by the mayor and the five members appointed by council,* respectively, [no more than two] *each* shall be a resident[s] of [any one] *a different* borough.

c. Every member of the board shall receive a salary, which shall not be reduced during his or her term of office except in case of general reduction of salaries and in proportion to reductions of salaries of other officers with similar salaries. A member shall not engage in any other occupation, profession or employment. Members

shall attend the hearings and executive sessions of the board, and shall perform such other duties as may be required by the chair.

d. Vacancies shall be filled by [the mayor] *whomever made the appointment* for the unexpired term of the member whose place has become vacant and with a person having his or her qualifications.

§ 2. Subdivision 6 of section 666 of the New York city charter, as amended by local law 49 of 1991, is amended to read as follows:

6. To hear and decide appeals from and review,

(a) except as otherwise provided by law, any order, requirement, decision or determination of the commissioner of buildings or of a deputy commissioner of buildings or any borough superintendent of buildings acting under a written delegation of power from the commissioner of buildings filed in accordance with the provisions of section six hundred forty-two or section six hundred forty-five of this charter, or

(b) any order, requirement, decision or determination of the fire commissioner or any rule or regulation or amendment or repeal thereof made by the fire commissioner, or

(c) any order, requirement, decision or determination of the commissioner of transportation or the commissioner of ports and trade made in relation to the structures or uses on water front property under his or her jurisdiction in connection with the application or enforcement of the provisions of the zoning resolution of the city of New York, the labor law and such other laws, rules and regulations as may govern the construction, alteration, maintenance, use, occupancy, safety, sanitary conditions, mechanical equipment and inspection of structures in the city, under the authority conferred upon them by law, by reversing or affirming in whole or in part, or modifying the order, regulation, decision or determination appealed from, and to make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have the power of the officer from whose ruling the appeal is taken, and of any officer under whose written delegation of power such ruling was made.

Each appeal made pursuant to this subdivision shall be decided by a panel made up of the members appointed by the mayor, the members appointed by the council, the member appointed by the public advocate, and the member appointed by the borough president for the affected borough. A majority vote of these twelve panel members shall be required to render a decision. For purposes of this subdivision the term "affected borough" shall mean the borough in which land at issue in an appeal is located. In the event that more than one borough is affected, the chair shall select one commissioner of an affected borough to be on the panel deciding the appeal.

§ 3. This local law shall become effective 90 days after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

Referred to the Committee on Governmental Operations.

Int. No. 699

By Council Members Van Bramer and Cabrera

A Local Law to amend the New York city charter, in relation to requiring that city hall being open to the public.

Be it enacted by the Council as follows:

Section 1. Chapter 35 of the New York city charter is amended to add a new section 822.1 to read as follows:

§ 822.1 *Public Access to City Hall. a. The commissioner shall make available to the public on weekends the public areas of city hall, create a plan to enhance public programs, including but not limited to tours, for the public, and post on its website the plan and information regarding public access to city hall.*

b. The commissioner may promulgate any rules as necessary for the purposes of carrying out the provisions of this section. Nothing in this section shall interfere with the protection, preservation, enhancement and perpetuation of city hall.

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

Referred to the Committee on Governmental Operations.

Int. No. 700

By Council Members Van Bramer and Constantinides.

A Local Law to amend the New York city charter, in relation to establishing an office of libraries.

Be it enacted by the Council as follows:

Section 1. Chapter one of the New York city charter is amended by adding a new section 20-e to read as follow:

§ 20-e. Office of libraries. a. There shall be established in the executive office of the mayor an office of libraries. The office shall be headed by a director, who shall be appointed by the mayor.

b. For the purposes of this section, "library" shall mean any branch of the New York Public Library, the Brooklyn Public Library, the Queens Public Library, or any other public library.

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

- 1. convey to the mayor information related to the activities, concerns, and needs of the libraries;*
- 2. act as the principal liaison between the mayor, the New York Public Library, the Queens Public Library, the Brooklyn Public Library, elected officials, and the public for all matters concerning libraries;*
- 3. develop strategies for increasing awareness and promoting the activities and programs of the libraries to the public;*
- 4. perform policy analysis and make recommendations concerning libraries;*
- 5. develop methods to improve the coordination of services and programs concerning libraries;*
- 6. develop measurable indicators which shall be used to assess the utilization and performance of libraries;*
- 7. make recommendations to the mayor regarding funding needs of the libraries and upon agreement between the mayor and the council, ensure that expense and capital allocations are sufficient to meet the needs of the libraries; and*

8. perform such other duties and functions as may be appropriate concerning libraries.

d. No later than December 31, 2019 and annually thereafter, the director shall submit to the mayor and the speaker of the council a report concerning the office's activities during the previous twelve months and recommendations pursuant to subdivision c of this section.

§ 2. This law takes effect 120 days after becoming law.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 701

By Council Members Van Bramer and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to notification of discolored water or reduction of water pressure

Be it enacted by the Council as follows:

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-367 to read as follows:

§24-367 Notification of discolored water or reduction of water pressure. a. Except as provided herein, the department shall notify via electronic mail all relevant community boards and all relevant district offices of all council members at least forty-eight hours prior to the undertaking of any work by the department or at the request of the department which the department reasonably knows could lead to discolored water, or the reduction or loss of water pressure at water faucets within such district.

b. The notice requirements of subdivision a of this section shall not apply in situations where such work must proceed due to an imminent risk to public health or public safety. In such cases, where such forty-eight hour notice is not given, the department shall within five days of the conclusion of such work, inform via electronic mail all such relevant community boards and the district offices of relevant council members of the reason that the notice was not provided.

§2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 702

By Council Members Van Bramer and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to installing pumpout facilities to establish the city's coastal waters as no-discharge zones

Be it enacted by the Council as follows:

Section 1. Section 22-112 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. 1. Definitions. For purposes of this subdivision, the term "pumpout facility" has the meaning ascribed to such term in the environmental conservation law.

2. Plan to establish no-discharge zones. (a) No later than March 1, 2017, the department of environmental protection shall create a written plan to establish all of the city's coastal waters as no-discharge zones.

(b) The plan shall consider the existing number and locations of pumpout facilities in or adjacent to the city's coastal waters, and determine the number of additional pumpout facilities required to establish a no-discharge zone in each coastal body of water in the city, and the necessary locations of such additional pumpout facilities.

3. Every calendar year until all of the city's coastal waters are designated as no-discharge zones, the department of environmental protection shall install at least three public pumpout facilities. The department of environmental protection shall prioritize installing pumpout facilities in or around the bodies of water with the lowest number of necessary additional pumpout facilities required to establish them as no-discharge zones, as identified pursuant to subparagraph (b) of paragraph 2 of this subdivision.

4. By March 1 of every year until all of the city's coastal waters are designated as no-discharge zones, the department of environmental protection shall update the plan created pursuant to paragraph 2 of this subdivision and report to the mayor and the council on the pumpout facilities installed in the 12 months preceding the report, the pumpout facilities to be installed in the 12 months following the report, an assessment of priorities pursuant to paragraph 3 of this subdivision and an assessment of progress toward establishing all of the city's coastal waters as no-discharge zones.

5. The department of environmental protection shall ensure that all no-discharge zones continue to meet federal eligibility criteria for no-discharge zones promulgated pursuant to the clean water act.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 703

By Council Members Van Bramer and Constantinides.

A Local Law to amend the administrative code of the city of New York in relation to an invasive species advisory board

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding new section 18-107.1 to read as follows:

§18-107.1 Control of invasive plant species. a. There shall be established an invasive species advisory board which shall consist of eleven members who shall include the commissioner of parks and recreation or a designee, the commissioner of environmental protection or a designee, the commissioner of transportation or a designee, the director of the department of city planning or a designee, the director of the office of long term planning and sustainability, and six public members including a representative from the New York city soil and water conservation district, a specialist in terrestrial invasive species, two representatives of environmental advocacy organizations, and two representatives from the nursery industry. Representatives from the Brooklyn botanic garden, the New York botanical garden, the nature conservancy, the New York state department of environmental conservation, the United States fish and wildlife service and the United States department of agriculture shall be invited to participate but shall not be members of the advisory board. The speaker of the New York city council and the mayor shall jointly make the public members appointments.

b. The invasive species advisory board shall hold its first meeting no later than 30 days from the appointment of all its public members and at such meeting shall elect a chairperson and a secretary from its members. The advisory board shall meet at least quarterly, keep a record of its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request signed by at least four members of the board. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least two weeks before the date fixed by the notice for such special meeting.

c. The invasive species advisory board may conduct such hearings and meetings at any place or places within the city designated by the board for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary.

d. The invasive species advisory board shall expire, and the terms of office of its members shall terminate three years from the date that all of its public members have been appointed.

e. No later than two years from its first meeting the invasive species advisory board shall submit a written report of its findings and determinations together with its recommendations for action, to the mayor and the speaker of the council. Such report may include a list of invasive species for which the boards recommends a prohibition on the import, sale, purchase, and/or possession in the city of New York.

f. Duties of the invasive species advisory board. The invasive species advisory board shall develop recommendations for: (1) a control policy designed to eradicate, suppress, reduce or manage invasive plant species populations, including preventing the spread of invasive species where they are present, including the restoration of native species or habitats; (2) detecting and responding rapidly to and controlling populations of invasive species in a cost-effective and environmentally sound manner; (3) enhancing monitoring of invasive species populations accurately and reliably; (4) restoring native species and habitat conditions in ecosystems that have been invaded and conducting research on invasive species and detection protocols to prevent introduction; (5) making taxonomic information more readily available to the public and promoting public education on invasive species control. The invasive species advisory board shall also work to foster greater coordination between agencies and the public, examine existing staff and funding resources needed to implement the proposed program and recommend ways to close any potential staff or funding gaps which could impede implementation.

