THE COUNCIL

STATED MEETING OF

TUESDAY, FEBRUARY 4, 2014

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Tuesday, February 4, 2014, 1:32 p.m.

The Public Advocate (Ms. James)
Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, Speaker

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

The Public Advocate (Ms. James) assumed the Chair as the designated Acting President Pro Tempore and Presiding Officer.

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

INVOCATION

The Invocation was delivered by Rev. Clinton Miller, Brown Memorial Baptist Church, 484 Washington Avenue, Brooklyn, NY 11238.

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Let us pray.
Eternal and righteous God,
we're thankful for this day.
We're thankful for life.
We're thankful for purpose.
Now God, as we come before your presence
we ask that you would bless all families
who have lost loved ones to violence,
drug addiction and also to illness.
We come asking a special blessing
on this City Council.
Remind them, oh God,
that they are to lead this city
in spirit and in truth.
We're thankful for this Public Advocate
and each member of this Council and the Mayor.
We ask, oh God, that they would work together,
Even during those difficult
politically awkward moments,
allow them to work together
with mutual respect with the people
from Brooklyn, Queens, the Bronx,
Staten Island and Manhattan
in the forefront of their minds.
Then oh God, we come before your presence
on this fourth day of February,
remembering the contributions
of African-Americans in this chamber.
Remind us, oh God, that without black history
there's no New York City history,
and without the history of those
who have come from all parts of this world
to this city for a better life,
there is no New York City history.
We ask, oh God, that you would bless them
and remind them that even the Government
shall rest upon your shoulder.
In your mighty and matchless name we pray,
Amen.

Council Member Cumbo moved to spread the Invocation in full upon the Record.

ADOPTION OF MINUTES

Council Member Chin moved that the Minutes of the Stated Meeting of December 19, 2013 be adopted as printed.

At a later point in the Meeting, the Speaker (Council Member Mark-Viverito) recognized the presence of former Council Member Charles Barron in the Chambers.

MESSAGES & PAPERS FROM THE MAYOR

M-18

Communication from the Mayor - Submitting the name of Richard Briffault to the Council for its advice and consent regarding his appointment to the

New York City Conflicts of Interest Board, pursuant to Section 2602 of the New York City Charter.

January 30, 2014

The Honorable Melissa Mark-Viverito
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Mark-Viverito:

Pursuant to Section 2602 of the City Charter, I am very pleased to present the name of Richard Briffault to the City Council for advice and consent prior to his appointment to the New York City Conflicts of Interest Board.

Professor Briffault is the Joseph P. Chamberlain Professor of Legislation at Columbia Law School. He is a graduate of Columbia University and Harvard Law School.

When appointed to the Board, Professor Briffault will succeed Nicholas Scoppetta and serve for a six-year term that will expire on March 31, 2020.

Thank you for reviewing this Conflicts of Interest Board appointment.

Sincerely,

Bill de Blasio
Mayor

cc: Richard Briffault

Referred to the Committee on Rules, Privileges and Elections.

M-19

Communication from the Mayor - Submitting the name of Fernando A. Bohorquez, Jr. to the Council for its advice and consent regarding his appointment to the New York City Conflicts of Interest Board, pursuant to Section 2602 of the New York City Charter.

January 30, 2014

The Honorable Melissa Mark-Viverito
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Mark-Viverito:

Pursuant to Section 2602 of the City Charter, I am very pleased to present the name of Fernando A. Bohorquez, Jr. to the City Council for advice and consent before his appointment to the New York City Conflicts of Interest Board.

Mr. Bohorquez is a partner at the law firm BakerHostetler. He is a graduate of the University of Delaware, New York Law School, and the Georgetown University Law Center.

When appointed to the Board, Mr. Bohorquez will succeed Burton Lehman and serve for the remainder of a six-year term that will expire on March 31, 2018.

Thank you for reviewing this Conflicts of Interest Board appointment.

Sincerely,

Bill de Blasio
Mayor

cc: Fernando A. Bohorquez, Jr.

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL UPS

M-20

By Council Member Dickens:

Pursuant to Rule 11.20b 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 310 Malcolm X Blvd., in the Borough of Manhattan, Community District 10, Application no. 20145231 TCM shall be subject to review by the Council.

Coupled on Roll Call.

LAND USE CALL UP VOTE

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

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams, Wills, Ignizio, and the Speaker (Council Member Mark-Viverito) **– 51.**

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

REPORTS OF THE STANDING COMMITTEES

Reports of the Committee on Civil Service and Labor

Override Report for Int. No. 1208-A (2013)

Report of the Committee on Civil Service and Labor in favor of approving and adopting, as amended, notwithstanding the objection of the Mayor, a Local Law to amend the administrative code of the city of New York, in relation to the provision of sick time earned by employees.

The Committee on Civil Service and Labor, to which the annexed amended proposed local law was referred on December 10, 2013 (Minutes, page 5219), and was originally adopted by the Council on December 19, 2013 (Minutes, page 5264) but later vetoed by the Mayor on December 27, 2013 (please see M-10, January 8, 2014 Minutes, page 52), respectfully

REPORTS:

I. Introduction

On January 30, 2014, the Committee on Civil Service and Labor, chaired by Council Member I. Daneek Miller, will conduct a hearing regarding Int. No. 1208-A of 2013, a Local Law to amend the Administrative Code of the City of New York in relation to the provision of sick time earned by employees. This will be the third hearing on this bill. The first hearing on the bill, which was amended after introduction, was held on December 12, 2013. On December 17, 2013, the Committee, then chaired by Council Member Michael Nelson, voted on Int. No. 1208-A, resulting in four votes in the affirmative, zero in the negative and zero abstentions. The bill makes technical amendments to Local Law 46 of 2013, the Earned Sick Time Act, which was passed by the Council on May 8, 2013, vetoed by Mayor Michael Bloomberg on June 6, 2013 and overridden by the Council on June 26, 2013. On December 19, 2013, the Council adopted Intro. No. 1208-A with a vote of forty seven in the affirmative, four in the negative and zero abstentions.

Int. No. 1208-A was then vetoed by Mayor Bloomberg on December 27, 2013. On January 8, 2014, the Council received the veto message. The veto asserts that the bill was vetoed for same reasons Mayor Bloomberg vetoed the Earned Sick Time Act. The former Mayor stated that it would hurt employers, create a new bureaucracy at the Department of Consumer Affairs, impose additional economic costs on doing business in the City and end up hurting the employees it seeks to help. This hearing will consider whether to override such veto.

II. Int. No. 1208-A

Bill Text

Manufacturing Exception

The first two sections of the bill would amend subdivision g of section 20-912 and subdivision a of section 20-913 of Chapter 8 to Title 20 of the Administrative Code of the City of New York (the Code). The Earned Sick Time Act currently contains an exemption for manufacturers, which took manufacturers completely out from the definition of employer. This bill, however, would move the exemption for manufacturers to the requirement to provide paid sick time. Manufacturers would, therefore, be required to provide *unpaid* sick time to their employees.

Carryover Hours

The bill's third section would amend subdivision h of section 20-913 of chapter 8 of title 20 of the Code. This change was necessary to avoid employees from being able to carryover more hours into the following year than they are entitled to use in the following year.

Notice and Posting

The third section of this legislation would amend subdivision a of section 20-919 of the Code. This change would require that, in addition to informing future employees about the provisions of the Earned Sick Time Act, employers would also have to inform current employees of such sick time requirements when the law goes into effect.

Enactment

The final section of the bill contains the enactment clause, which specifies that this local law would take effect on the same date and in the same manner as Local Law 46 for the Year 2013 (the Earned Sick Time Act).

(The following is the text of the Fiscal Impact Statement for Int. No. 1208-A:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1208-A
COMMITTEE: Civil Service and Labor

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the provision of sick time earned by employees.

SPONSOR(S): Brewer, Chin, Koppell, Mendez, Rose and Gennaro

SUMMARY OF LEGISLATION: Proposed Intro. 1208-A would amend the New York City Charter through technical amendments to Local Law 46 of 2013, the Earned Sick Time Act, which was passed by the Council on May 8, 2013, vetoed by Mayor Michael Bloomberg on June 6, 2013 and overridden by the Council on June 26, 2013.

The Act carved out manufacturing businesses completely from the bill. This bill requires manufacturing businesses that do not have to provide paid sick time under the law to provide unpaid sick time.

The Act currently allows workers to accrue and carryover more hours into the subsequent year than can be used in that year. This bill caps the carryover at 40 hours.

The Act requires future employees to be informed of their rights under the Earned Sick Time Act. This bill requires employers to also inform current employees of their rights under the law.

EFFECTIVE DATE: This local law would take effect on the same date and in the same manner as Local Law 46 for the Year 2013 (the Earned Sick Time Act).

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2015

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY15
Revenues	$0	$0	$0
Expenditures	$0	$0	$0
Net	$0	$0	$0

IMPACT ON REVENUES: The legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: The legislation would have no impact on expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Legislative Financial Analyst

ESTIMATED REVIEWED BY: Nathan Toth, Deputy Director
Raymond Majewski, Deputy Director/Chief Economist
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: Int. 1208 was introduced by City Council and referred to the Civil Service and Labor Committee as Int. No. 1208 on December 10, 2013. On December 12, 2013, the Committee held a hearing on the bill, and the bill was laid over, and subsequently amended. On December 17, 2013, the Committee and the Full Council passed an amended version of the bill, Proposed Int. 1208-A. On December, 27, 2013, the Mayor issued a message of disapproval, vetoing the legislation. That veto message was formally accepted by the Council at its Stated meeting held on January 8, 2014. On January 30, 2014, the Committee will repass the legislation, and upon successful vote the bill will be submitted to the Full Council on February 4, 2014.

Notwithstanding the objection of the Mayor, this Committee recommends the re-adoption of Int No. 1208-A.

(The following is the text of Int. No. 1208-A of 2013:)

Int. No. 1208-A (2013)

By Council Members Brewer, Chin, Koppell, Mendez, Rose, Gennaro, Van Bramer, Dickens, Jackson and Lappin.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of sick time earned by employees.

Be it enacted by the Council as follows:

Section 1. Subdivision g of section 20-912 of the administrative code of the city of New York, as added by local law 46 for the year 2013, is amended to read as follows:

g. "Employer" shall mean any "employer" as defined in section 190(3) of the labor law, but not including (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 governed by general municipal law section 92 or county law section 207[; or (iv) any employer that is a business establishment classified in section 31, 32 or 33 of the North American Industry Classification System]. In determining the number of employees performing work for an employer for compensation during a given week, all employees performing work for compensation on a full-time, part-time or temporary basis shall be counted, provided that where the number of employees who work for an employer for compensation per week fluctuates, business size may be determined for the current calendar year based upon the average number of employees who worked for compensation per week during the preceding calendar year, and provided further that in determining the number of employees performing work for an employer that is a chain business, the total number of employees in that group of establishments shall be counted.

§ 2. Subdivision a of section 20-913 of the administrative code of the city of New York, as added by local law 46 for the year 2013, is amended to read as follows:

a. All employees have the right to sick time pursuant to this chapter.

1. All employers that employ fifteen or more employees, *except for any employer that is a business establishment classified in sector 31, 32 or 33 of the North American Industry Classification System,* and all employers of one or more domestic workers shall provide paid sick time to their employees in accordance with the provisions of this chapter and the schedule set forth in section 7 of the local law which enacted this section.

2. All employees not entitled to paid sick time pursuant to this chapter shall be entitled to unpaid sick time in accordance with the provisions of this chapter and the schedule set forth in section 7 of the local law which enacted this section.

3. All employers that employ fifteen to nineteen employees, and all employers of one or more domestic workers, shall provide unpaid sick time in accordance with the provisions of this chapter and the schedule set forth in section 7 of the local law which enacted this section during any period in which, pursuant to the schedule set forth in section 7 of the local law which enacted this section, such employers are not required to provide paid sick time but employers that employ twenty or more employees, *except for any employer that is a business establishment classified in sector 31, 32 or 33 of the North American Industry Classification System,* are required to provide paid sick time.

§ 3. Subdivision h of section 20-913 of chapter 8 of title 20 of the administrative code of the city of New York, as added by local law 46 for the year 2013, is amended to read as follows:

h. Except for domestic workers, *up to forty hours of* unused sick time as provided pursuant to this chapter shall be carried over to the following calendar year; provided that no employer shall be required to (i) allow the use of more than forty hours of sick time in a calendar year or (ii) carry over unused paid sick time if the employee is paid for any unused sick time at the end of the calendar year in which such time is accrued and the employer provides the employee with an amount of paid sick time that meets or exceeds the requirements of this chapter for such employee for the immediately subsequent calendar year on the first day of [the immediately subsequent calendar] *such* year.

§ 4. Subdivision a of section 20-919 of the administrative code of the city of New York, as added by local law 46 for the year 2013, is amended to read as follows:

a. An employer shall provide an employee *either* at the commencement of employment *or within thirty days of the effective date of this section, whichever is later,* with written notice of such employee's right to sick time pursuant to this chapter, including the accrual and use of sick time, the calendar year of the employer, and the right to be free from retaliation and to bring a complaint to the department. Such notice shall be in English and the primary language spoken by that employee, provided that the department has made available a translation of such notice in such language pursuant to subdivision b of this section. Such notice may also be conspicuously posted at an employer's place of business in an area accessible to employees.

§ 5. This local law shall take effect on the same date and in the same manner as local law 46 for the year 2013.

I. DANEEK MILLER, Chairperson; ELIZABETH S CROWLEY, DANIEL DROMM, COSTA G. CONSTANTINEDES, ROBERT E. CORNEGY, Jr.; Committee on Civil Service and Labor, January 30, 2014.

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

Report for M-10

Report of the Committee on Civil Service and Labor in favor of filing a Communication from the Mayor (Michael R. Bloomberg) in regard to the Mayor's Veto and Disapproval Message of Introductory Number 1208-A.

The Committee on Civil Service and Labor, to which the annexed amended proposed local law was referred on January 8, 2014 (Minutes, page 52), respectfully

REPORTS:

(For text of related report, please see the Override Report of the Committee on Finance for Int No. 1208-A of 2013 printed in these Minutes)

Accordingly, this Committee recommends the filing and removal from the legislative calendar of M-10 (the Mayor's Veto and Disapproval of Int No. 1208-A of 2013).

I. DANEEK MILLER, Chairperson; ELIZABETH S CROWLEY, DANIEL DROMM, COSTA G. CONSTANTINEDES, ROBERT E. CORNEGY, Jr.; Committee on Civil Service and Labor, January 30, 2014.

Coupled to be Filed.

Reports of the Committee on Environmental Protection

Override Report for Int. No. 867-A (2012)

Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, notwithstanding the objection of the Mayor, a Local Law to amend the administrative code of the city of New York, in relation to the creation of a voluntary master environmental hazard remediation technician registration program.

The Committee on Environmental Protection, to which the annexed amended proposed local law was referred on May 31, 2012 (Minutes, page 1774), and was originally adopted by the Council on December 19, 2013 (Minutes, page 5313) but later vetoed by the Mayor on December 27, 2013 (please see M-7, January 8, 2014 Minutes, page 47), respectfully

REPORTS:

Introduction

An initial hearing on this item was held on December 9, 2013, during which testimony was received from the Department of Environmental Protection (DEP or Department), the Department of Health and Mental Hygiene (DOHMH), the Real Estate Board of New York, the Environmental Contractors Association, the Council of Cooperatives and Condominiums, the Mason Tenders and the New York State Association for Affordable Housing. Amendments to the bill were made following this initial hearing.

On December 17, 2013, the Committee passed a revised version of the bill which was then passed by the Council on December 19, 2013.

On December 27, 2013, Mayor Michael Bloomberg issued a disapproval message vetoing the legislation (see attached). That veto message was formally received by the City Council at its January 8, 2014, stated meeting.

On January 28, 2014, a hearing was held by the Environmental Protection Committee, chaired by Council Member Donovan Richards, on Proposed Int. No. 867-A, "A Local Law to amend the Administrative Code of the City of New York, in relation to the creation of a voluntary master environmental hazard remediation technician registration program". The question before the Committee was whether Proposed Int. No. 867-A should be re-passed notwithstanding the objections of the Mayor and the veto message filed. The Committee voted affirmatively to override the veto and file the Mayor's disapproval message. The vote count was 5-0 with no abstentions.

Background

Poor indoor air quality has been linked to an increased prevalence of a variety of respiratory diseases.[1] For example, Americans spend up to 90 percent of their time indoors,[2] and indoor allergens and irritants can play a significant role in triggering asthma attacks and other respiratory problems.[3] In fact, nationwide asthma prevalence increased from 7.3 percent in 2001 to 8.4 percent in 2010.[4] In 2009, 13 percent of New York City children 12 and under—about 177,000—had at some point in their lives been diagnosed with asthma,[5] and more than one in eight of these children were exposed to asthma triggers in the home.[6] Other respiratory conditions, such as fungal infections, sinusitis and allergic rhinitis also have been linked to poor indoor air quality.[7]

Major adverse environmental events such as flooding or fires can significantly decrease indoor air quality and have negative health impacts on building occupants after waters have receded and fires have been extinguished.[8] Water

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[1] United States Environmental Protection Agency, *An Introduction to Indoor Air Quality (IAQ)*, available at http://www.epa.gov/iaq/ia-intro.html (last accessed Dec. 6, 2013).

[2] United States Environmental Protection Agency, *Asthma Triggers: Gain Control*, available at http://www.epa.gov/asthma/triggers.html (last accessed Dec. 6, 2013).

[3] United States Environmental Protection Agency, *An Introduction to Indoor Air Quality (IAQ)*, available at http://www.epa.gov/iaq/ia-intro.html (last accessed Dec. 6, 2013).

[4] Lara J.Akinbami et al., *Trends in Asthma Prevalence, Health Care Use, and Mortality in the United States, 2001-2010*, NCHS Data Brief No. 94, May 2012, available at http://www.cdc.gov/nchs/data/databriefs/db94.pdf (last accessed Dec. 6, 2013).

[5] NYC Department of Health and Mental Hygiene, *Preventing and Treating Childhood Asthma in NYC*, NYC Vital Signs, July 2012, Vol. 11, No. 4, available at http://www.nyc.gov/html/doh/downloads/pdf/survey/survey-2012childasthma.pdf (last accessed Dec. 6, 2013).

[6] NYC Health Dep't, *Preventing and Treating Childhood Asthma in NYC*, NYC Vital Signs, July 2012, Vol. 11, No. 4, available at http://www.nyc.gov/html/doh/downloads/pdf/survey/survey-2012childasthma.pdf (last accessed Dec. 6, 2013).

[7] Mary Brandt *et al.*, *Mold Prevention Strategies and Possible Health Effects in the Aftermath of Hurricanes and Major Floods*, CDC Morbidity and Mortality Weekly Report, Jun. 9, 2006, available at http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5508a1.htm (last accessed Dec. 6, 2013).

[8] *See* Mary Brandt *et al.*, *Mold Prevention Strategies and Possible Health Effects in the Aftermath of Hurricanes and Major Floods*, CDC Morbidity and Mortality Weekly Report, Jun. 9, 2006, available at http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5508a1.htm (last accessed Dec. 6, 2013); U.S. Environmental Protection Agency, *EPA Proposes Clean Air Standards for Harmful Soot Pollution*, Press Release, Jun. 15, 2012, available at http://yosemite.epa.gov/opa/admpress.nsf/

damage after floods may increase the likelihood of mold contamination[9] and exposure to pathogens and hazardous non-biological contaminants such as pesticides and heavy metals.[10] Likewise, residual fire damage can increase exposure to soot particles, which have been linked to heart attacks, strokes, bronchitis and asthma, among other conditions, due to their microscopic size and ability to penetrate deeply into the lungs.[11]

Ineffective remediation of such environmental hazards can lead to an increase in indoor pollutants by failing to properly address structural damage resulting from fire, flooding or other events. Thus, ineffective remediation may give victims of environmental hazards the false sense that the dangers arising from those hazards have been addressed, while failing to actually decrease those victims' exposure to potentially harmful conditions. The proposed legislation will create, within the Department of Environmental Protection, a voluntary registration program for master environmental hazard remediation technicians that would require applicants demonstrate the completion of training in various aspects of environmental hazard remediation in order to register under such program.

Summary of Proposed Int. No. 867-A

Proposed Int. No. 867-A would create a voluntary registration program for master environmental hazard remediation technicians. To be eligible to register, an applicant would be required to demonstrate training in certain subjects related to remediation of various environmental hazards through a training provider approved by the Department. The bill would impose a $1,000 minimum fine, per violation, on any person who holds himself or herself out as a master environmental hazard remediation technician but who has not registered with the Department as such. The bill would also authorize the Commissioner of Environmental Protection ("Commissioner") to set registration and renewal fees; to revoke registrations for negligence, incompetence or legal violations; and in conjunction with the Department of Health and Mental Hygiene to update the courses required for registration in response to developments in the field.

Proposed Int. No. 867-A

Section one of Proposed Int. No. 867-A would amend Title 24 of the Administrative Code of the City of New York ("the Code") by adding a new Chapter 10, comprising four sections, 24-1000 through 24-1003.

Section 24-1000 would set forth the City's declaration of policy and express the need for the proposed bill.

Section 24-1001 would define the terms "certificate of completion," "department approved training provider," "environmental hazard remediation," "master environmental hazard remediation technician identification" and "master environmental hazard remediation technician" for purposes of the proposed legislation.

Section 24-1002 would create a master environmental hazard remediation technician registration program.

Subdivision (a) would set forth the minimum requirements for program applicants. Paragraph (1) would require an applicant to be eighteen years or older. Paragraph (2) would require an applicant to have completed various remediation courses through a training provider approved by DEP. Paragraph (3) would require an applicant to also hold and maintain a license or certification in asbestos and lead training from the New York State Department of Labor or the Environmental Protection Agency, respectively. Paragraph (4) would require that an applicant present valid photo identification. Paragraph (5) would require that an applicant pay fees as provided by rule.

Subdivision (b) would provide that a master environmental hazard remediation technician registration would expire four years from the date of issuance or a different date if set by the Commissioner to distribute expiration dates evenly over the course of a year.

Subdivision (c) would make it unlawful for a person to hold himself or herself out as a master environmental hazard remediation technician without being registered by the Department.

Subdivision (d) would require all applications to be made in the form as well as include the information specified by the Commissioner and that all information in the application is correct and current.

Subdivision (e) would require that applications for renewal of registration be accompanied by the renewal fee and any additional information specified by the Commissioner by rule.

Subdivision (f) would authorize the Commissioner to set the registration and renewal of registration fee.

Subdivision (g) would, after notice and opportunity to be heard, authorize the Commissioner to suspend or revoke any registration upon a finding for fraudulent dealings, negligence, incompetence or failure to comply with the Code or any order, rule or requirement lawfully made by the Commissioner.

Subdivision (h) would authorize the Department in consultation with the Department of Health and Mental Hygiene to periodically review the trainings listed in paragraph 2 of subdivision a of this section to determine if they have become outmoded or superseded. Where new trainings in hazardous environmental remediation become available, the Department after consultation with DOHMH, is further authorized, by rule, to amend or supplement such list.

Subdivision (i) would authorize the Commissioner to audit training programs offered by approved training providers to ensure that they meet Department standards.

Section 24-1003 of the proposed bill would provide that a person or entity that violates any provision of the proposed chapter or any related regulation or order would be subject to a fine of at least $1,000 per violation, returnable to the Environmental Control Board.

Section two of Proposed Int. No. 867-A provides that the law would take effect 180 days after enactment, except that the Commissioner of Environmental Protection would be required to promulgate any rules and take any other measures necessary for its implementation before the effective date.

Changes to Proposed Int. No. 867-A from its initial hearing:

- Technical changes were made throughout the bill for the purposes of clarity and to reorganize text.
- The list of required trainings was revised to exclude training on the New York City Department of Health guidelines on assessment and remediation of fungi in indoor environments as mold remediation is covered in another required course.
- The bill was revised to include the Department of Health and Mental Hygiene as an agency authorized, working with DEP, to review required training subjects referenced in the bill and to amend if necessary, by rule, the trainings required.

(The following is the text of the Fiscal Impact Statement for Int. No. 867-A:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 867-A
COMMITTEE: Committee on Environmental Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation of a voluntary master environmental hazard remediation technician registration program.

SPONSOR(S): Council Members Gennaro, Brewer, Fidler, Gonzalez, James, Palma, Rose, Williams, Jackson, Van Bramer, Koppell, Levin, and Greenfield.

SUMMARY OF LEGISLATION: Proposed Int. No. 867-A will require the Department of Environmental Protection (DEP) to administer a voluntary master environmental hazard remediation technician registration program. In order to qualify for registration a person has to demonstrate appropriate training, in certain environmental fields, which was conducted by approved training providers. DEP is authorized to charge suitable fees to administer the program. The bill would also make it unlawful for any person to hold himself or herself out as a master environmental hazard remediation technician without being registered with the Department-the penalties would be $1,000 per violation.

EFFECTIVE DATE: This local law would take effect 6 months after enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2014

FISCAL IMPACT STATEMENT:

d0cf6618525a9efb85257359003fb69d/f51c2fdeda736ea285257a1e0050c45f!opendocument (last accessed Dec. 6, 2013).

[9] Mary Brandt *et al.*, *Mold Prevention Strategies and Possible Health Effects in the Aftermath of Hurricanes and Major Floods*, CDC Morbidity and Mortality Weekly Report, Jun. 9, 2006, available at http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5508a1.htm (last accessed Dec. 6, 2013).

[10] U.S. Environmental Protection Agency, *Flood-Related Cleaning*, Draft Report, Jan. 2009, at 5.

[11] U.S. Environmental Protection Agency, *EPA Proposes Clean Air Standards for Harmful Soot Pollution*, Press Release, Jun. 15, 2012, available at http://yosemite.epa.gov/opa/admpress.nsf/d0cf6618525a9efb85257359003fb69d/f51c2fdeda736ea285257a1e0050c45f!opendocument (last accessed Dec. 6, 2013).

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY14
Revenues	**$0**	**$0**	**$0**
Expenditures	**$0**	**$0**	**$0**
Net	**$0**	**$0**	**$0**

IMPACT ON REVENUES: Any fee revenue generated from this legislation will be used only to recoup costs related to the administration of this program.

IMPACT ON EXPENDITURES: Any increase in costs will be offset by the fee associated with this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Department of Environmental Protection

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director

ESTIMATED REVIEWED BY: Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: On May 31, 2012, Intro. 867 was introduced by the Council and referred to the Committee on Environmental Protection. On December 9, 2013 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee passed an amended version of the legislation, Proposed Intro. 867-A. on December 17, 2013. The Full Council passed Proposed Int. 867-A on December 19, 2013. On December, 27, 2013, the Mayor issued a message of disapproval, vetoing the legislation. That veto message was formally accepted by the Council at its Stated meeting held on January 8, 2014. On January 28, 2014, the Committee will repass the legislation as Int. 867-A, followed by the Full Council on February 4, 2014.

Notwithstanding the objection of the Mayor, this Committee recommends the re-adoption of Int No. 867-A.

(The following is the text of Int. No. 867-A of 2012:)

Int. No. 867-A (2012)

By Council Members Gennaro, Brewer, Fidler, Gonzalez, James, Palma, Rose, Williams, Jackson, Van Bramer, Koppell, Levin and Greenfield.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a voluntary master environmental hazard remediation technician registration program.

Be it enacted by the Council as follows:

Section 1. Title 24 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

Chapter 10
Environmental Hazard Remediation

§ 24-1000. Declaration of Policy. It is hereby declared that asthma and other respiratory conditions have increased significantly in the United States and that evidence suggests that indoor environments, where most people spend a majority of their time, play an important role in predisposing vulnerable populations to asthma and other respiratory diseases. The National Academy of Sciences found that there was sufficient evidence to establish a causal link between a number of respiratory conditions and the presence of asthma triggers, irritants, pathogens, fungi and mold, including stachybotrys chartarum, soot from severe smoke or fire damage and flood damage, mold or environmental pathogens including bird or bat droppings or potentially infectious materials as defined by 29 CFR 1910, including H1N1, viruses, bacteria, blood borne pathogens, chemical spills, and sewage. Vulnerable populations such as those with profound immune-suppression, obstructive or cavity lung diseases, allergic rhinoconjunctivitis, asthma exacerbated by moldy materials, pneumonitis, are at particular risk. A highly trained workforce with skills across individual hazard and remediation method techniques will help to address multiple and common hazards in a safe manner. Further, in times of crisis, both natural and manmade, profiteers and other unscrupulous persons have historically taken advantage of victims. An approved master environmental hazard remediation technician registration program would result in a uniform standard of training that would allow the citizens of New York city to have confidence that environmental hazard remediation is done efficiently, effectively and safely.

Therefore, the council finds that it is in the best interests of the city to create a voluntary master environmental hazard remediation technician registration program which would recognize those who are sufficiently trained to hold themselves out as a master environmental hazard remediation technician.

§ 24-1001. Definitions. For purposes of this chapter, the following terms shall have the following meanings:

"Certificate of completion" means any license, certificate, diploma or other department approved documentation indicating that the applicant has satisfactorily completed department approved trainings by a department approved training provider or providers.

"Department approved training provider" means training programs or courses approved by the department covering topics identified in section 24-1002 of this chapter conducted by a registered New York state department of labor apprenticeship program, or by an educational institution or school chartered, licensed, or registered by the New York state education department, or by the institute of inspection, cleaning, and restoration certification, or any other department approved entity. Each program or course shall be presented by an instructor or institution authorized by the respective governing authority to conduct such training.

"Environmental hazard remediation" means the removal, cleaning, sanitizing, treatment or implementation of other preventive actions to eliminate environmental hazards.

"Master environmental hazard remediation technician identification" means a written document issued by the commissioner certifying that a person is registered with the department pursuant to this chapter.

"Master environmental hazard remediation technician" means a person registered with the department upon successfully presenting to the commissioner current documentation of having successfully completed required environmental remediation training programs or courses from a department approved training provider as evidenced from a certificate of completion.

§ 24-1002. Master Environmental Hazard Remediation Technician Registration Program

a. The department shall establish a program to provide for the voluntary registration of persons as master environmental hazard remediation technicians. An applicant for such registration shall meet the following qualifications:

(1) Be eighteen years of age or older;

(2) Have satisfactorily completed all of the following programs or courses through a department approved provider: occupational safety and health administration safety standards for the construction or general industry (minimum 10 hours); New York state asbestos handler (minimum 32 hours); environmental protection agency lead worker (minimum 16 hours) (lead renovation, repair and painting course shall not be sufficient); hazardous waste operations (minimum 40 hours); microbial remediation (minimum 24 hours); water damage restoration (minimum 20 hours) or institute of inspection cleaning and restoration certification water damage restoration certification (minimum 19 hours); fire damage restoration (minimum 16 hours) or institute of inspection cleaning and restoration certification fire and smoke restoration technician certification (minimum 14 hours); polyychlorinated biphenyls awareness (minimum 4 hours); bloodborne pathogens (minimum 4 hours) and infection control risk assessment (minimum 4 hours). All course lengths are inclusive of breaks with the exception of the occupational safety and health administration 10 hour course.

(3) All licenses or certifications associated with asbestos handling and lead training must remain current. No master environmental hazard remediation technician registration will be considered valid if the holder does not possess at all times a valid license from the New York state department of labor for asbestos handling and an environmental protection agency certification in lead;

(4) Present a valid photo identification; and

(5) Present payment of the appropriate fees as provided by rule.

b. A master environmental hazard remediation technician registration shall expire four years from the date of issuance or such other date as determined by the commissioner by rule so as to distribute the expiration dates of the registrations evenly over the course of a year.

c. It shall be unlawful for any person to hold himself or herself out as a master environmental hazard remediation technician without being registered with the department pursuant to this chapter.

d. Each application for the master environmental hazard remediation technician registration program shall be made in such form and shall be accompanied by such information as the commissioner may prescribe by rule. It shall be a condition of the registration that the information in the application is kept correct and current by the applicant.

e. Applications for renewal of a master environmental hazard remediation technician registration shall be accompanied by the renewal fee and such additional information as the commissioner may require by rule.

f. The commissioner may charge a fee for registration and renewal of registration as set forth in department rules.

g. The commissioner, after providing notice and an opportunity to be heard, may suspend or revoke any master environmental hazard remediation technician

registration issued under this chapter upon a finding by the department or other governmental agencies of fraudulent dealings, negligence or incompetence, or failure to comply with this code or any order, rule, or requirement lawfully made by the commissioner.

h. The department and the department of health and mental hygiene shall periodically review the trainings listed in paragraph 2 of subdivision a of this section to determine if they have become outmoded or superseded. Should new trainings in hazardous environmental remediation become available, the department after consultation with the department of health and mental hygiene, may by rule amend or supplement such list.

i. The commissioner may audit training programs provided by approved training providers to ensure that such training programs meet the standards of the department.

§24-1003. Enforcement. Any person or other entity that violates any provision of this chapter or any regulation or order of the commissioner issued pursuant thereto shall be subject to a civil fine of not less than one thousand dollars per violation returnable to the environmental control board.

§2. This local law shall take effect one hundred eighty days after enactment, except that the commissioner of environmental protection shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

DONOVAN J. RICHARDS, Chairperson; STEPHEN T. LEVIN, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ERIC A. ULRICH, Committee on Environmental Protection, January28, 2014.

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

Report for M-7

Report of the Committee on Environmental Protection in favor of filing a Communication from the Mayor (Michael R. Bloomberg) in regard to the Mayor's Veto and Disapproval Message of Introductory Number 867-A.

The Committee on Environmental Protection, to which the annexed amended proposed local law was referred on January 8, 2014 (Minutes, page 47), respectfully

REPORTS:

Since Int No. 867-A (2012) is expected to re-pass, notwithstanding the objection of the Mayor, this Committee recommends the filing of M-7.

Accordingly, this Committee recommends the filing and removal from the legislative calendar of M-7 (the Mayor's Veto and Disapproval of Int No. 867-A of 2012).

DONOVAN J. RICHARDS, Chairperson; STEPHEN T. LEVIN, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ERIC A. ULRICH, Committee on Environmental Protection, January 28, 2014.

Coupled to be Filed

Reports of the Committee on Finance

Override Report for Int. No. 172-A (2010)

Report of the Committee on Finance in favor of approving and adopting, as amended, notwithstanding the objection of the Mayor, a Local Law to amend the administrative code of the city of New York, in relation to exemptions from the payment of fees for fire department permits, inspections and performance tests.

The Committee on Finance, to which the annexed amended proposed local law was referred on April 14, 2010 (Minutes, page 1349), and was originally adopted by the Council on December 19, 2013 (Minutes, page 5341) but later vetoed by the Mayor on December 27, 2013 (please see M-5, January 8, 2014 Minutes, page 41), respectfully

REPORTS:

I. INTRODUCTION

On January 29, 2014, the Committee on Finance (the Committee), chaired by Council Member Domenic M. Recchia, Jr., will meet to vote on Int. No 172-A, a bill to amend the administrative code of the city of New York in relation to exemptions from the payment of fees for fire department permits, inspections and performance tests, and to file the veto message of Mayor Michael Bloomberg, M0005-2014.

On June 17, 2010, the Committee held a hearing on the original introduction, Int. No. 172. On December 19, 2013, the Committee and the Full Council passed an amended version of the bill, Proposed Int. No.172-A. On December 27, 2013, the Mayor issued a message of disapproval, vetoing the legislation. (See attached). That veto message was formally accepted by the Council at its stated meeting held on January 8, 2014.

The question before the Committee is whether Int. 172-A should be re-passed notwithstanding the objections of the Mayor. In addition, the mayor's veto message, M0005-2014, will be filed.

II. BACKGROUND

1. LOCAL LAW 41 OF 2009:

On June 19, 2009, the City Council passed Local Law 41 of 2009 ("Local Law 41"), which limited the exemption to organizations that operate predominantly as a religious institution, that provide housing to members of the religious institutions' clergy, or educational institutions accredited by New York State providing kindergarten through 12th grade education. The elimination of the exemption resulted in all not for profit organizations (with the exception of education institutions, houses of worship and adjacent housing for the clergy) being treated in the same manner as for-profit institutions. Prior to the enactment of Local Law 41, ALL not for profit organizations (501 (c) 3 organizations with a religious, charitable or educational purpose) were exempt from paying the FDNY fees for inspections, permits, and witnessing of required performance tests for equipment. Local Law 41 was proposed by the Administration to enable the Fire Department to meet its budget targets, and thereby prevent or minimize reduction of essential Fire Department operations. According to the Administration, the average inspection results in a fee of approximately $325, and the Administration estimated the fiscal impact of Local Law 41 to be approximately $3 million for Fiscal 2010. To date, that estimate was accurate, and for FY 13, the fiscal impact of the bill was approximately $3.1 million.

2. IMPACT OF LOCAL LAW 41

After the passage of Local Law 41, several constituents in the not for profit sector raised concerns about the law, particularly the equity of application of the law. Under Local Law 41, certain not for profit organizations were exempt, but not others. For instance, educational institutions accredited by New York State are exempt from the fees, while non-accredited schools, or schools accredited by entities other than New York State, are not.

3. PROPOSED INT. 172-A

As a result of these considerations, Proposed Int. 172-A seeks to repeal Local Law 41. Proposed Int. 172-A, if enacted, would reverse the provisions of Local Law 41, allowing once again for ALL charitable organizations to be exempt from Fire Department inspection fees.