§2. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 704

By Council Members Van Bramer and Constantinides.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the posting of current and planned water supply outages to the city's website and to the website of the department of environmental protection

Be it enacted by the Council as follows:

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-367 to read as follows:

§ 24-367 *Online notification of water outages.* a. *The department shall provide public notice on its website, both written and through the interactive map created by the department of information technology and telecommunications pursuant to charter section 1072, of the following information by city block: current water outages and planned or scheduled water outages. All notices shall display, to the extent possible, a start and estimated end time for the water outage.*

b. *Updates.* *The information provided under subdivision a shall be updated as often as practicable but not less than daily.*

c. *Exclusions.* *These notice requirements do not apply when water outages are not caused by, or at the request of, the department.*

§ 2. Subdivision q of section 1072 of the New York city charter, as amended by local law number 39 for the year 2013, is amended to read as follows:

q. to provide to the public at no charge on the city's website an interactive map, updated as often as practicable and necessary but not less than once per week, displaying the following:

1. Permitted and approved street closures that do not allow for the passage of vehicular traffic on that street, including but not limited to closures for special events, crane operations and other construction work, film shoots and paving operations; [and]

2. Parking regulations. The information related to paragraph (1) of this subdivision shall be searchable and sortable by time, date and borough, except that street closures for crane operations, construction work and paving operations shall have the notation "subject to closure" during times where closure has been permitted and approved but where such closure may or may not occur on a particular day. All information required by this subdivision shall be available on the city's website as soon as practicable but in no case less than one week prior to any such closure or change, except closures which were applied for or planned less than one week prior to any such closure or change, which shall be available on such interactive map within seventy-two hours of the permit and approval of such closure. Where a permitted and approved street closure is due to a special event, the sponsor of the event with appropriate contact information shall be provided as part of such interactive map. For the purposes of this subdivision, special event shall mean any street fair, block party or festival on a public street(s) where such activity may interfere with or obstruct the normal use by vehicular traffic of such street(s); and

3. *Water outages.* (a) *The department shall collect sufficient data from the department of environmental protection to map by city block, region or other appropriate unit the following information:*

(1) *Current water outages;*

(2) *Planned or scheduled water outages;*

(b) *All mapped information shall display, to the extent possible, text indicating a start and estimated end time for the water outage and shall be updated as often as practicable but not less than daily.*

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

Referred to the Committee on Environmental Protection.

Int. No. 705

By Council Members Van Bramer and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to notification of responsible parties and inspection of construction sites by the department of environmental protection where noise complaints are received for emergency work

Be it enacted by the Council as follows:

Section 1. Section 24-207 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

(g) (i) *Where the department receives two or more complaints for unreasonable noise within any 24-hour period regarding emergency work performed at the construction site during such period of time, the department shall notify the responsible party at a construction site. Such notice shall occur on the business day immediately following the day upon which the second of such complaints is received.*

(ii) *The department shall inspect any construction site for which the department receives four or more complaints for unreasonable noise within a 48-hour period regarding emergency work performed at that construction site during such period. Such inspection shall occur on the business day immediately following the day upon which the fourth of such reports is received.*

§ 2. Subdivisions b and c of section 24-220 of the administrative code of the city of New York, as amended by local law number 10 for the year 2018, are amended to read as follows:

(b) Such plan shall be adopted prior to the commencement of construction at the site or, with respect to emergency work, as defined in the department's rules, within [three days] one day thereafter, and shall apply to all work at the site throughout the construction process. The plan shall provide in detail the noise mitigation strategies, methods, procedures and technology, as prescribed in the rules of the department or specifically approved by the commissioner in accordance with section 24-221 of this code, for each device or activity employed or performed at the site. Each permit holder or other person in charge of such construction site will be accountable for compliance with such rules and shall ensure that each person performing construction work at the site shall be aware of the plan and shall be responsible for complying with those provisions that affect his or her work.

(c) A copy of the plan shall be kept at the construction site and shall be displayed in a conspicuous manner on the exterior of the construction site and made accessible for inspection by the public and persons authorized to enforce the provisions of this code provided that where there are no exterior structures on the construction site such plan need only be kept at the site and made accessible for inspection by the public and persons authorized to enforce the provisions of this code. *Where emergency work is performed, a notice to residents shall be posted which shall provide information regarding how to report unreasonable noise and to serve a citizen's complaint pursuant to section 24-261 of this chapter relating to emergency work performed at any such construction site.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 706

By Council Members Van Bramer and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the use of high-frequency noise devices designed to repel or deter certain persons from entering upon real property

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-218.2 to read as follows:

§ 24-218.2 High-frequency devices for repelling or deterring persons from entering upon real property. No person shall use or permit to be used a device capable of emitting high-frequency sound that is designed to be audible only to children and young adults and is used for purposes of deterring such children and young adults from entering or remaining upon any real property. The provisions of this section shall not apply to law enforcement personnel acting in their official capacity or in cases of emergency, as such circumstances may be defined by the commissioner by rule.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of environmental protection shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Environmental Protection.

Int. No. 707

By Council Members Van Bramer and Constantinides

A Local Law to amend the New York city charter, in relation to requiring the department of design and construction to provide notice to residents prior to the scheduled interruption of water service

Be it enacted by the Council as follows:

Section 1. Chapter 55 of the New York city charter is amended by adding a new section 1206 to read as follows:

§ 1206. Notice of water service shut off. When, as the result of non-emergency planned work, the department schedules a water shut off that affects residential property, notice of the shut off must be provided to all occupants of such property at least seventy-two hours before the scheduled water shut off is to take place. Such notice shall be delivered to occupants of each residential unit and shall include information relating to the duration of the planned work.

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

Referred to the Committee on Finance.

Int. No. 708

By Council Members Van Bramer, Espinal and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to preventing businesses licensed by the department of consumer affairs from unlawfully parking on a sidewalk or crosswalk

Be it enacted by the Council as follows:

Section 1. Section 20-268 of subchapter 11 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subdivision i as follows:

i. It is a violation of this subchapter for any person licensed as a second-hand automobile dealer to: (i) stop, stand, or park any automobile on a sidewalk or crosswalk, and (ii) to violate rules promulgated pursuant to sections 1200 to 1203 of the vehicle and traffic law prohibiting stopping, standing or parking a vehicle on a sidewalk or crosswalk. The commissioner shall suspend or revoke the license of any licensee who violates this subdivision twice or more within a one-year period.

§ 2. Section 20-327 of subchapter 17 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. It is a violation of this subchapter for any licensee: (i) to stop, stand, or park any automobile on a sidewalk or crosswalk, or (ii) to violate rules promulgated pursuant to sections 1200 to 1203 of the vehicle and traffic law prohibiting stopping, standing or parking a vehicle on a sidewalk or crosswalk. The commissioner shall suspend or revoke the license of any licensee who violates this subdivision twice or more within a one-year period.

§ 3. Section 20-508 of subchapter 31 of chapter 2 of title 20 of the administrative code of the city of New York is amended as follows:

§ 20-508. Storage facilities. *a. Every licensee [which] who stores vehicles shall do so only on premises which meet such specifications as the commissioner shall establish by regulation for safeguarding property.*

b. It is a violation of this subchapter for any licensee: (i) to stop, stand, or park any automobile on a sidewalk or crosswalk, or (ii) to violate rules promulgated pursuant to sections 1200 to 1203 of the vehicle and traffic law prohibiting stopping, standing or parking a vehicle on a sidewalk or crosswalk. The commissioner shall suspend or revoke the license of any licensee who violates this subdivision twice or more within a one-year period.

§ 4. Section 20-546 of subchapter 33 of chapter 2 of title 20 of the administrative code of the city of New York is amended as follows:

§ 20-546 Rules. *a. The commissioner may make and promulgate such rules as are necessary to carry out the provisions of this subchapter.*

b. It is a violation of this subchapter for any licensee: (i) to stop, stand, or park any automobile on a sidewalk or crosswalk, or (ii) to violate rules promulgated pursuant to sections 1200 to 1203 of the vehicle and traffic law prohibiting stopping, standing or parking a vehicle on a sidewalk or crosswalk. The commissioner shall suspend or revoke the license of any licensee who violates this subdivision twice or more within a one-year period.

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

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 709

By Council Members Van Bramer and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to identifying lead water supply mains and service lines through an online interactive map and providing educational resources and tools for preventing lead contamination

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 23-803 to read as follows:

§ 23-803 *Online interactive maps. The department of information technology and telecommunications shall provide to the public, at no charge, on the city's website, the following online interactive maps:*

a. Lead water supply mains and service lines map pursuant to section 24-309.1. All information required by section 24-309.1 shall be available on the city's website on or before April 30, 2019 and updated, at minimum, in April and October of each year. The mayor shall ensure that agencies provide such department with assistance and information as it requires to compile and update the interactive map.

b. Reserved.

§ 2. Title 24 of the administrative code of the city of New York is amended by adding a new section 24-309.1 to read as follows:

§ 24-309.1 *Tracking lead water supply mains and service lines; online interactive map. a. No later than April 30, 2019, the department of environmental protection shall make information about lead water supply*

mains and service lines available on the city's website in the form of a searchable online interactive map, created in conjunction with the department of information technology and telecommunications pursuant to subdivision a of section 23-803. The department of environmental protection shall make best efforts to identify all lead water supply mains and service lines, including privately owned mains and service lines, by consulting relevant city or public records, by obtaining information from property owners and by any other relevant means.

b. Such online interactive map shall:

- 1. Be searchable by address, zip code and street name;*
- 2. Detail the locations of all water supply mains and service lines in the city;*
- 3. Identify, through a color scheme or other identification method, lead water supply mains and service lines, and, if the composition is unknown, mark it as such until the department of environmental protection can determine its composition;*
- 4. Mark lead water supply mains and service lines as publicly or privately owned; and*
- 5. Provide relevant information to users, including information about lead contamination prevention, lead water test kits and any other relevant resources.*

c. If a property is serviced by a lead water supply main or service line, the department of environmental protection shall:

- 1. Notify the relevant property owners and tenants in writing of the existence of such lead water supply mains or service lines;*
- 2. Provide information to the relevant property owners and tenants on the prevention of lead contamination;*
- 3. If applicable, provide information to relevant property owners about the process and permissions required in making a connection to a main or pipe for the purposes of replacing lead water supply service lines; and*
- 4. Replace any publicly owned lead water supply mains or service lines as soon as practicable.*

d. No later than December 1, 2018, the department of environmental protection shall provide the department of information technology and telecommunications with all the information to be made available on the online interactive map pursuant to this section. The department of environmental protection shall update this information and provide such updates to the department of information technology and telecommunications, at minimum, in March and September of each year.

e. The department of environmental protection, in consultation with the department of health and mental hygiene, shall establish and engage in outreach and education efforts that inform the public about preventing lead contamination, including providing information about resources and tools such as the department's free water lead test kits, the online interactive map and any other relevant information. Outreach and education efforts shall include at least six public service announcements distributed through printed, televised and radio media. The first such announcement shall take place on or before April 30, 2019.

f. No later than December 1, 2018, the department of environmental protection shall provide to the council and the mayor an annual report containing information on the following:

- 1. Locations of all existing lead water supply mains and service lines;*
- 2. Efforts underway to replace lead water supply mains and service lines;*
- 3. Efforts to notify property owners and tenants serviced by lead water supply mains or service lines; and*
- 4. The status of public outreach and education efforts on the prevention of lead contamination.*

g. The department of environmental protection may include with any such report a recommendation to the mayor and the council about whether continued reporting on such topic is necessary and appropriate.

§ 3. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 710

By Council Members Van Bramer and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to an annual report on commercial access to broadband

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 23-304 to read as follows:

§ 23-304 *Annual report on commercial broadband.* Each year, on or before February 1, the commissioner of information technology and telecommunications shall submit a report to the mayor and the speaker on the availability of broadband internet service for commercial properties. Such report shall include (i) a description of the availability of broadband internet service for commercial properties citywide and in concentrated tech center areas, including best available data on adoption rates, disaggregated by broadband technology and speed, and percentage of businesses with access to fiber optic connections; (ii) a description of the purpose and results of any city sponsored programs, active during the prior calendar year, the focus of which included the promotion or facilitation of commercial broadband adoption; and (iii) recommendations on how to increase commercial broadband adoption.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 711

By Council Members Van Bramer and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to reducing noise from refuse collection vehicles

Be it enacted by the Council as follows:

Section 1. Section 24-225 of the administrative code of the city of New York, as added by local law number 113 for the year 2005, is amended to read as follows:

§ 24-225 Refuse collection vehicles. (a) No person shall sell, offer for sale, operate or permit to be operated a refuse collection vehicle, equipped with a compacter, that produces a maximum sound level when the compacting mechanism is in the compacting cycle but not engaged in compacting a load that exceeds [80] 75 dB(A), when measured by a sound level meter set for slow response at a distance of 35 feet or more from the compacting unit.

(b) It shall be unlawful to operate or cause to be operated a refuse collection vehicle, including such a vehicle equipped with a compacter, within 50 feet of any residential receiving property at or after 11:00 p.m. and before 7:00 a.m. if the aggregate sound, not including impulsive sound, generated by the collection and compacting activities exceeds [85] 75 dB(A) when measured by a sound level meter set to slow response at a distance of 35 feet or more from the vehicle. [On and after July 1, 2012 such aggregate sound shall not exceed 80 dB(A).] The provisions of this subdivision shall not apply to the operation of refuse collection vehicles during an emergency such as a storm or other event that causes delays in refuse collection.

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

Referred to the Committee on Environmental Protection.

Int. No. 712

By Council Members Van Bramer and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to the removal of snow and ice from bicycle paths and greenways

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 30-103 of the administrative code of the city of New York, as amended by local law 26 for the year 2011, is amended to read as follows:

c. No later than November fifteenth two thousand twelve and every November fifteenth thereafter, the report required pursuant to subdivision b of this section shall include:

1. an inventory of all city-owned snow management equipment and resources that were used during any snow event;

2. an inventory of privately-owned snow management equipment and resources used by the city during any snow event, an assessment of how such equipment and resources were deployed and overseen by city agencies or offices and strategies, contracts or agreements used to ensure that such snow management equipment and resources were available to the city; [and]

3. the number of individuals who registered with the city to work during any snow event, and assessment on how such individuals were deployed and overseen by city agencies or offices and strategies, contracts or agreements used to ensure that such individuals were available to the city[.]; *and*

4. *a list of bicycle paths and greenways for which the city is responsible for removal of snow or ice, and a plan for the removal of snow and ice from such bicycle paths and greenways, including resources to be used for such removal.*

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 713

By Council Members Van Bramer, Rose and Chin.

A Local Law to amend the New York city charter, in relation to creating an ombudsman position within the New York city department of youth and community development

Be it enacted by the Council as follows:

Section 1. Chapter 30 of the New York city charter is amended by adding a new section 737 to read as follows:
 § 737. *Ombudsman. a. Establishment of ombudsman position and duties. There shall be in the department the position of ombudsman whose duties shall include, but not be limited to:*

1. *establishing a system to receive comments and complaints with respect to any emergency shelter, transitional independent living program, drop-in center and any other program or facility that receives funding from the department to serve the city's runaway and homeless youth population, including but not limited to establishing and publicizing the availability of a telephone number to receive such comments and complaints;*

2. *monitoring all emergency shelters, transitional independent living programs, drop-in centers and any other programs or facilities that receive funding from the department to serve the city's runaway and homeless youth population, including but not limited to making site visits to such programs or facilities, in order to ascertain whether such programs or facilities are operating in compliance with any contract with the department and in a manner that respects the rights of all youth under the jurisdiction of the department;*

3. *investigating complaints received pursuant to paragraph 1 of this subdivision and taking any appropriate action regarding such complaints; provided that the ombudsman shall immediately notify all appropriate agency officials of any incident that indicates that an act has occurred that may be the basis for disciplinary action and/or criminal prosecution; and*

4. *making recommendations to the commissioner with respect to improving programs and facilities that receive funding from the department to serve the city's runaway and homeless youth population.*

b. *Reporting. 1. The ombudsman shall submit monthly reports to the commissioner indicating: the number and nature of any comments and complaints received regarding any emergency shelter, transitional independent living program, drop-in center or other program or facility that receives funding from the department to serve the city's runaway and homeless youth population; steps undertaken to monitor such programs or facilities and the results of such monitoring; any investigation undertaken pursuant to paragraph 3 of subdivision a of this section and the results of such investigation; and recommendations made pursuant to paragraph 4 of subdivision a of this section.*

2. *The department shall submit a yearly report to the mayor and the speaker of the city council which shall include a compilation of the monthly reports submitted pursuant to subdivision b of this section and indicate any action taken by the department as a result of any complaint or recommendation received or monitoring or investigation undertaken pursuant to subdivision a of this section.*

c. *Posting of ombudsman information. All emergency shelters, transitional independent living programs, drop-in centers and other programs or facilities that receive funding from the department to serve the city's runaway and homeless youth population shall post in a conspicuous location a sign indicating the phone number of the ombudsman established pursuant to paragraph 1 of subdivision a of this section and a statement indicating that any person may contact such ombudsman if such person has a comment or complaint regarding such program or facility.*

§2. This local law takes effect immediately.

Referred to the Committee on Youth Services.

Int. No. 714

By Council Members Van Bramer and Treyger.

A Local Law to amend the New York city charter, in relation to informing parent teacher associations, community education councils, and principals of instructional arts education requirements.

Be it enacted by the Council as follows:

Section 1. Subdivision (e) of section 530-f of the New York city charter, as added by local law number 123 for the year 2013, is amended to read as follows:

(e) Not later than February 15th, 2019, and on an annual basis thereafter by the 15th of February, the department shall submit to the council and post on the department's website, data regarding the provision of instructional requirements for the arts in schools for the preceding school year. *The department shall also make available to all parent teacher associations, community education councils, and principals such data, through electronic means or otherwise, not later than the fifth day of each school year.* Such report shall include, but not be limited to:

1. The total number and percentage of schools serving students in grades one through six that have met all instructional requirements in all of the following disciplines: music, dance, theatre and visual arts;
2. The total number and percentage of students in grade eight who have:
 - i. completed all instructional requirements for the arts grades seven through eight;
3. The total number and percentage of high school graduates who have:
 - i. completed all instructional requirements for the arts for grades nine through twelve;

4. The total number of full-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification; and

5. The total number of part-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification.

c. Data shall include demographic information regarding the racial and ethnic composition of the school and shall include, but shall not be limited to, the percentage of special education students and the percentage of English language learners.

d. All information required to be reported by this section shall be aggregated citywide, as well as disaggregated by city council district, community school district and school.

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 0 and 9 students, or allows another category to be narrowed to between 0 and 9 students, the number shall be replaced with a symbol.

§2. This local law shall take effect 90 days after its enactment into law.

Referred to the Committee on Education.

Int. No. 715

By Council Members Van Bramer and Vallone.

A local law amending the New York City Charter and the administrative code of the city of New York, in relation to the preparation of community impact reports for city-subsidized economic development projects

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
COMMUNITY IMPACT REPORTS**

§22-1001. *Definitions.* a. *For the purposes of this chapter, the following terms shall have the following meanings:*

Department. The term "department" means the department of small business services.

City economic development entity. The term "city economic development entity" means a not-for-profit corporation of which a majority of its members are appointed by the mayor and that is under contract with the department to provide or administer economic development benefits on behalf of the city and expend city capital appropriations in connection therewith.

Economic development benefit. The term "economic development benefit" means the sale or lease of city-owned land or the provision or administration of financial assistance by the city economic development entity to a person or entity for the purpose of job creation, retention, growth or other economic development project. The term "economic development benefit" shall not include: (i) the sale or lease of city-owned property or the provision of financial assistance in connection with contracts or other agreements for the provision of social services; (ii) as-of-right assistance, tax abatements or benefits, such as those under the Industrial and Commercial Abatement Program, the J-51 Program, and other similar programs; (iii) projects for affordable housing where such affordable housing units shall be affordable to individuals earning less than 120% of area median income and where any market rate housing units created within such project comprise no more than thirty percent of all units created within such project; and (iv) projects that include less than 25,000 square feet of gross commercial space;

Economic development project. The term "economic development project" means a project undertaken by a person or entity which receives an economic development benefit for such project.

Financial assistance. The term "financial assistance" means the provision of more than one hundred fifty thousand dollars in cash payments or grants, bond financing, tax abatements or exemptions (including, but not limited to, abatements or exemptions from real property, mortgage recording, sales and use taxes, or the difference between any payments in lieu of taxes and the amount of real property or other taxes that would have been due if the property were not exempted from the payment of such taxes), tax increment financing, filing fee waivers, energy cost reductions, environmental remediation costs, write-downs in the market value of building, land, or leases, or the cost of capital improvements undertaken for the benefit of a project subject to a project agreement. Financial assistance shall include only discretionary assistance that is negotiated or awarded by the city or by a city economic development entity, and shall not include as-of-right assistance, tax abatements or benefits, such as those under the Industrial and Commercial Abatement Program, the J-51 Program, and other similar programs. Any tax abatement, credit, reduction or exemption that is given to all persons who meet criteria set forth in the state or local legislation authorizing such tax abatement, credit, reduction or exemption shall be deemed to be as-of-right (or non-discretionary); further, the fact that any such tax abatement, credit, reduction or exemption is limited solely by the availability of funds to applicants on a first come, first served or other non-discretionary basis set forth in such state or local law shall not render such abatement, credit, reduction or exemption discretionary. Where assistance takes the form of leasing city property at below-market lease rates, the value of the assistance shall be determined based on the total difference between the lease rate and a fair market lease rate over the duration of the lease. Where assistance takes the form of loans or bond financing, the value of the assistance shall be determined based on the difference between the financing cost to a borrower and the cost to a similar borrower who does not receive financial assistance from the city or a city economic development entity.