The bill would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 172-A:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 867-A
COMMITTEE: Committee on Environmental Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation of a voluntary master environmental hazard remediation technician registration program.	**SPONSOR(S):** Council Members Gennaro, Brewer, Fidler, Gonzalez, James, Palma, Rose, Williams, Jackson, Van Bramer, Koppell, Levin, and Greenfield.

SUMMARY OF LEGISLATION: Proposed Int. No. 867-A will require the Department of Environmental Protection (DEP) to administer a voluntary master environmental hazard remediation technician registration program. In order to qualify for registration a person has to demonstrate appropriate training, in certain environmental fields, which was conducted by approved training providers. DEP is authorized to charge suitable fees to administer the program. The bill would also make it unlawful for any person to hold himself or herself out as a master environmental hazard remediation technician without being registered with the Department-the penalties would be $1,000 per violation.

EFFECTIVE DATE: This local law would take effect 6 months after enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2014

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY14
Revenues	**$0**	**$0**	**$0**
Expenditures	**$0**	**$0**	**$0**
Net	**$0**	**$0**	**$0**

IMPACT ON REVENUES: Any fee revenue generated from this legislation will be used only to recoup costs related to the administration of this program.

IMPACT ON EXPENDITURES: Any increase in costs will be offset by the fee associated with this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Department of Environmental Protection

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director

ESTIMATED REVIEWED BY: Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: On May 31, 2012, Intro. 867 was introduced by the Council and referred to the Committee on Environmental Protection. On December 9, 2013 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee passed an amended version of the legislation, Proposed Intro. 867-A. on December 17, 2013. The Full Council passed Proposed Int. 867-A on December 19, 2013. On December, 27, 2013, the Mayor issued a message of disapproval, vetoing the legislation. That veto message was formally accepted by the Council at its Stated meeting held on January 8, 2014. On January 28, 2014, the Committee will repass the legislation as Int. 867-A, followed by the Full Council on February 4, 2014.

Notwithstanding the objection of the Mayor, this Committee recommends the re-adoption of Int No. 172-A.

(The following is the text of Int. No. 172-A of 2010:)

Int. No. 172-A (2010)

By Council Members Vacca, Gentile, Crowley, Vallone, Jr., Lappin, Garodnick, Jackson, Greenfield, Lander, Nelson, Weprin, Mendez, Koo, Rodriguez, Gonzalez, Recchia, Van Bramer, Dromm, Cabrera, Ulrich and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to exemptions from the payment of fees for fire department permits, inspections and performance tests.

Be it enacted by the Council as follows:

Section 1. Section FC 117.2.1 of chapter 2 of title 29 of the administrative code of the city of New York, as amended by local law number 41 for the year 2009, is amended to read as follows:

117.2.1 Permit, inspection and performance test fee exemption**.** The provisions of this code as to the payment of fees for permits, inspections or witnessing of required system performance tests shall not apply to premises used and owned or operated by a [religious or educational institution] *church*, corporation or association organized and operated exclusively for religious, *charitable* or educational purposes that is qualified as an exempt organization pursuant to United States Internal Revenue Code Section 501(c)(3), provided that no part of the net earnings enures to the benefit of any private shareholder or individual; and provided further, that this exemption shall apply only to such portions of the premises used by such [religious or educational institution] *church*, corporation or association [predominantly as one of the following:

1. A house of worship, or dwelling units for members of the clergy of such religious institution, corporation or association situated on or adjacent to the same premises as such house of worship. For purposes of this section, "house of worship" shall mean that part of a premises classified in Occupancy Group A-3 that is used by members of a religious institution, corporation or association principally as a meeting place for divine worship or other religious observances, and "member of the clergy" shall mean a clergyman or minister, as defined in the religious corporations law, who officiates at or presides over such religious observances for such religious institution, corporation or association, and who does not derive his or her principal income from any other occupation or profession.

2. A school accredited by the state of New York providing kindergarten through twelfth grade education.] *for religious, charitable or educational purposes.*

§2. This local law shall take effect immediately.

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 4, 2014.

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

Report for M-5

Report of the Committee on Finance in favor of filing a Communication from the Mayor (Michael R. Bloomberg) in regard to the Mayor's Veto and Disapproval Message of Introductory Number 172-A.

The Committee on Finance, to which the annexed amended proposed local law was referred on January 8, 2014 (Minutes, page 41), respectfully

REPORTS:

Since Int No. 172-A (2010) is expected to re-pass, notwithstanding the objection of the Mayor, this Committee recommends the filing of M-7.

Accordingly, this Committee recommends the filing and removal from the legislative calendar of M-5 (the Mayor's Veto and Disapproval of Int No. 172-A of 2010).

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 4, 2014.

Coupled to be Filed.

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

Report for Res. No. 8

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

The Committee on Finance, to which the annexed resolution was referred on February 4, 2014, respectfully

REPORTS:

Introduction. The Council of the City of New York (the "Council") annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the "Fiscal 2014 Expense Budget"). On June 28, 2012, the Council adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget").

Analysis. This Resolution, dated February 4, 2014, approves new designations and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2014 and Fiscal 2013 Expense Budgets, and approves the new designations and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in such budgets, and amends the description for the Description/Scope of Services of certain organizations receiving local, aging and youth discretionary funding in accordance with the Fiscal 2014 and Fiscal 2013 Expense Budgets. This resolution changes the purpose of the Information and Referral Initiative to read "To provide information and referral for services and social service benefits to seniors."

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, as well as new designations and/or changes in the designation of certain organizations to receive funding pursuant to certain initiatives in the Fiscal 2014 and Fiscal 2013 Expense Budgets.

This resolution sets forth new designations and specific changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 1; sets forth new designations and changes in the designation of youth discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 2; sets forth the new designations and changes in the designation of certain organizations that will receive funding pursuant to certain initiatives in the Fiscal 2014 Expense Budget, as described in Charts 3-14; sets forth the new designations and changes in the designation of certain organizations that will receive funding pursuant to certain initiatives in the Fiscal 2013 Expense Budget, as described in Chart 15; sets forth new designations and specific changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2013 Expense Budget, as described in Chart 16; amends the description for the Description/Scope of Services for certain organizations receiving local, aging, youth, and initiative discretionary funding pursuant to the Fiscal 2014 Expense Budget as described in chart 17; and amends the description for the Description/Scope of Services for certain organizations receiving local, aging, youth, and initiative discretionary funding pursuant to the Fiscal 2013 Expense Budget as described in chart 18.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/ Fiscal 2014 Expense Budget, dated June 27, 2013, and Adjustments Summary/Schedule C/ Fiscal 2013 Expense Budget, dated June 28, 2012.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 2 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 3 sets forth the new designation and changes in the designation of a certain organization receiving funding pursuant to the Cultural After School Adventure Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 4 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 5 sets forth the new designation and changes in the designation of a certain organization receiving funding pursuant to Community Consultant Contracts Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 6 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 7 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the MHy Contracted Services Partial PEG Restoration Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 8 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the School Based Health Centers – PEG Restoration Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 9 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 10 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to Out of School Time Restoration Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 11 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to Child Care Vouchers Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 12 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to Senior Centers and Programs Restoration Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 13 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to Technical Assistance for Child Care Providers Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 14 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to Immunization Clinics Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 15 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to Cultural After School Adventure Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 16 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 17 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, youth and initiative discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 18 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, youth and initiative discretionary funding in accordance with the Fiscal 2013 Expense Budget.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2014 and 2013 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 8:)

Res. No. 8

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

By Council Members Ferreras and Palma.

Whereas, On June 27, 2013 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2014 with various programs and initiatives (the "Fiscal 2014 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding; and

Whereas, On June 28, 2012 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding; now therefore be it

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Cultural After School Adventure Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to Community Consultant Contracts Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Contracted Services Partial PEG Restoration Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the School Based Health Centers Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Out of School Time Restoration Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Child Care Vouchers Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Senior Centers and Programs Restoration Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Technical Assistance for Child Care Providers Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Immunization Clinics Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Cultural After School Adventure Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new Description/Scope of Services for certain organizations receiving local, aging, youth, and initiative discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 17;

Resolved, That the City Council approves the new Description/Scope of Services for certain organizations receiving local, aging, youth, and initiative discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 18.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Weprin	Queens Community Civic Corporation**	22-2183327	DYCD	($2,500.00)	260	005		
Weprin	Queens Community Civic Corporation **	22-2183327	HPD	$2,500.00	806	009		
Levin	Arts Gowanus dba AGAST Gowanus Open Studios a project of Arts Gowanus	75-3192120	DYCD	($1,500.00)	260	005		
Levin	Annual Gowanus Artists Studio Tour	75-3192120	DYCD	$1,500.00	260	005		
Oddo	New York City Verrazano 10-13 Association, Inc.	13-4151778	DYCD	($1,500.00)	260	312		
Oddo	New York City Verrazano 10-13 Association, Inc.	13-4151778	DYCD	$1,500.00	260	312	United Activities Unlimited, Inc.	13-2921483
Koo	Flushing Day Care Center, Inc. **	11-2196556	DYCD	($3,000.00)	260	312		
Koo	Queensborough Community College Auxiliary Enterprise Association, Inc. **	11-2037770	CUNY	$3,000.00	042	001		
CD19	Dwarf-Giraffe Athletic League	11-2823053	DYCD	($11,000.00)	260	312		
CD19	Queensborough Community College Auxiliary Enterprise Association, Inc. **	11-2037770	CUNY	$7,500.00	042	001		
CD19	Queensborough Community College Auxiliary Enterprise Association, Inc. **	11-2037770	CUNY	$3,500.00	042	001		
King	Local Servants of all Foundation	27-3149939	DYCD	($5,000.00)	260	005		
King	Servants of All	27-3149939	DYCD	$5,000.00	260	005		
CD19	CUNY Creative Arts Team **	13-6400434	CUNY	($3,500.00)	042	312		
CD19	CUNY Creative Arts Team **	13-6400434	CUNY	$3,500.00	042	312		
Lappin	New York Common Pantry	13-3127972	DYCD	($3,500.00)	260	005		
Lappin	NY Common Pantry	13-3127972	DYCD	$3,500.00	260	005		
Viverito	New York Common Pantry	13-3127972	DYCD	($12,500.00)	260	005		
Viverito	NY Common Pantry	13-3127972	DYCD	$12,500.00	260	005		
Garodnick	New York Common Pantry	13-3127972	DYCD	($3,500.00)	260	005		
Garodnick	NY Common Pantry	13-3127972	DYCD	$3,500.00	260	005		
King	Neighborhood Housing Services of the North Bronx, Inc.	80-0815273	HPD	($7,187.00)	806	009		
King	Neighborhood Housing Services of the North Bronx, Inc.	13-3098397	HPD	$7,187.00	806	009		
Recchia	Staten Island Supports Our Soldiers Center	00-0000000	DOE	($8,000.00)	040	454		
Recchia	Staten Island Supports Our Soldiers Center	87-0759987	DOE	$8,000.00	040	454		
Genillie	Bay Ridge St Patricks Parade Committee	13-3256152	DYCD	($1,000.00)	260	005	NIA Community Services Network	11-2697931
Genillie	Bay Ridge St Patricks Parade Committee	11-3256152	DYCD	$1,000.00	260	005		
Genillie	81st Precinct Community Council	11-2517189	DYCD	($5,000.00)	260	312		
Vann	81st Precinct Community Council	80-0901280	DYCD	$5,000.00	260	312		
Recchia	Bay Ridge St Patricks Parade Committee	13-3256152	DYCD	($3,000.00)	260	005		
Recchia	Bay Ridge St Patricks Parade Committee	11-3256152	DYCD	$3,000.00	260	005		
CC	Brooklyn Hispanic Chamber of Commerce	00-0000000	DSBS	($50,000.00)	801	002		
CC	Brooklyn Hispanic Chamber of Commerce	20-2001151	DSBS	$50,000.00	801	002		
Foster	Summer Search Foundation	66-0200138	DYCD	($20,000.00)	260	312		
Foster	Summer Search	66-0200138	DYCD	$20,000.00	260	312		
Eugene	CAMBA, Inc.	13-5598792	DYCD	($4,000.00)	260	312		
Eugene	Madison Square Boys & Girls Club, Inc.	11-2480339	DYCD	$4,000.00	260	312		
Genillie	Arab American Family Support Center**	11-3492745	DYCD	($2,000.00)	260	005		
Genillie	Brooklyn Conservatory of Music **	11-1652426	DCLA	$2,000.00	126	003		
Genillie	Kingsborough Early College School **	13-6400434	DOE	$1,000.00	040	402		
CC	Connect, Inc.	02-0694269	ACS	$300,000.00	068	004		

* Indicates pending completion of pre-qualification review.
** Requires a budget modification for the changes to take effect.

CHART 3: Cultural After School Adventure Initiative - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Mealy	Purelements		DCLA	($20,000.00)	126	003	
Mealy	Purelements	20-5332584	DCLA	$20,000.00	126	003	
King	Creative Arts Team	13-6400434	DCLA	($20,000.00)	126	003	
King	Creative Arts Team	26-0073627	DCLA	$20,000.00	126	003	
James	Project Girl Performance Collective Inst.	27L848709	DCLA	($20,000.00)	126	003	
James	Project Girl Performance Collective Inst.	27-1848709	DCLA	$20,000.00	126	003	
Lander	Brooklyn Historical Society	94-3459633	DCLA	($20,000.00)	126	003	
Lander	Brooklyn Historical Society	11-1630813	DCLA	$20,000.00	126	003	
Foster	After-School Program.Bronx Museum of the Arts	13-2709369	DCLA	($20,000.00)	126	003	
Foster	After-School Program.Bronx Museum of the Arts	13-2709368	DCLA	$20,000.00	126	003	
Gonzalez	Green-Wood Historic Fund, Inc.	11-3150678	DCLA	($20,000.00)	126	003	
Gonzalez	Green-Wood Historic Fund, Inc.	11-3450678	DCLA	$20,000.00	126	003	
CD19	Kupferberg Center Performances	13-0000004	DCLA	($20,000.00)	126	003	
CD19	Kupferberg Center Performances	11-6080521	DCLA	$20,000.00	126	003	
Koo	Godwin Ternbach Museum	13-0000003	DCLA	($20,000.00)	126	003	
Koo	Godwin Ternbach Museum	11-6080521	DCLA	$20,000.00	126	003	
James	Franklin Furnace Archive, Inc.		DCLA	($20,000.00)	126	003	
James	Franklin Furnace Archive, Inc.	13-2879766	DCLA	$20,000.00	126	003	

* Indicates pending completion of pre-qualification review.

CHART 2: Youth Initiatives - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Gonzalez	Children of the City	01-1330897	DYCD	($20,000.00)	260	312			
Gonzalez	Children of the City	11-3308972	DYCD	$20,000.00	260	312			
Gentile	Brooklyn Aquarium Society, Inc.	11-2461838	DYCD	($2,000.00)	260	312	Bay Ridge Bensonhurst Beautification and Preservation Alliance, Inc.	11-3233233	
Gentile	Brooklyn Aquarium Society, Inc.	11-2461838	DYCD	$2,000.00	260	312			
Koo	Queensborough Community College Auxiliary Enterprise Association, Inc.	11-2037770	DYCD	($3,000.00)	260	312			
Koo	Flushing Day Care Center, Inc.	11-2196556	DYCD	$3,000.00	260	312			
CD19	Queensborough Community College Auxiliary Enterprise Association, Inc.	11-2037770	DYCD	($7,500.00)	260	312			
CD19	Queensborough Community College Auxiliary Enterprise Association, Inc.	11-2037770	DYCD	($3,500.00)	260	312			
CD19	Dwarf-Giraffe Athletic League	11-2523053	DYCD	$11,000.00	260	312			
Koslowitz	Roman Catholic Church of Our Lady Queen Of Martyrs	11-1687469	DYCD	($6,000.00)	260	312			
Koslowitz	Roman Catholic Church of Our Lady Queen Of Martyrs	11-1687469	DYCD	$6,000.00	260	312	Maspeth Town Hall	23-7259702	
Lander	Bct Brooklyn Childrens Theatre **	45-2906089	DYCD	($3,500.00)	260	312			
Lander	Bct Brooklyn Childrens Theatre **	45-2906089	DOE	$3,500.00	040	402			
Viverito	Summer Search Foundation	68-0200138	DYCD	($4,000.00)	260	312			
Viverito	Summer Search	68-0200138	DYCD	$4,000.00	260	312			
Eugene	Flatbush Youth Association, Inc.	11-3287922	DYCD	($4,000.00)	260	312			
Eugene	CAMBA, Inc.	11-2480339	DYCD	$4,000.00	260	312			

* Indicates pending completion of pre-qualification review.

CHART 5: Community Consultant Contracts Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Neighborhood Housing Services of the North Bronx, Inc.	80-0615273	HPD	($10,000.00)	806	009	
Neighborhood Housing Services of the North Bronx, Inc.	13-3098397	HPD	$10,000.00	806	009	

* Indicates pending completion of pre-qualification review.

CHART 4: Discretionary Child Care Initiative - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
CD36	Tabernacle Church of God, Inc.	11-2224258	ACS	$84,000.00	068	004	
Eugene	Parkside ECDC	11-2248037	ACS	$51,667.00	068	004	
Levin	Yeled V' Yalda Early Childhood Center, Inc. - 12 Franklin Ave	11-3050340	ACS	($382,297.00)	068	004	
Levin	Yeled V' Yalda Early Childhood Center, Inc. - 712 Bedford Ave	11-3050340	ACS	$382,297.00	068	004	

* Indicates pending completion of pre-qualification review.

CHART 7: MHy Contracted Svcs Partial PEG Rest'n - Chemical Dependency/ADUPCT Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Alcoholism Council/ Fellowship Center of New York, Inc., The	23-7086871	DOHMH	($13,287.00)	816	122	
Department of Health and Mental Hygiene	13-6400434	DOHMH	$13,287.00	816	113	

* Indicates pending completion of pre-qualification review.

CHART 6: Infant Mortality Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Clergy United for Community Empowerment, Inc	11-3030795	DOHMH	($127,019.00)	816	113	
Queens Comprehensive Perinatal Council	11-2870422	DOHMH	$127,019.00	816	113	

* Indicates pending completion of pre-qualification review.

CHART 9: Immigrant Opportunities Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Little Sisters of the Assumption	13-2867881	DYCD	($26,850.00)	260	005	
Union Settlement Association, Inc.	13-1632530	DYCD	$26,850.00	260	005	

* Indicates pending completion of pre-qualification review.

CHART 8: School Based Health Centers Initiative - PEG Restoration - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	($599,921.00)	816	113	
The NY Presbyterian Hospital - Percy Sutton Complez	13-3957095	DOHMH	$139,092.48	816	113	
Long Island Jewish Medical Center - Franklin K. Lane Complex	11-2241326	DOHMH	$144,259.20	816	113	
Montefiore Medical Center - Theodore Roosevelt Complex	13-1740114	DOHMH	$178,156.80	816	113	
Research Foundation of the State University of New York - George Wingate Campus	14-1368361	DOHMH	$138,412.80	816	113	

* Indicates pending completion of pre-qualification review.

CHART 11: Child Care Vouchers Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Administration for Children Services **	13-6400434	ACS	($729,167.00)	068	004	

* Indicates pending completion of pre-qualification review.

CHART 10: Out of School Time Restoration Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Roads to Success	41-2166096	DYCD	($100,000.00)	260	312	
Roads to Success	11-3599459	DYCD	$100,000.00	260	312	
Roads to Success	41-2166096	DYCD	($10,000.00)	260	312	
Roads to Success	11-3599459	DYCD	$10,000.00	260	312	
Department of Youth and Community Development	13-6400434	DYCD	($102,000.00)	260	312	
Department of Youth and Community Development	13-6400434	DYCD	($89,250.00)	260	312	
Sports and Arts In Schools Foundation, Inc. - RONALD EDMONDS LEARNING CENTER II	11-3112635	DYCD	$78,750.00	260	312	
Sports and Arts In Schools Foundation, Inc. - Public School 309	11-3112635	DYCD	$112,500.00	260	312	

* Indicates pending completion of pre-qualification review.

CHART 13: Technical Assistance for Child Care Providers Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
City University of New York **	13-6400434	CUNY	$100,000.00	042	001	

* Indicates pending completion of pre-qualification review.

CHART 12: Senior Centers and Programs Restoration Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
GRIOT Circle, Inc. **	11-3364328	DFTA	$20,000.00	125	003	
Sephardic Multiservice Center **	11-2301220	DFTA	$167,000.00	125	003	

* Indicates pending completion of pre-qualification review.

CHART 15: Cultural After School Adventure Initiative - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Foster	Bronx Museum of Art	13-2709369	DCLA	($20,000.00)	126	022	
Foster	Bronx Museum of Art	13-2709368	DCLA	$20,000.00	126	022	

* Indicates pending completion of pre-qualification review.

CHART 14: Immunization Clinics Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	$200,000.00	816	112	
Alcoholism Council/ Fellowship Center of New York, Inc., The	23-7086871	DOHMH	($7,865.00)	816	122	
Women's Prison Association and Home, Inc.	13-5596836	DOHMH	($148,197.00)	816	112	
Sunset Park Family Health Center, Inc.	20-2508411	DOHMH	($43,938.00)	816	112	

* Indicates pending completion of pre-qualification review.

CHART 17: Purpose of Funds Changes - Fiscal 2014

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Ignizio	Sundog Theatre	45-0476945	DCLA	($3,500.00)	To promote student (fourth grade students at PS 3 and second grade students at PS 53) engagement in social studies education through the Journey Through Time theatre education program and performance of a radio show about the life of Antonio Meucci.	
Local	Ignizio	Sundog Theatre	45-0476945	DCLA	$3,500.00	To promote student (second grade students at PS 53) engagement in social studies education through the Journey Through Time theatre education program and performance of a radio show about the life of Antonio Meucci.	
Local	Eugene	Let Go & Let God Ministry	11-3253896	DYCD	($3,500.00)	To support the Bloo-By-Block Street Fair.	
Local	Eugene	Let Go & Let God Ministry	11-3253896	DYCD	$3,500.00	Space rental along with other promotional expenses such as graphics, printing, mobilizing etc. Employ experts to erect stage and provide appropriate music and entertainment. Transportation and equipment rental.	
Youth	Lander	Bct Brooklyn Childrens Theatre	45-2906089	DYCD	($3,500.00)	To support after school musical theatre program for 3rd-5th graders at PS 230.	
Youth	Lander	Bct Brooklyn Childrens Theatre	45-2906089	DYCD	$3,500.00	To support the after school, community based, musical theatre program for 6th-12th graders, housed at the Brooklyn Music School	
Local	Levin	Urban Justice Center	13-3442022	DYCD	($3,500.00)	To support the Community Development Project (CDP) in providing services to tenants in private equity buildings, including tenants' rights education; legal assistance during the bidding process to promote the purchase of buildings by responsible owners; and legal advice and representation for tenants facing illegal rent increases, eviction, and a lack of repairs.	
Local	Levin	Urban Justice Center	13-3442022	DYCD	$3,500.00	To perform community outreach and hold locally-tailored workshops for vendors in District 33 on vending regulations, vendor rights, and civic engagement.	
Local	CC	Common Cents New York, Inc.	13-3613229	DYCD	($550,000.00)		
Local	CC	Common Cents New York, Inc.	13-3613229	DYCD	$550,000.00	To support the Penny Harvest program to teach students leadership skills and the value of community service.	
Local	CC	Brotherhood/Sister Sol, The	13-3857387	DYCD	($50,000.00)		0
Local	CC	Brotherhood/Sister Sol, The	13-3857387	DYCD	$50,000.00	Funds will be used to support operations.	
Local	Ulrich	Woodhaven Cultural Historical Society Inc.	11-3099784	DYCD	($5,000.00)	Funds used to pay for programs including, reprinting the book "The History of Woodhaven and Ozone Park", the erection of historic street makers/signs, the publication of a coloring book, monthly meetings with guest speakers, and the creation of an online "wiki" as well as other operational and administrative costs.	
Local	Ulrich	Woodhaven Cultural Historical Society Inc.	11-3099784	DYCD	$5,000.00	Among the programs and services, funds will help pay for the monthly meetings with guest speakers, printing costs for flyers/handouts, and rental costs for a meeting space. It will also be used ot help defray the costs of an occasioanal bus trips for members.	
Youth	Constantinides	Little Orchestra Society-Orpheon, Inc., The	13-2638292	DYCD	($5,000.00)		
Youth	Constantinides	Little Orchestra Society-Orpheon, Inc., The	13-2638292	DYCD	$5,000.00	To create and implement a pre-k version of Musical Connections: The School Partnership Program at PS 122Q, so that the program is expanded to serve all students at PS 122Q from pre-k through Grade 3. Pre-k students will work with LOS Teaching Artist, Angelica Negron and have 10 music composition residency sessions for each pre-k class, attend two LOS Lolli-Pops dress rehearsals and performances at the Kaye Playhouse at Hunter College. Pre-k teachers will have Planning Meetings and Professional Development sessions with Ms. Negron and LOS Education Director and parents will be invited to attend weekend performances with their children and will be invited to Program Orientation sessions and Family Workshops.A Celebration Event will be held at PS 122Q to share the students' "works in progress" which will be played by professional musicians. Total number of program services is expected to be 32.	

* Indicates pending completion of pre-qualification review.

CHART 16: Local Initiatives - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Conduit EIN	*
Cabrera	Hispanic Federation, Inc.	13-3573852	DYCD	($1,000.00)	260	312			
Cabrera	Jericho Project	13-3213525	DYCD	$1,000.00	260	312			
Oddo	New York City Verrazano 10-13 Association	13-4151778	DYCD	($1,500.00)	260	312			
Oddo	New York City Verrazano 10-13 Association	13-4151778	DYCD	$1,500.00	260	312	United Activities Unlimited, Inc.	13-2921483	

* Indicates pending completion of pre-qualification review.

CHART 17: Purpose of Funds Changes - Fiscal 2014 (Continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds *
Local	Gentile	Rhapsody Players, Inc.	26-2200571	DYCD	($3,500.00)	For concerts (musicians, equipment, storage, sound equipment, music charts etc and to keep ticket prices affordable to community. THIS YEAR on Feb 9th we raised several thousand dollars for St Patrick School and will perform on Feb 23rd for a Memorial Concert to help fund Relief Effort/Rebuilding in Staten Island. In May we perform a Fundraiser for St.John Episcopal Church, June 1st we will raise funds for OLPH school,we will perform in our annual Fundraiser at OLG church,in Fall we will perform at Dynamite Youth Center to raise funds. We are in the process of scheduling additional concerts at other local venues in our area.
Local	Gentile	Rhapsody Players, Inc.	26-2200571	DYCD	$3,500.00	To support concerts, including musicians, equipdment, storage, sound equipment, music charts, and to help keep ticket prices affordable to the community.
Local	Gentile	New Utrecht High School	13-6400434	DOE	($1,000.00)	To support PTA activities to benefit both children and parents.
Local	Gentile	New Utrecht High School	13-6400434	DOE	$1,000.00	To support the activities of this public high school's Parent Teacher Association as they better the school for both students and their parents and guardians.
Local	Gentile	HS or Telecommunication Arts & Technology	13-6400434	DOE	($1,000.00)	To support PTA activities for parents and children.
Local	Gentile	HS or Telecommunication Arts & Technology	13-6400434	DOE	$1,000.00	To support the activities of this public high school's Parent Teacher Association as they better the school for both students and their parents and guardians.
Local	Gonzalez	Brooklyn Kings County Hispanic Chamber of Commerce, Inc.	20-2381186	DSBS	($7,000.00)	To support various Chamber programs and expenses including brochures, a Youth Financial Literacy Program, the Fourth Annual Brooklyn Business Expo and operating expenses.
Local	Gonzalez	Brooklyn Kings County Hispanic Chamber of Commerce, Inc.	20-2381186	DSBS	$7,000.00	Funding will help pay for two part time staff and the payroll tax associated with those two positions. These two part time staff members will than assist and participate in the execution of the programs that we set forth to deliver to the Bushwick, Sunset Park and Bensonhurst business community.
Local	Levin	Neighbors Allied for Good Growth Inc	11-3470943	DYCD	($3,500.00)	To provide tenant services, organize local campaigns, support general organizing efforts in our various tenant rights campaigns.
Local	Levin	Neighbors Allied for Good Growth Inc	11-3470943	DYCD	$3,500.00	To provide community services in the areas of environmental outreach, open space advocacy, tenant services and other community organization efforts.
Local	Koslowitz	Department of Parks and Recreation	13-6400434	DPR	($6,000.00)	To purchase and install strong, durable tree guards to protect 14 trees lining both sides of a commonly used Metropolitan Avenue sidewalk between 115th and Lefferts Blvd., Kew Gardens. This area has continuously been a considerable vehicular traffic. Work to be done in conjunction with Kew Gardens Council for Recreation and the Arts, Inc. for this project.
Local	Koslowitz	Department of Parks and Recreation	13-6400434	DPR	$6,000.00	To support a youth development program which includes paying for the costs of furniture, equipment and office supplies. In additional, the grant will be spent on the cost of space rental, insurance, utilities, staff salary, and instructors wage which relate to the youth development extracurricular classes and activities.
Youth	Cabrera	Midori Foundation, Inc., The (d/b/a Midori and Friends)	13-3682472	DYCD	($10,000.00)	To provide for music and cultural education programs through music ensemble workshops and performances at PS 70X, PS 315 Lab School and the School for Environmental Citizenship.
Youth	Cabrera	Midori Foundation, Inc., The (d/b/a Midori and Friends)	13-3682472	DYCD	$10,000.00	To provide for music and cultural education programs through music ensemble workshops and performances at PS 315 Lab School and the School for Environmental Citizenship.

* Indicates pending completion of pre-qualification review.

CHART 17: Purpose of Funds Changes - Fiscal 2014 (Continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds *
Local	King	Servants of All	27-3149939	DYCD	($5,000.00)	
Local	King	Servants of All	27-3149939	DYCD	$5,000.00	Funds will support the Sport Academy's services to young adults by helping develop their athletic skills, competencies and attitudes that aid in becoming healthy, self-sufficient and satisfied adults through physical education and fitness.
Local	Crowley	Salvatore LaRussa Dance Company, Inc.	32-0118937	DYCD	($5,500.00)	Funding will provide for operating expenses for the creative movement, ballet, and other dance and drama classes for young children.
Local	Crowley	Salvatore LaRussa Dance Company, Inc.	32-0118937	DYCD	$5,500.00	Funds to pay the rent, Ads in the local papers, other costs and General Program Support.
Local	Levin	Diaspora Community Services, Inc.	11-3122295	DYCD	($1,500.00)	To support case management, benefits and immigration assistance; English as a Second Language classes, mental health counseling, domestic violence services, referrals, to provide clients with food coupons, and support general operating expenses for the organization.
Local	Levin	Diaspora Community Services, Inc.	11-3122295	DYCD	$1,500.00	Funds will be used for the CBOs Tech for Future program that will be and employment/entrepreneurial training program for young men ages 18-26 that were formerly incarcerated or living in NYCHA complexes. The funds will be used for monthly stipends for participant engagement and support.
Local	Levin	Diaspora Community Services, Inc.	11-3122295	DYCD	($2,000.00)	To support case management, benefits and immigration assistance; English as a Second Language classes, mental health counseling, domestic violence services, referrals, to provide clients with food coupons, and support general operating expenses for the organization.
Local	Levin	Diaspora Community Services, Inc.	11-3122295	DYCD	$2,000.00	Funds will be used for the CBOs Tech for Future program that will be and employment/entrepreneurial training program for young men ages 18-26 that were formerly incarcerated or living in NYCHA complexes. The funds will be used for monthly stipends for participant engagement and support.
Youth	Fidler	Amity Little League, Inc.	11-2705385	DYCD	($5,000.00)	To provide a sports baseball program to the community.
Youth	Fidler	Amity Little League, Inc.	11-2705385	DYCD	$5,000.00	Funds should be for the Little League program to purchase equipments and also help with other program needs.
Youth	Foster	Family Life Academy Charter School	13-4170389	DYCD	($5,000.00)	To support the Summer Kindergarten Success Institute in introducing children to the concepts of a classroom setting and learning. This would include all necessary educational materials, parent workshops, and supplies.
Youth	Foster	Family Life Academy Charter School	13-4170389	DYCD	$5,000.00	Funding is being given to Family Life Academy Charter School (FLACS) for its Summer Kindergarten Success Institute (SKIS).
Youth	Rivera	Tanima Productions, Inc.	13-3780465	DYCD	($35,000.00)	To support recreational activities to prevent obesity in youth.
Youth	Rivera	Tanima Productions, Inc.	13-3780465	DYCD	$35,000.00	Fundswill help provide dance, drama, and ballet classes.
Youth	Gonzalez	United Chinese Association of Brooklyn	13-6400434	DYCD	($3,500.00)	To support a youth development program which includes paying for the costs of renovating a new ala, furniture, equipment and office supplies. In additional, the grant will be spent on the cost of space rental, insurance, utilities, staff salary, and instructors wage which relate to the youth development extracurricular classes and activities.
Youth	Gonzalez	United Chinese Association of Brooklyn	13-6400434	DYCD	$3,500.00	To support a youth development program which includes paying for the costs of furniture, equipment and office supplies. In additional, the grant will be spent on the cost of space rental, insurance, utilities, staff salary, and instructors wage which relate to the youth development extracurricular classes and activities.
Local	Gentile	NIA Community Services Network	11-2697931	DYCD	($5,000.00)	
Local	Gentile	NIA Community Services Network	11-2697931	DYCD	$5,000.00	For use in the support of NIA's youth activities, including the office administration of their many youth programs.
Local	Gentile	Council on the Environment of New York City, Inc. DBA GrowNYC	13-2765465	DYCD	($5,000.00)	
Local	Gentile	Council on the Environment of New York City, Inc. DBA GrowNYC	13-2765465	DYCD	$5,000.00	Funding will be used for GrowNYC's Greenmarket program.

* Indicates pending completion of pre-qualification review.

CHART 18: Purpose of Funds Changes - Fiscal 2013

Local	Greenfield	Olsar Family Services, Inc.	11-2601112	DYCD	($10,000.00)	Olsar Has A Day Habilitation For 38 Adults From The Age Of 21 To 85. Most Of These Individuals Are Severly Disabled And Need Help With All Activities For Daily Living. The Funds Will Be Used For Our Garden/Greenhouse, Training Kitchen And Art Therapist.
Local	Greenfield	Olsar Family Services, Inc.	11-2601112	DYCD	$10,000.00	The Funds will be used to provide busing to and from the Sunday Recreational Program.
Boro	Brooklyn Delegation	Olsar Family Services, Inc.	11-2601112	DYCD	($5,000.00)	Olsar Has A Day Habilitation For 38 Adults From The Age Of 21 To 85. Most Of These Individuals Are Severly Disabled And Need Help With All Activities For Daily Living. The Funds Will Be Used For Our Garden/Greenhouse, Training Kitchen And Art Therapist.
Boro	Brooklyn Delegation	Olsar Family Services, Inc.	11-2601112	DYCD	$5,000.00	The Funds will be used to provide busing to and from the Sunday Recreational Program.

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 4, 2014.

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

Reports of the Committee on Health

Override Report for Int. No. 933-A (2012)

Report of the Committee on Health in favor of approving and adopting, as amended, notwithstanding the objection of the Mayor, a Local Law to amend the administrative code of the city of New York, in relation to creating an animal abuse registry.

The Committee on Health, to which the annexed amended proposed local law was referred on September 12, 2012 (Minutes, page 3496), and was originally adopted by the Council on December 19, 2013 (Minutes, page 5460) but later vetoed by the Mayor on December 27, 2013 (please see M-8, January 8, 2014 Minutes, page 48), respectfully

REPORTS:

1. INTRODUCTION

On January 30, 2014, the Committee on Health, chaired by Council Member Corey Johnson, held a hearing on Int. No. 933-A, a Local Law to amend the administrative code of the city of New York, in relation to creating an animal abuse registry to ensure that persons convicted of animal abuse crimes are not able to acquire animals and M8-2014, communication from the Mayor: Mayor's veto and disapproval message of Introductory Number 933-A, in relation to creating an animal abuse registry to ensure that persons convicted of animal abuse crimes are not able to acquire animals.

This was the third hearing on Int. No. 933-A. The first hearing on this bill was held on June 7th, 2013. The Committee heard and received testimony from the Department of Health and Mental Hygiene, Animal Care & Control, representatives

of the Brooklyn District Attorney, the ASPCA, and other advocates and stakeholders. The bill was subsequently amended. The second hearing of this bill was held on December 18, 2013. At that hearing, the Committee on Health voted in favor of the bill with nine members voting in the affirmative, zero in the negative, and no abstentions. On December 19, 2013, the Council adopted the bill by a vote of 51-0 with no abstentions. On December 27, 2013 the Mayor forwarded a message to the City Clerk and Clerk of the Council, indicating that he would veto the legislation. On January 8, 2014, the Council received this veto, M8-2014. The veto stated that the legislation was wasteful and that it ignored reasonable controls in place to ensure animals are protected from those who would do them harm.

2. ANALYSIS OF LEGISLATION
INT. NO. 933-A

Bill section 1 would contain legislative findings that animal cruelty is a serious problem in New York City.

Bill section 2 would amend Title 17 of the Administrative Code by adding a new Chapter 16 entitled "Animal Abuse Registration Act" that would contain the sections described herein.

New section 17-1601 would provide definitions for use in the chapter.

Section 17-1602 would provide for the creation of an animal abuse registry. Subdivision a of such section would require the mayor or his designee to designate an agency to implement the provisions of the chapter and to report to the speaker of the council the designated agency. Subdivision b of such section would require such agency to create, manage, and maintain an electronic registry containing the names and addresses of individuals living in the city of New York who have been convicted of an animal abuse crime who have registered with the agency pursuant to this chapter. Subdivision c of section 17-1602 would require the agency designated to maintain the registry to keep confidential the information maintained in it, except to provide authorized entities, including law enforcement and entities that sell and adopt out pets, with the password protected ability to electronically query the registry to find out if a specific person is on it.

Section 17-1603 would provide for animal abuse registration requirements.

Subdivision a of section 17-1603 would require any person 18 years of age or older who resides in the city of New York and is convicted of an animal abuse crime on or after the effective date of the local law to appear in person to register, provided however, no person shall be required to register pending the resolution of an appeal of such conviction. Paragraph 1 of such subdivision a further provides that a person required to so register shall do so within five days following such person's release from incarceration, or if such person was not incarcerated, within five days from the date of such person's sentencing. Paragraph 2 of such subdivision a provides that a person convicted of an animal abuse crime who establishes residency in New York City following such person's release from incarceration, or if not incarcerated, following such person's sentencing, must register within five days of establishing such residency.

Subdivision b of section 17-603 would require the agency maintaining the registry to photograph the registrant at the time of registration.

Subdivision c of section 17-1603 would require the registrant to provide such agency with specific identification information and any other information deemed pertinent by the department.

Subdivision d of section 17-1603 would require each registrant to personally appear within twenty days of each one year anniversary of the registrant's initial registration for the purpose of verifying information required under subdivision c of such section of the Code. Subdivision d would also require the agency maintaining the registry to photograph the registrant at such time.

Subdivision e of section 17-1603 of the Code would require each registrant to personally appear before the department to update the department within five days of a change in any of the information required pursuant to subdivision c of such section of the Code.

Subdivision f of section 17-1603 would require each registrant to remain on the animal abuse registry for five years following his or her release from incarceration or the date judgment was rendered, whichever is later. Registrants convicted of subsequent animal abuse crimes would be required to remain on the animal abuse registry for ten years following the date of the last conviction.

Section 17-1604 would prohibit a person registered or required to be registered with the animal abuse registry from owning, possessing, residing with, having custody of, or intentionally engaging in any physical contact with any animal.

Section 17-1605 would prohibit any animal shelter, pet shop, veterinarian, animal rescue, humane society, animal control officer, or society for the prevention of cruelty to animals located in New York City from exchanging or transferring ownership of a companion animal to any person listed on the animal abuse registry.

Section 17-1606 would authorize the commissioner of the agency designated to implement the provisions such chapter to promulgate the rules necessary for the implementation of the law.

Section 17-1607 of the Code would provide that a violation of section 17-1603 or 17-1604 of the Code or any rules promulgated thereunder shall be a misdemeanor punishable by up to one year imprisonment, a fine of up to one thousand dollars, or both.

Section 17-1608 would provide that the law shall apply to persons convicted of an animal abuse crime on or after the effective date of the law.

Bill section 3 would provide that the local law take effect 240 days after enactment provided, however, that the mayor or his designee shall designate an agency to implement its provisions within 90 days of its enactment and the commissioner of such agency shall take all necessary actions, including promulgation of rules, prior to the effective date.

Update

On Wednesday, January 29, 2014, the Committee voted to accept and file the Mayor's veto message and to repass the bill by a vote of nine in the affirmative, zero in the negative and no abstentions.

Accordingly, the Committee recommends its adoption.

(The following is the text of the Fiscal Impact Statement for Int. No. 933-A:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 933-A
COMMITTEE: Health

TITLE: To amend the administrative code of the city of New York, in relation to creating an animal abuse registry.	**SPONSOR(S):** Vallone, Gentile, Crowley, Arroyo, Brewer, Fidler, James, Koo, Mark-Viverito, Nelson, Rose, Vacca, Williams, Rodriguez, Gonzalez, Koppell, Mendez, Lander, Gennaro, Halloran and Ulrich

SUMMARY OF LEGISLATION: Proposed Int. No. 933-A would require the mayor to designate an agency to establish a registry of New York City residents who are convicted of animal abuse crimes under New York State law or the laws of another state after the effective date of the law. Entities that sell or adopt out pets, such as animal shelters, pet shops, veterinarians, and duly incorporated animal rescues would be required to consult the registry before transferring ownership of any animal in its care and would be prohibited from transferring ownership to anyone listed on the registry.

Residents convicted of animal abuse crimes would be required to register upon release from incarceration, or if not incarcerated, within five days of sentencing. Non-residents who establish residency following incarceration or sentencing would be required to register within five days of establishing residency. A person required to register who fails to register would be guilty of a misdemeanor punishable by up to a year of imprisonment, a fine of up to one thousand dollars, or both. A person registered or required to register would be prohibited from owning, possessing, residing with, having custody of, or intentionally engaging in any physical contact with any animal. A person required to comply with these prohibitions concerning contact with an animal would be guilty of a misdemeanor punishable by up to a year of imprisonment, a fine of up to one thousand dollars, or both.

EFFECTIVE DATE: This legislation would take effect 240 days after its enactment provided, however, that the mayor or his designee shall designate an agency to implement its provisions within 90 days of its enactment and the commissioner of such agency shall take all necessary actions, including promulgation of rules, prior to the effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY 16	Full Fiscal Impact FY16
Revenues	$0	$0	$0
Expenditures	$0	$0	$0
Net	$0	$0	$0

IMPACT ON REVENUES: There would be no impact on revenues resulting from this legislation. Any fine revenues resulting from this legislation would be *de minimis*, as the rationale for the inclusion of potential fines is to foster compliance with the law.

IMPACT ON EXPENDITURES: There would be no impact on expenditures resulting from this legislation as its enforcement can be accomplished using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Legislative Financial Analyst

ESTIMATED REVIEWED BY: Latonia McKinney, Deputy Director
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: Int. 933 was introduced by City Council and referred to the Health Committee on September 12, 2012. On June 7, 2013, the Committee held a hearing on the bill, and the bill was laid over, and subsequently amended. On December 19, 2013, the Committee and the Full Council passed an amended version of the bill, Proposed Int. 933-A. On December 27, 2013, the Mayor issued a message of disapproval, vetoing the legislation. That veto message was formally accepted by the Council at its Stated meeting held on January 8, 2013. On January 29, 2013, the Committee will meet to repass the legislation as Int. 933-A . Upon successful vote, the Full Council will vote out Int. 933-A on February 4, 2014.

DATE SUBMITTED TO COUNCIL: September 12, 2012

Notwithstanding the objection of the Mayor, this Committee recommends the re-adoption of Int No. 933-A.

(The following is the text of Int. No. 933-A of 2012:)

Int. No. 933-A (2012)

By Council Members Vallone, Jr., Gentile, Crowley, Arroyo, Brewer, Fidler, James, Koo, Mark-Viverito, Nelson, Rose, Vacca, Williams, Rodriguez, Gonzalez, Koppell, Mendez, Lander, Gennaro, Halloran, Ulrich and Lappin.

A Local Law to amend the administrative code of the city of New York, in relation to creating an animal abuse registry.

Be it enacted by the Council as follows:

Section 1. Legislative Findings. The Council finds that animal cruelty is a serious problem in New York City. Although New York State criminalizes cruelty to animals, animals in New York City continue to be subject to abusive behavior. In recent years, several states and municipalities have considered creating animal abuse registries to track people convicted of animal cruelty. As of 2013, four New York State counties had created animal abuse registries. The Council finds that creating a registry of those convicted of animal cruelty will aide those involved in the sale or adoption of animals to ensure that an animal will not be placed with a person with a record of animal abuse.

§ 2. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 16 to read as follows:

Chapter 16
Animal Abuse Registration Act

§17-1601 Definitions.
§17-1602 Creation of an animal abuse registry.
§17-1603 Animal abuse registration requirements.
§17-1604 Prohibition on ownership of animals.
§17-1605 Requirements of animal shelters.
§17-1606 Rules and Regulations.
§17-1607 Penalties.
§17-1608 Applicability.

§17-1601 Definitions. *For the purposes of this chapter, the following terms shall have the following meanings:*

a. "Animal abuse crime" shall mean any of the following:

1. animal fighting, as defined in section three hundred fifty-one of the agriculture and markets law;

2. overdriving, torturing or injuring animals; failure to provide proper sustenance, as defined in section three hundred fifty-three of the agriculture and markets law;

3. aggravated cruelty to animals, as defined in section three hundred fifty-three-a of the agriculture and markets law;

4. electrocution of fur-bearing animals, as defined in section three hundred fifty-three-c of the agriculture and markets law;

5. abandonment of animals, as defined in section three hundred fifty-five of the agriculture and markets law;

6. failure to provide proper food and drink to an impounded animal, as defined in section three hundred fifty-six of the agriculture and markets law;

7. poisoning or attempting to poison animals, as defined in section three hundred sixty of the agriculture and markets law;

8. interference with or injury to certain domestic animals, as defined in section three hundred sixty-one of the agriculture and markets law;

9. harming a service animal in the first degree, as defined in section 242.15 of the penal code; or

10. an offense in any other jurisdiction which includes all of the essential elements of any such crime provided for in paragraph one, two, three, four, five, six, seven, eight, or nine of this subdivision.

b. "Animal shelter" shall mean any full service shelter, as defined in subdivision d of section 17-802 of this code, or other facility that makes dogs and cats available for adoption whether or not a fee for such adoption is charged.

c. "Animal rescue" shall mean a not-for-profit organization duly incorporated in the state of New York that accepts unwanted dogs or cats from an animal shelter or other place and attempts to find homes for, and promote adoption of, such animals by the general public.

d. "Authorized entity" shall mean any of the following: a humane society duly incorporated in the state of New York, a society for the prevention of cruelty to animals duly incorporated in the state of New York, a dog or cat protective associations duly incorporated in the state of New York, an animal control officer, a pet shop, a veterinarian, an animal rescue, or an animal shelter operating in the city of New York.

e. "Commissioner" shall mean the commissioner of the agency designated to implement the provisions of this chapter pursuant to subdivision a of section 17-1602 of this chapter.

f. "Convicted of" shall mean an adjudication of guilt by any court of competent jurisdiction, whether upon a verdict or plea of guilty or nolo contendere.

g. "Department" shall mean the agency designated to implement the provisions of this chapter pursuant to subdivision a of section 17-1602 of this chapter, notwithstanding any inconsistent provisions of this title.

h. "Registrant" shall mean a person required to register with the department pursuant to this chapter.

i. "Pet shop" shall mean a facility required to have a permit issued pursuant to subdivision (a) of section 161.09 of the New York city health code, where dogs and/or cats are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail for profit.

§17-1602 Creation of animal abuse registry. *a. The mayor or his designee shall designate an agency to implement the provisions of this chapter and shall report such designation to the speaker of the council.*

b. The department shall create, manage and maintain an electronic registry of individuals living in the city of New York who have been convicted of an animal abuse crime and who have registered with the department pursuant to this chapter.

c. The information maintained in the registry created pursuant to this section shall only be made available to law enforcement agencies, district attorneys or when otherwise required by law, and shall otherwise be kept confidential, provided, however, that the department shall grant authorized entities the password-protected ability to electronically query the registry using a person's name, driver's license or non-driver photo ID card number, or other identifying information determined by the commissioner, and to receive in response to such query electronic notice of whether such person is prohibited from owning an animal under section 17-1604 of this chapter.

§17-1603 Animal abuse registration requirements. *a. Any person eighteen years of age or older who resides in the city of New York and has been convicted of an animal abuse crime on or after the effective date of the local law that added this chapter shall personally appear before the department at a location determined by the commissioner to register, provided, however, no person shall be required to appear before the department to register pending resolution of an appeal of such conviction.*

1. Such person shall appear and register within five days following such person's release from incarceration or if such person was not incarcerated within five days from the date of such person's sentencing.

2. Notwithstanding the foregoing, a person convicted of an animal abuse crime on or after the effective date of the local law that added this chapter who establishes residency in the city of New York following such person's release from incarceration or if such person was not incarcerated following such person's sentencing, must, within five days of establishing such residency, personally appear before the department at a location determined by the commissioner to register.

b. The department shall photograph the registrant at the time of registration.

c. Any person required to register pursuant to this chapter shall submit to the department the following:

1. The registrant's name, all aliases used, date of birth, sex, complexion, race or ethnicity, height, weight, eye color, number of any driver's license or non-driver photo ID card, home address and/or expected place of residence.

2. A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed.

3. Any other documentation as the commissioner deems acceptable to verify the information provided by the registrant.

d. Within twenty days of each one year anniversary of the registrant's initial registration date for so long as such registrant remains on the animal abuse registry pursuant to subdivision f of this section, such registrant shall personally appear at a location designated by the commissioner. At such appearance the department shall photograph the registrant and verify the continuing accuracy of the information provided by the registrant pursuant to subdivision c of this section.

e. Within five days of any change in any of the information provided by a registrant pursuant to subdivision c of this section, such registrant shall personally appear before the department to submit updated information for the registry.

f. Each registrant shall remain on the animal abuse registry for five years following his or her release from incarceration or the date sentencing was rendered,

whichever is later, provided, however, that registrants who are convicted of any subsequent animal abuse crime shall remain on the animal abuse registry for ten years following the date of their most recent conviction.

§17-1604 Prohibition on contact with animals. *a. A person who is registered or required to register pursuant to section 17-1603 shall not own, possess, reside with, have custody of, or intentionally engage in any physical contact with any animal.*

§17-1605 Prohibition of transfers of animals to animal abusers. *a. Prior to the exchange or transfer of ownership of any animal in the care of an authorized entity operating in the city of New York, an employee or volunteer of such entity shall consult the animal abuse registry to determine whether the person seeking ownership of such animal is listed on the animal abuse registry.*

b. No entity required to consult the animal abuse registry shall exchange or transfer the ownership of any animal to any person listed on the animal abuse registry.

§17-1606 Rules. *The commissioner may promulgate rules necessary for the implementation of this chapter.*

§17-1607 Penalties. *a. Any person found in violation of section 17-1603 or 17-1604 or any rules promulgated thereunder shall be guilty of a misdemeanor punishable by incarceration for not more than one year or a fine of up to one thousand dollars, or both.*

§17-1608 Applicability. *This law shall apply to all persons convicted of an animal abuse crime on or after the effective date of this law.*

§3. This local law shall take effect 240 days after enactment provided, however, that the mayor or his designee shall designate an agency to implement its provisions within 90 days of its enactment and the commissioner of such agency shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

COREY D. JOHNSON, Chairperson; MARIA del CARMEN ARROYO, ROSIE MENDEZ, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, INEZ D. BARRON, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr.; Committee on Health, February 4, 2014. *Other Council Members Attending: Gentile.*

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

Report for M-8

Report of the Committee on Health in favor of filing a Communication from the Mayor (Michael R. Bloomberg) in regard to the Mayor's Veto and Disapproval Message of Introductory Number 933-A.

The Committee on Health, to which the annexed amended proposed local law was referred on January 8, 2014 (Minutes, page 48), respectfully

REPORTS:

(For text of related report, please see the Override Report of the Committee on Health for Int No. 933-A of 2012 printed in these Minutes)

Accordingly, this Committee recommends the filing and removal from the legislative calendar of M-8 (the Mayor's Veto and Disapproval of Int No. 933-A of 2012).

COREY D. JOHNSON, Chairperson; MARIA del CARMEN ARROYO, ROSIE MENDEZ, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, INEZ D. BARRON, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr.; Committee on Health, February 4, 2014. *Other Council Members Attending: Gentile.*

Coupled to be Filed.

Reports of the Committee on Land Use

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

Report for L.U. No. 1

Report of the Committee on Land Use in favor of approving Application No. N 140092 ZRM submitted by Paco Lafayette 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 Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts, Borough of Manhattan, Community District 2, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2 **N 140092 ZRM**

City Planning Commission decision approving an application submitted by Paco Lafayette, 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 Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts.

INTENT

This zoning text amendment, in conjunction with the other related actions, would facilitate the development of a new, seven-story commercial building at 300 Lafayette Street in the Borough of Manhattan.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: Four **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Weprin, Garodnick, Williams, Richards, Reynoso, Torres, Ignizio
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio
Against: *None* **Abstain:** *None*

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

Res. No. 33

Resolution approving the decision of the City Planning Commission on Application No. N 140092 ZRM, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts in the Borough of Manhattan (Preconsidered L.U. No. 1).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on January 10, 2014 its decision dated December 18, 2013 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Paco Lafayette, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts. This zoning text amendment, in conjunction with the other related actions, would facilitate the development of a new, seven-story commercial building at 300 Lafayette Street (Application No. N 140092 ZRM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the application is related to Applications C 140093 ZSM (L.U. No. 2), a special permit pursuant to Section 74-712(a) to modify use regulations to allow Use Group 6 uses below the floor level of the second story; C 140095 ZSM (L. U. No. 3), a special permit pursuant to Section 74-922 to allow large retail establishments (Use Group 6 and/or Use Group 10A) with no limitation on floor area per establishment; and C 140096 ZSM (L.U. No. 4), a special permit pursuant to Section 74-712(b) to modify the height and setback requirements of Section 43-43;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 28, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues, the negative declaration (CEQR No. 13DCP120M) issued on October 7, 2013 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140092 ZRM, incorporated by reference herein, the Council approves the Decision.

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

Matter in underline is new, to be added;

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

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

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

74-712

Developments in Historic Districts

Within Historic Districts designated by the Landmarks Preservation Commission, the City

Planning Commission may grant a special permit, in accordance with the following provisions:

a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, ~~or~~ has not more than 20 percent of the #lot area# occupied by existing #buildings#, or has #street# frontages on two or more #wide streets# and not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development#, and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided ~~that~~:

(1) the #use# modifications shall meet the following conditions, that:

(i) ~~that~~ #residential development# complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;

(ii) ~~that~~ total #floor area ratio# on the #zoning lot# shall be limited to 5.0;

(iii) ~~that~~ the minimum #floor area# of each #dwelling unit# permitted by this Section shall be 1,200 square feet;

(iv) ~~that~~ all #signs# for #residential# or #commercial uses# permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and

(v) ~~that~~ eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and

(2) the Commission shall find~~s~~ that such #use# modifications:

(i) have minimal adverse effects on the conforming #uses# in the surrounding area;

(ii) are compatible with the character of the surrounding area; and

(iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.

b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that is vacant or is #land with minor improvements#, and in M1-5A and M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 20 percent of the #lot area# is occupied by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications~~:~~ comply with the findings set forth below.

In addition, in M1-5A and M1-5B Districts, the Commission may also modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that has #street# frontages on two or more #wide streets# and that, as of December 15, 2003, has more than 20 percent but not more than 40 percent of the #lot area# occupied by existing #buildings#, provided the #development# contains no #residences# and the Commission finds that such #bulk# modifications:

(1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and

(2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

* * *

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 2

Report of the Committee on Land Use in favor of approving Application No. C 140093 ZSM submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) to modify Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), Borough of Manhattan, Community District 2, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2 **C 140093 ZSM**

City Planning Commission decision approving an application submitted by Paco Lafayette, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

INTENT

This special permit, in conjunction with the other related actions, would facilitate the development of a new, seven-story commercial building at 300 Lafayette Street in the Borough of Manhattan.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: Four **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Weprin, Garodnick, Williams, Richards, Reynoso, Torres, Ignizio
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio
Against: *None* **Abstain:** *None*

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

Res. No. 34

Resolution approving the decision of the City Planning Commission on ULURP No. C 140093 ZSM (Preconsidered L.U. No. 2), for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39 and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District in the Borough of Manhattan.

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on January 10, 2014 its decision dated December 18, 2013 (the "Decision"), on the application submitted by Paco Lafayette, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39 and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District (ULURP No. C 140093 ZSM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the application is related to Applications N 140092 ZRM (L.U. No. 1), a zoning text amendment to Section 74-712 to modify lot coverage requirements in M1-5A and M1-5B Districts; C 140095 ZSM (L. U. No. 3), a special permit pursuant to Section 74-922 to allow large retail establishments (Use Group 6 and/or Use Group 10A) with no limitation on floor area per establishment; and C 140096 ZSM (L.U. No. 4), a special permit pursuant to Section 74-712(b) to modify the height and setback requirements of Section 43-43;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-712(b) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 28, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 13DCP120M) issued October 7, 2013 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140093 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The property that is the subject of this application (C 140093 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by CookFox Architects, LLP, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
A-003.00	Zoning Analysis	September 13, 2013
A-100.00	Zoning Lot Site Plan	September 13, 2013
A-101.00	Section Diagram	September 13, 2013
A-102.00	Section Diagram	September 13, 2013
A-112.00	Waiver Diagram	September 13, 2013

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operating and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 3

Report of the Committee on Land Use in favor of approving Application No. C 140095 ZSM submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), Borough of Manhattan, Community District 2, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2 **C 140095 ZSM**

City Planning Commission decision approving an application submitted by Paco Lafayette, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

INTENT

This special permit, in conjunction with the other related actions, would facilitate the development of a new, seven-story commercial building at 300 Lafayette Street in the Borough of Manhattan.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: Four **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Weprin, Garodnick, Williams, Richards, Reynoso, Torres, Ignizio
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio
Against: *None* **Abstain:** *None*

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

Res. No. 35

Resolution approving the decision of the City Planning Commission on ULURP No. C 140095 ZSM (Preconsidered L.U. No. 3), for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39 and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District in the Borough of Manhattan.

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on January 10, 2014 its decision dated December 18, 2013 (the "Decision"), on the application submitted by Paco Lafayette, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39 and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District (ULURP No. C 140095 ZSM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the application is related to Applications N 140092 ZRM (L.U. No. 1), a zoning text amendment to Section 74-712 to modify lot coverage requirements in M1-5A and M1-5B Districts; C 140093 ZSM (L.U. No. 2), a special permit pursuant to Section 74-712(a) to modify use regulations to allow Use Group 6 uses below the floor level of the second story; and C 140096 ZSM (L.U. No. 4), a special permit pursuant to Section 74-712(b) to modify the height and setback requirements of Section 43-43;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-922 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 28, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 13DCP120M) issued October 7, 2013 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140095 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The property that is the subject of this application (C 140095 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by CookFox Architects, LLP, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised

A-003.00	Zoning Analysis	September 13, 2013
A-100.00	Zoning Lot Site Plan	September 13, 2013
A-101.00	Section Diagram	September 13, 2013
A-102.00	Section Diagram	September 13, 2013
A-104.00	Floor Plan - Cellar	September 13, 2013
A-105.00	Floor Plan - Ground	September 13, 2013
A-106.00	Floor Plan – Floor 02	September 13, 2013
A-112.00	Waiver Diagram	September 13, 2013

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operating and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 4

Report of the Committee on Land Use in favor of approving Application No. C 140096 ZSM submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), Borough of Manhattan, Community District 2, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2 **C 140096 ZSM**

City Planning Commission decision approving an application submitted by Paco Lafayette, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

INTENT

This special permit, in conjunction with the other related actions, would facilitate the development of a new, seven-story commercial building at 300 Lafayette Street in the Borough of Manhattan.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: Four **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Weprin, Garodnick, Williams, Richards, Reynoso, Torres, Ignizio
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio
Against: *None* **Abstain:** *None*

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

Res. No. 36

Resolution approving the decision of the City Planning Commission on ULURP No. C 140096 ZSM (Preconsidered L.U. No. 4), for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39 and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District in the Borough of Manhattan.

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on January 10, 2014 its decision dated December 18, 2013 (the "Decision"), on the application submitted by Paco Lafayette, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39 and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District (ULURP No. C 140096 ZSM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the application is related to Applications N 140092 ZRM (L.U. No. 1), a zoning text amendment to Section 74-712 to modify lot coverage requirements in M1-5A and M1-5B Districts; C 140093 ZSM (L.U. No. 2), a special permit pursuant to Section 74-712(a) to modify use regulations to allow Use Group 6 uses below the floor level of the second story; C 140095 ZSM (L.U. No. 3), a special permit pursuant to Section 74-922 to allow large retail establishments (Use Group 6 and/or Use Group 10A) with no limitation on floor area per establishment;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-712(a) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 28, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 13DCP120M) issued October 7, 2013 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140096 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The property that is the subject of this application (C 140096 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by CookFox Architects, LLP, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
A-003.00	Zoning Analysis	September 13, 2013
A-100.00	Zoning Lot Site Plan	September 13, 2013
A-101.00	Section Diagram	September 13, 2013
A-102.00	Section Diagram	September 13, 2013
A-104.00	Floor Plan - Cellar	September 13, 2013
A-105.00	Floor Plan - Ground	September 13, 2013

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operating and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 5

Report of the Committee on Land Use in favor of approving Application No. 20145191 HKM (N 140164 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the 39 Worth Street Building (Block 176, Lot 11) (Designation List No. 469 / LP-2539), Borough of Manhattan, Community District 1, Council District 1, as a historic landmark.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 1 **20145191 HKM (N 140164 HKM)**

Designation by the Landmarks Preservation Commission (List No. 469/LP-2539), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the 39 Worth Street Building, located at 39 Worth Street (Tax Map Block 176, Lot 11), as an historic landmark.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: One **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Koo, Arroyo, Mendez, Levin, Barron, Kallos

Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger
Against: Ignizio **Abstain:** *None*

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

Res. No. 37

Resolution affirming the designation by the Landmarks Preservation Commission of the 39 Worth Street Building, located at 39 Worth Street (Tax Map Block 176, Lot 11) Borough of Manhattan, Designation List No. 469, LP-2539 (Preconsidered L.U. No. 5; 20145191 HKM; N 140164 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on November 8, 2013 a copy of its designation dated October 29, 2013 (the "Designation"), of the 39 Worth Street Building, located at 39 Worth Street, Community District 1, Borough of Manhattan as a landmark and Tax Map Block 176, Lot 11, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on December 30, 2013, its report on the Designation dated December 18, 2013 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 28, 2014; and

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

RESOLVED:

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

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 6

Report of the Committee on Land Use in favor of approving Application No. 20145186 HKM (N 140165 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the 41 Worth Street Building (Block 176, Lot 10) (Designation List No. 469 / LP-2540), Borough of Manhattan, Community District 1, Council District 1, as a historic landmark.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 1 **20145186 HKM (N 140165 HKM)**

Designation by the Landmarks Preservation Commission (List No. 469/LP-2540), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the 41 Worth Street Building, located at 41 Worth Street (Tax Map Block 176, Lot 10), as an historic landmark.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: One **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Koo, Arroyo, Mendez, Levin, Barron, Kallos
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger
Against: Ignizio **Abstain:** *None*

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

Res. No. 38

Resolution affirming the designation by the Landmarks Preservation Commission of the 41 Worth Street Building, located at 41 Worth Street (Tax Map Block 176, Lot 10) Borough of Manhattan, Designation List No. 469, LP-2540 (Preconsidered L.U. No. 6; 20145186 HKM; N 140165 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on November 8, 2013 a copy of its designation dated October 29, 2013 (the "Designation"), of the 41 Worth Street Building, located at 41 Worth Street, Community District 1, Borough of Manhattan as a landmark and Tax Map Block 176, Lot 10, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on December 30, 2013, its report on the Designation dated December 18, 2013 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 28, 2014; and

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

RESOLVED:

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

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 7

Report of the Committee on Land Use in favor of approving Application No. 20145189 HKM (N 140166 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of 339 Grand Street House, 339 Grand Street (Block 309, Lot 19) (Designation List No. 469/LP-2413), Borough of Manhattan, Community District 3, Council District 1, as a historic landmark.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3 20145189 HKM (N 140166 HKM)

Designation by the Landmarks Preservation Commission (List No. 469/LP-2413), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the 339 Grand Street House, located at 339 Grand Street, a/k/a 57 Ludlow Street (Tax Map Block 309, Lot 19), as an historic landmark.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: One **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Koo, Arroyo, Mendez, Levin, Barron, Kallos
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger
Against: Ignizio **Abstain:** *None*

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

Res. No. 39

Resolution affirming the designation by the Landmarks Preservation Commission of the 339 Grand Street House, located at 339 Grand Street (aka 57 Ludlow Street) (Tax Map Block 309, Lot 19), Borough of Manhattan, Designation List No. 469, LP-2413 (Preconsidered L.U. No. 7; 20145189 HKM; N 140166 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on November 8, 2013 a copy of its designation dated October 29, 2013 (the "Designation"), of the 339 Grand Street House, located at 339 Grand Street (aka 57 Ludlow Street), Community District 3, Borough of Manhattan as a landmark and Tax Map Block 309, Lot 19, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on December 30, 2013, its report on the Designation dated December 18, 2013 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 28, 2014; and

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

RESOLVED:

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

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 8

Report of the Committee on Land Use in favor of approving Application No. 20145176 HKM (N 140163 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of Tammany Hall, 100 East 17th Street (Block 872, Lot 78) (Designation List No. 469/LP-2490) Borough of Manhattan, Community District 5, Council District 2, as a historic landmark.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 5 20145176 HKM (N 140163 HKM)

Designation by the Landmarks Preservation Commission (List No. 469/LP-2490), pursuant to Section 3020 of the New York City Charter, of the landmark designation of Tammany Hall, located at 100 East 17th Street, a/k/a 100-102 East 17th Street, 44-48 Union Square, 44-48 Union Square East (Tax Map Block 872, Lot 78), as an historic landmark.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: Three **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Koo, Arroyo, Mendez, Levin, Barron, Kallos
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio
Against: *None* **Abstain:** *None*

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

Res. No. 40

Resolution affirming the designation by the Landmarks Preservation Commission of Tammany Hall, located at 100 East 17th Street (aka 100-102 East 17th Street, 44-48 Union Square, 44-48 Union Square East) (Tax Map Block 872, Lot 78) Borough of Manhattan, Designation List No. 469, LP-2490 (Preconsidered L.U. No. 8; 20145176 HKM; N 140163 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on November 8, 2013 a copy of its designation dated October 29, 2013 (the "Designation"), of Tammany Hall, located at 100 East 17th Street (aka 100-102 East 17th Street, 44-48 Union Square, 44-48 Union Square East), Community District 5, Borough of Manhattan as a landmark and Tax Map Block 872, Lot 78, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on December 30, 2013, its report on the Designation dated December 18, 2013 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 28, 2014; and

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

RESOLVED:

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

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 9

Report of the Committee on Land Use in favor of approving Application No. C 140045 HAX submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area and Project for, and approval of the disposition of, property located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8, 27 and part of 10), Borough of Bronx, Community District 4, Council District 16. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law and 197-c of the New York City Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

BRONX CB - 4 C 140045 HAX

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

1) pursuant to Article 16 of the General Municipal Law of New York State for:

   a) the designation of property located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8 and part of 10) as an Urban Development Action Area; and

   b) an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of Block 2874, Lots 3, 6, 8, 27 and part of 10, to a developer to be selected by HPD;

to facilitate the construction of a seven-story senior residence with approximately 61 dwelling units and 22, 557 square feet of community facility space.

INTENT

To facilitate the construction of a seven-story senior residence with approximately 61 dwelling units and 22,557 sq. ft. of community facility space.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: Three **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen, Treyger
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio
Against: *None* **Abstain:** *None*

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

Res. No. 41

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development ("HPD") and the decision of the City Planning Commission, ULURP No. C 140045 HAX, approving the designation of properties located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8, p/o10), Borough of the Bronx, as an Urban Development Action Area, approving the Urban Development Action Area Project, and approving the disposition of the properties located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8, p/o10, and 27), Borough of the Bronx, to a developer selected by HPD (Preconsidered L.U. No. 9; C 140045 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on December 20, 2013 its decision dated December 4, 2013 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

a) the designation of property located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8, p/o10 and 27), as an Urban Development Action Area (the "Area");

b) an Urban Development Action Area Project for such area (the "Project"); and

pursuant to Section 197-c of the New York City Charter for disposition of the properties located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8, p/o10, and 27) to a developer selected by the New York City Department of Housing Preservation and Development to facilitate the construction of a seven-story senior residence with approximately 61 dwelling units and 22,557 square feet of community facility space (the "Disposition"), Community District 4, Borough of the Bronx (ULURP No. C 140045 HAX) (the "Application");

WHEREAS, this application is related to Application C 140044 PQX, an acquisition of property located at 1448 Plimpton Avenue (Block 2874, Lot 27) by the New York City Department of Housing Preservation and Development;

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

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

WHEREAS, by letter dated January 17, 2014 and submitted January 27, 2014, the New York City Department of Housing Preservation and Development (HPD) submitted its requests respecting the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on January 28, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 12HPD031X) issued on February 28, 2013 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 140045 HAX) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

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

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

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

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

The Council approves the disposition of the properties located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8, p/o10, and 27) to a developer selected by the New York City Department of Housing Preservation and Development.

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 30, 2014.

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

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

Report for L.U. No. 10

Report of the Committee on Land Use in favor of approving Application No. C 140115 HAK submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area and Project for, and approval of the disposition of, property located at 317/335 Saratoga Avenue and 1943/1963 Bergen Street and (Block 1447, Lots 1, 3 to 9, 73 to 77), Borough of Brooklyn, Community District 16, Council District 41.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on February 4, 2014, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 16 **C 140115 HAK**

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

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a) the designation of property located at 317/335 Saratoga Avenue and 1943/1963 Bergen Street (Block 1447, Lots 1, 3, 4, 5, 6, 7, 8, 9, 73, 74, 75, 76 and 77) as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a five-story building with approximately 80 residential units of affordable and supportive housing.

INTENT

To facilitate the development of a five-story building with approximately 80 residential units of affordable and supportive housing in the Ocean Hill neighborhood of Community District 16 in the Borough of Brooklyn.

PUBLIC HEARING

DATE: January 28, 2014

Witnesses in Favor: Two **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: January 28, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen, Treyger
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: January 30, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger
Against: Ignizio **Abstain:** *None*

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

Res. No. 42

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development ("HPD") and the decision of the City Planning Commission, ULURP No. C 140115 HAK, approving the designation of property located at 317/335 Saratoga Avenue and 1943/1963 Bergen Street (Block 1447, Lots 1, 3, 4, 5, 6, 7, 8, 9, 73, 74, 75, 76 and 77), Borough of Brooklyn, as an Urban Development Action Area, approving an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by HPD (Preconsidered L.U. No. 10; C 140115 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on January 10, 2014 its decision dated January 8, 2014 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

a) the designation of property located at 317/335 Saratoga Avenue and 1943/1963 Bergen Street (Block 1447, Lots 1, 3, 4, 5, 6, 7, 8, 9, 73, 74, 75, 76 and 77), as an Urban Development Action Area (the "Area");

b) an Urban Development Action Area Project for such area (the "Project"); and

pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development to facilitate the development of a five-story building with approximately 80 residential units of affordable and supportive housing (the "Disposition"), Community District 16, Borough of Brooklyn (ULURP No. C 140115 HAK) (the "Application");

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

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

WHEREAS, by letter dated January 17, 2014 and submitted January 24, 2014, the New York City Department of Housing Preservation and Development (HPD) submitted its requests respecting the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on January 28, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 14HPD003K) issued on September 17, 2013 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 140115 HAK) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

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

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

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

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

The Council approves the disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development.

DAVID G. GREENFIELD, Chairperson; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL G, GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 30, 2014.

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

Reports of the Committee on Public Safety

Override Report for Int. No. 859-A (2012)

Report of the Committee on Public Safety in favor of approving and adopting, as amended, notwithstanding the objection of the Mayor, 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 of crime in all parks and playgrounds within the City that are greater than one acre in size.

The Committee on Public Safety, to which the annexed amended proposed local law was referred on May 15, 2012 (Minutes, page 1584), and was originally adopted by the Council on December 19, 2013 (Minutes, page 5561) but later vetoed by the Mayor on December 27, 2013 (please see M-6, January 8, 2014 Minutes, page 44), respectfully

REPORTS:

I. INTRODUCTION

On February 4, 2014 the Council will meet to vote whether to re-pass, notwithstanding the objections of the Mayor, Introduction No. ("Intro.") 859-A: 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 of crime in all parks and playgrounds within the City that are greater than one acre in size. The Council will also consider whether the Mayor's veto message, M-0006-2014, should be filed.

On May 15, 2012, Intro. 859 was introduced and referred to the Committee on Public Safety. Thereafter, on November 22, 2013, the Committee on Public Safety held a hearing on the bill. At that time, the Committee received testimony from union representatives and advocacy groups in support of the legislation.[1] On December 16, 2013, the Committee held a hearing to vote on

Proposed Int. 859-A, an amended version of the bill. The proposed amended introduction passed out of committee by a vote of four in the affirmative, zero in the negative, with zero abstentions. The legislation was then passed by the Council on December 19, 2013 by a vote of 51 in the affirmative and zero in the negative. On December 27, 2013, the Mayor issued a message of disapproval for Intro. 859-A. The Mayor's veto message, M-0006-2014 (attached hereto as Appendix A), was formally accepted by the Council and referred to the Committee on Public Safety at the Council's stated meeting held on January 8, 2014. On January 29, 2014, the Committee on Public Safety voted to recommend the Mayor's veto of Intro. 859-A be overridden and that the Mayor's veto message, M-0006-2014, should be filed by a vote of eleven in the affirmative, zero in the negative, with zero abstentions.