§22-1002. Community impact reports. For each economic development project, the department shall prepare or cause to be prepared a community impact report which shall describe and assess certain economic and social data related to the proposed economic development project and the community in which it will be located along with the following:

a. a general, functional description of the proposed project; its prospective location; its initial owner, operator or manager; existing number of employees; whether the project is a new or continuing endeavor; a full description of the funding source benefit or program name, dollar amount or equivalent along with the term of all economic development benefits being contemplated including a list of as-of-right business incentive program benefits provided by the city;

b. information on whether the economic development project would be located in a highly distressed area as defined under subdivision 18 of section 854 of the general municipal law with a listing of such qualifying characteristics. Where a project would be located in a highly distressed area, the community impact report shall describe the impact, if any, the proposed project is projected to have on (i) alleviating unemployment; (ii) spurring private or public investment in employment, housing or educational opportunities for residents; (iii) increasing wages or other employment compensation, such as health benefits, of other businesses in the distressed area; (iv) providing opportunities for training and skills development and improving employment opportunities for entry-level or low-skill workers; and (v) facilitating and supporting local entrepreneurial efforts.

c. where a business will be created or moved to a prospective location in furtherance of the economic development project, a description of the current use of the prospective location shall be provided.

d. information regarding (i) the estimated number of residential units to be directly created or renovated as a result of such project, proposed rents for such units, how such rents compare to current rents of unit types in closest similarity within the community district or districts within which such project will be located and the estimated increase in rents to such units and other units within such community district or districts that may result from such project;

(ii) the estimated number of residents who will be displaced as a direct result of the project and as to these residents, a demographic profile compiled from non-confidential government and other data publicly available to include, but not limited to the racial, ethnic and gender composition of these residents, the estimated number of residents over sixty-five years of age and under 18 years of age; the estimated average individual and household income; the estimated number of residents receiving subsidized housing assistance from vouchers,

grants or other program; the number of any rent regulated units in an existing building at risk of elimination; and such other information determined by the department to be appropriate;

(iii) the estimated number of businesses that will be displaced as a direct result of the project; the estimated number of full-time employees and part-time employees to be displaced; the business type classification as commercial, industrial or retail and to the extent reasonably available from non-confidential government data, the percentage representation, average gross floor area and the final actual assessed total value of the business properties to be displaced.

(iv) the estimated number of permanent and seasonal full-time jobs to be directly created by such project, the method by which the estimate was derived, and the aggregation of such jobs by business sector including, but not limited to, construction, retail, professional services, financial services, tourism and hospitality, information and technology, and building services and the method by which each such estimate was derived;

(v) the estimated number of permanent full-time jobs to be indirectly created by such project and the method by which such estimate was derived;

(vi) the estimated percentage of employees in each category set forth in paragraphs iv and v of this subdivision, respectively, who it is estimated will earn up to thirty-five thousand dollars per year, the percentage of employees who it is estimated will earn more than thirty-five thousand dollars per year and up to fifty thousand dollars per year, and the percentage of employees who it is estimated will earn more than fifty thousand dollars per year, and for those employees who are not salaried but are paid based upon an hourly wage, the percentage of employees in each such category, respectively, who it is estimated will be paid an hourly wage between the minimum wage and ten dollars an hour, and above ten dollars, and up to fifteen dollars an hour;

(vii) information on whether the project will utilize local job recruitment programs and the number of jobs which may be filled by such programs;

(viii) the estimated number of persons in each category set forth in paragraphs iv and v of this subdivision, respectively, whom it is estimated will receive employer provided health benefits;

(ix) a statement as to the sources and computational methodology of all information relied upon to produce the estimates and data required by this subdivision.

e. A community impact report shall be submitted to the council at least thirty days prior to the approval by the city or the economic development entity of the proposed economic development benefit and related project. Each report shall also be made available on the website of the economic development entity or on the website of the city of New York.

§2. Paragraph a of subdivision 1 of section 1301 of the New York city charter is amended to read as follows:

- a. to establish business, industrial and commercial policies, programs and projects which affect the business, industrial, commercial or economic well-being, development, growth and expansion of the economic life of the city; *and to examine the impact on communities for which an economic development project is proposed.*

§3. This local law shall take effect 120 days from its enactment.

Referred to the Committee on Economic Development.

Res. No. 223

Resolution calling on the New York State Department of Environmental Conservation and the United States Environmental Protection Agency to designate all coastal waters and navigable waterbodies adjacent to New York City as No Discharge Zones, including Newtown Creek, Gowanus Canal, Coney Island Creek, Raritan Bay and New York Harbor.

By Council Member Van Bramer.

Whereas, New York City has 520 miles of coastline and is surrounded by waterbodies including the Atlantic Ocean, Lower New York Bay, Upper New York Bay, the Hudson River, the East River, Jamaica Bay, Raritan

Bay, Little Neck Bay, Arthur Kill, Newtown Creek, Coney Island Creek, Flushing Creek and the Gowanus Canal; and

Whereas, These waterbodies are invaluable and provide economic, environmental, public health and recreational benefits to the City; and

Whereas, The Clean Water Act (CWA) of 1972 was enacted to restore and protect the integrity of waterbodies of the United States and to regulate the discharge of substances into such waters; and

Whereas, While marine vessels are permitted to discharge treated waste in most waterbodies, the CWA provides that states may apply for a prohibition of waste discharges for certain waterbodies that require greater environmental protection; and

Whereas, Such waterbodies may be identified by a state and approved by the United States Environmental Protection Agency (EPA) for designation as No Discharge Zones (NDZs); and

Whereas, The New York State Navigation Law prohibits marine vessels from discharging waste into waterbodies that have been designated NDZs; and

Whereas, In 2003, a portion of the Hudson River from the Battery in Manhattan to Troy, New York was designated a NDZ, and in 2011, Jamaica Bay was designated a NDZ; and

Whereas, In 2010, the New York State Department of Environmental Conservation (DEC) and EPA announced a joint goal to establish NDZs in all coastal waters and navigable waterways within the State, including those adjacent to the City; and

Whereas, There have been reports that Raritan Bay is currently being considered by EPA and DEC for designation as a NDZ; and

Whereas, A marine vessel that is discharging waste in a NDZ must do so at a pump out facility; and

Whereas, A significant factor that is inhibiting the designation of additional waterbodies as NDZs is a lack of waste pump out facilities; and

Whereas, In New York City, there are 11 waste pump out facilities, 7 of which have been installed by the New York City Department of Environmental Protection and are open to the public free of cost, and additionally, there are 2 locations with pump out boat service; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Department of Environmental Conservation and the United States Environmental Protection Agency to designate all coastal waters and navigable waterbodies that are adjacent to New York City as No Discharge Zones, including Newtown Creek, Gowanus Canal, Coney Island Creek, Raritan Bay and New York Harbor.

Referred to the Committee on Environmental Protection.

Res. No. 224

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation establishing a real property tax credit for small business owners who own their properties and for commercial landlords who retain tenants.

By Council Member Van Bramer.

Whereas, The characters of New York City's neighborhoods are often defined by the long-term business establishments that have served the area for many years; and

Whereas, Many of those businesses are small businesses whose owners own the property in which the business is located; and

Whereas, As real estate prices in the City climb, many of those small business owners are induced to close or relocate their businesses outside of the City and to sell their properties to large developers; and

Whereas, In spite of recent declines, the City's commercial spaces are commanding relatively higher rents that many long-term tenants can no longer afford; and

Whereas, According to a report by the Real Estate Board of New York (REBNY), in the six months between Spring and Fall 2017, the median asking retail rent on East 86th Street rose by 30 percent while that in Harlem rose nearly 14 percent; and

Whereas, Recent REBNY reports also show that, even in areas with recent declines landlords are still asking historically high rents; and

Whereas, For example, in SoHo although the median asking retail rent was from a peak of \$950 in Spring 2015 to \$600 per square foot in Fall 2017, this median asking retail rent is still double the \$300 per square foot that the neighborhood saw in Fall 2006; and

Whereas, It is not only in well-established retail areas of the City that the rents are becoming unaffordable; and

Whereas, According to a report released by CPEX Real Estate Services in January 2017, there are 17 retail corridors in Brooklyn with retail rents over \$100, compared to only three in 2007; and

Whereas, As a specific example, the retail pricing per square foot on Court Street in Brooklyn has risen from \$35-\$54 in 2006 to \$150-\$199 in 2016 as the retail corridor transitioned from mostly mom-and-pop shops to national retailers; and

Whereas, As many of New York City's neighborhoods are quickly changing and increasingly becoming more gentrified, there is greater pressure on long-term small business owners to sell their properties to large developers and for commercial landlords to rent their spaces to larger, national chain stores that can afford to pay higher rents instead of retaining the long-term tenants who are already in place; and

Whereas, No real property tax incentives currently exist for small business owners to keep their small businesses located in the City for long periods of time rather than selling the properties and moving the businesses elsewhere; and

Whereas, Similarly, no real property tax incentives currently exist for commercial landlords to retain existing small and local businesses rather than to terminate the tenancies and seek higher rents from new tenants; and

Whereas, A real property tax credit granted to a small business owner that would increase over the length of time that the small business owner owns his or her property would create an incentive to remain in business at a particular location; and

Whereas, A real property tax credit granted to a commercial landlord that would increase based on the length of time that a particular commercial tenant had been operating its business out of the property would create an incentive for the landlords to retain long-term tenants;

Whereas, Any real property tax credit granted to a commercial landlord should be contingent on a portion of the savings being passed onto the retained tenant in the form of a credit on rent; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation establishing a real property tax credit for small business owners who own their properties and for commercial landlords who retain tenants.

Referred to the Committee on Finance.

Res. No. 225

Resolution calling upon the New York State Legislature to introduce and adopt, and the Governor to sign, legislation which would authorize the New York City to establish a Small Performance Venue Business Tax Credit.

By Council Member Van Bramer.