[1] The Committee did not receive testimony from the Administration at the November 22, 2013 hearing. The Committee was, however, aware of the Administration's opposition to Proposed Intro. 859-A, for the reasons set forth in the Mayor's veto message (*See* Appendix A).

The question before the Council today is whether Intro. 859-A should be re-passed notwithstanding the objections of the Mayor, and whether the Mayor's veto message, M-0006 2014, should be filed.

II. BACKGROUND

The New York City Police Department's ("NYPD") computerized crime-tracking system, COMPSTAT, is used to analyze crime patterns by precinct. This by itself, however, is an imperfect method for tracking crimes in parks due to the fact that many of the city-run parks fall within the geographic regions encompassed by more than one NYPD precinct – under this system, the only park-specific data available is for Central Park, which has its own police precinct.[2] To address this issue, the Committee on Public Safety held numerous hearings in 2005 to discuss proposed legislation that sought to mandate that the NYPD issue quarterly reports to the Council that include the total number of major felony crime complaints for the 20 largest parks, as determined by acreage, under the jurisdiction of the Department of Parks and Recreation. The Council passed the proposed legislation and it was signed into law by the Mayor on December 29, 2005, becoming Local Law 114 of 2005. The Council explained in its legislative intent that city parks "provide an oasis for residents and visitors, and it is vitally important that just as precinct crime information is sent to the council on a quarterly basis, data about the safety of parks should also be provided to the council."[3]

Local Law 114 went into effect on February 1, 2006, and at that time the 20 parks initially covered were as follows:

[2] The Central Park Precinct is the 22nd Police Precinct.
[3] *See* Local Law 114 of 2005.

1. Alley Pond Park	6. Ferry Point	11. Great Kills Park	16. Pelham Bay
2. Bronx Park	7. Flushing Meadows	12. Inwood Hill	17. Prospect Park
3. Cunningham Park	8. Forest Park	13. La Tourette Park	18. Randall's Island
4. Dyker Beach	9. Fort Washington	14. Marine Park	19. Riverside Park
5. FDR/Midland	10. Fresh Kills	15. Paerdegat Basin Park	20. Van Cortland Park

Local Law 114 also required the NYPD to submit to the Council the total number of major felony crime complaints for all parks, one acre or greater in size, under the jurisdiction of the Department of Parks and Recreation pursuant to the following timetable:

1. By one year after enactment, the one hundred largest parks, as determined by acreage;

2. By two years after enactment, the two hundred largest parks, as determined by acreage; and

3. By three years after enactment, all parks one acre or greater in size.[4]

At the hearings held in 2005, the NYPD informed the Committee on Public Safety that there are some resource and technology issues impeding its ability to report this additional park-specific data. Accordingly, to avoid imposing undue hardship on the NYPD, Local Law 114 specifically provided that the NYPD would report additional park data "subject to the availability of resources and the introduction of the necessary technology."[5] Therefore, it was the intention of Local Law 114 that the NYPD report major felony crime complaint data for all City parks one acre or greater in size – a total of 870 parks – by the year 2008, if the resources and technology allowed. Unfortunately, between 2006 and 2009 the NYPD alleged that it did not have the requisite resources to report data on all parks one acre or greater in size. As a result, the City Council was not provided with the data for all 870 parks by 2008. Instead, in 2008, the NYPD expanded its reporting of crime data from 20 parks to 30 of the largest city-run parks, and included the major felonies happening in Central Park's 22nd Precinct. Specifically, in addition to the initial 20 parks listed above, the NYPD began reporting on the following 10 parks in 2008:

[4] *See* Administrative Code of the City of New York §14-150(a)(4).
[5] *Id.*

1. Blue Heron Park	6. Kissena Park
2. Canarsie Park	7. Rockaway Community/Edgemere Park
3. Crotona Park	8. Soundview Park
4. Highbridge Park	9. Wards Island Park
5. Joseph T. McGuire Park	10. Wolfe's Pond Park[6]

Since 2008, the NYPD has not increased the number of parks on which it reports. On April 12, 2011, Council Member Peter Vallone, Jr., Chair of the Committee on Public Safety, sent a letter to Police Commissioner Raymond Kelly requesting a detailed explanation as to why the NYPD has failed to provide the City Council with crime reports data for more than 31 city parks.[7] In a response letter dated May 30, 2011, Police Commissioner Kelly stated that the NYPD's "current technological configuration still does not permit the type of reporting" required by Local Law 114. Police Commissioner Kelly also explained that he "instructed his staff to begin an in-depth cost analysis as to the feasibility of re-configuring [NYPD's] existing infrastructure to accommodate [Local Law 114]."[8]

Thereafter, on January 30, 2012 the Committee on Public Safety and the Committee on Parks and Recreation held a joint oversight hearing entitled "A walk in the park....or is it? Examining Safety in NYC Parks" to discuss certain increases in crime in parks. At that hearing, the issue of the NYPD's failure to comply with the intention of Local Law 114 was raised by multiple Council Members. In response, the NYPD stated the following:

> "In 2005, when we negotiated the terms of the law it was very clear to both the administration and the council that – and we put language in the law to the effect – it was not technologically feasible to do anything but a stick count at that point. And because the fundamental way in which [the NYPD] capture[s] crime data is by street address and/or cross streets, that information cannot be plotted and it cannot be entered in what you would have hoped to be a GPS type system or something that would be able to place a crime within a park as opposed to outside the park. So the technological limitations of our database and the way in which we report crime is still so limited."[9]

[6] Data available on file with the Committee on Public Safety.
[7] Letter on file with the Committee on Public Safety.
[8] Letter on file with the Committee on Public Safety.

As of the last quarterly report received by the Council on November 18, 2013, which covered the third quarter of 2013, the NYPD continues to report only on the above-referenced 30 city parks, plus Central Park.[10] While the NYPD is not technically in violation of the language of Local Law 114, it is the Committee on Public Safety's concern that the NYPD is in violation of the spirit of the law, which was passed over 7 years ago with a gradual phase-in approach. While the law took into consideration the NYPD's technological concerns, it was for the safety of all New Yorkers who use city parks on a daily basis that the Council intended for the NYPD to provide this information within a reasonable timeframe.

For this reason, the Committee on Public Safety heard testimony on Int. No. 859, which would amend Local Law 114 to create a new timetable for NYPD compliance in order to ensure adequate reporting. As a result of that hearing, Int. No. 859 was amended to modify the timetable so that it provides NYPD with enough time to prepare for the increased reporting and also to ensure that major felony crime complaint data for all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size will also be reported to the Council in the future.

III. INTRO. NO. 859-A

In order to achieve the original objectives of Local Law 114, today the Council will be deciding whether Intro. 859-A should be re-passed notwithstanding the objections of the Mayor, and whether the Mayor's veto message, M-0006-2014, should be filed.

[9] *See* Testimony from NYPD Assistant Commissioner Susan Petito at the joint hearing of the Committee on Public Safety and the Committee on Parks and Recreation, January 30, 2012.
[10] Data on file with Committee on Public Safety.

Section 1 of Proposed Int. No. 859-A amends paragraph 4 of subdivision a of section 14 150 of the Administrative Code of the City of New York. Specifically, the bill requires the NYPD to report the crime complaint data for all properties under the jurisdiction of the Department of Parks and Recreation, pursuant to the following timetable: (1) beginning January 1, 2014, the NYPD must report the data for the thirty largest parks, as determined by acreage; (2) beginning June 1, 2014, the NYPD must report data for the one hundred largest parks, as determined by acreage; (3) beginning January 1, 2015, the NYPD must report the data for the two hundred largest parks, as determined by acreage; (4) beginning January 1, 2016, the NYPD must report the data for the three hundred largest parks, as determined by acreage; (5) beginning January 1, 2017, the NYPD must report data for all parks one acre or greater in size; and (6) beginning January 1, 2018, the NYPD must report data for all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size. In order to ensure compliance with this timetable and with the Council's intention to receive data for all reportable parks, this bill removes the language that makes compliance "subject to the availability of resources and the introduction of the necessary technology."

Additionally, the bill requires the NYPD to conspicuously post all quarterly reports of major felony crime complaints for parks online via the department's website within 5 business days of the department's submission of such reports to the Council.

Section 2 of the bill provides that this law will take effect immediately after its enactment into law.

(The following is the text of the Fiscal Impact Statement for Int. No. 859-A:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

INTRO. NO: 859-A

COMMITTEE: Public Safety

TITLE: 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 of crime in all parks and playgrounds within the City that are greater than one acre in size.

SPONSOR(S): Council Members Vallone, Comrie, Eugene, Ferreras, Fidler, Gentile, Jackson, James, Koppell, Lander, Mendez, Recchia, Rose, Williams, Wills, Rodriguez, Halloran, Oddo and Ulrich

SUMMARY OF LEGISLATION: This legislation would require the Police Department to supply a crime report that includes the total number of major felony crime complaints for properties under the jurisdiction of the Department of Parks and Recreation to the City Council that are one acre or greater in size each quarter. Additionally, this legislation would require the Police Department to post all quarterly reports online via the Police Department's website within five business days of submitting the crime status report to City Council. This legislation includes the following timetable to begin reporting crime complaints for parks: (1) by January 1, 2014, the thirty largest parks; (2) by June 1, 2014, one hundred largest parks; (3) by January 1, 2015, two hundred largest parks; (4) by January 1, 2016, three hundred largest parks; (5) by January 1, 2017, all parks one acre or greater in size; and (6) by January 1, 2018, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size.

EFFECTIVE DATE: This bill will take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY14
Revenues	**$0**	**$0**	**$0**
Expenditures	**$0**	**$0**	**$0**
Net	**$0**	**$0**	**$0**

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

IMPACT ON EXPENDITURES: Since the Police Department already reviews crime complaints and reports on crime in certain parks, the Department could comply with the requirements of this proposed legislation using existing resources. There would be no impact on expenditures as a result of the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: City Council Finance Division

ESTIMATE PREPARED BY: Ellen Eng, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director

LEGISLATIVE HISTORY: Int. 859 was introduced by City Council and referred to the Committee on Public Safety. On November 22, 2013, the Committee held a hearing on the bill, and the bill was laid over and subsequently amended. On December 16, 2013 the Committee passed an amended version of the legislation and on December 19, 2013 the full Council passed the amended version of the bill, Proposed Int. 859-A. On December 27, 2013, the Mayor issued a message of disapproval, vetoing the legislation. That message was formally accepted by the Council at its Stated meeting held on January 8, 2014. On January 29, 2014, the Committee and will consider a vote to over-ride the Mayor's veto and repass Int. 859. Upon successful vote, the Full Council will vote to repass the legislation on February 4, 2014.

DATE SUBMITTED TO COUNCIL: January 29, 2014

Notwithstanding the objection of the Mayor, this Committee recommends the re-adoption of Int No. 859-A.

(The following is the text of Int. No. 859-A of 2012:)

Int. No. 859-A (2012)

By Council Members Vallone, Jr., Comrie, Eugene, Ferreras, Fidler, Gentile, Jackson, James, Koppell, Lander, Mendez, Recchia, Rose, Williams, Wills, Rodriguez, Garodnick, Gennaro, Crowley, Van Bramer, Greenfield, Lappin, Halloran, Oddo and Ulrich.

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 of crime in all parks and playgrounds within the City that are greater than one acre in size.

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision a of section 14-150 of the administrative code of the city of New York, as amended by local law number 114 for the year 2005, is amended to read as follows:

4. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control board notice of violation, or criminal court summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. Such report shall also include the total number of major felony crime complaints for [the twenty largest parks, as determined by acreage,] *properties* under the jurisdiction of the department of parks and recreation, [. In addition, the department shall submit to the council, subject to the availability of resources and the introduction of the necessary technology, the total number of major felony crime complaints,] pursuant to the following timetable*:[*, for parks under the jurisdiction of the department of parks and recreation:]

1. [By one year after enactment of this law] *Beginning January first, two thousand fourteen*, the [one hundred] *thirty* largest parks, as determined by acreage;

2. [By two years after enactment of this law] *Beginning June first, two thousand fourteen*, the *one* [two] hundred largest parks, as determined by acreage; [and]

3. *[*By three years after enactment of this law, all parks one acre or greater in size,] *Beginning January first, two thousand fifteen, the two hundred largest parks, as determined by acreage;*

4. Beginning January first, two thousand sixteen, the three hundred largest parks, as determined by acreage;

5. Beginning January first, two thousand seventeen, all parks one acre or greater in size; and

6. Beginning January first, two thousand eighteen, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size.

The department shall conspicuously post all quarterly reports of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation online via the department's website within five business days of the department's submission of such reports to the council.

§2. This local law shall become effective immediately.

VANESSA L. GIBSON, Chairperson; VINCENT J. GENTILE, JAMES VACCA, JULISSA FERRERAS, JUMAANE D, WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RAFAEL ESPINAL, Jr., RORY I. LANCMAN, RITCHIE J. TORRES, STEVEN MATTEO; Committee on Public Safety, January 29, 2014.

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

Report for M-6

Report of the Committee on Public Safety in favor of filing a Communication from the Mayor (Michael R. Bloomberg) in regard to the Mayor's Veto and Disapproval Message of Introductory Number 859-A.

The Committee on Finance, to which the annexed amended proposed local law was referred on January 8, 2014 (Minutes, page 44), respectfully

REPORTS:

Since Int No. 859-A (2012) is expected to re-pass, notwithstanding the objection of the Mayor, this Committee recommends the filing of M-6.

Accordingly, this Committee recommends the filing and removal from the legislative calendar of M-6 (the Mayor's Veto and Disapproval of Int No. 859-A of 2012).

VANESSA L. GIBSON, Chairperson; VINCENT J. GENTILE, JAMES VACCA, JULISSA FERRERAS, JUMAANE D, WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RAFAEL ESPINAL, Jr., RORY I. LANCMAN, RITCHIE J. TORRES, STEVEN MATTEO; Committee on Public Safety, January 29, 2014.

Coupled to be Filed.

Reports of the Committee on Rules, Privileges and Elections

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

Report for Res. No. 43

Report of the Committee on Rules, Privileges and Elections in favor of approving a Resolution approving Membership Changes to Certain Standing Committees and a Subcommittee.

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on February 4, 2014, respectfully

REPORTS:

Preconsidered Res No. 43: Resolution approving Membership Changes to Certain Standing Committees and a Subcommittee.

ANALYSIS: Before the Committee for its consideration are proposed changes to Committee Assignments.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 43:)

Res. No. 43

Resolution approving Membership Changes to Certain Standing Committees and a Subcommittee.

By Council Member Lander.

RESOLVED, That pursuant to Rules 7.00 and 7.20 of the Council, the Council does hereby consent to the following Membership Changes to Certain Standing Committees and a Subcommittee:

STANDING COMMITTEES

HIGHER EDUCATION
Rodriguez
Gibson

LAND USE
Gentile
Wills

SUBCOMMITTEES

ZONING & FRANCHISES
Gentile
Wills

BRADFORD S. LANDER, Chairperson, INEZ E. DICKENS; DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, JUMAANE D, WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, February 4, 2014. *Other Council Members Attending: Greenfield.*

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

Report for M-14

Report of the Committee on Rules, Privileges and Elections approving the appointment by the Mayor of Mark G. Peters as Commissioner of the New York City Department of Investigation.

The Committee on Rules, Privileges and Elections, to which the annexed communication was referred on January 22, 2014 (Minutes, page 79), respectfully

REPORTS:

Topic: Commissioner, New York City Department of Investigation – *(Candidate for appointment by the Mayor upon the advice and consent of the Council)*

- **Mark G. Peters [M-14]**

In a letter dated January 16, 2014, Mayor Bill de Blasio formally submitted the name of Mark G. Peters to the Council of the City of New York, for its advice and consent, regarding Mr. Peters' appointment as the Commissioner of the New York City Department of Investigation.

The New York City Department of Investigation ("DOI"), is headed by the DOI Commissioner. Pursuant to the *New York City Charter* ("*Charter*"), Chapter 31, the Mayor appoints the Commissioner with the advice and consent of the New York City Council, after a public hearing. Section 801 of the *Charter*, also provides that the Mayor may remove the Commissioner upon filing in the office of the Commissioner of Citywide Administrative Services, and serving upon the Commissioner, the reasons therefore, and allowing the Commissioner an opportunity

to make a public explanation. Currently, the annual salary for the DOI Commissioner position is $205,180.

The *Charter* sets forth requirements for any individual to be appointed to the position of DOI Commissioner, which includes being a member in good standing with the Bar of the State of New York and at least five (5) years of law enforcement experience [*Charter* section 801].[1]

Chapter 34 the *Charter* and *Mayoral Executive Order* #105 (1986) ("Executive Order"), detail the primary responsibilities of the DOI. The DOI has jurisdiction over any agency, officer, or employee of the city; any person or entity doing business with the city; any person or entity that is paid or receives money from or through the city; or any agency of the city. The DOI must also maintain a Complaint Bureau, which shall receive complaints from the public.

INVESTIGATIVE POWERS AND DUTIES

Some of the DOI Commissioner's powers and duties regarding investigations are as follows:

The DOI Commissioner has a duty to conduct various investigations. The DOI Commissioner is authorized and empowered to conduct any study or investigation, which in the opinion of the DOI Commissioner, may be in the best interest of the city, including but not limited to investigations regarding the affairs, functions, accounts, methods, personnel or efficiency of any agency, of which DOI has jurisdiction.

The DOI Commissioner also has a duty to conduct investigations directed by the Mayor and the New York City Council.

The Conflicts of Interest Board ("COIB"), also has the power to direct DOI to conduct investigations of matters relating to its responsibilities under Chapter 68, of the *Charter*. The DOI Commissioner must thereafter investigate any such matter within a reasonable time.

APPOINTMENT AND ASSIGNMENT POWERS

The DOI Commissioner also has the power to appoint and assign various positions; some of these positions are as follows:

The DOI Commissioner may appoint two (2) deputies, who may conduct or preside over any investigation, authorized by Chapter 34, of the *Charter*, at the direction of the Commissioner, for the purpose of ascertaining facts in connection with any study or investigation, authorized by Chapter 34 of the *Charter*. The DOI Commissioner and each deputy have the power to compel the attendance of witnesses, administer oaths, and examine such persons as may be deemed necessary.

Pursuant to *Executive Order* #11 (1990) (as amended by *Mayoral Executive Order* #34 (1992), the DOI Commissioner has the duty to appoint a Special Commissioner of Investigation for the New York City School District. *Executive Order* #23 (1995), further provides for the issuance of subpoenas through the DOI, when DOI determines it is appropriate, for investigations related to the Commission on School Safety.

Pursuant to *Executive Order* #7 (1994), the DOI Commissioner also has the duty to appoint the Special Counsel to the Mayor for the Fiscal Oversight of Education, who is also a Special Deputy Commissioner within DOI. This Special Counsel oversees the budgetary procedures and finances of the New York City Board of Education, and the overall New York City School District.

The DOI Commissioner is furthermore responsible for approving the appointments of all NYC Agency Inspectors General ("IG"), and creates and disseminates the associated standards of conduct, for such appointed positions. The DOI Commissioner also has the duty of monitoring and evaluating the activities of these IGs, to ensure that there is uniformity amongst their actions.

Inspectors General report directly to the DOI Commissioner and are responsible for the investigation and the elimination of corruption and other criminal activity, as well as conflicts of interest.

Appointment of the NYPD Inspector General, Pursuant to Local Law 70 (2013)

In addition to the DOI Commissioner's duty to approve all NYC Agency IGs, the DOI Commissioner is now mandated by the newly enacted Local Law 70 of 2013, to specifically appoint an individual, to be the first Inspector General of the New York City Police Department. The duties of this IG will include investigating, reviewing, studying, auditing and making recommendations, relating to the operations, policies, programs and practices, of the New York City Police Department, on an ongoing basis, with the goal of enhancing the effectiveness of the department, increasing public safety, protecting civil liberties and civil rights, and increasing the public's confidence in the police force, thus building stronger police-community relations. These investigations, reviews, studies, audits and recommendations will also address NYPD's ongoing partnerships with other law enforcement agencies. The NYPD IG will also report directly to the DOI Commissioner.

The DOI Commissioner will be required to select the individual, who will perform the duties as the NYPD IG and report to the Council, the identity and qualifications of this individual, no later than ninety (90) days after the effective date of Local Law 70, which requires the appointment to be made no later than April 1, 2014.

GUIDELINES AND RECOMMENDATIONS

In the DOI Commissioner's role, he or she has the duty to provide various reviews and audits of various city agencies, and has a duty to provide recommendations for these entities.

Pursuant to *Executive Order* #87-2 (1987), the DOI Commissioner establishes guidelines, regulating the submission of employee annual financial disclosures, which are required to be submitted to the DOI, including establishing the requisite time frame for the submission of these disclosures, to ensure that there is compliance in this area, within a reasonable amount of time.

Executive Order #18 (1995), also establishes a Police Corruption Commission (PCC), to assist the Mayor and the Police Commissioner in assessing the effectiveness of the Police Department's implementation and maintenance of anti-corruption efforts. The PCC shall only investigate these matters when the PCC and the DOI Commissioner, with the approval of the Mayor, determine that exceptional circumstances exist, in which the assessment of the Police Department's anti-corruption system requires the investigation of an underlying allegation of corruption, made against Police Department personnel, because the NYPD remains responsible for conducting investigations regarding the specific allegations of corruption made against Police Department personnel.

Executive Order #26 (1996), which renamed the Child Welfare Administration (CWA), to the Administration for Children's Services (ACS), created an "Inter-Agency Group," which is chaired by the DOI Commissioner. The DOI Commissioner, along with the Mayor's Office of Management and Budget, the Mayor's Office of Labor Relations, the New York City Police Department, the New York City Human Resources Administration, and the New York City Law Department, have a duty to make recommendations to improve the operations of ACS

REPORTING REQUIREMENTS

The DOI Commissioner has a duty to comply with various reporting requirements; some of these mandatory reports are as follows:

The DOI Commissioner shall prepare a written report or statement of findings for investigations, and shall forward a copy of such report to the requesting party, if any. In the event that the matter investigated involves or may involve allegations of criminal conduct, the DOI Commissioner, upon completion of the investigation, shall also forward a copy of the written report or statement of findings, to the appropriate prosecuting attorney, or, in the event the matter investigated involves, or may involve a conflict of interest or unethical conduct allegation, the DOI Commissioner must also forward a copy of the written report or statement of findings, to the New York City Conflicts of Interest Board (COIB).

The DOI Commissioner also has the duty to 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.

CONCLUSION

Mr. Peters is being appointed by the Mayor to serve for an indefinite term. Should Mr. Peters receive the Council's advice and consent, he will fill a vacancy. Mr. Peters is scheduled to appear before the Council's Committee on Rules, Privileges, and Elections on January 30, 2014. Copies of Mr. Peters' résumé and Committee report/resolution are annexed to this briefing paper.

[1] *Charter* section 801 does not define law enforcement experience. Black's Law Dictionary, 9th edition, defines law enforcement as: "The detection and punishment of violations of the law. This term is not limited to the enforcement of criminal laws. For example, the Freedom of Information Act contains an exemption from disclosure for information compiled for law-enforcement purposes and furnished in confidence. That exemption is valid for the enforcement of a variety of noncriminal laws (such as national-security laws) as well as criminal laws. See 5 USCA § 552(b)(7). 2. CRIMINAL JUSTICE (2). 3. Police officers and other members of the executive branch of government charged with carrying out and enforcing the criminal law."

(After interviewing the candidate and reviewing the submitted material, this Committee decided to approve the appointment of the nominee Mark G. Peters [M-14]; please see below for coupled Res No. 44)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 31 of the New York City *Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Mark G. Peters as Commissioner of the New York City Department of Investigation to serve for an indefinite term.

This matter was referred to the Committee on January 22, 2014

Accordingly, this Committee recommends the adoption of M-14.

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

Res. No. 44

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF MARK G. PETERS AS COMMISSIONER OF THE NEW YORK CITY DEPARTMENT OF INVESTIGATION

By Council Member Lander.

RESOLVED, That pursuant § 31 of the New York City Charter, the Council does hereby approve the appointment by the Mayor of Mark G. Peters as the Commissioner of the New York City Department of Investigation to serve for an indefinite term.

BRADFORD S. LANDER, Chairperson, INEZ E. DICKENS; DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, February 4, 2014. *Other Council Members Attending: Greenfield.*

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

Reports of the Committee on Transportation

Override Report for Int. No. 1055-A (2013)

Report of the Committee on Transportation in favor of approving and adopting, as amended, notwithstanding the objection of the Mayor, a Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to report information concerning vehicle collisions in which a driver left the scene of the collision.

The Committee on Transportation, to which the annexed amended proposed local law was referred on June 12, 2013 (Minutes, page 1916), and was originally adopted by the Council on December 19, 2013 (Minutes, page 5608) but later vetoed by the Mayor on December 27, 2013 (please see M-9, January 8, 2014 Minutes, page 50), respectfully

REPORTS:

INTRODUCTION

On January 29, 2014, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a hearing on Int. No. 1055-A, a Local Law to amend the Administrative Code of the City of New York, in relation to requiring the New York City Police Department to report information concerning vehicle collisions in which a driver left the scene of the collision. This will be the third hearing on this bill. The Committee will also consider M0009-2014, communication from the Mayor: Mayor's veto and disapproval message of Introductory Number 1055-A, in relation to requiring the New York City Police Department to report information concerning vehicle collisions in which a driver left the scene of the collision.

The first hearing on this bill was held on December 4, 2013, and among others, representatives from New York City Department of Transportation and traffic safety advocates testified. The second hearing of this bill was on December 18, 2013. At that hearing, the Committee on Transportation voted 11-0 in favor of the bill, with no abstentions. On December 19, 2013, the Council adopted the bill. On December 27, 2013, the Mayor forwarded a message to the City Clerk and Clerk of the Council, indicating that he disapproved of the legislation. On January 8, 2014, the Council received this veto, M0009-2014.

In his veto message, the Mayor expressed concern that the legislation would be a drain on existing resources, and that the requirement for a brief summary of investigation could impede investigations and would not be enforced by the New York City Police Department. Moreover, the Mayor noted that the mandate was "vague" and that it was "an unprecedented departure from the traditional balance and separation of powers."

BACKGROUND

After years of decreasing traffic fatalities, New York City has witnessed an increase in the past two years. According to City data, in FY 2012 and FY 2013, there have been 176 and 168 traffic fatalities respectively involving pedestrians and cyclists, an increase from 158 fatalities in FY 2011.[1] When it comes to fatalities involving motorists and passengers, there were 115 in FY 2012 and 93 in FY 2013, up from 78 in FY 2011.[2]

In 2011, the Council enacted Local Law 12 (LL 12) which required the New York Police Department ("NYPD") to post information on its website related to traffic collisions. The passage of LL 12 was intended to increase transparency about vehicular collisions, and help government agencies, safety advocates, and communities identify areas of the City that are dangerous for pedestrians. As a result of LL 12, the NYPD currently posts monthly citywide and borough-specific information regarding collisions and collision-related fatalities.

Despite efforts to reduce traffic fatalities, "hit and run" collisions continue to kill and injure New Yorkers. According to statistics provided by NYPD, the Collision Investigation Squad investigated 58 "hit and run" cases in 2012, of which 15 resulted in an arrest.[3] Numerous media reports and stories have documented instances of "hit and run" crashes across the city. In August 2013, a 5 year-old boy, Kyrillos Gendy, was killed in a hit and run in Staten Island. Kyrillos's mother and sister were also injured in the incident.[4] In October 2013, a teenager in Woodside, Queens was killed in a "hit and run" collision.[5] And in September 2013, a 59 year old grand-mother was killed in a "hit and run" crash in the Bronx.[6]

The bill being considered today would require the NYPD to regularly report to the Council on hit and run incidents in the City, and to provide a brief description of the investigation of each such incident.

AMENDMENTS

Since the first hearing, several changes were made to the bill, including requiring the hit-and-run report to be submitted to the Council quarterly instead of biannually, requiring hit-and-run data to be posted on the NYPD's website, and requiring information about the number of hit-and-run cases closed with or without an arrest to be included in the report.

ANALYSIS

Section one of Int. No. 1055-A would amend section 14-153 of title 14 of the Administrative Code of the City of New York by amending subdivision b and adding a new subdivision c. Subdivision b would be amended by adding language making it clear that the provisions of the subdivision apply to the data required by subdivision a of section 14-153. The new subdivision c of section 14-153 would state that for the quarter beginning July 1, 2015, and quarterly thereafter, the NYPD must provide a report, in writing, to the Speaker of the Council regarding the number of traffic-related incidents during the prior quarter that involved at least one vehicle and resulted in critical injury and where the driver of a vehicle involved in such incident left the scene of such incident without reporting, in violation of section six hundred of the New York State Vehicle and Traffic Law. The report would also have to include the number of such incidents the NYPD closed during the prior quarter resulting in an arrest being made for violation of that section of the Vehicle and Traffic Law and the number of such incidents the NYPD closed during the prior quarter without an arrest being made for violation of that provision of the Vehicle and Traffic Law. The data in the report would have to be disaggregated by precinct and the cross streets of the incident and the NYPD would also have to publish the data on its website. Additionally, the NYPD would have to provide to the Speaker of the Council in writing a brief description of what steps were taken to investigate each incident, noting the cross streets of the incident. The new subdivision would also define, for the purposes of the subdivision, "critical injury" as any injury determined to be critical by the emergency medical service personnel responding to the incident.

Section two states that Int. No. 1055-A would take effect immediately upon its enactment into law.

[1] Mayor's Management Report, September 2013, page 6.
[2] *Id*.
[3] Testimony of Inspector Paul Ciorra at City Council Committees on Public Safety and Transportation hearing, September 30, 2013.
[4] Randy Leonard. Boy, 5, is killed in Hit-and-Run on Staten Island, New York Times, August 10, 2013. Accessed at http://www.nytimes.com/2013/08/11/nyregion/boy-5-is-struck-and-killed-in-staten-island-hit-and-run.html?_r=0 on December 2, 2013.
[5] Brad Aaron. NYC's Hit-and-Run epidemic claims teenager Luis Bravo in Woodside, October 1, 2013. Accessed at http://www.streetsblog.org/2013/10/01/nycs-hit-and-run-epidemic-claims-teenager-luis-bravo-in-woodside/ on December 2, 2013.
[6] Clare Trapasso and Barry Paddock. Queens grandmother killed by a drunk hit-and-run driver, New York Daily News, September 14, 2013. Accessed at http://www.nydailynews.com/new-york/queens/hit-and-run-driver-kills-queens-granny-article-1.1456300 on December 2, 2013.

(The following is the text of the Fiscal Impact Statement for Int. No. 1055-A:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1055-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to report information concerning vehicle collisions in which a driver left the scene of the collision.

Sponsor: By Council Members Comrie, Koo, Mendez, Barron, Brewer, Cabrera, Chin, Dromm, Eugene, James, Koppell, Koslowitz, Lander, Palma, Rose, Vann, Vacca, Halloran, Rodriguez, Levin, Menchaca, Miller and Reynoso

SUMMARY OF LEGISLATION: This legislation would amend subdivision b of section 14-153 of the administrative code of the city of New York, as added by local law number 12 for the year 2011, and add a new subdivision c to require the New York City Police Department ("NYPD") to submit to the City Council and post online a quarterly report on hit-and-run data, specifically the number of hit-and-run incidents where critical injury occurred and where the driver of a vehicle left the scene without reporting, in violation of section six hundred of the vehicle and traffic law. In addition, this report would include the number of such cases closed in the previous quarter, disaggregated by whether an arrest was made or not. The legislation would require that the above described data be disaggregated by police precinct and by cross street with the first report submitted on or before the quarter beginning July 1, 2015. Lastly, the legislation would require the NYPD to provide to the City Council a brief description of what steps were taken to investigate all hit-and-run incidents where critical injury occurred.

EFFECTIVE DATE: This local law would take effect immediately upon its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2014

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY14
Revenues (+)	$0	$0	$0
Expenditures (-)	$0	$0	$0
Net	$0	$0	$0

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

IMPACT ON EXPENDITURES: Because the Department will use existing resources to implement this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Council Finance Division

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Tanisha Edwards, Finance Counsel

HISTORY: Int. 1055 was introduced by City Council and referred to the Committee on Transportation as Int. No. 1055 on June 12, 2013. On December 4, 2013, the Committee held a hearing on the bill, and the bill was laid over, and subsequently amended. On December 18, 2013, the Committee passed an amended version of the bill, Proposed Int. 1055-A, that was subsequently passed by the Full Council on December 19, 2013. On December 27, 2013, the Mayor issued a message of disapproval, vetoing the legislation. That veto message was formally accepted by the Council at its Stated meeting held on January 8, 2014. On January 29, 2014, the Committee will consider repassing the legislation as Int. 1055-A, and upon successful re-passage, by the Full Council on February 4, 2014.

Notwithstanding the objection of the Mayor, this Committee recommends the re-adoption of Int No. 1055-A.

(The following is the text of Int. No. 1055-A of 2013:)

Int. No. 1055-A (2013)

By Council Members Comrie, Koo, Mendez, Barron, Brewer, Cabrera, Chin, Dromm, Eugene, James, Koppell, Koslowitz, Lander, Palma, Rose, Vann, Vacca, Garodnick, Van Bramer, Weprin, Gennaro, Vallone, Jr., Crowley, Greenfield, Jackson and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to report information concerning vehicle collisions in which a driver left the scene of the collision.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 14-153 of the administrative code of the city of New York, as added by local law number 12 for the year 2011, is amended and a new subdivision c is added to read as follows:

b. The data required pursuant to *subdivision a of* this section shall be published on the department's website for the whole city and disaggregated by borough and police precinct, and shall be searchable by intersection, except for the data required under paragraph one of subdivision a, which shall be disaggregated by borough and police precinct only. Such data shall be updated at least once every month.

c. For the quarter beginning July first, two thousand fifteen and quarterly thereafter, the department shall provide a report, in writing, to the speaker of the council regarding: (1) the number of traffic-related incidents during the prior quarter that involved at least one vehicle and resulted in critical injury and where the driver of a vehicle involved in such incident left the scene of such incident without reporting, in violation of section six hundred of the vehicle and traffic law; (2) the number of such incidents the department closed during the prior quarter resulting in an arrest being made for violation of such section of the vehicle and traffic law; and (3) the number of such incidents the department closed during the prior quarter without an arrest being made for violation of such provision of the vehicle and traffic law. The data in such report shall be disaggregated by precinct and the cross streets of the incident and the department shall also publish such data on the department's website. Additionally, the department shall provide to the speaker of the council in writing a brief description of what steps were taken to investigate each such incident, noting the cross streets of the incident. For purposes of this subdivision, "critical injury" shall mean any injury determined to be critical by the emergency medical service personnel responding to any such incident.

§ 2. This local law shall take effect immediately upon enactment.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BRAMER, MARK S. WEPRIN, DAVID GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSA; Committee on Transportation, January 24, 2014. *Other Council Members Attending: Mendez.*

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

Report for M-9

Report of the Committee on Transportation in favor of filing a Communication from the Mayor (Michael R. Bloomberg) in regard to the Mayor's Veto and Disapproval Message of Introductory Number 1055-A.

The Committee on Transportation, to which the annexed amended proposed local law was referred on January 8, 2014 (Minutes, page 50), respectfully

REPORTS:

(For text of related report, please see the Override Report of the Committee on Transportation for Int No. 1055-A of 2013 printed in these Minutes)

Accordingly, this Committee recommends the filing and removal from the legislative calendar of M-9 (the Mayor's Veto and Disapproval of Int No. 1055-A of 2013).

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BRAMER, MARK S. WEPRIN, DAVID GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSA; Committee on Transportation, January 24, 2014. *Other Council Members Attending: Mendez.*

Coupled to be Filed.

GENERAL ORDER CALENDAR

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

Approved New Applicant's Report

Name	Address	District #
Natalie Roman-Perez	2780 Kingsbridge Terrace #6d Bronx, N.Y. 10463	14
Annery Nunez	362 41St Street 433 Brooklyn, N.Y. 11232	38
Anna Berlin	3903 Nostrand Avenue #5B Brooklyn, N.Y. 11235	48

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

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

(1) M 5 - Mayors veto and disapproval message of Introductory Number 172-A **(Coupled to be Filed).**

(2) M 6 - Mayors veto and disapproval message of Introductory Number 859-A **(Coupled to be Filed).**

(3) M 7 - Mayors veto and disapproval message of Introductory Number 867-A **(Coupled to be Filed).**

(4) M 8 - Mayors veto and disapproval message of Introductory Number 933-A **(Coupled to be Filed).**

(5) M 9 - Mayors veto and disapproval message of Introductory Number 1055-A **(Coupled to be Filed).**

(6) M 10 - Mayors veto and disapproval message of Introductory Number 1208-A **(Coupled to be Filed).**

(7) M 14 & Res 44 - **Mark G. Peters -** As Commissioner of the New York City Department of Investigation**.**

(8) Int 172-A (2010) - Exemptions from the payment of fees for fire department permits, inspections and performance tests **(Coupled for Override requiring an affirmative vote of at least two-thirds of the Council for passage).**

(9) Int 859-A (2012) – Requiring the police department to submit to the council reports of crime in all parks and playgrounds within the City that are greater than one acre in size **(Coupled for Override requiring an affirmative vote of at least two-thirds of the Council for passage).**

(10) Int 867-A (2012) - Creation of a voluntary master environmental hazard remediation technician registration program **(Coupled for Override requiring an affirmative vote of at least two-thirds of the Council for passage).**

(11) Int 933-A (2012) - Creating an animal abuse registry **(Coupled for Override requiring an affirmative vote of at least two-thirds of the Council for passage).**

(12) Int 1055-A (2013) - Requiring the NYPD to report information concerning vehicle collisions in which a driver left the scene of the collision **(Coupled for Override requiring an affirmative vote of at least two-thirds of the Council for passage).**

(13) Int 1208-A (2013) - Provision of sick time earned by employees **(Coupled for Override requiring an affirmative vote of at least two-thirds of the Council for passage).**

(14) Res 8 - Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget **(Transparency Resolution)**.

(15) Res 43 - Approving Membership Changes to Certain Standing Committees and a Subcommittee.

(16) L.U. 1 & Res 33 - App. **N 140092 ZRM** Borough of Manhattan, Community District 2, Council District 1.

(17) L.U. 2 & Res 34 - App. **C 140093 ZSM** 300 Lafayette Street, Manhattan, Community District 2, Council District 1.

(18) L.U. 3 & Res 35 - App. **C 140095 ZSM** 300 Lafayette Street, Manhattan, Community District 2, Council District 1.

(19) L.U. 4 & Res 36 - App. **C 140096 ZSM** 300 Lafayette Street, Manhattan, Community District 2, Council District 1.

(20) L.U. 5 & Res 37 - App. **20145191 HKM (N 140164 HKM)** 39 Worth Street Building, Manhattan, CD 1, as a historic landmark.

(21) L.U. 6 & Res 38 - App. **20145186 HKM (N 140165 HKM)** 41 Worth Street Building, Manhattan, CD 1, as a historic landmark.

(22) L.U. 7 & Res 39 - App. **20145189 HKM (N 140166 HKM)** 339 Grand Street, Manhattan, CD 1, as a historic landmark.

(23) L.U. 8 & Res 40 - App. **20145176 HKM (N 140163 HKM)** 100 East 17th Street, Manhattan, CD 2, as a historic landmark.

(24) L.U. 9 & Res 41 - App. **C 140045 HAX** 1446-1458 Plimpton Avenue, Bronx, Community District 4, Council District 16.

(25) L.U. 10 & Res 42 - App. **C 140115 HAK** 317/335 Saratoga Avenue and 1943/1963 Bergen Street, Brooklyn, Council District 41.

(26) 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 – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams, Wills, Ignizio, and the Speaker (Council Member Mark-Viverito) **– 51.**

The General Order vote recorded for this Stated Meeting was 51-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the override vote recorded for **Int No. 1208-A (2013):**

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams, Wills, and the Speaker (Council Member Mark-Viverito) **- 49.**

Negative – Matteo and Ignizio **- 2.**

The following was the vote recorded for **M-14 & Res No. 44:**

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Wills, Ignizio, and the Speaker (Council Member Mark-Viverito) **- 48.**

Negative – Lancman and Palma **- 2.**

Abstention - Williams **- 1.**

Notwithstanding the objection of the Mayor, Int Nos. 172-A (2010), 859-A (2012), 867-A (2012), 933-A (2012), 1055-A (2012), and 1208-A (2013) were re-passed by the Council and were thereby enacted into law pursuant to the Charter.

For **Introduction and Reading of Bills**, see the material following the **Resolutions** section below:

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:

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

Report for voice-vote Res. No. 3

Report of the Committee on State and Federal Legislation in favor of approving a Resolution calling upon the New York State Governor to call for a special election to fill all vacancies in the New York State Assembly and New York State Senate.

The Committee on State and Federal Legislation, to which the annexed resolution was referred on February 4, 2014, respectfully

REPORTS:

BACKGROUND

Pursuant to Public Officers Law § 42, the Governor in his discretion may make a proclamation for a special election to fill a vacancy in any elective office which cannot be filled by appointment for a period extending to or beyond the next general election. There are nine Assembly seats and two Senate seats that are vacant. According to Morgan Pheme at City and State, the exact number of New Yorkers left without representation is 1,786,166. [1]

Seven Assembly seats and one Senate seat were vacated due to the general election in 2013. Since the election two additional Assembly seats and one Senate seat have been vacated with over half of all vacated seats located in New York City.

According to Susan Lerner, executive director at Common Cause New York, empty seats could affect votes on controversial issues and translate into losses of representation in those districts.[2] Currently, the Governor has not called for a special election and has not indicated that he plans to call for a special election resulting in seats not being filled until the next legislative session in 2015.[3]

RESOLUTION

The proposed resolution supports and calls on the Governor to call a special election to fill all vacancies in the New York State Assembly and New York State Senate. The resolution highlights that the New York State legislature has a complete legislative session in 2014, including budget negotiations and all districts should be represented during the session, in order to ensure a fair democratic process.

[1] "Sheldon Silver Pulls Reversal on Empty Senate and Assembly Seats" www.jewishvoiceny.com
[2] Michael Hill, "11 Vacant seats in 212 member NY Legislature" www.legislativegazette.com
[3] Ibid.

Accordingly, this Committee recommends its adoption.

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

KAREN KOSLOWITZ, Chairperson; INEZ E. DICKENS, BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., ALAN N. MAISEL, ANTONIO REYNOSO; Committee on State and Federal Legislation, February 4, 2014. *Other Council Members Attending: Barron.*

Pursuant to Rule 8.50 of the Council, The Public Advocate (Ms. James) called for a voice vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted.

The following Council Member formally voted against this item: Council Member Kallos.

The following Council Member formally abstained to vote on this item: Council Members Wills.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Res. No. 2

Resolution supporting the City's plan to establish high-quality universal pre-Kindergarten for all eligible four-year olds and a high-quality after school program for middle-school-aged youth.

By The Speaker (Council Member Mark-Viverito) and Council Members Dromm, Ferreras, Rodriguez, Koslowitz, Eugene, Cabrera, Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Cumbo, Deutsch, Dickens, Espinal, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rose, Rosenthal, Torres, Treyger, Vacca, Vallone, Van Bramer, Weprin, Williams, Wills and the Public Advocate (Ms. James).

Whereas, The City of New York is proposing a plan to provide every four-year old with high-quality full-day pre-Kindergarten (pre-K) and every middle school student with high-quality after school programs, and;

Whereas, The City of New York is proposing to fund its plan by enacting a tax increase on New York City residents earning more than $500,000 per year which will ensure that a secure, dedicated and reliable funding stream will be available to fund a high-quality pre-K program and a high-quality after school program, and;

Whereas, On January 27, 2014, Mayor Bill de Blasio released a report, "Ready to Launch: New York City's Implementation Plan for Free, High Quality, Full-Day Universal Pre-Kindergarten," ("Ready to Launch"), which was prepared by the Office of the Mayor, the Office of Management and Budget, the Department of Education, the Administration for Children's Services, and a working group of experts who have decades of experience in early childhood education and who possess the requisite knowledge necessary to launch one of the largest pre-K expansions in history, and;

Whereas, "Ready to Launch" outlines the City's plan to provide free, high-quality, full-day pre-K to an estimated 55,804 four-year olds in the 2014 – 2015 school year and to an estimated 73,250 four-year olds in the 2015 - 2016 school year, and;

Whereas, Additionally, according to the "Ready to Launch" plan, currently, the City of New York can serve 58,528 four-year olds in pre-K programs with the vast majority either in a free half-day pre-K program, a free half-day program with a fee charged for the remainder of the day, or programs that contract with the Administration for Children's Services, where they receive full-day services by combining half-day universal pre-K with Child Care and Head Start services, and;

Whereas, It will cost $10,239 per child to bring all of the 73,250 seats up to the quality standards anticipated by the plan, which include consistent and full implementation of comprehensive state pre-K learning standards, recruiting and retaining high-quality pre-K teachers, increasing support for students whose primary language is not English, increasing support for families in high-need areas, and "further developing quality infrastructure within DOE's Office of Early Childhood Education," and;

Whereas, New York City and State have long had progressive income taxes and according to a 2010 article published in the *Public Finance Review* by Professor Howard Chernick of the City University of New York, economic models based on a "flight from progressivity" have not done very well empirically, and;

Whereas, Additionally, according to Professor Chernick, all other things being equal, state and local governments with progressive taxes do not see lower rates of economic growth. Rather, increasing progressivity to finance human capital enhancing programs like universal pre-K can in the long run increase productivity and increase economic growth, and;

Whereas, According to research conducted by Cristobal Young and Charles Varner and published in 2011 in the *National Tax Journal*, half millionaires do not flee small changes in marginal tax rates, and;

Whereas, In fact, the personal income tax has been imposed on City residents since 1966 and has fluctuated throughout the years, and according to the Mayor's

Office of Management and Budget, 3.8 million tax filers pay the personal income tax, and;

Whereas, Many studies show that quality universal pre-K provides essential early childhood education and results in long term gains for disadvantaged students, that could enhance human capital later in life, and;

Whereas, For example, according to research conducted through a partnership between New York University and the Children's Museum of Manhattan in 2012, it was concluded that the preschool years are critical not only for developing basic skills for school readiness, but also for the development of children's interests and beliefs about their own capabilities, and;

Whereas, In addition, James Heckman, a Nobel laureate at the University of Chicago, in his book, "Giving Kids a Fair Chance," concludes that preschool is critical because the early years of children's lives are crucial for creating the abilities, motivation, and other personality traits that produce success in school, in the workforce, and in other aspects of life, and;

Whereas, Furthermore, families' inability or ability to access quality early childhood education programs can create disparities in the development of children, and;

Whereas, For example, the High/Scope Perry Preschool Study of low-income three and four year olds, beginning in 1962-1967, followed the children in the study throughout their lives until age forty, and those who participated in high quality early education programs were more likely than non-participants to graduate from high school, become employed, and had a higher median income at age forty, and;

Whereas, Moreover, according to the United States Department of Education, sixty percent of new jobs in the 21st century will require skills possessed by only twenty percent of the current workforce, and;

Whereas, According to the Institute for Children, Poverty & Homelessness, child care is the greatest expense for low-income families with children in New York City, and;

Whereas, According to a report by America's Edge, a membership organization of business leaders, the average working parent in America misses five to nine days of work because of child care, and;

Whereas, Also according to the report by America's Edge, for every $1 invested in early care and education in New York, $1.86 is generated in additional spending within the state and quality programs can save as much as $16 for every dollar invested, and;

Whereas, The City's plan for universal pre-K would help children build the fundamental skills necessary to start school and increase their opportunities later in life, create a better prepared workforce in New York City, and also help working families, and;

Whereas, The State Legislature and the Governor of the State of New York should enact the tax increase being proposed by the City of New York for the purpose of providing full-day universal pre-K to every four-year old in the City of New York; now, therefore, be it

Resolved, That the Council of the City of New York supports the City's plan to establish high-quality universal pre-Kindergarten for all eligible four-year olds and a high-quality after school program for middle-school-aged youth.

Referred to the Committee on Education.

Preconsidered Res. No. 3

Resolution calling upon the New York State Governor to call for a special election to fill all vacancies in the New York State Assembly and New York State Senate.

By Council Members Barron, Cumbo, Dickens, Dromm, Eugene, Ferreras, Koo, Levin, Rosenthal, Vallone, Williams and Ulrich.

Whereas, Following local elections in 2013, seven state Assembly members and one State Senator resigned their posts to fill other offices to which they were newly elected; and

Whereas, In addition, two other Assembly seats and one Senate seat have also been vacated since the last statewide election, bringing the total number to nine Assembly seats and two Senate seats; and

Whereas, The New York State Legislature still has to complete a full legislative session in 2014, including budget negotiations, and it is unfair and undemocratic for voters who reside in the vacated districts to not have representation during this session; and

Whereas, Residents of New York City are particularly affected by this type of disenfranchisement, since more than half of the vacancies are located in New York City; and

Whereas, The Governor of New York State has the ability to correct this situation immediately by calling for a special election to fill the vacant seats; and

Whereas, However, the Governor has indicated that he does not plan to call for special elections, and that therefore seats will not be filled until the next session of the Legislature begins in 2015; and

Whereas, Voters, good government groups, and elected officials and have all expressed concern that as a result of this decision many constituencies will be left unrepresented during important and controversial legislative debates and votes; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Governor to call for a special election to fill all vacancies in the New York State Assembly and New York State Senate.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on State and Federal Legislation).

Int. No. 2

By Council Members Cabrera, Dickens, Williams and the Public Advocate (Ms. James).

A Local Law in relation to the naming of the David Dinkins – Washington Bridge.

Be it enacted by the Council as follows:

Section 1. The following bridge located in the Boroughs of Manhattan and the Bronx is hereby designated as hereafter indicated.

New Name	Present Name
David Dinkins – Washington Bridge	Washington Bridge

§2. The official map of the city of New York shall be amended in accordance with the provisions of section one of this local law.

§3. This local law shall take effect immediately.

Referred to the Committee on Parks and Recreation.

Res. No. 4

Resolution calling upon the New York City Housing Authority to assess the feasibility of utilizing cogeneration to increase energy efficiency in its developments.

By Council Members Cabrera, Arroyo, Chin, Constantinides, Levin, Palma, Williams and Cohen.

Whereas, The New York City Housing Authority ("NYCHA") is a public housing authority with 334 developments, 2,596 buildings, and 178,914 public housing units, making it the largest public housing provider in North America; and

Whereas, Federal funding, which comprises the bulk of NYCHA's capital and operating budgets, has declined substantially over the past several years; and

Whereas, Since 2001, NYCHA's federal capital grants have fallen from $420 million annually to $270 million annually; and

Whereas, As the capital needs of NYCHA's aging infrastructure grow, operating expenses, such as maintenance and repair costs increase; and

Whereas, In addition to maintenance and repair costs, NYCHA's Operating Fund is used for a vast array of day-to-day operations including utilities; and

Whereas, According to NYCHA's most recent Five Year Operating Plan, utility expenditures, which make up a significant portion of NYCHA's operating budget, are expected to increase from $544 million in 2013 to $623 million in 2017; and

Whereas, NYCHA's operating budget is funded by the United States Department of Housing and Urban Development ("HUD"); and

Whereas, NYCHA's funding is based on the subsidy eligibility of all public housing authorities in the nation and HUD's annual federal appropriation; and

Whereas, If the national eligibility exceeds the federal appropriation, HUD must prorate the allocation of subsidy; and

Whereas, Since 2001, proration has resulted in a cumulative operating subsidy loss of over $750 million for NYCHA; and

Whereas, In 2007, the City released a long-term sustainability plan, PlaNYC 2030, which emphasized the critical importance of improving energy planning, reducing the City's energy consumption, modernizing electricity delivery infrastructure and expanding the City's clean power supply; and

Whereas, One example of such clean power supply can be found in the utilization of cogeneration, which simultaneously produces electricity and heat which may be harvested to heat buildings or provide hot water; and

Whereas, Cogeneration has significant environmental benefits, reducing air pollution and greenhouse gas emissions; and

Whereas, Cogeneration is currently used in some buildings in New York City and may offer a significant reduction in such buildings' energy costs; and

Whereas, During this time of chronic underfunding, NYCHA should look at methods to reduce its utility and thereby operating expenses, while also helping to reduce the City's carbon footprint; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Housing Authority to assess the feasibility of utilizing cogeneration to increase energy efficiency in its developments.

Referred to the Committee on Public Housing.

Int. No. 3

By Council Members Chin, Arroyo, Koslowitz, Rosenthal, Lancman, Richards, Johnson, Levine, Reynoso and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to the recovery of relocation expenses incurred by the department of housing preservation and development pursuant to a vacate order.

Be it enacted by the Council as follows:

Section 1. Subdivision 3 of § 26-305 of chapter 2 of title 26 of the administrative code of the city of New York is amended to read as follows:

3. The department may bring an action against the owner for the recovery of such expenses. The institution of such action shall not suspend or bar the right to pursue any other remedy provided by this section or any other law for the recovery of such expenses. *As part of such action for recovery the department may require the owner to deposit moneys in an escrow account, naming the department as escrowee. Such moneys shall be equivalent to at least ten per cent of the rent roll, of the building from which such tenants were relocated, for five years preceding the vacate order.*

§ 2. This local law shall take effect ninety days after its enactment, except that the commissioner of housing preservation and development shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Res. No. 5

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.3547-2013/A.7989-2013, which would amend the Penal Law to create the crime of staging a motor vehicle accident.

By Council Members Crowley, Constantinides, Ferreras, Koo, Palma, Reynoso, Mendez and Ulrich.

Whereas, In October 2011, the United States Attorney's Office for the Eastern District of New York charged twenty people with engaging in an insurance fraud scheme in Brooklyn by staging motor vehicle accidents and making fraudulent insurance claims related to the accident; and

Whereas, In September 2011, twelve people were charged with being involved in a similar scheme by the Queens District Attorney and eight others were similarly charged by the Bronx District Attorney in March 2011; and

Whereas, In January 2013, 16 individuals were arrested for their roles in staging six automobile accidents in Brooklyn and Staten Island in which they intentionally crashed into city buses, livery cabs, and rented vehicles they drove in an attempt to fraudulently receive more than $330,000 in insurance payouts; and

Whereas, According to the National Insurance Crime Bureau, insurers across the country reported a 102-percent increase in suspected cases of staged auto accidents between 2008 and 2011; and

Whereas, New York State has the second highest number of staged motor vehicle accidents in the country, while New York City has by far the largest number of such incidents of any American city; and

Whereas, Staged motor vehicle accidents are particularly pernicious because they increase the death rate associated with motor vehicle accidents, already one of the leading causes of death in the United States; and

Whereas, Alice Ross, a 71-year-old wife and grandmother, was killed in 2003 as the result of a staged auto accident in Queens in which the perpetrator intentionally rammed his car into hers in an attempt to fraudulently collect insurance money under New York's "no-fault" auto insurance system; and

Whereas, In addition to endangering public safety, staged motor vehicle accidents also destroy property and are a significant contributor to insurance fraud, costing the industry upwards of $1 billion per year, costs that are often passed on to the average consumer in the form of higher insurance premiums; and

Whereas, Despite the grave danger and costs associated with this act, staging a motor vehicle accident is currently not a crime under New York State Penal Law, thus requiring law enforcement to find other crimes with which to charge perpetrators; and

Whereas, The New York State Legislature is currently considering legislation, S.3547-2013 and A.7989-2013, introduced by State Senator James Seward and Assemblyman David Weprin respectively, that would amend the Penal Law to create the felony of staging a motor vehicle accident with intent to commit insurance fraud; and

Whereas, If enacted, this legislation would reduce the incentives for staging motor vehicle accidents and would allow law enforcement to charge perpetrators directly for committing this dangerous act; 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 S.3547-2013/A.7989-2013, which would amend the Penal Law to create the crime of staging a motor vehicle accident.

Referred to the Committee on Transportation.

Res. No. 6

Resolution calling upon the New York State Legislature to amend the New York State Vehicle and Traffic Law to increase the criminal penalty for reckless driving when serious physical injury or death of a person results from the reckless driving.

By Council Members Crowley, Constantinides, Gentile, King, Koo, Koslowitz, Palma, Williams, Vallone, Mendez and Ulrich.

Whereas, New York State Vehicle and Traffic Law ("VTL") section 1212 defines reckless driving as driving or using any motor vehicle, motorcycle or any other vehicle in a manner which unreasonably interferes with the free and proper use of the public highway, or unreasonably endangers users of the public highway; and

Whereas, People found to have violated VTL section 1212 are guilty of a misdemeanor and may be imprisoned for up to 180 days, in addition to a $300 fine and 5 points on their driver's license; and

Whereas, While those penalties may be appropriate where nobody was injured or killed as a result of the reckless driving, they are wholly inadequate punishment when the reckless driving results in serious injury or death; and

Whereas, Additional charges such as vehicular assault, vehicular manslaughter, vehicular homicide or manslaughter may be brought against a person who drives recklessly and seriously injures or kills someone; and

Whereas, While those charges subject the guilty person to much more time in prison than a conviction of reckless driving, those charges are often hard to prove and require certain factors such as the driver having been previously convicted of driving recklessly, being intoxicated at the time of the accident or been driving on a revoked or suspended license; and

Whereas, According to various reports, On June 4, 2013, Ariel Russo, a 4-year old girl, and her grandmother, were struck by an SUV at an intersection at West 97th Street and Amsterdam Avenue in Manhattan driven by a 17-year old unlicensed driver who was fleeing police who had pulled him over for driving recklessly; and

Whereas, Ariel Russo tragically died as the result of her injuries and her grandmother was hospitalized for several weeks as a result of hers; and

Whereas, The 17-year-old driver, Franklyn Reyes, was subsequently reportedly charged with manslaughter and vehicular manslaughter; and

Whereas, Reports indicate there was a 4 minute delay in dispatching an ambulance to assist Ariel and her grandmother; and

Whereas, This delay could potentially be a factor in any criminal case against the driver but particularly in a case for manslaughter or vehicular manslaughter; and

Whereas, Had the criminal penalty for reckless driving been more significant, there would have been an additional opportunity for some modicum of justice beyond 180 days in prison; and

Whereas, While the law cannot be changed to impact the Russo case, it can be changed to act as a future deterrent to those that might drive recklessly and to exact a more appropriate punishment for those found guilty of driving recklessly and seriously injuring or killing someone; and

Whereas, The New York State Legislature should immediately determine more appropriate criminal penalties and change the law accordingly; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the New York State Vehicle and Traffic Law to increase the criminal penalty for reckless driving when serious physical injury or death of a person results from the reckless driving.

Referred to the Committee on Transportation.

Int. No. 4

By Council Members Dromm, Constantinides, Koo, Palma, Williams, Ignizio and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to removal of postings of temporary parking changes.

Be it enacted by the Council as follows:

Section 1. Section 19-175.2 of the administrative code of the city of New York is amended to add a new subdivision f to read as follows:

f. All postings of temporary parking restrictions required by this section or otherwise posted by the police department or any other agency shall be removed by the entity that placed such posting not more than twenty four hours following the conclusion of the temporary parking restrictions.

§2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Transportation.

Int. No. 5

By Council Members Dromm, Chin, Constantinides, Koo, Palma, Rosenthal, Williams and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to reporting data about electric bicycles.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-153 of the administrative code of the city of New York, is amended to read as follows:

a. The department shall publish on its website the following traffic-related data: (1) the number of moving violation summonses issued, disaggregated by type of summons; (2) the number of traffic crashes, disaggregated by (i) the type of vehicle or vehicles involved; (ii) the number of motorists and/or injured passengers, bicyclists and pedestrians involved; and (3) the number of traffic-related fatalities and injuries disaggregated by (i) the number of motorists and/or injured passengers, bicyclists and pedestrians involved; and (ii) the apparent human contributing factor or factors involved in the crash, including, but not limited to alcohol, driver inattention/distraction, speeding, failure to yield and use of cell phones or other mobile devices. *For purposes of the above, bicyclists shall be further disaggregated by the number of bicyclists using bicycles that run exclusively on human power and by the number of bicyclists using bicycles that are capable of running on human power that may also be powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York state department of motor vehicles.*

§2. Section 19-186 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. Commencing on the effective date of this subdivision, all compilation of information and all reporting required by this section shall disaggregate bicycles by the number of bicycles that run exclusively on human power and by the number of bicycles that are capable of running on human power that may also be powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York state department of motor vehicles.

§3. This local law shall take effect one hundred twenty days after it is enacted into law.

Referred to the Committee on Transportation.

Res. No. 7

Resolution calling on the United States Congress to pass a law allowing Temporary Protected Status holders residing in the United States to apply for Deferred Action for Childhood Arrivals.

By Council Members Eugene, Chin, Dromm, Levin, Palma, Williams and Mendez.

Whereas, In June 2012 the Obama Administration created a remedy for immigrant youth who were brought to the U.S. as children, entitled "Deferred Action for Childhood Arrivals" ("DACA"), which grants a temporary form of immigration relief to individuals who meet certain criteria; and

Whereas, According to the United States Citizenship and Immigration Services ("USCIS"), those eligible for DACA relief must: (i) be under the age of 31; (ii) have come to the U.S. before becoming 16 years old; (iii) have continuously resided in the United States since June 15, 2007; (iv) be currently enrolled in school or have graduated from high school or obtained a General Equivalency Diploma; and (v) have had their lawful immigration status expire as of June 15, 2012; and

Whereas, At the start of the program nearly 900,000 individuals were estimated to be immediately eligible for DACA; and

Whereas, According to a Brookings Institution article entitled, "Immigration Facts: Deferred Action for Childhood Arrivals," as of June 2013, more than half a million individuals have applied for DACA and 72 percent have been approved, one percent have been denied, with the majority of the remaining applications still under review; and

Whereas, Immigrant youth that have Temporary Protected Status ("TPS") are not eligible to apply for DACA; and

Whereas, TPS is a temporary immigration status granted to eligible nationals of designated countries who are momentarily unable to securely return to their home countries due to ongoing armed conflict, temporary effects of an environmental disaster, or other extraordinary and temporary conditions, and such immigrants may not be removed from the United States during the period in which such status is in effect; and

Whereas, Currently there are nearly 300,000 TPS beneficiaries nationally, many of whom reside in New York City; and

Whereas, According to the USCIS, currently eight countries, El Salvador, Haiti, Honduras, Nicaragua, Somalia, Sudan, South Sudan, and Syria have been granted TPS; and

Whereas, Many TPS beneficiaries make invaluable contributions to the economy by working, owning homes, paying taxes, and raising families in New York City and beyond; and

Whereas, Currently the advantages of being a TPS beneficiary include not being able to be removed from the United States, being able to obtain an employment authorization document, and potentially being granted travel authorization; and

Whereas, The important advantages of DACA approved applications include two years' protection from deportation as well as the authorization to work in the United States, with some states even allowing eligible individuals to apply for a driver's license and obtain in-state tuition at public colleges and universities; and

Whereas, DACA recipients that have been surveyed have experienced a pronounced increase in economic opportunities, such as getting a new job, opening their first bank account, and obtaining their first credit card; and

Whereas, If eligible for DACA, TPS members can benefit from having more opportunities for economic and social incorporation that DACA recipients currently have; and

Whereas, Even if TPS beneficiaries were to live and work legally in the United States for many years, TPS does not provide a pathway to citizenship; and

Whereas, However, if a comprehensive immigration reform bill would pass it could provide a pathway for the approximately 11 million undocumented immigrants residing in the United States; and

Whereas, Immigration reform could provide children brought to the United States illegally, through no fault of their own, an expedited opportunity to earn their citizenship; and

Whereas, According to advocates, if a comprehensive immigration reform bill were to pass, it could provide a pathway to citizenship for DACA, but not for TPS beneficiaries since they are not eligible to apply for DACA; now, therefore, be it

Resolved, That the City Council of New York calls on the United States Congress to pass a law allowing Temporary Protected Status holders residing in the United States to apply for Deferred Action for Childhood Arrivals.

Referred to the Committee on Immigration.

Preconsidered Res. No. 8.

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

By Council Members Ferreras and Palma.

Whereas, On June 27, 2013 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2014 with various programs and initiatives (the "Fiscal 2014 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding; and

Whereas, On June 28, 2012 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding; now therefore be it

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in

accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Cultural After School Adventure Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to Community Consultant Contracts Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Contracted Services Partial PEG Restoration Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the School Based Health Centers Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Out of School Time Restoration Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Child Care Vouchers Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Senior Centers and Programs Restoration Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Technical Assistance for Child Care Providers Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Immunization Clinics Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Cultural After School Adventure Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new Description/Scope of Services for certain organizations receiving local, aging, youth, and initiative discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 17;

Resolved, That the City Council approves the new Description/Scope of Services for certain organizations receiving local, aging, youth, and initiative discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 18.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for Exhibits, please see the Attachment following the resolution following the Report of the Committee on Finance for Res No. 8 printed in these Minutes).

Int. No. 6

By Council Members Garodnick, Chin, Cumbo, Dromm, Ferreras, Gentile, Greenfield, King, Koo, Lancman, Levin, Levine, Palma, Rosenthal, Williams, Cohen, Vacca, Johnson, Torres, Dickens, Maisel, Constantinides, Miller, Crowley, Rose, Deutsch, Matteo, Mendez, Wills, Kallos and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to requiring public-facing disclosure of campaign spending.

Be it enacted by the Council as follows:

Section 1. Section 3-703 of the administrative code is amended by adding a new subdivision 16 to read as follows:

16. (a) Whenever the authorized or principal committee of any participating, limited participating, or non-participating candidate pays for any literature, advertisement or other communication, such communication shall disclose that the communication has been paid for by such candidate or committee.

(b) Whenever a participating, limited participating, or non-participating candidate, or the authorized or principal committee of such a candidate, authorizes any individual or entity other than such participating, limited participating, or non-participating candidate, or the authorized or principal committee of such a candidate, to pay for any literature, advertisement or other communication in support of or in opposition to any candidate in any covered election, such communication shall disclose that the communication has been authorized by such candidate or committee.

§2. This local law shall take effect six months after its enactment; provided, however, that the campaign finance board may promulgate 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. 7

By Council Members Gentile, Cohen, Constantinides, Deutsch, Ferreras, King, Koo, Levin, Palma, Williams, Richards, Koslowitz, Van Bramer and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to allowing disabled veterans to use express lanes or high occupancy vehicle (HOV) lanes.

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.5 to read as follows:

§19-175.5 Use of express lanes or high-occupancy vehicle (HOV) lanes by disabled veterans. Vehicles bearing disabled veteran license plates issued by the New York state department of motor vehicles shall be allowed to use any street or bridge lane designated by the department of transportation as an express lane or high-occupancy vehicle (HOV) lane, regardless of whether such vehicles are occupied by a passenger.

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

Referred to the Committee on Transportation.

Int. No. 8

By Council Members Gentile, Chin, Constantinides, Levin, Palma, Williams and Mendez.

A Local Law to amend the New York City charter, in relation to identifying businesses that are environmentally friendly.

Be it enacted by the Council as follows:

Section 1. Legislative Intent. Environmentally conscious consumers are increasingly seeking out businesses and products that are "environmentally friendly" or "green." While a consumers' desire to support such businesses is laudable, in many instances a consumer has very little information with which to determine whether a businesses can reasonably be considered environmentally friendly. In many cases, a business can claim to be "green" or "environmentally friendly," yet there currently exists no official government sanctioned system of identification for businesses that have a relatively small or negligible adverse impact on the environment. Accordingly, the Council finds that is in the consumers' best interest to be aware of which businesses can reasonably be considered to be environmentally friendly and to create a voluntary system in which businesses may apply to gain an identification from city government as an environmentally friendly business that they may display in public.

§2. Subdivision one of section 1301 of the New York city charter is amended by amending paragraphs q and r and by adding a new paragraph s to read as follows:

q. to cooperate with and assist any corporation, organization, agency or instrumentality, whether public or private, the objects of which include, or which is authorized to act for, the advancement of the business and industrial prosperity and economic welfare of the city, or the furnishing of assistance in the location of new business and industry therein, or the rehabilitation or expansion of existing business and industry therein, or the creation of job opportunities or additional employment therein, so as to provide support for any action, efforts or activities for the accomplishment of any such purposes in the city on the part of any such corporation, organization, agency or instrumentality; [and]

r. to issue permits for the taking of motion pictures, and for the taking of photographs and for the use or operation of television cameras and/or any other transmitting television equipment in or about city property, or in or about any street, park, marginal street, pier, wharf, dock, bridge or tunnel within the jurisdiction of any city department or agency or involving the use of any city owned or maintained facilities or equipment[.]*; and*

s. to encourage businesses in the city to be more environmentally friendly, through the promotion, coordination and implementation of a program in which a business may seek to obtain a designation from the city, and to prepare a list, to be posted on the city's website, that identifies such business as environmentally friendly, as determined by the appropriate city agency or agencies. As part of this program, the commissioner shall coordinate with the department of environmental protection, the department of consumer affairs, the mayor's office of long term planning and sustainability and any other city agency or agencies that regulate businesses, to create a list of categories of businesses where reasonable distinctions can be made between environmentally friendly businesses and non-environmentally friendly businesses, along with a set of criteria for each category, so that a business within a given category may apply for a designation from the department of small business services which shall, in consultation with the appropriate city agency or agencies, determine whether the business satisfies the criteria for being designated environmentally friendly.

§3. This local law shall take effect one hundred and eighty days after its enactment into law.

Referred to the Committee on Small Business.

Int. No. 9

By Council Members Greenfield, Arroyo, Chin, Cohen, Constantinides, Cumbo, Dromm, Ferreras, Gentile, Koo, Levin, Levine, Palma, Williams, Reynoso and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to identifying pedestrian bridges for snow and ice removal by the city and establishing a plan for the removal of snow and ice from such bridges.

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 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 pedestrian bridges for which the department or the department of transportation is responsible for removal of snow or ice, and a plan for the removal of snow and ice from such pedestrian bridges including resources to be used for such removal. Such information shall also be made available to the council members and community boards representing the community district in which any such pedestrian bridge is located.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 10

By Council Members Ignizio, King, Koo and Palma.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting private streets or thoroughfares from having similar names to proximate public streets or thoroughfares.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-172 of the administrative code of the city of New York is amended to read as follows:

§19-172 Private streets; names, restrictions of. a. It shall be unlawful for any private street or thoroughfare to bear a name [similar to a] *that shall have a word in it that is the same as a word on a* street or thoroughfare officially named[.], *located in whole or in part, within a one mile radius or within the postal zip code of any part of such private street or thoroughfare, with the exception of the words street, lane, road, avenue, place, boulevard, way or court, or similar such designation. This section shall not apply to any such private street or thoroughfare that bears a name at the time of the enactment of this section.*

§2.This local law shall take effect immediately upon enactment.

Referred to the Committee on Transportation.

Int. No. 11

By Council Members Ignizio, Matteo, Koo, Palma, Williams, Vallone, Lancman, Cohen, Rose, Levine, Richards, Johnson and Ulrich.

A Local Law to amend the administrative code and the Building Code of the city of New York, in relation to requiring carbon monoxide detectors in certain assembly spaces.

Be it enacted by the Council as follows:

Section 1. Article 312 of Chapter 3 of title 28 of the administrative code of the city of New York, as added by local law number 75 for the year 2011, is amended by adding a new section 28-312.6 to read as follows:

§28-312.6. Carbon monoxide alarms or detectors required for certain existing assembly spaces*. In all existing spaces classified as occupancy group A-1, A-2 or A-3, carbon monoxide alarms or detectors shall be installed in accordance with Section BC 908.7.2 by May 1, 2014.*

§2. Section BC 908.7.2 of the New York city building code is amended to read as follows:

§908.7.2 Group *A-1, A-2, A-3,* E, I-2 and I-4 occupancies. Listed carbon monoxide detectors with 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.

1. Carbon monoxide detectors with built-in sounder bases shall be installed within any room containing carbon monoxide-producing equipment.

Exception: Kitchens or laboratories.

2. Carbon monoxide detectors with built-in sounder bases shall be installed in corridors on the story where carbon monoxide-producing equipment unit is located, as well as one story above and one story below.

3. Carbon monoxide detectors with built-in sounder bases shall be installed in all corridors on the story where enclosed parking is located, as well as one story above and one story below.

§3. This local law shall take effect on October 1, 2014.

Referred to the Committee on Housing and Buildings.

Res. No. 9

Resolution calling upon the New York State Legislature to pass and the Governor to sign A. 518/S. 4860, to require dating violence education and dating violence policies in schools.

By Council Members Ignizio, Arroyo, Chin, Ferreras, Levin, Rosenthal, Williams, Johnson, Reynoso and Mendez.

Whereas, Dating violence means a pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal or emotional abuse to control his or her dating partner; and

Whereas, Women ages 16 to 24 experience the highest per capita rates of intimate violence; and

Whereas, The New York City High School Youth Risk Behavior Survey reported that in 2011, 10.4% of all high school students in New York City claimed they were hit, slapped or physically hurt by a boyfriend or girlfriend in the past year; and

Whereas, A report by the Institute for Women's Policy research recommends that schools incorporate discussions on physical and sexual violence in their programs; and

Whereas, Since young people tend to communicate with their friends regarding instances of sexual and dating violence, it is suggested that all teens be equipped with information about service providers and agencies and organizations that can help; and

Whereas, Research suggests that during the preteen and teen years, young people learn the skills they need to form positive relationships with others and that these years are an ideal time to promote healthy relationships and prevent patterns of dating violence that can last into adulthood; and

Whereas, Low self-esteem has been found to be a predictor for both intimate partner violence victimization and aggression; and

Whereas, S. 4860, sponsored by Senator Savino, and its companion bill A. 518, sponsored by Assemblymember Cusick, would require each school district to establish a specific policy to address incidents of dating violence, to provide preventative dating violence training to all school staff at the middle and high school levels, and to provide dating violence awareness training for parents; and

Whereas, To assist school districts, S. 4860 and A. 518 would require the State Department of Education to work in conjunction with the Office for the Prevention of Domestic Violence to develop a model dating policy; and

Whereas, Companion bills A. 518 and S. 4860 would also require each school district to incorporate respect and self-esteem education in the annual curriculum for students in grades kindergarten through six and dating violence education into the annual curriculum framework for students in grades seven through twelve; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A. 518 /S. 4860, to require dating violence education and dating violence policies in schools.

Referred to the Committee on Education.