Whereas, No other city in the country currently comes close to competing with New York City's rich, vibrant, and diverse music scene; and

Whereas, New York City is home to a plethora of famous musicians and bands such as Duke Ellington, Miles Davis, Billie Holiday, The Velvet Underground, Ella Fitzgerald, Barbara Streisand, Paul Simon, and the Talking Heads, just to name a few; and

Whereas, The majority of these now world-renowned musicians and bands started their careers performing in the City's small performance venues which provide a unique opportunity for unknown musicians to practice their art in front of live audiences in an affordable and acoustically supportive space; and

Whereas, Small to mid-sized non-profit theaters (venues with a public assembly of 250 persons or less) and performing arts organizations groups add both cultural and economic value to New York City's communities, and to the city as a whole; and

Whereas, The current economic climate, coupled with skyrocketing costs of lease space, however, has made it extraordinarily difficult for many theaters and performing arts companies to stay in business in New York City; and

Whereas, Many small to mid-sized performing arts groups hold long-term leases and usually sublet their spaces to other performing arts groups that do not have the financial strength to commit to long-term leases; and

Whereas, Accordingly, when long-term lease holders leave the City, the groups to which they provide space are endangered thereby diminishing the entire sector; and

Whereas, Since 2005, New Yorkers have witnessed the closing of Tonic, a nightclub tucked away on the Lower East Side known for its avant-garde music; the Roxy, a popular nightclub in Chelsea that hosted performances by many pop stars; the rock club Sin-e, located on Attorney Street on the Lower East Side, popular in the 1990's and known for its up-and-coming musical acts; Brownies, in the East Village, referred to as a "temple of alternative rock"; the Bottom Line, located near Washington Square Park, which opened in 1974 as a showcase venue for jazz musicians and singer-songwriters; Luna Lounge, a club which "helped establish Ludlow Street as a nocturnal destination"; the venerable punk club, CBGB, which opened in 1973 in the East Village and since such time helped launch the careers of bands such as the Ramones, Blondie, Talking Heads, Patti Smith, and Television; Kenny's Castaways, was located on Bleecker Street, which opened in 1967 and hosted some of Bruce Springsteen's first New York shows and other artists such as Patti Smith, Yoko Ono, and the Fugees; and the historic Harlem jazz club Lenox Lounge, opened in 1939 on Lenox Avenue, which served as the backdrop for many jazz legends including Billie Holiday, Miles Davis, Frank Sinatra, and John Coltrane; and

Whereas, The closing of these clubs, which indisputably helped build the City's music scene during the last seven decades, not only threatens the health of the City's diverse music community, but also makes it exceedingly difficult for the City's struggling musicians to find affordable and suitable places to perform; and

Whereas, With market forces seemingly averse to cultivating the City's musical population, New York City will continue to be threatened with a mass exodus of musicians to states and countries more affordable and amenable to the professional survival of musicians, such as Louisiana which provides a variety of tax incentives and other support through the Louisiana Economic Development office; and

Whereas, In 2005, after New York City was experiencing a similar situation in the film and television industry, the Council passed legislation to provide a film tax credit to help lure film productions back to the City and counter the flight of production jobs to more affordable places, such as Toronto, Montreal, and Vancouver; and

Whereas, According to the NYC Mayor's Office of Film, Theatre and Broadcasting, production days in the City increased from 23,321 in 2004, the year before the credit was enacted, to 34,718 in 2006, the first year the credit was enacted, and the tax credit was so successful in bringing film production back to the City that the maximum allocation of credits were expended by mid-2009; and

Whereas, Providing a similar tax credit to owners of individual small performance venues who rent performance space at a discount to non-profit performing arts groups would not only offset some of the City's escalating rental costs, but would also ensure that great talent stays in New York City; and

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and adopt, and the Governor to sign, legislation which would authorize the New York City to establish a Small Performance Venue Business Tax Credit.

Referred to the Committee on Finance.

Res. No. 226

Resolution calling on the New York State Legislature and the Governor to amend the New York State Penal and Criminal Procedure Laws to increase penalties for physical assaults on the elderly and disabled.

By Council Member Van Bramer.

Whereas, The elderly and disabled are among the most vulnerable members of our society and deserve special protection; and

Whereas, On April 24, 2014, a husband and wife in their 80s were viciously assaulted during a robbery in their home in Bayside, Queens; and

Whereas, The alleged assailants entered the victims' home under the pretext they were going to work on the house; and

Whereas, The victims suffered head trauma and facial injuries as a result of the attack; and

Whereas, Elderly people and those who are frail or disabled or perceived to be frail or disabled are more likely to be targeted by criminals because they are thought to be less able or likely to defend themselves or to report an assault; and

Whereas, People who assault the elderly or disabled should face harsher criminal penalties; and

Whereas, Under current New York State Law, assaults on elderly and disabled people are treated as Class A misdemeanors, with a maximum penalty of one year in prison; and

Whereas, S4040, introduced by Senator Member James Tedisco and currently pending in the New York State Senate, would make an assault, depending on the severity of the attack, on a person over seventy years of age or with a disability, either a Class E felony, punishable by up to four years in prison, or a Class D violent felony, punishable by up to seven years in prison; and

Whereas, Enactment of this law would evince society's desire to protect its most vulnerable citizens; and

Whereas, The New York State Senate should pass S4040, the New York State Assembly should introduce and pass a companion bill, which the Governor should sign into law; and

Whereas, Enactment of this law would send a message that violence against the elderly and disabled is particularly egregious, unacceptable and will not be tolerated; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature and the Governor to amend the New York State Penal and Criminal Procedure Laws to increase penalties for physical assaults on the elderly and disabled.

Referred to the Committee on Public Safety.

Res. No. 227

Resolution calling upon the Metropolitan Transportation Authority (MTA) to establish a Metrocard discount fare program through which eligible non-profit organizations can receive and distribute discounted Metrocards to their clients.

By Council Member Van Bramer.

Whereas, The Metropolitan Transportation Authority (MTA) is North America's largest network for transportation that serves a population of 15.1 million people in a 5,000 square mile area including New York City, Long Island, southeastern New York State, and Connecticut; and

Whereas, MTA subways, buses, and railroads provide over 2.62 billion rides annually, according to the MTA 2013 Annual Report; and

Whereas, The MTA public transportation network allows New York City to maintain its status as a world hub of finance, commerce, culture, entertainment, and business; and

Whereas, This public mass transit system optimizes the New York City economy by way of opening up job opportunities for numerous people across a broad region; and

Whereas, According to the recent American Community Survey by the United States Census Bureau, the City's labor force consists of 4.11 million people; and

Whereas, The 2013 unemployment rate in the City is 8.9 percent compared to a national rate of 7.0 percent, according to the United States Department of Labor; and

Whereas, The Community Service Society conducted a survey of low-income New Yorkers in 2013, finding that 21.2 percent of the City's population are under the poverty level, which is statistically unchanged from 2011 at 20.9 percent; and

Whereas, According to the MTA, four out of every five rush-hour commuters travelling to New York City's central business districts commute by the public transit services; and

Whereas, According to MTA figures in 2012, the average weekday subway ridership was 5.4 million persons and the annual ridership was 1.7 billion people; and

Whereas, In 2012, the average weekday bus ridership was 2.2 million persons and the annual ridership was 6.7 million people, as reported by the MTA; and

Whereas, In 1990, the Metrocard fare for a single ride was \$1.15, increasing by \$.25 in 1992 and another \$.25 in 1995, and the fare continued to increase in 2005 to \$2.00 and by another 25 percent in 2009 to \$2.50, where the fare rate stands today; and

Whereas, Over 1.98 million people in the City's labor force depend on commuting to work by public transportation and Metrocard fares have been increasing more rapidly in recent years, when viewed from the MTA's inception in 1904; and

Whereas, Many non-for-profit organizations exist in New York City in order to provide crucial services that vulnerable communities would otherwise not have access to; and

Whereas, Many New Yorkers are facing hard economic times and non-profit organizations are striving to ease their troubles; and

Whereas, In an attempt to mitigate the plight of many New Yorkers, eligible non-profit organizations should be granted Metrocards to distribute to their clients at a discounted rate to support or promote an individual's ability to search for employment, or attend family court, apply for federal, state, and city benefits without burdening clients with the increasing fare of Metrocards; and

Whereas, Economic conditions and unemployment rates put a strain on the City's population, especially upon those New Yorkers with limited financial means; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority (MTA) to establish a Metrocard discount fare program through which eligible non-profit organizations can receive and distribute discounted Metrocards to their clients.

Referred to the Committee on Transportation.

Res. No. 228

Resolution strongly urging the Metropolitan Transportation Authority to provide greater advance notification for planned service disruptions.

By Council Member Van Bramer.

Whereas, Millions of people throughout New York City rely heavily on the subway and bus system run by the Metropolitan Transportation Authority (MTA) to get to work, school, medical appointments, stores, and cultural institutions; and

Whereas, The public transportation network is indisputably vital to the City's economy and to New Yorkers' daily lives; and

Whereas, A joint audit released in July 2011 by the New York State and New York City Comptrollers concluded that the MTA "failed to notify riders of diversions consistently or effectively" and that the frequency and duration of subway diversions had increased significantly; and

Whereas, A series of weekend outages of 7 train service between Manhattan and Queens in recent years has seriously disrupted the lives of riders who rely on this heavily-used mass transit connection; and

Whereas, According to a report in the *Queens Courier*, local communities were given just two weeks' notice of a series of weekend service outages in early 2013, limiting the ability of organizations which rely on 7 train service to alter their plans accordingly; and

Whereas, A lack of sufficient notice of service disruptions causes disorder in the work, school, and personal lives of many riders and has serious implications for local businesses and institutions; now, therefore, be it

Resolved, That the Council of the City of New York strongly urges the Metropolitan Transportation Authority to provide greater advance notification for planned service disruptions.

Referred to the Committee on Transportation.

Res. No. 229

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation which would increase New York City's representation on the Metropolitan Transportation Authority board.

By Council Member Van Bramer

Whereas, The Metropolitan Transportation Authority (MTA) manages New York City's subway and bus system, in addition to commuter railroads and certain bridges and tunnels; and

Whereas, The entire subway and bus system operates within New York City and all of the MTA's bridges and tunnels are located within New York City; and

Whereas, In 2016, the subway system served over 1.7 billion riders and the bus system served over 760 million riders; and

Whereas, By contrast, the commuter railroads, which primarily serve suburbs outside of New York City, carried just over 175 million riders in 2016; and

Whereas, The MTA is governed by a 17-member board; and

Whereas, All members of the board are appointed by the Governor of New York State; and

Whereas, Of the 17 board members, four are recommended by the Mayor of New York City, one is recommended by each of the county executives of Nassau, Suffolk, Westchester, Dutchess, Orange, Rockland, and Putnam counties (with the members representing the latter four counties casting one collective vote), and the remaining six are chosen by the Governor; and

Whereas, With so much of the MTA's service concentrated in New York City, as a matter of fairness, the people of the City deserve increased representation on the MTA board; and

Whereas, In order to achieve this increased representation and to make the board more responsive to the needs of the residents of the City, the membership of the board should be increased to include two additional members recommended by the Mayor of the City of New York and four members recommended by the Council of the City of New York; 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 which would increase New York City's representation on the Metropolitan Transportation Authority board.

Referred to the Committee on Transportation.

Res. No. 230

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation which would direct the Metropolitan Transportation Authority to undertake a comprehensive lead abatement program throughout the subway system.

By Council Member Van Bramer.

Whereas, In April 2017, according to published reports, paint chips falling from the elevated Flushing Line train trestle in Queens were found to contain lead in amounts of 224,000 parts per million when tested by the International Union of Painters and Allied Trades, which is 44 times safe levels; and

Whereas, Many of the areas under elevated trestles throughout the City's subway system are heavily used thoroughfares filled with pedestrians and local businesses, including food service establishments; and

Whereas, According to the Mayo Clinic, lead poisoning can cause a variety of health problems, including seizures and developmental issues in children and high blood pressure and memory difficulties in adults; and

Whereas, S.5754A, introduced by State Senator Jose Peralta, which had companion bill A.7562A, introduced by Assembly Member Jeffrey Dinowitz, was passed by the New York State Legislature in June 2017 and signed into law by the Governor in December 2017; and

Whereas, This law requires the Metropolitan Transportation Authority ("MTA") to conduct a study and produce a report regarding past renovations and associated lead paint abatement at a statistically significant subset of aboveground subway stations and structures, the degree to which the MTA is in compliance with federal and state air quality laws and regulations, recommendations to further lead paint abatement and enhance air quality controls, and the fiscal impact of such recommendations; and

Whereas, In light of the serious health risks associated with exposure to lead paint, the MTA should be further required to conduct a comprehensive examination of the presence of potentially dangerous lead-based paint at all 472 underground and aboveground subway stations and on all elevated trestles and, following such examination, undertake all necessary lead abatement measures to ensure the safety of its customers and all those who live and work near its facilities; 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 which would direct the Metropolitan Transportation Authority to undertake a comprehensive lead abatement program throughout the subway system.

Referred to the Committee on Transportation.

Int. No. 716

By Council Members Williams and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to a report on the waiting lists of Mitchell-Lama housing developments

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 14 to read as follows:

*CHAPTER 14
MITCHELL-LAMA DEVELOPMENT REPORTING REQUIREMENTS*

§ 26-1401 Definition: For the purposes of this chapter:

Department. The term “department” means the department of housing preservation and development.
Mitchell-Lama development. The term “Mitchell-Lama development” means a housing development organized pursuant to article two of the private housing finance law and supervised by the department.

§ 26-1402 *Mitchell-Lama development waiting list report.* By no later than January 15 of each year, the department shall submit to the mayor and the council, and post on its website, a report on waiting lists for Mitchell-Lama developments. Such report shall, at a minimum, contain the following information for each waiting list of each Mitchell-Lama development:

1. The number of unique applicants on the waiting list on the last day of the prior calendar year;
2. The number of applicants on the waiting list who satisfy each of the following conditions:
 - (a) Such applicant was not selected for occupancy in such development within the prior calendar year;
 - (b) A person whose position on the waiting list was sequentially later than such applicant was selected for occupancy in such development within the prior calendar year;
3. The number of applicants who qualified for a preference for such development within the prior calendar year;
4. The total number of complaints received within the prior calendar year regarding the waiting list for such development, including, but not limited to, complaints regarding the wait list process and any preferences given to applicants; and
5. The average percentage rent increase for such development.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Preconsidered Int. No. 717

By Council Member Williams.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit to the council reports relating to opioid antagonists

Be it enacted by the Council as follows:

Section 1. Chapter one of title 14 of the administrative code of the city of New York is amended to add a new section 14-175 to read as follows:

§14-175 *Opioid Antagonist Report.* a. For the purpose of this section, the following terms have the following meanings:

Officer. The term “officer” has the same meaning as defined under section 14-174.

Opioid antagonist. The term “opioid antagonist” means naloxone, narcan or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

b. The department shall submit to the mayor, the speaker of the city council and the department of health and mental hygiene on a quarterly basis a report relating to opioid antagonists, which shall include:

1. The number of opioid antagonists the department has available for use in reversing the effects of a heroin or opioid overdose, disaggregated by precinct;
2. The number of officers trained in the department to administer opioid antagonists to overdose victims, disaggregated by precinct;
3. The number of times in the quarter that an officer administered and opioid antagonists to an overdose victim, disaggregated by precinct and further disaggregated by the way in which the opioid antagonist was administered to such overdose victim, such as by syringe injection or nasal atomizer; and
4. The number of fatalities that were declared after an officer administered an opioid antagonist to an overdose victim.

b. The report created pursuant to this section shall be provided to the within 30 days of the end of the quarter to which the report corresponds. Where necessary, the department may use preliminary data to prepare the required report. If preliminary data is used, the department shall include an acknowledgment that such preliminary data is non-final and subject to change.

§2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 718

By Council Member Williams.

A Local Law to amend the administrative code of the city of New York, in relation to providing e-mail and text message notifications regarding major transportation projects

Be it enacted by the Council as follows:

Section 1. Section 19-101.2 of the administrative code of the city of New York is amended to add a new subdivision k to read as follows:

k. The department shall ensure that the website of the department or a website operated by the department of information technology and telecommunications permits individuals to sign up to receive text message and/or e-mail notifications relating to major transportation projects. Individuals shall be permitted to limit their receipt of such notifications by, at minimum, borough, street, and cross street. Affected council member(s) and community board(s) shall receive all notifications relating to major transportation projects, but shall be permitted to opt out.

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

Referred to the Committee on Transportation.

Int. No. 719

By Council Members Williams and Cornegy (by request of the Brooklyn Borough President).

A Local Law to amend the New York city building code and administrative code of the city of New York, in relation to boarders, lodgers or roomers in a private dwelling

Be it enacted by the Council as follows:

Section 1. The term “family” in section 310.2 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

FAMILY.

1. A single person occupying a dwelling unit and maintaining a common household with not more than [two] *four* boarders, roomers or lodgers; or
2. Two or more persons related by blood, adoption, legal guardianship, marriage or domestic partnership; occupying a dwelling unit and maintaining a common household with not more than [two] *four* boarders, roomers or lodgers; or
3. Not more than three unrelated persons occupying a dwelling unit and maintaining a common household; or
4. Not more than three unrelated persons occupying a dwelling unit in a congregate housing or shared living arrangement and maintaining a common household; or
5. Members of a group home; or
6. Foster children placed in accordance with provisions of the *New York State Social Services Law*, their foster parent(s), and other persons related to the foster parents by blood, marriage or domestic partnership; where all residents occupy and maintain a common household with not more than two boarders, roomers or lodgers; or
7. Up to seven unrelated students enrolled at a single accredited college or university occupying a student apartment and maintaining a common household pursuant to a lease, sublease, or occupancy agreement directly with such college or university, provided that:
 - 7.1. The entire structure in which the dwelling unit is located is fully sprinklered in accordance with Chapter 9; and
 - 7.2. Such occupancy does not exceed the maximums contained in Section 27-2075(a) of the *New York City Housing Maintenance Code*; and
 - 7.3. Prior to commencement of such occupancy, and on an annual basis thereafter such college or university has submitted a fire safety plan containing fire safety and evacuation procedures for such dwelling unit that is acceptable to the fire commissioner and in compliance with any rules promulgated by the Fire Commissioner; and
 - 7.4. The dwelling unit complies with additional occupancy and construction requirements as may be established by rule by the Housing Preservation and Development Commissioner.

A common household is deemed to exist if all household members have access to all parts of the dwelling unit. Lack of access to all parts of the dwelling unit establishes a rebuttable presumption that no common household exists.

§ 2. Paragraph 4 of subdivision a of section 27-2004 of the administrative code of the city of New York is amended to read as follows:

4. A family is:
 - (a) A single person occupying a dwelling unit and maintaining a common household with not more than [two] *four* boarders, roomers or lodgers; or
 - (b) Two or more persons related by blood, adoption, legal guardianship, marriage or domestic partnership; occupying a dwelling unit and maintaining a common household with not more than [two] *four* boarders, roomers or lodgers; or
 - (c) Not more than three unrelated persons occupying a dwelling unit and maintaining a common household; or
 - (d) Not more than three unrelated persons occupying a dwelling unit in a congregate housing or shared living

arrangement and maintaining a common household; or

(e) Members of a group home; or

(f) Foster children placed in accordance with provisions of the New York state social services law, their foster parents, and other persons related to the foster parents by blood, marriage or domestic partnership; where all residents occupy and maintain a common household with not more than two boarders, roomers or lodgers; or

(g) Up to seven unrelated students enrolled at a single accredited college or university occupying a student apartment, as such term is defined in the New York city building code, and maintaining a common household pursuant to a lease, sublease, or occupancy agreement directly with such college or university, provided that:

(i) The entire structure in which the dwelling unit is located is fully sprinklered in accordance with chapter 9 of the New York city building code; and

(ii) Such occupancy does not exceed the maximums contained in subdivision a of section 27-2075; and

(iii) Prior to commencement of such occupancy, and on an annual basis thereafter such college or university has submitted a fire safety plan containing fire safety and evacuation procedures for such dwelling unit that is acceptable to the fire commissioner and in compliance with any rules promulgated by the fire commissioner; and

(iv) The dwelling unit complies with additional occupancy and construction requirements as may be established by rule by the department of housing preservation and development or its successor.

§ 3. Subdivision c of section 27-2078 of the administrative code of the city of New York is amended to read as follows:

c. A family may rent one or more living rooms in a private dwelling to not more than [two] four boarders, roomers or lodgers, except as otherwise prohibited under the zoning resolution of the city of New York.

§ 4. This local law takes effect on the later of the date of its enactment into law or the date of adoption of a zoning text amendment defining family in section 12-10 as including not more than four boarders, roomers or lodgers.

Referred to the Committee on Housing and Buildings.

Preconsidered Int. No. 720

By Council Members Williams and Menchaca.