Int. No. 12

By Council Members King, Arroyo, Cabrera, Chin, Constantinides, Dickens, Koo, Koslowitz, Lancman, Levine, Maisel, Palma, Williams, Richards, Rose, Reynoso, Van Bramer, Mendez and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report academic and demographic information on co-located schools.

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 title 21-A to read as follows:

Title 21-A. Education

Chapter 1. Definitions

Chapter 2. Reporting on Co-located Schools

Chapter 1. Definitions.

§21-950 Definitions. Whenever used in this title, the following terms shall have the following meanings:

a. "Chancellor" shall mean the chancellor of the New York city department of education.

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

c. "Student" shall mean any pupil under the age of twenty-one under the jurisdiction of the New York city department of education.

Chapter 2. Reporting on co-located schools.

§21-951 Annual reporting on co-located schools. a. For the purposes of this section the following terms shall have the following meanings:

"Co-located school" shall mean any public elementary, middle or high school or any combination thereof, including any charter school whether under the jurisdiction of the department or managed by an independent charter management organization, which shares space with one or more schools within the same building.

b. Not later than the fifteenth day of June of the year 2015 and annually thereafter, not later than the fifteenth day of June, the department shall submit to the council a report regarding information on all co-located schools. Such report shall include, but not be limited to, (i) a comparison of demographic information including, but not limited to race, ethnicity, english language learner status and special education status, and (ii) information regarding student academic performance, including but not limited to, student scores received on state examinations.

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.

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

Referred to the Committee on Education.

Res. No. 10

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign a law, which would amend the Penal Law by increasing the criminal penalties for assaulting a train operator, ticket inspector, conductor, signalperson, bus operator or train agent employed by any transit agency, authority or company.

By Council Members King, Chin, Cohen, Dickens, Ferreras, Gentile, Gibson, Maisel, Palma, Williams, Van Bramer and Mendez.

Whereas, The Metropolitan Transportation Authority (MTA) employees—train and bus operators, among others—play an important role in our city's workforce and provide an important service to New Yorkers and tourists; and

Whereas, While most MTA employees perform their duties without encountering any problems on the job, some MTA employees have been the victims of violence while working; and

Whereas, Some of the occupational danger these professionals face include robberies, violent threats, assaults, and homicides; and

Whereas, A recent incident in the Bronx highlights the dangers MTA employees encounter; and

Whereas, In the Bronx incident, a man allegedly repeatedly punched a bus driver in the face, causing him to end his career due to his injuries.

Whereas, Under the Penal Law, an individual who causes physical injury to an MTA employee can be charged with a class D felony; and

Whereas, However, the existing penalties do not take into account the fact that some assaults may be so severe that they might result in a serious physical injury to the MTA employee; and

Whereas, In order to prevent violence against MTA employees and bring greater protections to them in their workplace, the New York State Legislature should introduce legislation which would amend the Penal Law in relation to violent assaults on MTA employees that result in serious physical injury; and

Whereas, Specifically, the bill should amend section 120.08 of the Penal Law to extend the same protections peace officers receive to MTA employees when they are serious physically injured as a result of someone trying to prevent them from performing their duties while they are working; and

Whereas, Such offense would be a class C felony; and

Whereas, Enacting such a bill would bring greater punishment to perpetrators and better protection to MTA employees; 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 a law, which would amend the Penal Law by increasing the criminal penalties for assaulting a train operator, ticket inspector, conductor, signalperson, bus operator or train agent employed by any transit agency, authority or company.

Referred to the Committee on Public Safety.

Int. No. 13

By Council Members Koslowitz, Chin, Constantinides, Koo, Levine and Palma.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the base building systems of certain buildings to be operated by individuals with a certificate in building energy efficiency from an approved program.

Be it enacted by the Council as follows:

Section 1. Section 28-308.5 of the administrative code of the city of New York, as added by local law number 87 for the year 2009, is amended to read as follows:

§ 28-308.5 Contents of energy efficiency report. Except as otherwise provided in section 28-308.7, the energy efficiency report shall include, in a format prescribed by the department, (i) the energy audit report or documentation substantiating that an exception as set forth in section 28-308.2 applies to such

building*, (ii) the names and qualifications of individuals holding certificates in building energy efficiency for the operation of the base building systems of the building, as required by article 316 of this chapter*, and[(ii)]*(iii)* the retro-commissioning report or documentation substantiating that an exception as set forth in section 28-308.3 applies to such building.

§ 2. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 316 to read as follows:

ARTICLE 316

CERTIFICATE IN BUILDING ENERGY EFFICIENCY REQUIRED FOR OPERATION OF BASE BUILDING SYSTEMS OF CERTAIN BUILDINGS

§28-316.1 Definitions. *As used in this article, the following terms shall have the following meanings:*

BASE BUILDING SYSTEMS. *Shall have the same definition as set forth in section 28-308.1 of this code.*

CITY BUILDING. *Shall have the same definition as set forth in section 28-308.1 of this code.*

COMMERCIAL BUILDING. *A covered building other than those classified in occupancy groups R and I.*

COVERED BUILDING. *Shall have the same definition as set forth in section 28-308.1 of this code.*

SUPERVISION. *Responsible control exercised over individuals in the direct employ of the owner, or in the employ of the owner pursuant to the terms of a contract to provide services to operate a covered building, by the holder of an appropriate certificate from an approved program. Such certificate holder need not be present at all times while building systems are in operation.*

OPERATE. *To control the normal functioning of a building system with responsibility for its energy use and/or energy consumption.*

RESIDENTIAL BUILDING. *A covered building classified in occupancy groups R or I.*

SIMPLE BUILDING. *Shall have the same definition as set forth in section 28-308.1 of this code.*

§28-316.2 Certificate in building energy efficiency required to operate base building systems of covered buildings. *The building owner shall ensure that the base building systems of a covered building are operated by or under the supervision of an individual who holds a current valid certificate in building energy efficiency from a program that meets the requirements of the department for the type of building being operated. The owner shall provide the name of the individual, the name of the program issuing such certificate, the expiration date of such certificate and a number or code that uniquely identifies the individual holding such certificate. Such certificate must be kept valid and current in accordance with the renewal requirements of the applicable certification program. A copy of the certificate must be kept on file at the building and must be made available upon request to inspectors of the department. The building owner must certify compliance with this article at least once every three years in a manner set forth in the rules of the department.*

Exception: *For covered buildings that meet the requirements of section 28-308.2, exception 2, building operator certification in building energy efficiency shall not be required.*

§28-316.2.1 Residential building that is a simple building. *The certificate required for the operation of the base building systems of a residential building that is a simple building must be conferred by a program approved by the department that requires individuals to demonstrate competence, through written examination, in the areas of:*

1. the building envelope;
2. heating systems;
3. ventilating systems;
4. local air conditioning systems; and,
5. at least one of the following:
5.1. central air conditioning systems;
5.2. conveying systems;
5.3. domestic hot water systems;
5.4. electrical and lighting systems;
5.5. building automation systems;
5.6. planned and preventative maintenance;
5.7. energy management; or
5.8. water use and conservation.

Exception: *In residential buildings that are simple buildings where the building owner is not responsible for the maintenance of any local air conditioning systems, the certificate required by this section need not demonstrate competence in the area of local air conditioning systems.*

§28-316.2.2 Commercial buildings and residential buildings, other than residential buildings that are simple buildings. *The certificate required for the operation of the base building systems of a commercial building or for the operation of a residential building, other than a residential building that is a simple building, must be conferred by a program approved by the department that requires individuals to demonstrate competence, through written examination, in the areas of:*

1. heating systems;
2. ventilating systems;
3. central air conditioning systems;
4. domestic hot water systems;
5. electrical and lighting systems; and,
6. in at least one of the following areas
6.1. building envelope;
6.2. conveying systems;
6.3. local air conditioning systems;
6.4. building automation systems;
6.5. planned and preventative maintenance;
6.6. energy management; or
6.7. water use and conservation.

§28-316.3 Approved programs. *The department may approve programs that meet the requirements of this section and any rules promulgated by the department. The program must require the applicant to demonstrate, by written examination, competency in the areas shown in this article. The program shall require credential maintenance of the certified individual by renewal of certification no less frequently than every three years, where such recertification consists of either an exam or by completion of a minimum of six hours of continuing education classes, without requiring that such classes be provided by the certification organization or any specific organization.*

§ 28-316.4. Compliance. *Compliance with the provisions of this article shall be required on and after January 1, 2017 for all covered buildings.*

§ 3. This local law shall take effect on January 1, 2015 except that the commissioner of buildings may promulgate rules or take other administrative actions prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 14

By Council Members Levin, Constantinides, Koo, Levine, Palma, Johnson and Mendez.

A Local Law to amend the New York city mechanical code, in relation to requiring analysis of heating and cooling needs during building design.

Be it enacted by the Council as follows:

Section 1. Statement of findings and intent. The Council hereby finds and declares that equipment used to heat and cool buildings is often oversized, resulting in operating inefficiency. To size heating and cooling equipment appropriately, it is important to accurately calculate the peak heating and cooling load requirements of buildings and to thoroughly understand these loads. Some designers currently guess or use rules of thumb when calculating heating and cooling loads or rely on equipment manufacturers to provide sizing requirements. Currently, the law does not require the inclusion of detailed heating and cooling load calculations in construction documents. Without the results of detailed load calculations in construction documents, important communication about equipment size between architects, engineers, and owners may not take place. Further, building authorities cannot easily review anticipated loads or readily discern whether a building will meet energy efficiency standards without such information included in construction documents. It is the intent of the Council to ameliorate the problem of oversized heating and cooling equipment by requiring the submission of the results of peak heating and cooling load calculations in construction documents submitted to the Department of Buildings for approval.

§ 2. Section 106.6 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended to read as follows:

106.6 Heating systems. Construction documents for heating systems shall include [the] *all of the required information set forth in items 1 through 4 of Section 106.8 of this code, and shall also include the following data and information in a combination of graphic and tabular form as prescribed by the department:*

1. The temperature to be maintained in every room [and the output capacity in BTU per hour of the central heating source.]*;*

2. The peak heating load in BTU per hour (BTU/h) in every room;

3. The peak heating load in BTU/h in every thermostatically controlled zone;

4. The peak heating load on the entire building;

5. The total output capacity in BTU/h of the central or aggregated building heating sources, such as boilers, furnaces, or heat exchangers;

6. The thermal transmission load, accounting for all exterior surfaces, thermal bridging of frames and mullions, exposed slab edges, parapets, balconies, concrete columns, steel members, and any other significant thermal connection between the conditioned space and the underground and above ground outdoor environment;

7. The ventilation load, accounting for all specified mechanical ventilation calculated with the assumption that the windows are closed;

8. The infiltration load, accounting for leakage around all doors, windows, and other envelope penetrations, and for air barriers included in the design; and

9. Any constant or permanent internal heat gains, where such heat gains are known to be present in the zone to be heated and are factored into the system design.

Rooms within a zone that are identical with respect to the characteristics listed in this section may be calculated and reported as aggregates.

106.6.1 Equipment sizes. *Construction documents shall indicate the output values of the equipment selected in a form prescribed by the department.*

§ 3. Section 106.8 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended to read as follows:

106.8 Air conditioning and [ventilating] *ventilation* systems. Construction documents for air conditioning and [ventilating] *ventilation* systems shall [contain plans that] include the following data and information *in a combination of graphic and tabular form as prescribed by the department*:

1. The location and sizes of all ducts*, coils and pipes*; the location of all fire and smoke dampers, motors, fans, and filters; the type, air capacity, [and] size *and output capacities* of all equipment; and where not shown on accompanying structural plans, the operating weight and manner of support of equipment[.]*;*

2. The locations of smoke detecting devices[.]*;*

3. The location and size of the fresh air intake, the design population, and the required ventilation for each room or space[.]*;*

4. The amount of air to be exhausted or supplied from each outlet for each room or space[.]*;*

5. In the case of ventilating or exhaust systems for ranges, fryers, ovens, and other similar types of restaurant or bakery equipment, for which a hood is required, the plans shall also show the type of extinguishing system, the location of heat detection devices, nozzles, piping, gas controls, manual and automatic control valves, method of joining ducts, method and location of discharging exhaust from building, the location of break-glass controls, and the quantity in cfm designed for each hood[.]*;*

6. The peak cooling load in BTU/h in every room;

7. The peak cooling load in BTU/h in every thermostatically controlled zone;

8. The peak cooling load in BTU/h on the entire building;

9. The thermal transmission load, accounting for all external opaque surfaces, thermal bridging of frames and mullions, exposed slab edges, parapets, balconies, concrete columns, steel members, and any other significant thermal connection between the conditioned space and the underground and above ground outdoor environment or any adjacent spaces that are unconditioned or with diminished air conditioning;

10. The ventilation load, accounting for the design population and required outside air in each room or space calculated with the assumption that the windows are closed;

11. The infiltration load, accounting for leakage around all doors, windows, and other envelope penetrations, and for air barriers included in the design;

12. Any internal heat gains from all relevant sources, including but not limited to lighting, appliances, equipment, and occupants; and

13. Any solar gains, based on glazing and other building characteristics relevant to exterior transparent surfaces.

Rooms within a zone that are identical with respect to the characteristics listed in this section may be calculated and reported as aggregates.

106.8.1 Equipment sizes. *Construction documents shall indicate the output values of the equipment selected in a form prescribed by the department.*

§ 4. Section 312 of the New York city mechanical code, as amended by local law number 85 for the year 2009, is amended to read as follows:

312.1 Load calculations. Heating and cooling system design loads for the purpose of sizing systems, appliances and equipment shall be determined in accordance with the procedures described in the ASHRAE Handbook of Fundamentals *and the New York City Energy Conservation Code. Peak loads for commercial buildings shall be determined in accordance with Section 503 of the New York City Energy Conservation Code. Peak loads for residential buildings, as defined in Chapter 2 of the New York City Energy Conservation Code, shall be determined in accordance with Section 403 of the New York City Energy Conservation Code or the ASHRAE Handbook of Fundamentals*. Heating and cooling loads shall be adjusted to account for load reductions that are achieved when energy recovery systems are utilized in the HVAC system in accordance with the ASHRAE Handbook - HVAC Systems and Equipment. [Alternatively, design loads shall be determined by an approved equivalent computation procedure, using the design parameters specified in Chapter 3 of the *Energy Conservation Construction Code of New York State*.] Heating and cooling system design loads for the purpose of sizing systems, appliances and equipment shall also comply with the requirements of Section 1204 of the *New York City Building Code*.

312.2 Equipment sizing. *Heating, cooling, and ventilation system equipment shall be sized in accordance with the New York City Energy Conservation Code.*

§ 5. This local law shall take effect October 1, 2014, 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. 15

By Council Members Levin, Arroyo, Chin, Cohen, Koo, Levine, Palma, Williams, Johnson and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report annually on revenues received from the Fund for Public Schools.

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 title 21-A to read as follows:

Title 21-A. Education

Chapter 1. Definitions

Chapter 2. Fund for Public Schools

Chapter 1. Definitions.

§21-950 Definitions. Whenever used in this title, the following terms shall have the following meanings:

a. "Chancellor" shall mean the chancellor of the New York city department of education.

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

c. "Student" shall mean any pupil under the age of twenty-one under the jurisdiction of the New York city department of education.

Chapter 2. Fund for Public Schools.

§21-951 Annual reporting on revenues received. a. Not later than the fifteenth day of December of the year 2014 and annually thereafter, not later than the fifteenth day of December, the department shall submit to the council a report regarding the total revenues received from the Fund for Public Schools, for the preceding school year. Such report shall include the reasons why such revenue was sought and how such revenue was disbursed by the department. Such report shall also include information regarding the programmatic priorities for the Fund for Public Schools and shall include details regarding which programs received funding in whole, or in part, from the Fund for Public Schools and shall also include details regarding the specific funding allocation each such program received.

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

Referred to the Committee on Education.

Int. No. 16

By Council Members Levin, Chin, Koo, Palma, Williams, Johnson and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring insulation of existing concealed pipes exposed during alterations or repair.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 28 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding a new article 316 to read as follows:

ARTICLE 316
INSULATION OF CONCEALED PIPES EXPOSED DURING ALTERATION OR REPAIR

§ 28-316.1 Required insulation of certain concealed piping exposed during alteration or repair. *Where concealed existing piping is exposed in the course of the alteration or repair of a building, the owner of the building shall provide for the insulation of the exposed piping. The exposed piping shall be insulated to the extent required by section 403.3, 403.4, 503.2.8 or 504.5 of the New York city energy conservation code for newly installed pipe of the same specifications and serving the same function as the exposed pipe. The entire exposed length of the piping shall be insulated as well as any further length of concealed pipe that can be directly accessed through openings made in the course of such alteration or repair.*

Exceptions:

1. Exposed pipe with one-inch (25-mm) thick continuous coverage of existing insulation in good condition.

2. Where the length of concealed pipe which may be directly accessed through openings made in the course of such alteration or repair is less than 3 feet (914 mm).

§2. This local law shall take effect October 1, 2014, 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.

Res. No. 11

Resolution calling on the New York State Legislature to pass the Marihuana Regulation and Taxation Act and the Governor to sign such legislation into law, which would legalize, regulate, and tax the sale of marijuana in New York State.

By Council Members Levin, Arroyo, Williams, Reynoso, Mendez and Koslowitz.

Whereas, According to a report released in June of 2013 by the American Civil Liberties Union, "marijuana arrests have increased between 2001 and 2010 and now account for 52 percent of all drug arrests in the United States and marijuana possession arrests account for 46 percent of all drug arrests"; and

Whereas States across the country spent over $3.6 billion enforcing marihuana or "marijuana" possession laws in 2010; and

Whereas, In 2010, the New York City Police Department made 50,300 marijuana related arrests; and

Whereas, According to various sources, enforcement of New York State marijuana laws have disproportionately affected African-American and Latino communities; and

Whereas, Recently, the states of Colorado and Washington have legalized the recreational use of marijuana; and

Whereas, According to the Marijuana Policy Project, pro-recreational marijuana initiatives *are expected in various states in 2016,* including Arizona, California, Maine, Massachusetts, Montana and Nevada; and

Whereas, Legalizing the recreational use of marijuana in New York State would help generate millions of dollars annually in tax revenue; and

Whereas, A.8341, currently pending in the New York State Assembly, and companion bill S.6005, currently pending in the New York State Senate, seek to legalize, regulate, and tax the sale of marijuana in New York State; and

Whereas, A.8341/S.6005 is also known as the "Marihuana Regulation and Taxation Act"; and

Whereas, The Marihuana Regulation and Taxation Act would amend several statutes pertaining to the sale, enforcement, and taxation of marijuana including, but not limited to: (i) removing penalties for possession of 2 ounces of marijuana or less; (ii) establishing 18 as the minimum legal age for marijuana possession and consumption; (iii) allowing for home cultivation of up to 6 marijuana plants; (iv) empowering the New York State Liquor Authority to grant licenses for marijuana production, transport, and retail sale; (v) prohibiting the sale of marijuana to individuals under 21 years-of-age; (vi) establishing a tax of $50.00 per ounce of marijuana and authorizing localities to charge a sales tax on retail sales; and (vii) directing a portion of the state tax revenue collected to be directed to re-entry programs, substance abuse programs, and job training programs in low-income, high-unemployment communities; and

Whereas, The Marihuana Regulation and Taxation Act would help generate much needed state tax revenue, help to greatly reduce the racially disparate marijuana related arrests, and providing funding for community programs to better assist New York State residents; now therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass the Marihuana Regulation and Taxation Act and the Governor to sign such legislation into law, which would legalize, regulate, and tax the sale of marijuana in New York State.

Referred to the Committee on Public Safety.

Res. No. 12

Resolution calling upon the New York State legislature to pass and the governor to sign legislation that would define honey and provide standards for honey sold in the State.

By Council Members Levin, Gibson and Palma.

Whereas, New York State ranked 14th in the country in honey production in 2012 and is the largest beekeeping state in the Northeast, according to the United States Department of Agriculture; and

Whereas, However, the Empire State Honey Producers Association asserts that "honey from other countries comes into the United States with labels calling it 'pure honey' but in fact much of it is not pure with items such as high fructose corn syrup, rice syrup and antibiotics added to it;" and

Whereas, According to Food Safety News, millions of pounds of honey that were banned and determined unsafe in other countries are being imported and sold in the United States; and

Whereas, Specifically, impurities such as lead and chloramphenicol have been found in honey from India and China resulting in the European Union banning honey from these countries; and

Whereas, In 2001, the Federal Trade Commission imposed strict import taxes on Chinese producers to stop the influx of altered, harmful honey into the Unites States; and

Whereas, According to news reports, to avoid the tariff Chinese producers began shipping their honey to other countries, such as India where it was repackaged and then sent to the United States; and

Whereas, In 2010, The Food and Drug Administration ("FDA") seized 64 drums of imported Chinese honey because it contained an antibiotic that could lead to serious illness or death; and

Whereas, Despite the evidence of unsafe honey importation, Food Safety News states that the FDA tests only 5 percent of imported honey; and

Whereas, Advocates believe that the FDA devotes little time and effort to inspecting imported honey because of a lack of interest and resources; and

Whereas, In fact, FDA officials stated that a national purity standard for honey would "tax the abilities of an already overstretched agency;" and

Whereas, In 2011, the Unites States imported 45 million pounds of honey from India, a country known for laundering Chinese honey; and

Whereas, Advocates are in favor of legislation that would impose a "standard of identification to assure the public that the honey we are selling is pure and unadulterated;" and

Whereas, States such as Florida, California, Wisconsin, and North Carolina have already adopted legislation that provides a standard for honey and identified a state agency to enforce the standard; and

Whereas, Establishing honey standards in New York would help protect consumers from being misled and protect local beekeepers and honey producers from mixing, blending and selling inferior products; 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 that would define honey and provide standards for honey sold in the State.

Referred to the Committee on Health.

Res. No. 13

Resolution calling upon the state legislature to pass and Governor to sign Senate bill S. 4921 and Assembly bill A. 6863 that relate to the protection of public health from radon in natural gas.

By Council Members Levin, Chin, Levine, Palma, Johnson and Mendez.

Whereas, Radon is a colorless and odorless naturally occurring radioactive gas, the long-term exposure to which is known to cause lung cancer in humans; and

Whereas, Hydraulic fracturing is a method of extracting natural gas from deep shale formations such as the Marcellus Shale, which underlies a vast section of New York and some surrounding states; and

Whereas, According to the United States Geological Survey, shale formations can be associated with relatively high levels of naturally occurring radioactive material; and

Whereas, When natural gas is extracted from shale formations via hydraulic fracturing, radon gas can by intermixed with the natural gas; and

Whereas, Radon has a half-life of 3.8 days, decaying through a series of steps during which alpha radiation is released; and

Whereas, Historically, natural gas coming to New York City has travelled from distant locations such as the Gulf Coast, allowing additional time for any radon in the gas to decay prior to entering homes; and

Whereas, With increasing amounts of hydraulic fracturing occurring in the Northeastern United States, potentially including in New York State, the natural gas, and any radon it contains, may travel shorter distances to get to New York City, which would allow less time for the radon to decay; and

Whereas, Radon, if present in natural gas, could enter homes via stoves that burn such natural gas; and

Whereas, If radon did enter homes in sufficiently high amounts, and if it didn't disperse through ventilation or other means, it could accumulate and expose people to health risks; and

Whereas, Radon levels in natural gas can be monitored in natural gas pipes prior to distribution to homes; and

Whereas, Senate bill S. 4921, sponsored by Senator Dianne Savino (D-NYC), and Assembly bill A. 6863, sponsored by Assembly Member Linda Rosenthal (D-NYC), require local distribution entities to undertake continuous monitoring of natural gas for radon, disclose monitoring results to the public, take mitigation measures if radon or radon progeny levels crossed any of several different thresholds in order to reduce those levels to below such thresholds; and

Whereas, Such actions would be sufficient to protect the public health from any potential impacts from radon in natural gas; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the state legislature to pass and Governor to sign Senate bill S. 4921 and Assembly bill A. 6863 that relate to the protection of public health from radon in natural gas.

Referred to the Committee on Environmental Protection.

Res. No. 14

Resolution supporting President Obama's efforts to use the Clean Air Act to reduce greenhouse gas pollution and calling upon the Environmental Protection Agency and President Obama to fully enforce the Clean Air Act by regulating greenhouse gases in order to avert the potentially catastrophic effects of climate change.

By Council Members Levin, Chin, Constantinides, Ferreras, Levine, Palma, Rosenthal, Williams, Johnson and Mendez.

Whereas, The decade from 2001 to 2010 was the warmest on record, and the years 2005 and 2010 are tied for the hottest years on record; and

Whereas, One of the world's leading climate scientists, Dr. James Hansen, stated in 2008 that "[if] humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted, paleoclimate evidence

and climate change suggest that [carbon dioxide] will need to be reduced from its current 385 ppm to at most 350 parts per million (ppm)"; and

Whereas, The Environmental Protection Agency determined that current and future greenhouse gas concentrations endanger public health, and, according to the Global Humanitarian Forum, climate change already seriously affects 325 million people, and is responsible for 300,000 deaths and $125 billion in economic losses worldwide each year; and

Whereas, Extreme weather events, most notably heat waves and precipitation extremes, are striking with increased frequency, with deadly consequences for people and wildlife, such that in the United States in 2011 alone, a record 14 weather and climate disasters occurred, including droughts, heat waves, and floods, that cost at least $1 billion each in damages and loss of human lives; and

Whereas, Climate change is affecting food security by negatively impacting the growth and yields of important crops, and droughts, floods, and changes in snowpack are altering water supplies; and

Whereas, Arctic summer sea ice extent has decreased to about half what it was several decades ago, with an accompanying drastic reduction in sea ice thickness and volume, which is severely jeopardizing ice-dependent animals; and

Whereas, Scientists have concluded that by the year 2100 as many as one in ten species may be on the verge of extinction due to climate change; and

Whereas, The world's land-based ice is rapidly melting, threatening water supplies in many regions and raising sea levels; and

Whereas, Sea level is rising along the East Coast of the United States faster than it has risen for the least 2,000 years, is accelerating in pace, and could rise by one to two meters this century, threatening millions of Americans with severe flooding; and

Whereas, For four decades, the Clean Air Act has protected the air we breathe through a proven, comprehensive, successful system of pollution controls that saves lives and creates economic benefits exceeding its costs by many times; and

Whereas, With the Clean Air Act, air quality in this country has improved significantly since 1970, despite major growth in our economy, population, motor vehicle travel, and industrial production; and

Whereas, The National Atmospheric and Oceanic Administration reports that by October 2013 carbon monoxide levels reached 393 ppm; and

Whereas, Between 1970 and 1990, the six main pollutants covered by the Clean Air Act—particulate matter and ground-level ozone (both of which contribute to smog and asthma), carbon monoxide, lead, sulfur dioxide, and nitrogen oxides (the pollutants that cause acid rain)—were reduced by between 47% and 93%, and airborne lead was virtually eliminated; and

Whereas, The Clean Air Act has produced economic benefits valued at $2 trillion, or 30 times the cost of regulations; and

Whereas, The United States Supreme Court ruled in *Massachusetts v. EPA* (2007) that greenhouse gases are "air pollutants" as defined by the Clean Air Act and that, therefore, the Environmental Protection Agency has authority to regulate them; and

Whereas, Using authorities embodied in Section 111 of the Clean Air Act, the Environmental Protection Agency is developing regulations to reduce greenhouse gas pollution from new and existing power plants; and

Whereas, The City of New York prides itself on being a leader in the fight against climate change and for clean air; now, therefore, be it

Resolved, That the Council of the City of New York supports President Obama's efforts to use the Clean Air Act to reduce greenhouse gas pollution and calls upon the Environmental Protection Agency and President Obama to fully enforce the Clean Air Act by regulating greenhouse gases in order to avert the potentially catastrophic effects of climate change.

Referred to the Committee on Environmental Protection

Int. No. 17

By Council Members Mendez, Garodnick, Arroyo, Chin, Gentile, Greenfield, Koo, Levin, Palma, Rosenthal, Johnson and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to after hours work authorization.

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 24-220 of the administrative code of the city of New York is amended to read as follows:

(c) A copy of the plan shall be kept at the construction site and shall be [made available for inspection upon the request of persons authorized to enforce the provisions of this code] *posted in a conspicuous place at the work site, visible to the public for the duration of the work or the use and operation of the equipment*.

§ 2. Subdivision a of section 24-223 of the administrative code of the city of New York is amended to read as follows:

§24-223 After hours work authorization. (a) Notwithstanding section 24-222 of this subchapter, an agency authorized to issue permits for construction work may, along with such permit, issue an after hours work authorization for the work site. Such after hours authorization may permit construction work to be performed at the site before 7 a.m. or after 6 p.m. on weekdays and/or on Saturdays and/or Sundays subject to the conditions and restrictions set forth in this section, *provided, however, that permits issued pursuant to paragraph four of subdivision e of this section, shall not authorize construction work to be performed at the site before 7 a.m. or after 8 p.m. on weekdays, or before 11 a.m. or after 4 p.m. on Saturdays and, furthermore, shall not authorize any work on Sundays*.

§ 3. Paragraph 5 of subdivision e of section 24-223 of the administrative code of the city of New York is REPEALED.

§ 4. Section 24-223 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

(f) The following procedures shall be followed when an entity seeks authorization pursuant to subdivision e of this section:

(1) An entity that is seeking an authorization for after hours construction work, pursuant to paragraphs one, two, or three of subdivision e of this section, shall submit, as part of its application, a detailed explanation of the material condition or conditions that exist that require such authorization. The authorizing agency shall issue a written decision detailing the rationale for granting or denying such authorization, and shall make each application and written decision available on the agency's website not later than five business days after the decision is issued.

(2) An entity that is seeking an authorization for after hours construction work, pursuant to paragraph four of subdivision e of this section, shall submit, as part of its application, a detailed explanation of the material condition or conditions that exist that require such authorization. The authorizing agency shall make all such applications available on the agency's website not less than five business days before authorizing after hours construction work at a work site, and shall allow members of the public to submit comments on such applications either electronically or by mail. The agency shall issue a written decision detailing the rationale for granting or denying such authorization not later than five business days after a grant or denial is issued, and shall make such decision available on the agency's website. In determining whether to authorize after hours construction work, the agency shall take into account: (i) public comments on such applications, and (ii) whether other after hours construction work has been authorized within a five-block radius of the work site.

(3) The authorizing agency shall allow persons to subscribe to an email alert system that will provide information about any application filed pursuant to subdivision e of this section. The authorizing agency shall provide opportunities for city residents to provide an email address to the authorizing agency for this purpose and shall maintain a database of all such email addresses. The authorizing agency shall send email notifications regarding any application to interested parties who provide the authorizing agency with an email address for this purpose and who reside in the community board district where the after hours construction work is requested to occur. Each email notification shall consist of all pertinent information related to such application and include links to the authorizing agency's website to access relevant forms, materials and other additional information.

§ 5. Line 24-223 of table I of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York is amended to read as follows:

24-223 [3,500] *8,000* [875] *2,000* [7,000] *16,000* [1,750] *4,000* [10,500] *24,000* [2,625] *6,000*

§ 6. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Housing and Buildings.

Res. No. 15

Resolution calling upon the Governor and the New York State Department of Transportation to implement the recommendations of the Sheridan-Hunts Point Land Use and Transportation Study.

By Council Members Palma, Arroyo, Koo, Levin and Reynoso.

Whereas, In June 2013, multiple City agencies, led by the New York City Department of City Planning and the New York City Department of Transportation, completed its Sheridan-Hunts Point Land Use and Transportation Study (the Study) and made a series of final recommendations regarding what should be done with the 1.25 mile long Sheridan Expressway (the Sheridan) corridor in the Bronx, which connects the Bruckner Expressway and the Cross Bronx Expressway, as well as adjacent areas; and

Whereas, The Sheridan was part of an abandoned highway plan to enable development throughout the Bronx, the consequence of which is a lack of efficient connectivity that impedes the economic growth of the area; and

Whereas, The Sheridan has created well-documented negative impacts on the surrounding communities, especially related to poor air-quality caused by vehicle emissions, deadly intersections and physical isolation from services and amenities; and

Whereas, The final recommendations of the Study include the construction of direct access ramps from the elevated Bruckner Expressway to the Hunts Point peninsula which hosts the Hunts Point Food Distribution Center, the largest wholesale food distribution market in North America, and these ramps would aid in the efficient transportation of goods while also removing substantial truck traffic from local streets; and

Whereas, The recommendations also include the installation of crosswalks, stoplights and other facilities to help make the corridor more pedestrian friendly and to improve access to the Bronx River waterfront and associated parks; and

Whereas, The envisioned reconstruction would include the transformation of a portion of the Sheridan into an at-grade local boulevard, opening up developable land

currently in the Sheridan footprint and would close at least two Sheridan ramps that are currently causing major overcrowding and impacting pedestrian safety; and

Whereas, Implementing the recommendations of the Study would yield significant health and economic benefits while improving neighborhood cohesion and transportation in a currently overburdened area of the Bronx; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Governor and the New York State Department of Transportation to implement the recommendations of the Sheridan-Hunts Point Land Use and Transportation Study.

Referred to the Committee on Transportation.

Res. No. 16

Resolution calling on the New York State Assembly to pass A.1516, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, which would increase the required distance between premises selling liquor and/or wine at retail for consumption off the premises and a school, church, synagogue or other place of worship from 200 to 800 feet.

By Council Members Richards, Cabrera, King, Koo, Palma and Mendez.

Whereas, The New York State Liquor Authority ("SLA") regulates state licensing to sell liquor under the New York State Alcoholic Beverage Control Law (“ABC Law”); and

Whereas, According to a recent New York Daily News article, there are approximately 1,368 wine and liquor stores in New York City, a 14 percent increase from 2010; and

Whereas, New York City is one of the most culturally and religiously diverse cities in the world, containing thousands of houses of worship; and

Whereas, According to the New York City Department of Education, New York City has over 1,700 public schools serving over 1.1 million youth; and

Whereas, The ABC Law currently requires a distance of 200 feet between a premise selling liquor and/or wine at retail for consumption off the premises and a school, church, synagogue or other place of worship; and

Whereas, According to the Center on Alcohol Marketing and Youth (“CAMY”), multiple longitudinal studies have correlated that minors exposed to alcohol marketing stand greater likelihood of drinking; and

Whereas, Furthermore, CAMY indicates that “the impact of alcohol marketing on young people is an important public health goal since underage drinking is a significant contributor to youth alcohol-related motor vehicle crashes and other forms of injury, violence, suicide, and problems associated with school and family”; and

Whereas, A.1516, currently pending in the New York State Assembly, seeks to increase the required distance between premises selling liquor and/or wine at retail for consumption off the premises and a school, church, synagogue or other place of worship from 200 to 800 feet; and

Whereas, A.1516 would help prevent underage youth exposure to alcohol advertising and marketing; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A.1516, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, which would increase the required distance between premises selling liquor and/or wine at retail for consumption off the premises and a school, church, synagogue or other place of worship from 200 to 800 feet.

Referred to the Committee on Consumer Affairs.

Res. No. 17

Resolution calling on the New York State Legislature to pass A.4227/S.114 and the Governor to sign such legislation into law, creating a state liquor authority community liaison to New York City community boards and requiring such community boards be given at least a sixty-day notice before any wine, beer, or liquor license is issued, renewed, or altered within the boundaries of such community board.

By Council Members Richards, Chin, Ferreras, Gentile, King, Koo and Palma.

Whereas, The New York State Liquor Authority ("SLA") regulates and controls the manufacturing, sale, distribution of all alcoholic beverages under the New York State Alcoholic Beverage Control Law (“ABC Law”); and

Whereas, According to the SLA’s mission statement, the SLA will work cooperatively with community leaders and industry members to ensure participation by all agency stakeholders in the licensing and enforcement processes; and

Whereas, There are currently 59 community boards in New York City, which deal with a wide range of local and citywide issues, including alcoholic beverage licenses; and

Whereas, At times, New York City community boards are not provided ample time to review alcoholic beverage license applications or renewals or engaged in appropriate dialogue with the SLA; and

Whereas, A.4227, currently pending in the New York State Assembly, and companion bill S.114, currently pending in the New York State Senate, seeks to amend the ABC Law, by creating a liaison between the SLA and local New York City community boards; and

Whereas, A.4227/S.114 also seeks to amend the ABC Law by mandating, at the minimum, a 60 day notification to community boards in New York Cite before the issuance of a new alcoholic beverage license, renewal of a license or alteration of a license; and

Whereas, A.4227/S.114 would provide greater community participation in SLA license renewals by creating a liaison to act as the intermediary between the SLA and the community boards with a 60 day notification of license renewal, allowing community boards more time to consider license and the SLA more time to take into account the suggestions of New York City community boards in regards to issuing or renewing these licenses; and

Whereas, A.4227/S.114 would give New York City community boards an enhanced platform for communication with the SLA with regard to issues and concerns relating to alcoholic beverages licenses; now, therefore, be it

Resolved, That the Council of the City of New York calls on on the New York State Legislature to pass A.4227/S.114 and the Governor to sign such legislation into law, creating a state liquor authority community liaison to New York City community boards and requiring such community boards be given at least a sixty-day notice before any wine, beer, or liquor license is issued, renewed, or altered within the boundaries of such community board.

Referred to the Committee on Consumer Affairs.

Res. No. 18

Resolution calling on the New York State Assembly to pass A.1534, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, which would require notice to the appropriate community board of any application for a liquor store license in New York City not less than 30 days before submission of such application.

Council Members Richards, Chin, Ferreras, Gentile, Koo and Palma.

Whereas, According to a recent New York Daily News article, there are approximately 1,368 wine and liquor stores in New York City, a 14 percent increase from 2010; and

Whereas, The New York State Liquor Authority ("SLA") regulates and controls the manufacturing, sale, distribution of all alcoholic beverages under the New York State Alcoholic Beverage Control Law (“ABC Law”); and

Whereas, According to the SLA’s 2012 Annual Report, the State Liquor Authority was responsible for the regulation of over 53,000 active licensees; and

Whereas, Specifically, the SLA stringently regulates liquor stores due to their potential to significantly impact communities; and

Whereas, According to the SLA, successful prosecutions of violations for alcohol sales to minors in New York State increased from 1,311 in 2011, to 1,425 in 2012; and

Whereas, A.1534, currently pending in the New York State Assembly, seeks to amend the ABC Law by requiring at least a 30 day notice to the appropriate community board prior to the submission of any application for a liquor store license in New York City; and

Whereas, A.1534 would provide all affected parties the ability to voice their opposition or consent to the proposed business they must notify the local community board to make them aware of the intent to locate a liquor store in their community; and

Whereas, A.1534 would enhance community safeguards by giving community boards sufficient time to review and object, when appropriate, to the over-saturation of liquor stores in neighborhoods; now therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A.1534, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, which would require notice to the appropriate community board of any application for a liquor store license in New York City not less than 30 days before submission of such application.

Referred to the Committee on Consumer Affairs.

Int. No. 18

By Council Member Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to consent by an owner of residential real property who receives real property tax benefits to provide access to city agencies.

Be it enacted by the Council as follows:

Section 1. Section 11-245 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. No benefit under section four hundred twenty-one-a of the real property tax law shall be conferred unless the owner of the property for which the benefit is sought consents to provide access to an authorized representative of any city agency upon the request of such agency for such governmental purposes as the respective city agency deems appropriate. Such request for access need not be made in writing and may be made to any owner of the property or to any representative of such owner who has direct or indirect control of the property and such consent to access shall remain in effect for so long as the benefits are conferred. Any agency whose representative is not able to gain access to a property for an appropriate governmental purpose shall immediately notify the commissioner and the commissioner of housing preservation and development. If the commissioner or the commissioner of housing preservation and development determines that there has been an inappropriate failure to provide access as required by this subdivision or any document executed by such owner reflecting such consent on at least two separate occasions, the commissioner shall be authorized to prospectively terminate any benefit conferred upon such property in accordance with this section.

§2. Section 11-243 of the administrative code of the city of New York is amended by adding a new subdivision ee to read as follows:

ee. No benefit under section four hundred eighty nine of the real property tax law shall be conferred unless the owner of the property for which the benefit is sought consents to provide access to an authorized representative of any city agency for such governmental purposes as the respective city agency deems appropriate upon the request of such agency. Such request for access need not be made in writing and may be made to any owner of the property or to any representative of such owner who has direct or indirect control of the property and such consent to access shall remain in effect for so long as the benefits are conferred. Any agency whose representative is not able to gain access to a property for an appropriate governmental purpose shall immediately notify the commissioner and the commissioner of housing preservation and development. If the commissioner or the commissioner of housing preservation and development determines that there has been an inappropriate failure to provide access as required by this subdivision or any document executed by such owner reflecting such consent on at least two separate occasions, the commissioner shall be authorized to prospectively terminate any benefit conferred upon such property in accordance with this section.

§3. Section 28-103.14 of the administrative code of the city of New York is amended to read as follows:

§28-103.14 Department records. The department shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, [and] notices and orders issued, *and tax benefits conferred with respect to each building and the land upon which it rests*. Such records shall be retained in the official records for the period required for retention of public records. *Records relating to tax benefits shall be made available to the general public on the department's website*.

§4. This local law shall take effect ninety days after its enactment and shall apply to any application for benefits under sections 421-a or 489 of the real property tax law where such benefits have not been conferred as of such effective date, except that, the commissioner of housing preservation and development, in conjunction with the commissioner of finance, shall take all measures necessary for the implementation of this local law, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings

Int. No. 19

By Council Members Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to implement a for-hire vehicle warning alert system.

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 by adding a new section 14-154 to read as follows:

§ 14-154 For-hire vehicle warning alert system. Within one hundred and eighty days of the effective date of the local law that added this section, the commissioner shall implement a system that will allow law enforcement officers to instantly upload to department computers images from any in-vehicle camera system that is currently installed in a for-hire vehicle.

§2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Public Safety.

Int. No. 20

By Council Members Rodriguez, Chin, Dickens, Gentile, King, Koo, Levin, Reynoso and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to allowing vehicles to park on the restricted side of a street which is subject to alternate side parking rules without being ticketed if the owner is in the vehicle and able to move it or if the street has already been cleaned.

Be it enacted by the Council as follows:

Section 1. Chapter two of 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 Restrictions on issuing notices of violation for alternate side of the street parking violations. a. For the purposes of this section, the term "roadway" shall mean that portion of the street ordinarily used for vehicular travel.

b. No notice of violation shall be issued to a driver or owner of a motor vehicle on a day when alternate side parking rules are in effect if the driver or owner is in the vehicle and ready to move such vehicle when the street cleaning vehicle approaches or if the roadway under where such vehicle is parked has already been swept on such day.

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

Referred to the Committee on Transportation.

Int. No. 21

By Council Members Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to traffic lights in certain public parks.

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter one of title 18 of the administrative code of the city of New York is amended by adding a new section 18-142 to read as follows:

§18-142 Prohibition of vehicles in certain public parks, notice to department of transportation. The department shall provide notice to the department of transportation in a timely manner of any schedule or any changes to such schedule of the days and times when vehicles in certain public parks are prohibited in all of a part of any roadways in the park so that the traffic lights may be adjusted.

§2. 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 19-107.1 to read as follows:

§19-107.1 Traffic signals in certain public parks, when vehicles are prohibited. When the department of parks and recreation closes a park or portion of a park to vehicular traffic, the traffic lights in such park or portion of a park closed to vehicular traffic shall display flashing yellow indications for the duration of the period of time during which vehicles are prohibited.

§3. This local law shall take effect immediately upon its enactment into law.

Referred to the Committee on Transportation.

Int. No. 22

By Council Members Rodriguez, Koo, Johnson and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to required signage informing persons of their right to reasonable accommodations at certain city facilities.

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. Informing persons of their right to reasonable accommodations. a. Definitions. For the purposes of this section the following terms shall have the following meanings:

1. "DOHMH" shall mean the department of health and mental hygiene;

2. "District public health office" shall mean any department of health and mental hygiene authorized health office charged with reducing health inequalities across the city of New York by targeting resources, programs, and attention to high-need neighborhoods;

3. "Food stamp center" shall mean any New York city department of social services/human resources administration authorized facility located within the five boroughs of the city of New York where individuals can apply for food stamps;

4. "HRA" shall mean the human resources administration;

5. "Immunization walk-in clinic" shall mean any department of health and mental hygiene authorized walk-in clinic that provides immunizations;

6. "Job center" shall mean any New York city department of social services/human resources administration authorized facility located within the five

boroughs of the city of New York where individuals can apply for public assistance; and

7. "STD clinic" shall mean any department of health and mental hygiene authorized free and confidential clinic that tests for sexually transmitted diseases.

b. A sign, in form and manner as prescribed by the rules of the commissioners of HRA and DOHMH, respectively, shall be posted in conspicuous locations inside of and at the main entrance of every HRA food stamp center and job center, and each DOHMH district public health office, immunization walk-in clinic, and STD clinic. Such signs shall inform persons with disabilities of (i) their right to a reasonable accommodation; and (ii) information sufficient to contact the person designated to review and grant such accommodation.

§2. This local law shall take effect one hundred and twenty days after its enactment, except that the commissioners of the human resources administration and the department of health and mental hygiene, respectively, shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Drug Abuse and Disability Services.

Int. No. 23

By Council Members Rodriguez, Koo, Rosenthal and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to standards pertaining to the receipt of financial assistance for for-profit colleges and proprietary schools.

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 6-135 to read as follows:

§ 6-135 Financial Assistance to For-Profit Institutions of Higher Education

a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

1. "City" means the city of New York, and all subordinate or component entities or persons.

2. "City economic development entity" means a local development corporation, not-for-profit corporation, public benefit corporation, or other entity that provides or administers economic development benefits and with which the department of small business services serves as a liaison pursuant to paragraph b of subdivision one of section 1301 of the New York city charter.

3. "Comptroller" means the comptroller of the city of New York and his or her authorized or designated agents.

4. "Entity" or "Person" means any individual, sole proprietorship, partnership, association, joint venture, limited liability company, corporation or any other form of doing business.

5. "City financial assistance" includes any loans, grants, tax credits, tax exemptions, tax abatements, subsidies, mortgages, debt forgiveness, land conveyances for less than appraised value, land value or other thing of value allocated, conveyed or expended by the city. Notwithstanding, city financial assistance shall include any 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.

6. "Financial assistance recipient" means any entity or person that receives financial assistance, or any assignee or successor in interest of real property improved or developed with financial assistance, including any entity to which financial assistance is conveyed through the sale of a condominium.

7. "For-profit institution of higher education" means any for-profit college, university or institute or any proprietary institution of higher education as defined in 34 CFR 600.5

8. "Project agreement" means a written agreement between the city or a city economic development entity and a financial assistance recipient pertaining to a project. A project agreement may include an agreement to lease property from the city or a city economic development entity.

b. Limitation on assistance. No for-profit institution of higher education shall be eligible for any city financial assistance unless such institution is in compliance with all applicable United States department of education regulations set forth in 34 CFR 600 and 34 CFR 668.

c. Certification of eligibility required. Any for-profit institution of higher education, upon executing a project agreement that includes city financial assistance, and annually thereafter for such agreement's duration, shall certify to the comptroller and either the city or the city economic development entity from which such institution seeks city financial assistance that such institution is in compliance with United States department of education regulations set forth in 34 CFR 600 and 34 CFR 668. Further, such institution shall certify that United States secretary of education has not deemed upon final determination such institution to be in violation of any provision of 34 CFR 668 during the immediately previous three years. Such institution shall make such certifications in writing under oath, signed by an officer of the institution, declaring the truth and correctness of such statements, under penalty of perjury.

d. Inclusion in agreements. The limitation of subdivision b of this section and the certification of subdivision c of this section shall be clearly stated in each loan agreement, development agreement or lease agreement pertaining to city financial assistance to a for-profit institution of higher education.

§ 2. This local law shall take effect ninety days after enactment.

Referred to the Committee on Higher Education.

Res. No. 19

Resolution of the Council of the City of New York in support of State Senator Jeffrey Klein's "Affordable New York" plan and its provisions to require that workers be allotted six weeks of paid maternity and family leave.

By Council Members Rodriguez, Chin and Levin.

Whereas, On Friday, December 13, 2013, State Senator Jeffrey D. Klein announced "Affordable New York" (a/k/a Affordable NY), the New York State Senate Independent Democratic Conference's 2014 legislative agenda; and

Whereas, Affordable NY seeks to make New York more affordable for working families in New York City and across the State of New York by increasing access to vital services and lowering the cost of living; and

Whereas, As part of the Affordable NY legislative agenda, Senator Klein has proposed that New York workers be guaranteed six weeks of paid maternity and family leave, allowing workers to care for newborn children or sick relatives; and

Whereas, States such as New Jersey and California currently guarantee their workers similar allotments of paid family leave, while New York State offers unpaid leave and Temporary Disability Insurance, which guarantees workers only $170 per week; and

Whereas, Affordable NY calls for paid maternity and family leave benefits to be expanded to $450 per week immediately, and to increase to a maximum of $700 per week in 2015; and

Whereas, Extending paid maternity and family benefits would allow workers to care for newborn children or ailing loved ones, without the threat of losing their jobs or experiencing significant financial hardship; now, therefore, be it

Resolved, That the Council of the City of New York supports State Senator Jeffrey Klein's "Affordable New York" plan and its provisions to require that workers be allotted six weeks of paid maternity and family leave.

Referred to the Committee on Civil Service and Labor.

Int. No. 24

By Council Members Rose, Vacca, Gentile, Koo, Ulrich and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to bus and subway fare evasion reporting.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-150 of the administrative code of the city of New York is amended by adding a new paragraph 9 to read as follows:

9. A report related to theft of services on New York city transit buses and subways for the prior calendar quarter, disaggregated by bus and subway line: (i) the number of arrests by department personnel; (ii) the number of summonses issued; and (iii) the number of department personnel specifically designated to combat such theft of services. "Theft of services" shall have the same meaning as in subdivision three of section 165.15 of the penal law.

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

Referred to the Committee on Public Safety.

Int. No. 25

By Council Members Rose, Koo, Reynoso and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to exempting certain vehicles from purchasing muni-meter time.

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-167.4 to read as follows:

§19-167.4 Exemption from purchasing muni-meter time. a. For the purposes of this section, the term "muni-meter" shall mean an electronic parking meter that dispenses timed receipts that must be displayed in a conspicuous place on a vehicle's dashboard.

b. Any motorcycle or other motor vehicle registered by the department of motor vehicles with a dashboard that is not capable of being fully enclosed shall not be required to purchase time from a muni-meter or display a muni-meter receipt on

such vehicle when such vehicle is parked at a location where such purchase and display is otherwise required by posted signs.

§2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 26

By Council Members Rose, Constantinides, King, Koo and Levin.

A Local Law to amend the administrative code of the city of New York, in relation to the location of muni-meters.

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-167.4 to read as follows:

§19-167.4 Muni-meter location. Notwithstanding any other law, rule or regulation to the contrary, the department shall ensure that all muni-meters in a parking field or on a block, installed after the date upon which this local law becomes effective, shall be located no more than thirty feet away from the next adjacent muni-meter. For the purposes of this section, "muni-meter" shall have the same meaning as set forth in subdivision b of section 19-167.1.

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

Referred to the Committee on Transportation.

Int. No. 27

By Council Members Rose, Arroyo, Koo and Mendez.

A Local Law in relation to the creation of a Staten Island hospital bed task force.

Be it enacted by the Council as follows:

Section 1. Legislative findings and declaration. Staten Island's health care infrastructure has not kept pace with the expanding needs of the borough. There are nearly 500,000 residents on Staten Island, but there are only two hospitals. In addition, Staten Island remains the only borough without a Health and Hospitals Corporation (HHC) full service hospital.

The Council finds that there is a hospital crisis on Staten Island. Based on this finding, the Council determines that it is necessary to create a task force to study individual unit bed availability for hospitals on Staten Island and draft recommendations for a more effective allocation of hospital beds per unit to alleviate elements of the hospital crisis.

§2. Staten Island Hospitals Task Force. a. There shall be a task force to study individual unit bed availability in Staten Island hospitals and to make specific recommendations to the mayor and council for the effective allocation of resources related to hospital care on Staten Island.

b. Such advisory board shall consist of nine members as follows:

i. Four members shall be appointed by the mayor, provided that at least one such member shall be a medical professional and shall have experience in hospital administration.

ii. Three members shall be appointed by the speaker of the council, provided that at least one member shall be an employee of a Staten Island hospital.

iii. The commissioner of health and the director of city planning, or their designees, shall serve ex officio.

iv. The members shall be appointed within sixty days of the enactment of this local law.

v. At its first meeting, the advisory board shall select a chairperson from among its members by majority vote of the advisory board.

c. Each member shall serve for a term of twelve months, to commence after the final member of the advisory board is appointed. Any vacancies in the membership of the advisory board shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

d. The department of health and the department of city planning may provide staff to assist the task force.

e. No member of the advisory board shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

f. Members of the advisory board shall serve without compensation and shall meet no less than once a month.

g. No later than twelve months from the date all nine members of the task force are appointed, the task force shall submit to the mayor and the speaker of the council a report that shall include the findings and recommendations of the task force.

h. The task force shall dissolve upon submission of the report required by subdivision g of this section.

§3. This local law shall take effect immediately after its enactment into law.

Referred to the Committee on Health.

Res. No. 20

Resolution calling upon the United States Congress to take action to improve the disability claims process for victims of military sexual trauma.

By Council Members Rose, Arroyo, Dickens, Ferreras, Gentile, Rosenthal, Johnson and Reynoso.

Whereas, Military sexual trauma (MST), psychological trauma that is a result of a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred during active military service, is a growing problem within the United States military, with as many as 26,000 cases reported in fiscal year 2012, according to the United States Department of Defense; and

Whereas, An estimated 86 percent of cases of MST go unreported, leaving victims with little or no viable options for treatment and compensation; and

Whereas, The United States Department of Veterans Affairs (VA) provides disability benefits to honorably and generally discharged veterans with injuries or diseases that were incurred or aggravated during active duty or training for active or inactive duty; and

Whereas, Veterans filing VA disability claims for MST must submit proof that they were assaulted or sexually harassed in a threatening manner in order to qualify for benefits; and

Whereas, The majority of MST victims are unable to meet the burden of proof required by the VA, as their cases often go unreported; and

Whereas, Failing to meet the VA's burden of proof, victims of MST are often unable to receive treatment for the host of mental and physical problems MST can cause;

Whereas, The United States Congress should require the VA to ease the burden of proof for disability benefits, allowing more victims of MST to access the benefits and services they earned through their military service; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to take action to improve the disability claims process for victims of military sexual trauma.

Referred to the Committee on Veterans.

Res. No. 21

Resolution in support of the CAMPUS Safety Act of 2013 (H.R.359/S.433), which would establish and operate a National Center for Campus Public Safety.

By Council Member Rose.

Whereas, Violent acts on college campuses across the country have increased in recent years, raising more concern about student safety; and

Whereas, There is a growing number of reported high profile cases that include shootings and sexual assaults on college campuses, as well as hazing incidents that have resulted in serious injury or death; and

Whereas, According to a 2007 report by the Federal Bureau of Investigation (FBI), crime in schools and colleges is one of the most troublesome social problems in the nation today; and

Whereas, According to a 2003 report by the Bureau of Justice Statistics, an average of 526,000 college students in the United States (U.S.) aged 18-24, experienced violent crimes such as rape, robbery, aggravated assault, and simple assault each year; and

Whereas, Students who have been victimized may experience psychological effects that prevent them from performing at the same academic levels prior to an incident, which may also result in dropping out of school; and

Whereas, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") is a federal mandate requiring all institutions of higher education that participate in the federal student financial aid program to disclose information regarding crime on their campuses and surrounding communities; and

Whereas, However, each college has its own set of guidelines and student advocacy organizations are concerned that such guidelines may not be adequately enforced and, further, may not meet federal standards; and

Whereas, To strengthen safety and security measures at postsecondary institutions, H.R.359, sponsored by Congressman Robert Scott and S.433, sponsored by Senator Mark Warner, also known as the Center to Advance, Monitor, and Preserve University Security Safety Act ("CAMPUS Safety Act") of 2013 would establish a National Center for Campus Public Safety (the "Center") to train public safety personnel at institutions of higher learning, foster research to improve campus safety and security, disseminate information, and identify best practices, including behavioral threat assessments, emergency responses and evacuation procedures; and

Whereas, The Center would be authorized to issue grants to institutions of higher education and nonprofit organizations to strengthen training and research initiatives; and

Whereas, Furthermore, the bill would help to strengthen collaboration between institutions of higher learning, law enforcement, mental health service providers and government agencies; and

Whereas, In addition to the campus safety provisions, the bill would also reauthorize the Secure Our Schools grant program to help provide for security-related capital improvements at K-12 schools, such as classroom locks, lighting, fencing, reinforced doors and other deterrent measures; and

Whereas, On March 12, 2013, the U.S. Senate Judiciary Committee passed this legislation, however no action has been taken by the U.S. House Judiciary Committee; and

Whereas, On March 26, 2013, H.R. 933, the Consolidated and Further Continuing Appropriations Act of 2013, was signed by President Barack Obama and enacted; and

Whereas, A provision within this legislation allowed for the allocation of $2.75 million to the Department of Justice to establish and operate a National Center for Campus Safety; and

Whereas, Nonetheless, passage of the CAMPUS Safety Act is still needed to permanently authorize the establishment of the Center and to secure future funding; and

Whereas, Students should be able to pursue a college education without the fear of being subjected to an unsafe learning environment; and

Whereas, Passage of the CAMPUS Safety Act of 2013 would help to better address various situations on campuses that threaten student safety by identifying effective practices, streamlining information and implementing appropriate training; now, therefore, be it

Resolved, That the Council of the City of New York supports the CAMPUS Safety Act of 2013 (H.R.359/S.433), which would establish and operate a National Center for Campus Public Safety.

Referred to the Committee on Higher Education.

Res. No. 22

Resolution calling upon the Metropolitan Transportation Authority to allow seniors and disabled persons to receive fare discounts on express buses during rush hours, between the hours of 6 am to 10 am and between 3 pm and 7 pm on Monday through Friday.

By Council Members Rose, Dickens, Gentile, Richards, Johnson and Ulrich.

Whereas, Currently eligible seniors, those 65 and older, and disabled persons can ride the local bus and subway for the half-price fare any time of the day; and

Whereas, However, seniors and people with disabilities are not eligible for the half-price fare on express bus service during rush hours; and

Whereas, With recent changes to cut door-to-door service and to increase Access-A-Ride's feeder service to and from fixed routes, it is crucial that seniors and people with disabilities have access to alternative forms of transportation; and

Whereas, Many seniors and people with disabilities live on a fixed income; and

Whereas, MTA fares have increased three times since 2009 and biannual fare increases are scheduled to continue; and

Whereas, The lack of rush hour discounted fares discourages some seniors and people with disabilities from being more active; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to allow seniors and disabled persons to receive fare discounts on express buses during rush hours, between the hours of 6 am to 10 am and between 3 pm and 7 pm on Monday through Friday.

Referred to the Committee on Transportation.

Res. No. 23

Resolution calling upon the New York City Department of Education to institute a moratorium on school closings and forced "co-locations" in existing schools for a period of at least one year, effective July 1, 2014, in order to study the impact of these policies on all New York City communities, and in particular whether such policies are having a disparate impact on low-income communities, communities of color, disabled students and homeless students.

By Council Members Rose, Constantinides, Dickens, Gentile, Johnson and Reynoso.

Whereas, From 2002 to 2013, the Bloomberg Administration opened 654 new public schools, including 166 charter schools; and

Whereas, To accommodate these new schools, the Department of Education (DOE) closed more than 160 schools and co-located hundreds of others inside existing school buildings; and

Whereas, The DOE's decisions to close or co-locate schools frequently involve the loss of critical space and programs, which can have serious impacts on students' education; and

Whereas, When two or more schools are co-located inside an existing school building, issues regarding space utilization can be extremely disruptive; and

Whereas, Co-located schools must share common spaces, such as the auditorium, gymnasium, cafeteria and libraries, which may reduce or restrict access by some students; and

Whereas, Other school space that may be affected by co-locations includes cluster rooms, labs, offices, storage rooms and specialized spaces for special education; and

Whereas, To accommodate a new incoming school, the host school may have to give up some classroom space which may result in increased class sizes in some cases; and

Whereas, Whenever the DOE proposes a school closure or co-location or other significant change in school utilization, the Department is required by the State Education Law to prepare an Educational Impact Statement (EIS), the official document assessing the impact that a proposed change will have on school services; and

Whereas, According to a July 2010 report by the New York City Public Advocate, the EIS does not provide adequate information for members of the school community to understand and comment about how students will be affected by these decisions; and

Whereas, Further, the Public Advocate's report found that parents surveyed in affected schools did not know how the programs in their school would be impacted by a co-location; and

Whereas, School closures can have a negative impact on the education of students attending schools targeted for closure as well as surrounding schools; and

Whereas, Many of the students most at-risk, including special education students and English Language Learners, are displaced by many of these school closures and may eventually drop out as a result; and

Whereas, A 2009 report by the Center for New York City Affairs found that as the lowest achieving large schools were closed, thousands of students, particularly new immigrants and children receiving special education services, were diverted to the remaining large schools which were ill equipped to serve such a large influx of students with challenging needs and became failing schools that were subsequently closed; and

Whereas, Additionally, a January 2010 analysis by the Independent Budget Office (IBO) found that closing high schools usually had greater concentrations of high needs students, students from low-income households and students living in temporary housing compared to non-closing schools; and

Whereas, Thus, based on the IBO analysis, school closures could indeed have a disparate impact on low-income communities and high needs students; and

Whereas, Given that closures and co-locations can disrupt students' education and decrease their access to school facilities such as classrooms, gymnasiums, libraries and cafeterias, the process should not be taken lightly; and

Whereas, Before these policies continue, the DOE should be required to provide a detailed assessment of the full and long term impact of school closings and co-locations on all communities; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to institute a moratorium on school closings and forced "co-locations" in existing schools for a period of at least one year, effective July 1, 2014, in order to study the impact of these policies on all New York City communities, and in particular whether such policies are having a disparate impact on low-income communities, communities of color, disabled students and homeless students.

Referred to the Committee on Education.

Res. No. 24

Resolution calling on the New York State Legislature to pass and the Governor to sign A.4314-B/S.3337-B, also known as "the Domestic Violence Survivors Justice Act", which seeks to expand upon the existing provisions of alternative sentencing for domestic violence cases.

By Council Members Rose, Rosenthal and Johnson.

Whereas, According to the National Institute of Justice and the Centers for Disease Control and Prevention, one in every four women will experience domestic violence in her lifetime; and

Whereas, Studies have shown how closely domestic violence and women's incarceration are linked with one another; and

Whereas, According to the Correctional Association of New York, nine out of ten women in New York's prisons report being survivors of abuse and 93% of women incarcerated in New York for killing an intimate partner were abused by an intimate partner in the past; and

Whereas, Currently, under New York State law, judges do not have discretion to fully consider circumstances related to domestic violence when sentencing survivors of domestic violence for crimes they commit as a result of their abuse; and

Whereas, A.4314-B, currently pending in the New York State Assembly and companion bill S.3337-B, currently pending in the New York State Senate, also known as "the Domestic Violence Survivors Justice Act", seek to expand upon the existing provisions of alternative sentencing for domestic violence cases by allowing judges to sentence domestic violence survivors convicted of crimes directly related to the abuse they suffered to shorter prison terms or community-based alternative-to-incarceration programs; and

Whereas, Additionally, the Domestic Violence Survivors Justice Act would allow currently incarcerated survivors to apply to the courts to be resentenced to a shorter term; and

Whereas, Furthermore, the Domestic Violence Survivors Justice Act would help New York decrease the likelihood of domestic violence survivors being victimized by the very system that should help protect them; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass and the Governor to sign A.4314-B/S.3337-B, also known as "the Domestic Violence Survivors Justice Act", which seeks to expand upon the existing provisions of alternative sentencing for domestic violence cases.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 25

Resolution calling on the Administration for Children's Services Division of Youth and Family Justice to require all juveniles detained in New York City facilities during the summer months to attend school.

By Council Members Rose, Gentile, Levin, Levine, Richards and Johnson.

Whereas, The Administration for Children's Services Division of Youth and Family Justice ("DYFJ") is charged with coordinating the detention of the City's court involved youth; and

Whereas, During the City's 2013 fiscal year there were a total of 3,419 youth placed in detention with an average length of stay of 29 days; and

Whereas, As part of the services provided by DYFJ, youth in detention receive education services administered by the Department of Education ("DOE") in coordination with DYFJ through its Passages Academy; and

Whereas, Passages Academy is a full-time educational program that tailors its curriculum to the needs of youth in detention and is open during the regular DOE school year as well as for summer school; and

Whereas, According to assessments conducted by DOE, ninety-four percent of residents in juvenile detention read below grade level and forty percent read below a fourth grade level; and

Whereas, Studies conducted by The National Evaluation and Technical Assistance Center indicate that youth with learning difficulties have a higher propensity for gang membership; and

Whereas, These studies also show that academic outcomes achieved during incarceration, including reading improvement, reduce recidivism; and

Whereas, Juveniles in detention during the summer should have mandatory education services provided to them, no matter their standing, in order to increase their level of education and make their time in detention more productive; and

Whereas, Mandatory classes during the summer months will assist detained youth by ensuring additional education services; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Administration for Children's Services Division of Youth and Family Justice to require all juveniles detained in New York City facilities during the summer months to attend school.

Referred to the Committee on Juvenile Justice.

Int. No. 28

By Council Members Vacca, Chin, Cumbo, Dromm, Koo and Levin and the Public Advocate (Ms. James).

A Local Law to amend the New York city charter, in relation to requiring that all community board full board meetings be webcast.

Be it enacted by the Council as follows:

Section 1. Subdivision h of section 2800 of the New York city charter is amended to read as follows:

h. Except during the months of July and August, each community board shall meet at least once each month within the community district and conduct at least one public hearing each month. Notwithstanding the foregoing, a community board shall be required to meet for purposes of reviewing the scope or design of a capital project located within such community board's district when such scope or design is presented to the community board. Such review shall be completed within thirty days after receipt of such scope or design. Each board shall give adequate public notice of its meetings and hearings and shall make such meetings and hearings available for broadcasting and cablecasting. *Each board shall record its public meetings and hearings in digital video format. Such meetings and hearings shall be webcast live, where practicable, and the recordings of such meetings and hearings shall be archived and made available to the public on the community board or city's website not more than seventy-two hours after adjournment of the meeting or hearing recorded. These recording, webcasting, and online posting requirements shall not apply to executive sessions of community boards, entered into pursuant to section 105 of the New York state public officers law, or to committee meetings, held pursuant to subdivision i of this section.* At each public meeting, the board shall set aside time to hear from the public. The borough president shall provide each board with a meeting place if requested by the board.

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

Referred to the Committee on Technology.

Int. No. 29

By Council Members Vacca, Cohen, Koo, Lancman, Levin, Richards, Johnson, Reynoso and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to make crime statistics at each housing development operated by the New York City Housing Authority available through its web site, as well as to make other crime information at such housing developments available to the Council.

Be it enacted by the Council as follows:

Section 1. Paragraph four of subdivision a of section 14-150 of the administrative code of the city of New York is amended to read as follows:

4. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct *as well as a subset of complaints for each housing development operated by the new york city housing authority*; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control board notice of violation, or criminal court summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. Such report shall also include the total number of major felony crime complaints for the twenty largest parks, as determined by acreage, under the jurisdiction of the department of parks and recreation. In addition, the department shall submit to the council, subject to the availability of resources and the introduction of the necessary technology, the total number of major felony crime complaints, pursuant to the following timetable, for parks under the jurisdiction of the department of parks and recreation:

1. By one year after enactment of this law, the one hundred largest parks, as determined by acreage;

2. By two years after enactment of this law, the two hundred largest parks, as determined by acreage; and

3. By three years after enactment of this law, all parks one acre or greater in size.

§2. Chapter one of title 14 of the administrative code of the city of New York is amended to add a new section 14-155, to read as follows:

§14-155. Crime Data by Housing Development To Be Placed on the World Wide Web. The department shall make available to the public, through its web site, crime data for each housing development operated by the new york city housing authority. Crime data, as used in this section, refers to the crime data that the police department places on its web site for each precinct and patrol borough.

§3. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Public Safety.

Int. No. 30

By Council Members Van Bramer, King, Koo, Levin and Reynoso.

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 shall take effect immediately.

Referred to the Committee on Youth Services.

Int. No. 31

By Council Members Van Bramer, Cabrera, Koo, Levin and Richards.

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 19-187 to read as follows:

§19-187 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 local law shall take effect immediately upon enactment.

Referred to the Committee on Transportation.

Int. No. 32

By Council Members Van Bramer and Koo.

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 14-155, to read as follows:

§ 14-155. 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 shall take effect 120 days after its enactment into law.

Referred to the Committee on Public Safety.

Int. No. 33

By Council Members Weprin, Koo, Levin, Richards, Vallone, Ulrich and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to allowing residential cooperatives to consolidate required energy efficiency reports.

Be it enacted by the Council as follows:

Section 1. Section 28-308.1 of the administrative code of the city of New York as added by Local Law number 87 for the year 2009, is amended by adding the following definition in appropriate alphabetical order to read as follows:

COOPERATIVE CORPORATION. A corporation governed by the requirements of the state cooperative corporation law or general business law that, among other things, grants persons the right to reside in a cooperative apartment, that right existing by such person's ownership of certificates of stock, proprietary lease, or other evidence of ownership of an interest in such entity.

§ 2. Section 28-308.4.1 of the administrative code of the city of New York is amended to read as follows:

§ 28-308.4.1 Due dates. The first energy efficiency reports for covered buildings in existence on the effective date of this article and for new buildings shall be due, beginning with calendar year 2013, in the calendar year with a final digit that is the same as the last digit of the building's tax block number, as illustrated in the following chart:

Last digit of 0 1 2 3 4 5 6 7 8 9
tax block
number

Year first
EER is due 2020 2021 2022 2013 2014 2015 2016 2017 2018 2019

Owners of covered buildings (i) that are less than 10 years old at the commencement of their first assigned calendar year or (ii) that have undergone substantial rehabilitation, as certified by a registered design professional, within the 10 year period prior to any calendar year in which an energy efficiency report is due, such that at the commencement of such calendar year all of the base building systems of such building are in compliance with the New York city energy conservation code as in effect for new buildings constructed on and after July 1, 2010, or as in effect on the date of such substantial rehabilitation, whichever is later, may defer submitting an energy efficiency report for such building until the tenth calendar year after such assigned calendar year.

[Exception] *Exceptions*:

1. The first due dates for city buildings shall be in accordance with a staggered schedule, commencing with calendar year 2013 and ending with calendar year 2022 for buildings in existence on the effective date of this article, to be submitted by the department of citywide administrative services to the department on or prior to December 31, 2011. A city building constructed after the effective date of this article shall be added to such schedule within 10 years after the issuance of the first certificate of occupancy for such building. Copies of energy efficiency reports submitted to the department with respect to city buildings that are not submitted by the department of citywide administrative services shall also be submitted to the department of citywide administrative services.

2. A cooperative corporation that owns multiple covered buildings located on different tax block numbers, that is required to file an energy efficiency report for

more than one covered building in different calendar years, may consolidate all such energy efficiency reports into one report, due no later than the year in which the last energy efficiency report would be due, which shall be accepted by the department in satisfaction of the requirements of this section for each covered building included in such consolidated report.

§ 3. This local law shall take effect one hundred eighty days after its enactment into law, except that the department of buildings shall take all measures for its implementation including the promulgation of rules prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 34

By Council Members Williams and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to fluoridation of the municipal water supply.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-198 to read as follows:

§ 17-198 Fluoridation of municipal water supply. a. Definitions. For purposes of this section the following terms shall have the following meanings:

1. "Fluoridation" shall mean treatment of water by the adjustment of fluoride ion concentrations to provide the optimum fluoride concentration in water.

2. "Parts per million (ppm)" shall mean a unit of concentration expressed in parts per million (ppm) and is equivalent to milligrams per liter.

3. "Municipal water supply" shall mean all pipes, mains and structures owned and/or maintained by the city, for the conveyance of drinking water to the public for human consumption or any connection to the municipal water supply system.

b. The municipal water supply shall be fluoridated in the following manner: a fluoride compound shall be added to the municipal water supply at an optimum concentration of about 0.7 ppm of the fluoride ion, provided, however, the concentration of such ion shall not exceed 1.0 ppm at any time.

§ 2. This local law shall take effect 180 days after enactment, except that the commissioner of health shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Health.

Int. No. 35

By Council Members Williams and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to posting certain information in multiple dwellings containing rent-regulated units.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2098 of the administrative code of the city of New York is amended by adding a new paragraph 7 to read as follows:

(7) If the dwelling is a multiple dwelling, a statement of whether or not the multiple dwelling contains any dwelling unit subject to rent control pursuant to chapter three of title twenty-six of this code or rent stabilization pursuant to chapter four of title twenty-six of this code and the number of such dwelling units as applicable.

§ 2. Section 27-2104 of the administrative code of the city of New York is amended to read as follows:

§ 27-2104. Posting of serial number.

a. An identification sign containing the dwelling serial number assigned by the department for the purpose of identifying the registered multiple dwelling and the owner, managing agent, and agent designated by the owner for the collection of rental payments if different from the managing agent, shall be posted in every multiple dwelling in the manner and location prescribed by the department.

b. In any multiple dwelling that contains one or more dwelling units subject to rent control pursuant to chapter three of title twenty-six of this code or rent stabilization pursuant to chapter four of title twenty-six of this code, a sign shall be posted in the manner and location prescribed by the department and shall read as follows: "This building contains one or more units that are subject to rent regulation."

§ 3. This local law shall take effect 120 days after its enactment, provided, however, that the commissioner of housing preservation and development shall 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. 36

By Council Members Williams, Van Bramer, Cabrera, Cohen, Koo, Lancman, Levin, Rosenthal, Levine, Weprin, Ferreras and Koslowitz and the Public Advocate (Ms. James).

A Local Law in relation to requiring the placement of an informational sign near the intersection of Wall and Water Streets in Manhattan to mark the site of New York's first slave market.