A Local Law to amend the New York city building code, in relation to clarifying the requirements for site safety training providers

Be it enacted by the Council as follows:

Section 1. The definition of “site safety training (SST) provider” in section 3302.1 of the New York city building code, as added by local law number 196 for the year 2017, is amended to read as follows:

SITE SAFETY TRAINING (SST) PROVIDER. A person who satisfies the requirements of Items 1 and 2:

1. Such person satisfies [at least one of] the [following] conditions *of Item 1.1, 1.2, 1.3 or 1.4:*

1.1. Such person has (i) successfully completed all applicable OSHA or department requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes and is authorized to conduct such classes and (ii) if such person is conducting training for SST credits other than training that is part of an OSHA 10-hour class or OSHA 30-hour class, such person demonstrates sufficient knowledge of this chapter in a form and manner established by the department. Such person shall not be required to possess a degree[, certificate, license] or demonstrate any professional standing, *approval, licensure, accreditation or certification, including approval, licensure, accreditation or certification pursuant to paragraph (2) of subdivision d of section 105-03 of subchapter E of*

chapter 100 of title 1 of the rules of the city of New York, as in effect on January 1, 2018, beyond showing that such person has [completed all applicable OSHA or department requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes and that such person is authorized to conduct such classes] *satisfied the requirements set forth in the preceding sentence.*

- 1.2. Such person is providing training through a 100-hour training program.
 - 1.3. Such person has been approved by the department to conduct a 40-hour course approved by the department pursuant to Article 402 of Chapter 4 of Title 28 of the *Administrative Code*.
 - 1.4. [Such person satisfies alternative requirements that the department establishes by rule.] *The department may establish by rule additional ways for a person to satisfy the requirements of this Item 1. If the department elects to promulgate such rules, a person shall be deemed to satisfy this Item 1 if such person satisfies the requirements set forth in such rules or if such person satisfies the requirements set forth in Item 1.1, 1.2 or 1.3.*
2. On and after the SST full compliance date, such person has certified to the department that such person satisfies at least one of the following conditions:
- 2.1. Such person has a language access plan for training that relates to SST credits such person offers and such plan complies with requirements established by an agency or office designated by the mayor.
 - 2.2. Such person satisfies each of the following conditions:
 - 2.2.1. Such person is able to provide instruction in a language that students understand.
 - 2.2.2. If a student's vocabulary is limited, such person will accommodate that limitation.
 - 2.2.3. Such person is fluent in the training language or will use translators or interpreters and any such translators or interpreters will have a background in occupational safety and health.

§ 2. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of the date that local law number 196 for the year 2017 took effect.

Adopted by the Council (preconsidered and approved by the Committee on Housing and Buildings).

Int. No. 721

By Council Members Williams, Rosenthal, Ampry-Samuel, Reynoso and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to respecting the right to record police activities

Be it enacted by the Council as follows:

Section 1. Title 10 of the administrative code of the city of New York is amended by adding a new Chapter 9 to read as follows:

*Chapter 9
The Right To Record Police Activities*

§ 10-901 Definitions.

§ 10-902 Right to record police activities.

§ 10-903 Private right of action.

§ 10-904 Preservation of rights.

§ 10-905 Reporting.

§ 10-901 Definitions. For purposes of this chapter, the following terms have the following meanings:

Officer. The term “officer” means any peace officer or police officer as defined in the criminal procedure law who is employed by the city of New York, or any special patrolman appointed by the police commissioner pursuant to section 14-106 of the administrative code.

Police activities. The term “police activities” means any activity by an officer acting under the color of law.

Record. The term “record” means to capture or attempt to capture any moving or still image, sound, or impression through the use of any recording device, camera, or any other device capable of capturing audio, moving or still images, or by way of written notes or observations.

§ 10-902 Right to record police activities. A person may record police activities and maintain custody and control of any such recording and of any property or instruments used in such recording. Nothing in this chapter shall be construed to permit a person to engage in actions that physically interfere with an official and lawful police function, or to prevent the seizure of any property or instruments used in a recording of police activities otherwise authorized by law, or to prohibit any officer from enforcing any other provision of law.

§ 10-903 Private Right of Action.

a. A claim of unlawful interference with recording police activities is established under this chapter when an individual demonstrates that he or she recorded or attempted to record police activities in accordance with section 10-902 and an officer interfered with that person’s recording of police activities. Such interference includes but is not limited to the following actions:

1. preventing or attempting to prevent the recording of police activities;
2. threatening or making any effort to intimidate a person recording police activities;
3. stopping, seizing, searching, issuing any summons, or arresting any individual because such individual recorded police activities; or
4. seizing property or instruments used by any individual to record police activities.

b. It shall be an affirmative defense that a reasonable officer in the position of such officer would have had probable cause to believe that the person recording police activities physically interfered with an official and lawful police function, or that such officer’s actions were otherwise authorized by law.

c. A person subject to unlawful interference with recording police activities as described in subdivision a of this section may bring an action in any court of competent jurisdiction for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate.

d. In any action or proceeding to enforce this section, the court may allow a prevailing plaintiff reasonable attorney’s fees as part of the costs, and may include expert fees as part of the attorney’s fees.

e. Any action or proceeding to enforce this section shall be commenced no later than one year and 90 days after the date on which the violation of this section is committed.

§ 10-904 Preservation of rights. This section shall be in addition to all rights, procedures, and remedies available under the United States Constitution, Section 1983 of Title 42 of the United States Code, the Constitution of the State of New York and all other federal law, state law, law of the City of New York or the New York City Administrative Code, and all pre-existing civil remedies, including monetary damages, created by statute, ordinance, regulation or common law.

§ 10-905 Reporting. The commissioner shall submit to the council and the mayor, and post to the department’s website, within 20 days of the beginning of each quarter, a report containing the following information for the previous quarter: the number of arrests, criminal summonses, and civil summonses in which the person arrested or summonsed was recording police activities as defined in section 10-901. Such report shall include this information in total and disaggregated by the following factors: the patrol precinct in which such arrest or summons occurred, the offense charged, and the apparent race, ethnicity, gender, and age of the person arrested or summonsed. The information to be reported pursuant to this section shall be compared to previous reporting periods, shall be permanently stored on the department’s website, and shall be stored in alphanumeric form that can be digitally transmitted or processed and not in portable document format or scanned copies of original documents.

§ 2. Severability. If any provision of this bill or any other provision of this local law, or any amendments thereto, shall be held invalid or ineffective in whole or in part or inapplicable to any person or situation, such holding shall not affect, impair or invalidate any portion of or the remainder of this local law, and all other provisions thereof shall nevertheless be separately and fully effective and the application of any such provision to other persons or situations shall not be affected.

§ 3. This local law takes effect 30 days after it becomes law, provided that the first quarterly report pursuant to section 10-905 is due within 20 days of the quarter beginning January 1, 2019.

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 30

By Council Member Salamanca:

Application No. 20185166 PXM (N 180167 PXM) related to a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 255 Greenwich Street (Block 127, Lot 18) (Campaign Finance Board office), Borough of Manhattan, Community District 1, Council District 1.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 31

By Council Member Salamanca:

Application No. C 180121 ZMX submitted by the New York City Economic Development Corporation and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c, changing an R6 District to an M1-2/R7-2 District and establishing a Special Mixed Use District (MX-17) on property bounded by a line 340 feet northerly of Spofford Avenue, a line 475 feet easterly of Tiffany Street, a line 155 northerly of Spofford Avenue, Manida Street, Spofford Avenue, and Tiffany Street, Borough of the Bronx, Community Board 2, Council District 17.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

Preconsidered L.U. No. 32

By Council Member Salamanca:

Application No. N 180122 ZRX submitted by New York City Economic Development Corporation and The Peninsula JV, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of modifying parking and loading regulations, establishing a Special Mixed Use District, and establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 2, Council District 17.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

Preconsidered L.U. No. 33

By Council Member Salamanca:

Application No. C 180123 ZSX submitted by the New York City Economic Development Corporation, Department of Citywide Administrative Services, and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify rear yard requirements, distance between buildings requirements, and height and setback requirements, in connection with a proposed mixed used development on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17), Borough of the Bronx, Community District 2, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions)

Preconsidered L.U. No. 34

By Council Member Salamanca:

Application No. C 180124 ZSX submitted by the New York City Economic Development Corporation, the Department of Citywide Administrative Services, and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745(b) of the Zoning Resolution to allow a reduction of loading berth requirements in connection with a proposed mixed used development on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17). Borough of the Bronx, Community Board 2, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

Preconsidered L.U. No. 35

By Council Member Salamanca:

Application No. C 180126 PPX submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition, by means of ground leases, of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning, Borough of the Bronx, Community District 2, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

L.U. No. 36

By Council Member Salamanca:

Application No. C 180069 ZSM submitted by 21E12 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 187 spaces on portions of the ground floor, cellar and sub-cellar of a proposed mixed use building on property located at 21 East 12th Street (Block 570, Lots 1101 and 1102), in C1-7/C6-1 Districts, Borough of Manhattan, Community District 2, Council District 2. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 37

By Council Member Salamanca:

Application No. C 180095 ZMK submitted by Silvershore Properties 97 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c changing from an R6B District to an R6A District and establishing within the proposed R6A District a C2-4 District, in relation to property bounded by a line 100 feet westerly of Washington Avenue, Dean Street and Underhill Avenue, Borough of Brooklyn, Community District 8, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 38

By Council Member Salamanca:

Application No. C 180065 PCK submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 242 Nevins Street (Block 411, Lot

24, Block 418, Lot 1, Block 425, Lot 1) for a combined sewer overflow control facility, Borough of Brooklyn, Community District 6, Council District 33. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 39

By Council Member Salamanca:

Application No. 20185068 SCQ submitted by the New York City School Construction Authority pursuant to Section 1731 of the New York City School Construction Authority Act for the site selection of property located at Block 6, Lot 130, for the construction of a new, approximately 612-seat primary school facility, Borough of Queens, Community School District 30, Community District 2, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 40

By Council Member Salamanca:

Application No. 20185069 SCQ submitted by the New York City School Construction Authority pursuant to Section 1731 of the New York City School Construction Authority Act for the site selection of property located at Block 60, Lot 6, for the construction of a new, approximately 572-seat primary school facility, Borough of Queens, Community School District 30, Community District 2, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 41

By Council Member Salamanca:

Application No. 20185206 HAM submitted by the New York City Department of Housing Preservation and Development for the approval of an Urban Development Action Area Project (UDAAP) pursuant to Article 16 of the General Municipal Law and approval of a new real property tax exemption pursuant to Article XI of the Private Housing Finance Law, for property located at 165 West 80th Street (Block 1211, Lot 7), Borough of Manhattan, Community District 7, Council District 6.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 42

By Council Member Salamanca:

Application No. C 180115 HAM submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State and Section 197-c of the New York City Charter, for the designation of property located at 302-314 West 127th Street (Block 1953, Lots 36, 37, 38, 39, 40 and 41), as an Urban Development Action Area and an Urban Development Action Area Project for such area; and for the disposition of city-owned property located at 302, 304, 306, and 310 West 127th Street (Block 1953, Lots 36, 37, 38, and 40) to a developer selected by HPD to facilitate an affordable housing development, Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 43

By Council Member Salamanca:

Application no. C 180116 ZSM submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of Section 24-111 to permit the allowable community facility floor area ratio of Section 24-11 to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 12-story building on property located at 302-314 West 127th St. (Block 1953, Lots 36, 37, 38, 39, 40 and 41), in R7-2, R7-2/C1-4 and R8 Districts, Borough of Manhattan, Community District 10, Council District 9. 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. 44

By Council Member Salamanca:

Application No. 20185143 TCK pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Mozarella Holdings LLC, d/b/a Barano, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 26 Broadway, Borough of Brooklyn, Community Board 1, Council District 33. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

<http://legistar.council.nyc.gov/Calendar.aspx>

ANNOUNCEMENTS

Thursday, March 8, 2018

9:30 a.m. Transportation Committee - Council Chambers – City Hall

9:30 a.m. MTA/NYC Transit

11:00 a.m. Public

12:00 p.m. Fire and Emergency Management Committee – Council Chambers – City Hall

12:00 p.m. Fire/Emergency Medical Service

1:00 p.m. Office of Emergency Management

1:45 p.m. Public

1:30 p.m. For-Hire Vehicles Committee – Committee Room – City Hall

1:30 p.m. Taxi and Limousine Commission

2:30 p.m. Public

3:00 p.m. Transportation Committee joint with the Subcommittee on Capital – Council Chambers – City Hall

3:00 p.m. Department of Transportation

5:00 p.m. Public

Friday, March 9, 2018

10:00 a.m. Economic Development Committee - Council Chambers – City Hall

10:00 a.m. Economic Development Corporation

11:30 a.m. Public

★ Note Topic Deferred

11:00 a.m. Consumer Affairs Committee – Committee Room – City Hall

11:00 a.m. Department of Consumer Affairs

~~12:00 p.m. Mayor’s Office of Nightlife~~

12:30 p.m. Public

1:00 p.m. Small Business Committee – Council Chambers – City Hall

1:00 p.m. Department of Small Business Services

2:30 p.m. Public

★ Deferred

~~1:00 p.m. Veterans Committee – Committee Room – City Hall~~

~~1:00 p.m. Department of Veterans Affairs~~

~~2:00 p.m. Public~~

Monday, March 12, 2018

[Subcommittee on Zoning & Franchises](#)

Francisco Moya, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....9:30 a.m.

★ Deferred

[Committee on Housing and Buildings](#)

~~Robert Cornegy, Jr., Chairperson~~

~~**Proposed Int 600 A** – By The Speaker (Council Member Johnson) – **A Local Law** to amend the administrative code of the city of New York, in relation to continuation of the public emergency requiring the regulation of residential rents and repealing section 26-520 of such code.~~

~~**Proposed Res 188 A** – By The Speaker (Council Member Johnson) – **Resolution** determining that a public emergency requiring regulation of residential rents in the City of New York continues to exist and will continue to exist on and after April 1, 2018.~~

~~Committee Room – City Hall.....10:00 a.m.~~

10:00 a.m. Public Safety Committee – Council Chambers – City Hall

10:00 a.m. Police Department

12:00 p.m. Civilian Complaint Review Board

1:00 p.m. Public

Subcommittee on Landmarks, Public Siting & Maritime Uses

Adrienne Adams, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor..... 12:00 p.m.

1:00 p.m. Veterans Committee – Committee Room – City Hall

1:00 p.m. Department of Veterans Affairs

2:00 p.m. Public

2:00 p.m. Justice System Committee jointly with Public Safety Committee – Council Chambers – City Hall

2:00 p.m. District Attorneys/Special Narcotics Prosecutor

3:00 p.m. Public

Subcommittee on Planning, Dispositions & Concessions

Ben Kallos, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor..... 2:00 p.m.

3:30 p.m. Justice System Committee – Council Chambers – City Hall

3:30 p.m. Mayor’s Office of Criminal Justice

4:15 p.m. Office of Civil Justice (Human Resources Administration)

4:45 p.m. Legal Aid

5:15 p.m. Public

Tuesday, March 13, 2018

★ Deferred

~~[Subcommittee on Zoning & Franchises](#).....Francisco Moya, Chairperson~~

~~See Land Use Calendar~~

~~Committee Room — 250 Broadway, 16th Floor.....9:30 a.m.~~

★ Deferred

~~10:00 a.m. — Environmental Protection Committee — Council Chambers — City Hall~~

~~10:00 a.m. — Department of Environmental Protection — Expense~~

~~11:30 a.m. — Environmental Protection Committee joint with the Subcommittee on Capital — Council Chambers — City Hall~~

~~11:30 a.m. — Department of Environmental Protection — Capital~~

~~12:30 p.m. Public~~

★ Deferred

~~[Subcommittee on Landmarks, Public Siting & Maritime Uses](#).....Adrienne Adams, Chairperson~~

~~See Land Use Calendar~~

~~Committee Room — 250 Broadway, 16th Floor.....12:00 p.m.~~

★ Deferred

~~1:00 p.m. — Sanitation & Solid Waste Management Committee — Council Chambers — City Hall~~

~~1:00 p.m. — Department of Sanitation~~

~~3:00 p.m. — Business Integrity Commission~~

~~3:30 p.m. — Public~~

★ Deferred

~~[Subcommittee on Planning, Dispositions & Concessions](#).....Ben Kallos, Chairperson~~

~~See Land Use Calendar~~

~~Committee Room — 250 Broadway, 16th Floor.....2:00 p.m.~~

Wednesday, March 14, 2018**10:00 a.m. Environmental Protection Committee joint with the Subcommittee on Capital – Committee Room – City Hall**

10:00 a.m. Department of Environmental Protection

12:30 p.m. Public

10:00 a.m. Housing and Buildings Committee – – Council Chambers – City Hall

10:00 a.m. Department of Housing Preservation and Development

12:00 p.m. Department of Buildings

12:45 p.m. Public

1:00 p.m. Public Housing Committee joint with the Subcommittee on Capital – Council Chambers – City Hall

1:00 p.m. New York City Housing Authority

4:00 p.m. Public

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

Thursday, March 15, 2018**9:30 a.m. Land Use Committee – Council Chambers – City Hall**

9:30 a.m. Landmarks Preservation Commission

10:30 a.m. Department of City Planning

11:30 a.m. Department of Information, Technology & Telecommunications (joint with the Technology Committee)

12:30 p.m. Public

**10:00 a.m. Criminal Justice Committee joint with the Subcommittee on Capital – Council
Chambers – City Hall**

10:00 a.m. Department of Probation

10:30 a.m. Department of Correction

12:30 p.m. Board of Correction

1:00 p.m. Public

1:00 p.m. Hospitals Committee – Committee Room – City Hall

1:00 p.m. Health + Hospitals

3:00 p.m. Public

Friday, March 16, 2018

**10:00 a.m. Cultural Affairs, Libraries & International Intergroup Relations Committee –
Council Chambers – City Hall**

10:00 a.m. Libraries

11:30 a.m. Department of Cultural Affairs

1:00 p.m. Public

1:00 p.m. Youth Services Committee – Committee Room – City Hall

1:00 p.m. Department of Youth and Community Development

2:30 p.m. Public

Monday, March 19, 2018

10:00 a.m. Governmental Operations Committee – Committee Room – City Hall

10:00 a.m. Department of Citywide Administrative Services

11:00 a.m. Law Department

12:00 p.m. Board of Elections

1:00 p.m. Office of Administrative Trials and Hearings

2:00 p.m. Community Boards

3:00 p.m. Public

★ Deferred

~~**10:00 a.m. Oversight & Investigations Committee – Committee Room – City Hall**~~

~~10:00 a.m. Department of Investigation~~

~~12:00 p.m. Public~~

Committee on Housing and Buildings

Robert Cornegy, Jr., Chairperson

Proposed Int 600-A – By The Speaker (Council Member Johnson) - **A Local Law** to amend the administrative code of the city of New York, in relation to continuation of the public emergency requiring the regulation of residential rents and repealing section 26-520 of such code.

Proposed Res 188-A – By The Speaker (Council Member Johnson) - **Resolution** determining that a public emergency requiring regulation of residential rents in the City of New York continues to exist and will continue to exist on and after April 1, 2018.

Council Chambers – City Hall.....1:00 p.m.

Tuesday, March 20, 2018

**10:00 a.m. Finance Committee jointly with the Subcommittee on Capital Budget –
Council Chambers – City Hall**

10:00 a.m. Office of Management and Budget

12:00 p.m. Department of Design and Construction

1:00 p.m. Public

10:00 a.m. Health Committee – Committee Room – City Hall

10:00 a.m. Medical Examiner

11:00 a.m. Department of Health and Mental Hygiene

1:00 p.m. Public

**2:00 pm. Mental Health, Disabilities & Addiction Committee –
Committee Room – City Hall**

2:00 p.m. Department of Health and Mental Hygiene

4:00 p.m. Public

Wednesday, March 21, 2018

[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 Johnson) recognized members of the Trevor Project who were seated in the balcony of the Council Chambers. He acknowledged that he was proud to honor this group for their twenty years of extraordinary service and dedication to LGBT teens and young adults. The Speaker (Council Member Johnson) noted that the Trevor Project is the largest suicide prevention organization for young LGBT people in the country. He asked everyone to give them a round of applause. Those assembled in the Chambers applauded the Project Trevor staff members.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) acknowledged that Dillon Casey of the Land Use Division was leaving the Council. He mentioned that Mr. Casey was moving to California to advocate for fair housing and to work on related policy issues. The Speaker (Council Member Johnson) noted that Mr. Casey’s work on behalf of the Council these past three years had been of superior quality and he thanked him for his service. He wished him good luck as those assembled in the Chambers applauded.

Whereupon on motion of the Speaker (Council Member Johnson), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, March 21, 2018.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: Due to the inclement winter weather of Wednesday, March 21, 2018, the next Stated Meeting was rescheduled for Thursday, March 22, 2018.

Editor's Local Law Note: Int. No. 1, adopted at the January 16, 2018 Stated Meeting, was returned unsigned by the Mayor on February 16, 2018. This item had become law on February 16, 2018 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill was assigned subsequently as Local Law No. 84 of 2018.