Be it enacted by the Council as follows:

Section 1. The department of transportation shall construct and maintain a sign bearing the following inscription: "In 1711 New York's first slave market was established at the intersection of Water and Wall Streets. Also known as the 'Meal Market,' grain and other goods were bought and sold there. The market was created by the New York Common Council in order to regulate the commerce of slavery, which up to that time had been a somewhat informal system. Captive African slaves would arrive on slave ships along the East River and be brought to market on this site. Some ships came directly from Africa, but most came from the West Indies, leaving from ports in Cuba, Haiti, Jamaica and elsewhere. Native Americans were also sold as slaves here. New York's early economy was fueled by slavery. Slaves were used to clear the land to create Broadway and to build the first City Hall, Fraunces Tavern, and the wall for which Wall Street is named." Said sign shall be erected near the intersection of Wall Street and Water Street in Manhattan within ninety days of the effective date of this local law.

§2. This local law shall take effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 37

By Council Members Williams, King, Koo and Levin.

A Local Law to amend the administrative code of the city of New York, in relation to the hours of operation of certain parks.

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 18-142 to read as follows:

§18-142 Hours of operation of parks. Notwithstanding the provisions of any other law or rule to the contrary, persons may at all times enter and use any park within the jurisdiction of the commissioner that is located within a zoning district classified as a commercial or manufacturing district pursuant to the New York city zoning resolution or is bordered solely by such zoning districts.

§2. This local law shall take effect thirty days after its enactment, except that the commissioner of parks and recreation shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Parks and Recreation.

Int. No. 38

By Council Members Williams, Koo and Levin.

A Local Law to amend the administrative code of the city of New York, in relation to the suspension of parking regulations during and after snowfalls.

Be it enacted by the Council as follows:

Section 1. Section 19-163.1 of the administrative code of the city of New York is amended to read as follows:

§19-163.1 Suspension of parking, *parking meter and muni-meter* rules during *and after* snowfalls. All alternate side of the street parking rules shall be suspended during any snowfall that causes the department of sanitation to suspend its street sweeping operations, provided that the department may reinstate alternate side of the street parking rules after twenty-four hours if it determines, after consulting with the department of sanitation, that alternate side of the street parking is necessary to immediately commence curbside snow removal. *Parking meter and muni-meter rules and all other parking regulations, except those regulations that would not permit parking or standing at any time, except for emergency vehicles at such location, shall be suspended for forty-eight hours following the falling of six inches of snow in any part of the city of New York based on the department of sanitation's measurements, provided that at the conclusion of such forty-eight hour period, the department may continue to suspend any and all such parking rules if, in the discretion of the commissioner, such suspension remains necessary in order to facilitate the plowing or removal of snow. Such forty-eight period shall conclude at the end of the calendar day of the expiration of such forty-eight hours.*

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

Referred to the Committee on Transportation.

Int. No. 39

By Council Members Williams, Koo, Lancman and Levin.

A Local Law to amend the New York city charter, in relation to diversifying the membership of the conflicts of interest board.

Be it enacted by the Council as follows:

Section 1. Section 2602 of chapter sixty-eight of the New York city charter is amended to read as follows:

§ 2602. Conflicts of interest board. a. There shall be a conflicts of interest board consisting of five members, *three members* appointed by the mayor with the advice and consent of the council, *one member appointed by the comptroller with the advice and consent of the council, and one member appointed by the public advocate with the advice and consent of the council*. The [mayor] *members* shall designate a chair.

b. Members shall be chosen for their independence, integrity, civic commitment and high ethical standards. No person while a member shall hold any public office, seek election to any public office, be a public employee in any jurisdiction, hold any political party office, or appear as a lobbyist before the city.

c. Each member shall serve for a term of six years; provided, however, that of the three members [first] appointed *by the mayor*, one shall be appointed for a term [to expire on March thirty-first, nineteen hundred ninety] *of two years*, one shall be appointed for a term [to expire on March thirty-first, nineteen hundred ninety-two] *of four years* and one shall be appointed for a term [to expire on March thirty-first, nineteen hundred ninety-four] *of six years*, and of the remaining members, one shall be appointed *by the comptroller* for a term [to expire on March thirty first, nineteen hundred ninety two] *of six years* and one shall be appointed *by the public advocate* for a term [to expire on March thirty first, nineteen hundred ninety four] *of six years*. If the [mayor] *appointing authority* has not submitted to the council a nomination for appointment of a successor at least sixty days prior to the expiration of the term of the member whose term is expiring, the term of the member in office shall be extended for an additional year and the term of the successor to such member shall be shortened by an equal amount of time. If the council fails to act within forty-five days of receipt of such nomination from the [mayor] *appointing authority*, the nomination shall be deemed to be confirmed. No member shall serve for more than two consecutive six-year terms. [The three initial nominations by the mayor shall be made by the first day of February, nineteen hundred eighty-nine, and both later nominations by the mayor shall be made by the first day of March, nineteen hundred ninety.] *No later than ninety days after the effective date of the local law amending this subdivision, the mayor, comptroller and public advocate shall each nominate new members to serve terms as provided herein. Such terms shall commence upon the confirmation and appointment of the last member. Upon such confirmation and appointment of the last member, the members of the board appointed prior to the effective date of the local law amending this subdivision shall cease to be members of the board.*

d. Members shall receive a per diem compensation, no less than the highest amount paid to an official appointed to a board or commission with the advice and consent of the council and compensated on a per diem basis, for each calendar day when performing the work of the board.

e. Members of the board shall serve until their successors have been confirmed. Any vacancy occurring other than by expiration of a term shall be filled by nomination by the [mayor] *appointing authority who appointed the vacating member of the board* made to the council within sixty days of the creation of the vacancy, for the unexpired portion of the term of the member succeeded. If the council fails to act within forty-five days of receipt of such nomination from the [mayor] *appointing authority*, the nomination shall be deemed to be confirmed.

f. Members may be removed by the [mayor] *appointing authority* for substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of office or violation of this section, after written notice and opportunity for a reply.

g. The board shall appoint a counsel to serve at its pleasure and shall employ or retain such other officers, employees and consultants as are necessary to exercise its powers and fulfill its obligations. The authority of the counsel shall be defined in writing, provided that neither the counsel, nor any other officer, employee or consultant of the board shall be authorized to issue advisory opinions, promulgate rules, issue subpoenas, issue final determinations of violations of this chapter, or make final recommendations of or impose penalties. The board may delegate its authority to issue advisory opinions to the chair.

h. The board shall meet at least once a month and at such other times as the chair may deem necessary. Two members of the board shall constitute a quorum and all acts of the board shall be by the affirmative vote of at least two members of the board.

§ 2. This local law shall become effective ninety 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. 40

By Council Members Williams and Koo.

A Local Law to amend the New York city charter, in relation to the expansion of the Franchise and Concession Review Committee.

Be it enacted by the Council as follows:

Section 1. Section 373 of the New York city charter is amended to read as follows:

§ 373. Franchise and concession review committee. a. A franchise and concession review committee is hereby established. The committee shall consist of the following officials or their designees: the mayor, who shall serve as chair; the director of the office of management and budget; the corporation counsel; the comptroller; *the public advocate;* and one additional appointee of the mayor. Whenever the committee reviews a proposed franchise or concession or the procedures for granting a particular concession, the borough president of the borough in which such franchise or concession is located or his or her designee shall also serve as a member of the committee. If such a franchise, concession or procedure relates to more than one borough, the borough presidents of such boroughs shall designate one of such borough presidents or another individual to serve as a member of the committee for the purpose of considering such matter.

b. The mayor shall designate a public officer or employee to act as the clerk of the committee who shall be responsible for maintaining the records and minutes of the committee and performing such other duties as may be required.

c. The committee shall act by the affirmative vote of at least [four] *five* members except that the affirmative vote of at least [five] *six* members shall be required to approve a franchise agreement.

d. The committee shall:

(1) adopt rules establishing procedures for granting concessions through public bidding or by other means designed to ensure a competitive and fair process;

(2) review and approve the granting of concessions that are proposed to be granted pursuant to procedures that differ from the procedures established by the rules of the committee; provided, however, that the committee need not review awards of concessions that are not subject to renewal and have a term of less than thirty days;

(3) determine whether each franchise agreement proposed by a city agency is consistent with the request for proposal or other solicitation pursuant to which such agreement was negotiated and require appropriate modifications to any such agreements to correct any significant inconsistencies; and

(4) review and approve the selection of franchisees pursuant to subdivision f of section three hundred sixty-three.

§2. This local law shall take effect immediately after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

Referred to the Committee on Governmental Operations.

Res. No. 26

Resolution calling upon the New York City Department of Education to maintain a minimum level of arts funding in New York City public schools.

By Council Members Williams, Cumbo, Arroyo, Gentile, King, Levin, Levine and Johnson.

Whereas, As a result of the fiscal crisis of the 1970s, the New York City public school system experienced a significant reduction in funding for arts education; and

Whereas, In 1997, former Mayor Rudolph Giuliani created Project ARTS (Arts Restoration to the Schools), which was designed to restore arts education to City schools over a three year period; and

Whereas, Project ARTS funding was intended to support direct instructional services, professional development for educators, curriculum development, equipment, art materials and supplies, as well as arts and cultural services; and

Whereas, Project ARTS was initially allocated $25 million a year, has reached upwards of $75 million a year, and in recent years, has received yearly allocations totaling $67.5 million; and

Whereas, According to The Center for Arts Education, Project ARTS has been the "catalyst for the growth and expansion of arts education over the past ten years"; and

Whereas, The importance of arts education and its positive impact on a student's education has been widely researched; and

Whereas, A report by the Arts Education Partnership (AEP) shows a correlation between instruction in the arts and greater student achievement and social development; and

Whereas, In addition, the AEP report found that economically disadvantaged students and students in need of remedial instruction experience the most gains in learning from arts education; and

Whereas, In January 2007, Mayor Michael Bloomberg outlined his most recent Children First School Reforms in his State of the City address; and

Whereas, These reforms include four initiatives, one of which is the Public

School Empowerment Initiative, which gives principals greater discretion in running their schools, including hiring personnel and managing the budget; and

Whereas, Some arts advocates have expressed concern regarding the continuation of arts programming in public schools since the Department of Education (DOE) has indicated that funds previously earmarked for Project ARTS would now be made available for principals to spend at their discretion; and

Whereas, Arts advocates fear that principals may be inclined to spend funds on more academic programs, rather than arts programs, in order to raise test scores to meet accountability standards that were put forth in the most recent reform; and

Whereas, For example back in 2001 when former Chancellor Harold Levy allowed for the redirection of Project ARTS funds to cover expenses unrelated to arts education, arts education spending was reduced by fifty percent; and

Whereas, Recognizing the importance of arts education, it is imperative that the DOE take action to ensure that arts education programs continue to be made available to all students; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to maintain a minimum level of arts funding in New York City public schools.

Referred to the Committee on Education.

Res. No. 27

Resolution to designate the month of February as "New York Regiment United States Colored Troops Month".

By Council Members Williams and Levin.

Whereas, The United States Colored Troops ("USCT") were regiments of the United States Army during the American Civil War that were composed of African-American ("colored") soldiers; and

Whereas, According to the National Park Service, approximately 200,000 free African-Americans enlisted in the USCT, which comprised 175 regiments from various states across the country, including New York, where 4,125 men served in the 20th, 26th and 31st regiments; and

Whereas, On July 17, 1862, President Abraham Lincoln authorized the use of African-Americans in federal service by issuing the Second Confiscation and Militia Act; and

Whereas, Black men, however, could not serve in combat until after the Emancipation Proclamation was issued on January 1, 1863; and

Whereas, On December 3, 1863, the United States Department of War authorized the Union League Club of New York to establish three colored troop units to fight in the American Civil War, which were the 20th, 26th and 31st Regiments; and

Whereas, The 20th Regiment and 26th Regiment were organized on Rikers Island, New York Harbor, on February 9 and February 27, 1864, respectively, and the 31st Regiment was organized on Hart Island on April 29, 1864; and

Whereas, This year marks the 150th anniversary of the New York Regiment United States Colored Troops; now, therefore, be it

Resolved, That the Council of the City of New York designates the month of February as "New York Regiment United States Colored Troops Month".

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 28

Resolution recognizing the contributions of Caribbean Americans and people of Caribbean descent to the City of New York and designating the month of June as "Caribbean Heritage Month."

By Council Members Williams, Dromm, Ferreras, Levin and Mendez.

Whereas, People of Caribbean ancestry have a long and distinguished history in New York City; and

Whereas, New York City's Caribbean American population represents a wide array of countries, ranging from the Dominican Republic and Puerto Rico, to the many islands of the West Indies; and

Whereas, In New York City, there are at least 2.7 million individuals who are of West Indian descent, not including Hispanic origin groups, 761,720 who are of Puerto Rican descent, 622,374 who are of Dominican descent and 38,331 who are of Cuban descent, according to the 2011 American Community Survey; and

Whereas, Caribbeans are among New York City's oldest and most established ethnic groups, having lived in New York City since the City's founding in the 17th century; and

Whereas, This remarkably diverse population has brought an extraordinary variety of cultural influences into the City; and

Whereas, Caribbean Americans in New York City have risen to distinction in countless fields ranging from government to the arts, and include such influential and accomplished New Yorkers such as Alexander Hamilton, the first Secretary of the Treasury, Shirley Chisholm, the first African American elected to the United States Congress, civil rights leader Marcus Garvey, historian and writer Arthur Schomburg, former Secretary of State Colin Powell, actor and musician Harry Belafonte, and legendary actor Sidney Poitier; and

Whereas, In June 2005, the House of Representatives unanimously adopted H. Con. Res. 71, recognizing the significance of Caribbean people and their descendants in the history and culture of the United States and on February 14, 2006, the resolution similarly passed the Senate; and

Whereas, Since it's adoption, the White House has issued an annual proclamation recognizing June as Caribbean-American Heritage Month; and

Whereas, The extraordinary music, dance, poetry, theatre and cuisine of the Caribbean region have greatly enriched the cultural life of New York City; and

Whereas, Caribbean Americans have earned the recognition of New York City's government for the important roles that they and their ancestors have played in the development of the City; now, therefore, be it

Resolved, That the Council of the City of New York recognizes the contributions of Caribbean Americans and people of Caribbean descent to the City of New York and designates the month of June as "Caribbean Heritage Month."

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 29

Resolution calling upon the New York State Legislature to amend the New York Dream Act (S.2378/A.2597) to provide benefits to any children of a professional immigrant recruited to serve the United States through public service at the local, state, or federal level, regardless of their age at the time of arrival or at the time of application for benefits.

By Council Members Williams, Arroyo, Levin, Levine, Reynoso and Mendez.

Whereas, Immigrants come to the United States for a variety of reasons, whether for study, to be reunited with family, or for professional opportunities; and

Whereas, Approximately ten years ago, the United States started recruiting international professionals to fill shortages in various industries; and

Whereas, Thousands of these international professionals were recruited to work in New York City as teachers, professors, and healthcare workers; and

Whereas, International professionals were made various promises, including, but not limited to, a promise that they would have the ability to sponsor their children for U.S. citizenship in order to provide them with a pathway to permanent residency in the United States; and

Whereas, Many of the children of these international professionals, who were born abroad and brought to the United States by their parents at a young age, identify solely with American culture and society; and

Whereas, Once these children turn 21, the types of immigration relief available to them are limited; and

Whereas, The process for many international professionals to legalize their status has taken longer than anticipated, causing these children to age out of eligibility for permanent residency before their parents were in a position to sponsor them; and

Whereas, For these children, lack of legal immigration status makes them ineligible for financial assistance when pursuing a higher education; and

Whereas, Children of international professionals would greatly benefit from the current New York Dream Act legislation; although it will not provide them with a pathway to citizenship, it will alleviate some of the hardships, such as the high cost of tuition, that they face when entering college as undocumented immigrants; and

Whereas, Under the current New York Dream Act legislation, in order to receive such benefits, an individual would have to meet a series of qualifications, including but not limited to, having entered the United States before turning 18, being under 35 years of age when applying for benefits, and having attended a New York high school for two or more years; and

Whereas, The New York State Legislature should amend the New York Dream Act legislation, to permit the children of international professionals to be eligible for tuition relief regardless of their age either at the time of entry into the United States, or at the time of application for benefits, or the duration of their attendance in a local high school; and

Whereas, This is important because the current set of qualifications would exclude many of the children of international professionals from benefitting from the New York Dream Act, hindering their access to higher education; and

Whereas, For example, some of these children accompanied their parents to the United States towards the end of their high school educations and only needed one additional year in school in order to receive their high school diplomas; and

Whereas, The current two-year high school attendance requirement does not consider the special circumstances faced by this population and will limit the opportunities of this population to advance economically and socially; and

Whereas, If amended, the benefits provided by the New York Dream Act would improve the quality of life for many of these children of international professionals who might not otherwise qualify; and

Whereas, Creating access to higher education for these children of international professionals is imperative in the absence of comprehensive immigration reform; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend the New York Dream Act (S.2378/A.2597) to provide benefits to any children of a professional immigrant recruited to serve the United States through public service at the local, state, or federal level, regardless of their age at the time of arrival or at the time of application for benefits.

Referred to the Committee on Immigration.

Res. No. 30

Resolution calling on the New York State Division of Housing and Community Renewal and the New York City Rent Guidelines Board to work together to provide notice by mail of the dates, times and locations of all public meetings of the Rent Guidelines Board to all tenants of rent-stabilized housing in New York City.

By Council Members Williams, Levin, Levine, Richards, Johnson, Reynoso and Mendez.

Whereas, According to the 2011 New York City Housing and Vacancy Survey, approximately 45.4 percent of New York City's total rental stock is rent-stabilized; and

Whereas, Under § 26-510(b) of the Administrative Code of the City of New York (Administrative Code), the Rent Guidelines Board (RGB) is charged with determining the maximum level of annual rent adjustments for rent-stabilized housing; and

Whereas, The RGB's rent-adjustment decision affects approximately one million New Yorkers whose housing is rent-stabilized; and

Whereas, Section 26-510(h) of the Administrative Code requires the RGB to "hold a public hearing or hearings for the purpose of collecting information" before setting the maximum adjustment of rents; and

Whereas, In 2013 the RGB eliminated the public hearing that has historically been held in the Bronx, Brooklyn or Queens, citing a trend of decreased attendance at public hearings; and

Whereas, Notice of RGB meetings and hearings is available through its website, the media and other sources, but is not provided directly to tenants of rent-stabilized housing; and

Whereas, Directly providing tenants of rent-stabilized housing with advance notice of RGB meetings, especially those meetings at which public testimony will be taken, would help those tenants stay informed about the rent-adjustment process and help ensure that tenants who wish to testify before the RGB are able to do so; and

Whereas, The New York State Division of Housing and Community Renewal administers the registration of rent-stabilized apartments, including maintaining a list of those apartments; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Division of Housing and Community Renewal and the New York City Rent Guidelines Board to work together to provide notice by mail of the dates, times and locations of all public meetings of the Rent Guidelines Board to all tenants of rent-stabilized housing in New York City.

Referred to the Committee on Housing and Buildings.

Res. No. 31

Resolution calling on the New York City Rent Guidelines Board to prepare a brief summary of its annual Explanatory Statement and Findings on the maximum adjustment of rent, and to work with the New York State Division of Housing and Community Renewal to provide for the mailing of this summary to rent-stabilized tenants.

By Council Members Williams, Levin, Richards, Johnson, Reynoso and Mendez.

Whereas, According to the 2011 New York City Housing and Vacancy Survey, approximately 45.4 percent of New York City's total rental stock is rent-stabilized; and

Whereas, Under § 26-510(b) of the Administrative Code of the City of New York the Rent Guidelines Board (RGB) is charged with determining the maximum level of annual rent adjustments for rent-stabilized housing; and

Whereas, The RGB's rent-adjustment decision affects approximately one million New Yorkers whose housing is rent-stabilized; and

Whereas, The RGB has historically released a detailed Explanatory Statement and Findings after setting the maximum rent adjustment, which provides the RGB's final vote and an explanation of its decision; and

Whereas, Information on the RGB's annual rent-adjustment decision is available through its website, the media and other sources, but is not provided directly to tenants of rent-stabilized housing; and

Whereas, Directly providing tenants of rent-stabilized housing with such information would help those tenants stay informed about the annual rent adjustments that affect them; and

Whereas, A summary of the RGB's Explanatory Statement and Findings that provided an abbreviated explanation of the main rationales for the RGB's decision would be more accessible and helpful than the full Explanatory Statement and Findings to some rent-stabilized tenants in assessing the impact of annual rent adjustments on their housing situations; and

Whereas, The New York State Division of Housing and Community Renewal administers the registration of rent-stabilized apartments, including maintaining a list of those apartments; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Rent Guidelines Board to prepare a brief summary of its annual Explanatory Statement and Findings on the maximum adjustment of rent, and to work with the New York State Division of Housing and Community Renewal to provide for the mailing of this summary to rent-stabilized tenants.

Referred to the Committee on Housing and Buildings.

Int. No. 41

By Council Members Wills, Arroyo, Koo, Levin and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to posting of truck route road conditions by the department of transportation.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-154 of the administrative code of the city of New York is amended to read as follows:

§ 19-154 Publication of street resurfacing information. a. The commissioner shall make available online through the department's website information regarding the resurfacing and capital improvement of city blocks. Such information shall include but not be limited to: (i) what year city blocks were last resurfaced or received capital improvement; (ii) the current rating for city blocks pursuant to the department's street rating system as one of the following: good, fair, or poor[.]*; and_(iii) whether a city block has been designated as part of a truck route by the department.*

§2. This local law shall take effect sixty days after it is enacted into law.

Referred to the Committee on Transportation.

Int. No. 42

By Council Members Wills, King and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to permissible standing of vehicles making deliveries to or from a school.

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended to add a new section 19-162.3 to read as follows:

§19-162.3 Permissible standing by certain vehicles near schools. a. For purposes of this section, "school" shall have the same meaning as in section 19-189 of this chapter.

b. The department shall provide to each school upon request of such school a placard to be given to a commercial vehicle that intends to make a delivery to such school. Except as provided below, no notice of violation for illegal standing or parking shall be assessed to a commercial vehicle that prominently displays on its dashboard such a placard during school hours and that is in the process of delivering or removing materials or persons to or from such school. This section shall not apply to locations where standing and stopping are not permitted by any vehicle.

§2. This local law shall take effect sixty days following enactment into law.

Referred to the Committee on Transportation.

Int. No. 43

By Council Members Wills, Koo and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting parking within fifteen feet of an intersection.

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter one of title 19 of the administrative code of the city of New York is amended to add a new section 19-189 to read as follows:

§ 19-190 Prohibiting parking within 15 feet of an intersection. Upon the request of a community board whose district encompasses all or part of a particular intersection, the department shall study the possibility of prohibiting parking within fifteen feet of such intersection not more than sixty days following such request. At the conclusion of the study, the department shall either prohibit such parking, or shall inform the community board in writing the reasons for not prohibiting such parking not less than forty-five days after completion of such study.

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

Referred to the Committee on Transportation.

Int. No. 44

By Council Members Wills and Levine.

A Local Law in relation to the creation of a task force on the sport of cricket.

Be it enacted by the Council as follows:

Section 1. Legislative findings and declaration. Participation in team sports has been associated with higher levels of participation in overall physical activity, decreased cardiovascular risks, improved mental health, and a reduction in risky behaviors. In addition, children who play on three sports teams or more were 27% less likely to be overweight/obese and 40% less likely to be obese compared with children who do not play on any sports team. Thus, it is important for young people to be encouraged to participate in team sports. Cricket is the second most popular sport in the world, second only to soccer. There are currently more than 30 cricket fields and leagues across New York city as well as 25 high school teams and an NYPD youth cricket league with a dozen teams.

The Council finds that it is important to encourage young people to participate on team sports, that cricket is an increasingly popular sport for young people, and that it would give youth another activity to engage in during Out-of-School Time. Based on this finding, the Council determines that it is necessary to create a task force to study the health, social, and potential economic benefits of cricket, recommend ways to promote the sport in New York city and identify funding sources for equipment, uniforms, and umpires.

§2. Cricket Task Force. a. There shall be a task force to study the health, social and potential economic benefits of cricket in New York city and to make specific recommendations to the mayor and council for the promotion of the sport of cricket and to identify funding sources for team equipment.

b. Such task force shall consist of nine members as follows:

i. Three members shall be appointed by the mayor.

ii. One member shall be appointed by the speaker of the city council.

iii. One member shall be appointed by each of the five borough presidents.

iv. The members shall be appointed within sixty days of the enactment of this local law.

v. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.

c. Each member shall serve for a term of twelve months, to commence after the final member of the task force is appointed. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

d. No member of the task force shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

e. Members of the task force shall serve without compensation and shall meet no less than once per month.

f. The task force shall issue a report to the mayor and council no later than twelve months after the final member of the task force is appointed. Such report shall include specific recommendations on the following topics:

i. funding sources for team equipment, uniforms, and umpires

ii. promoting cricket in New York city

iii. potential economic development initiatives.

§3. This local law shall take effect immediately after its enactment into law.

Referred to the Committee on Parks and Recreation.

Res. No. 32

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.1419/A.3473, allowing baccalaureate, advanced degree programs, and certain educational and training activities to count towards the satisfaction of work activity requirements for Temporary Assistance for Needy Families program participants.

By Council Members Wills, Levin, Levine, Johnson and Mendez.

Whereas, The Temporary Assistance for Needy Families ("TANF") program provides public assistance to needy families through federal funds given to states allowing them to develop and implement their own public assistance programs; and

Whereas, TANF mandates that recipients who are determined to be work-eligible must engage in approved work activities in order to receive public assistance; and

Whereas, TANF includes twelve categories of work activities that can count towards work participation, including but not limited to, vocational and educational training; and

Whereas, TANF regulations state that any recipient can participate in vocational and educational training for up to 12 months, which can include postsecondary education; and

Whereas, TANF allows, but does not require, states to count bachelor's degree programs as work activities to satisfy work participation; and

Whereas, Obtaining a bachelor's degree can increase earnings and lessen dependence on public assistance; and

Whereas, According to a Community Service Society and Resilience Advocacy Project report titled "Missed Opportunity: How New York City Can Do a Better Job of Reconnecting Youth On Public Assistance to Education and Jobs," education is the best way to prepare young people to succeed in the labor market and lifetime earnings increase as individuals attain higher levels of education; and

Whereas, For example, according to the Department of Labor in 2013, individuals without a high school diploma had median weekly earnings of $468, compared to median weekly earnings of $1,219 for those with a bachelor's degree; and

Whereas, Studies show that 87 percent of welfare recipients who receive a two-year degree never return to public assistance and those who earn a bachelor's degree remain off of public assistance nearly 100 percent of the time; and

Whereas, In New York State, public assistance is administered by the Office for Temporary and Disability Assistance ("OTDA"), and the Human Resources Administration ("HRA") is the agency that provides assistance to eligible applicants; and

Whereas, OTDA and HRA do not include participation in bachelor's degree programs in the definition of vocational educational and training; and

Whereas, S.1419, sponsored by State Senator Velmanette Montgomery, and A.3473, sponsored by Assembly Member Keith Wright, would allow public assistance recipients in New York to be able to attend bachelor's degree programs in order to satisfy their work participation requirement for public assistance; 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 S.1419/A.3473, allowing baccalaureate, advanced degree programs, and certain educational and training activities to count towards the satisfaction of work activity requirements for Temporary Assistance for Needy Families program participants.

Referred to the Committee on General Welfare.

Preconsidered L.U. No. 1

By Council Member Greenfield:

Application No. N 140092 ZRM submitted by Paco Lafayette 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 Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts, Borough of Manhattan, Community District 2, Council District 1.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 2

By Council Member Greenfield:

Application No. C 140093 ZSM submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) to modify Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate

the development of a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), Borough of Manhattan, Community District 2, Council District 1.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 3

By Council Member Greenfield:

Application No. C 140095 ZSM submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), Borough of Manhattan, Community District 2, Council District 1.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 4

By Council Member Greenfield:

Application No. C 140096 ZSM submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), Borough of Manhattan, Community District 2, Council District 1.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 5

By Council Member Greenfield:

Application No. 20145191 HKM (N 140164 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the 39 Worth Street Building (Block 176, Lot 11) (Designation List No. 469 / LP-2539), Borough of Manhattan, Community District 1, Council District 1, as a historic landmark.

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. 6

By Council Member Greenfield:

Application No. 20145186 HKM (N 140165 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the 41 Worth Street Building (Block 176, Lot 10) (Designation List No. 469 / LP-2540), Borough of Manhattan, Community District 1, Council District 1, as a historic landmark.

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. 7

By Council Member Greenfield:

Application No. 20145189 HKM (N 140166 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of 339 Grand Street House, 339 Grand Street (Block 309, Lot 19) (Designation List No. 469/LP-2413), Borough of Manhattan, Community District 3, Council District 1, as a historic landmark.

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. 8

By Council Member Greenfield:

Application No. 20145176 HKM (N 140163 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of Tammany Hall, 100 East 17th Street (Block 872, Lot 78) (Designation List No. 469/LP-2490) Borough of Manhattan, Community District 5, Council District 2, as a historic landmark.

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. 9

By Council Member Greenfield:

Application No. C 140045 HAX submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area and Project for, and approval of the disposition of, property located at 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8, 27 and part of 10), Borough of Bronx, Community District 4, Council District 16.

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. 10

By Council Member Greenfield:

Application No. C 140115 HAK submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area and Project for, and approval of the disposition of, property located at 317/335 Saratoga Avenue and 1943/1963 Bergen Street and (Block 1447, Lots 1, 3 to 9, 73 to 77), Borough of Brooklyn, Community District 16, Council District 41.

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. 11

By Council Member Greenfield:

Application No. N 130232 ZRY submitted by 945 Realty Holdings, LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article III, Chapter 2 to amend Section 32-421 to permit commercial use on the second floors of buildings in C1 and C2 districts mapped within R9 & R10 districts and in C1-8, C1-9, C2-7, & C2-8 districts, Borough of Manhattan, Community District 6, Council Districts 4 and 5.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 12

By Council Member Greenfield:

Application No. C 070194 ZMQ submitted by Tserpes Holding LLC pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18d, changing from an R3-2 District to a C4-2 District and changing from an R3A District to a C4-2 District property located in Borough of Queens, Community Board 12, Council District 28.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 13

By Council Member Greenfield:

Application No. C 090033 MMQ submitted by Tserpes Holding LLC pursuant to Section 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 to eliminate, discontinue, and close a portion of North Conduit Avenue, including the extinguishment of an easement located north of the street, Borough of Queens, Community Board 12, Council District 28.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 14

By Council Member Greenfield:

Application No. 20145276 HAX submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an amendment to a previously approved tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL) for the property located at 793 Fairmont Place (Block 2955, Lot 44), in the Borough of the Bronx, Community Board 6, Council District 17.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

L.U. No. 15

By Council Member Greenfield:

Application no. 20145204 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Belcantata Rest. Inc., d/b/a Pig N' Whistle, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 922 3rd Avenue, in the Borough of Manhattan, Community District 6, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

L.U. No. 16

By Council Member Greenfield:

Application no. 20145231 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Red Rooster Harlem LLC, d/b/a Red Rooster Harlem, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 310 Malcolm X Blvd, in the Borough of Manhattan, Community District 10, Council District 9.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

L.U. No. 17

By Council Member Greenfield:

Application No. C 140077HAQ submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area and Project for, and approval of the disposition of, property located at 51-21 Rockaway Beach Boulevard (Block 15926, p/o Lot 200), Borough of Queens, Community District 14, Council District 31. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law and 197-c of the New York City Charter.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

ANNOUNCEMENTS:

Wednesday, February 5, 2014

★ *Addition*

Committee on **CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS** jointly with the Committee on **FINANCE** and the Subcommittee on **LIBRARIES**.....**10:00 A.M.**
Oversight – Queens Library Operations
Council Chambers – City Hall ..... James Van Bramer, Chairperson
.....Julissa Ferreras, Chairperson
.....Costa Constantinides, Chairperson

Tuesday, February 11, 2014

Subcommittee on **ZONING & FRANCHISES**.....**9:30 A.M.**
See Land Use Calendar
Committee Room – 250 Broadway, 16th Floor .....Mark Weprin, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES** .....**11:00 A.M.**
See Land Use Calendar
Committee Room – 250 Broadway, 16th Floor ..... Peter Koo, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS**..... **1:00 P.M.**
See Land Use Calendar
Committee Room – 250 Broadway, 16th Floor .....Inez Dickens, Chairperson

Thursday, February 13, 2014

Committee on **LAND USE**.....**10:00 A.M.**
All items reported out of the subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – 250 Broadway, 16th Floor
.....David G. Greenfield, Chairperson

Committee on **GOVERNMENTAL OPERATIONS**..... **1:00 P.M.**
Agenda to be announced
Committee Room – City Hall .....Ben Kallos, Chairperson

★ *Addition*

Committee on **HOUSING AND BUILDINGS** .....**1:00 P.M.**
Oversight – Vacant Properties in New York City: How many are there and what is the City doing about them?
Committee Room – 250 Broadway, 16th Floor
..... Jumaane D. Williams, Chairperson

Monday, February 17, 2014

President's Day Observed

Monday, February 24, 2014

★ *Addition*

Committee on **AGING**..... **10:00 A.M.**
Agenda to be announced
Committee Room – City Hall..... Margaret Chin, Chairperson

Committee on **TRANSPORTATION**.....**10:00 A.M.**
Agenda to be announced

Council Chambers – City Hall .....Ydanis Rodriguez, Chairperson

Committee on **COMMUNITY DEVELOPMENT.....10:00 A.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor
..... Maria del Carmen Arroyo, Chairperson

Committee on **HEALTH..... 1:00 P.M.**
Agenda to be announced
Committee Room – City Hall .....Corey Johnson, Chairperson

Committee on **TECHNOLOGY ..... 1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor .....James Vacca, Chairperson

✶ *Addition*
Committee on **SANITATION AND**
SOLID WASTE MANAGEMENT..... 1:00 P.M.
Agenda to be announced
Hearing Room – 250 Broadway, 16h Floor..... Antonio Reynoso, Chairperson

Tuesday, February 25, 2014

Committee on **IMMIGRATION .....10:00 A.M.**
Agenda To Be Announced
Committee Room – 250 Broadway, 16th Floor ..... Carlos Menchaca, Chairperson

Committee on **ECONOMIC DEVELOPMENT .....10:00 A.M.**
Agenda to be announced
Committee Room – City Hall..... Daniel Garodnick, Chairperson

✶ *Addition*
Committee on **HIGHER EDUCATION .....10:00 A.M.**
Agenda to be announced
Hearing Room – 250 Broadway, 16th Floor ..... Inez Barron, Chairperson

Committee on **PARKS AND RECREATION. ..... 1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor .....Mark Levine, Chairperson

Committee on **EDUCATION..... 1:00 P.M.**
Agenda to be announced
Council Chambers – City Hall .....Daniel Dromm, Chairperson

✶ *Addition*
Committee on **YOUTH SERVICES..... 1:00 P.M.**
Agenda to be announced
Hearing Room – 250 Broadway, 16th Floor ..... Mathieu Eugene, Chairperson

Wednesday, February 26, 2014

Stated Council Meeting.....Ceremonial Tributes – 1:00 p.m.
..... Agenda – 1:30 p.m.

Thursday, February 27, 2014

✶ *Addition*
Committee on **CONTRACTS .....10:00 A.M.**
Agenda to be announced
Hearing Room – 250 Broadway, 16th Floor ..... Helen Rosenthal, Chairperson

Committee on **CIVIL RIGHTS .....10:00 A.M.**
Agenda to be announced
Committee Room – City Hall.....Darlene Mealy, Chairperson

Committee on **SMALL BUSINESS.....10:00 A.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor ..... Robert Cornegy, Chairperson

✶ *Addition*
Committee on **GENERAL WELFARE .....10:00 A.M.**
Agenda to be announced
Council Chambers – City Hall ..... Stephen Levin, Chairperson

Committee on **FIRE AND CRIMINAL JUSTICE SERVICES..... 1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor
..... Elizabeth Crowley, Chairperson

✶ *Addition*
Committee on **VETERANS .....1:00 P.M.**
Agenda to be announced
Committee Room – City Hall..... Eric Ulrich, Chairperson

✶ *Addition*
Committee on **CIVIL SERVICE AND LABOR .....1:00 P.M.**
Agenda to be announced
Council Chambers – City Hall .....I. Daneek Miller, Chairperson

Friday, February 28, 2014

✶ *Addition*
Committee on **JUVENILE JUSTICE .....10:00 A.M.**
Agenda to be announced
Committee Room – City Hall..... Fernando Cabrera, Chairperson

✶ *Addition*
Committee on **WATERFRONTS.....10:00 A.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor .....Deborah Rose, Chairperson

✶ *Addition*
Committee on **ENVIRONMENTAL PROTECTION ..... 1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor
.....Donovan Richards, Jr., Chairperson

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, February 26, 2014.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: *Int Nos. 172-A (2010), 859-A (2012), 867-A (2012), 933-A (2012), 1055-A (2013) and 1208-A (2013) (all originally adopted by the Council at the December 19, 2013 Stated Meeting) were re-adopted by the Council*

at this February 4, 2014 Stated Meeting and were all, thereby, enacted into law by the Council's override of the Mayor's December 27, 2013 vetoes. Int Nos. 172-A (2010), 859-A (2012), 867-A (2012), 933-A (2012), 1055-A (2013) and 1208-A (2013) were subsequently assigned as, respectively, Local Law Nos. 1 to 6 of 2014.