SUPPLEMENT TO

THE CITY RECORD

THE COUNCIL —STATED MEETING OF

THURSDAY, MAY 29, 2014

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, May 29, 2014, 1:50 p.m.

The Acting President Pro Tempore (Council Member Gentile)
Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, Speaker

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

Excused: Council Members Arroyo and Mealy.

Council Member Gentile assumed the Chair as the 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 Acting President Pro Tempore (Council Member Gentile).

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

INVOCATION

The Invocation was delivered by Bishop Carlos Jesse, New Life Covenant Fellowship, 1476 Bedford Avenue, Brooklyn N.Y. 11216.

Before I give the invocation,
I would just like to say it's an honor
and I'm thankful for this invitation
to share with you on this day.
While we're standing, on yesterday,
we lost one of our great literary minds.
And, so I am going to ask if you would be so kind
as to just have a moment of silence for the life
and the legacy of Dr. Maya Angelou. [pause]
Thank you.

And, now, I will make you happy twice.
Happy to see me come, and happy to see me go.

Our Father, and our God, I approach you
at this moment in time,
to ask your blessings upon this City Council,
upon the members that gather here
to serve and to do business
on behalf of our great diversity.
We ask that you will grant them compassion,
wisdom, in their deliberation and direction
in their decisions on legislation,
budget, land use, and oversight.
King Solomon asked for wisdom and knowledge.
You gave him that and more.
I ask you to add spiritual insight
That they may see the impact and the effects,
the good and the ills, the progress and the setbacks
of their decisions that they make for our City.
Bless our Speaker. Bless our Public Advocate
and all of the members, again.
Grant them creativity to solve
and resolve the issues before them.
Keep them humble and remind them each day
that as they gather in these hollow chambers,
that they are here not on their own behalf,
but they're here for the voice, the voiceless,
the homeless, the homeowner, the educated,
the uneducated, the incarcerated and the free.
Let them know that their labor will pay off one day.
For after all they have done all that they can do,
at the end of the day, let us all hear
You say, "Well done, my good and faithful servants."
We ask this in Your wonderful name.
Amen.

At this point, Council Member Cumbo yielded the floor to Council Member Barron. Council Member Barron moved to spread the Invocation in full upon the Record.

At this point, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of the following individuals:

Maya Angelou, 86, noted writer and poet of African-American heritage, died on May 28, 2014. Ms. Angelou grew up in the Jim Crow South and rose to become one of the most celebrated writers of the twentieth and twenty-first century. She subsequently received the Presidential Medal of Freedom in 2011.

Catherine Abate, 66, former New York State Senator, died on May 17, 2014. Ms. Abate also served as a City Commissioner for the New York City Corrections

Department. After leaving public office, Ms. Abate dedicated her time to fight for reproductive health programs as well as for medical care for the underserved.

MESSAGES & PAPERS FROM THE MAYOR

Preconsidered M-65

Communication from the Mayor - "An Act to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York" A.9462 / S.7386.

(The following is the text from the Bluebacks submitted and signed by the Mayor for the Assembly bill:)

HOME RULE REQUEST

(Request by a Local Government for Enactment of a Special Law)

To the Legislature:

Pursuant to Article IX of the Constitution, the CITY of NEW YORK requests the enactment of Assembly bill (No. A.9462), entitled:

"AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

☒ The local government does not have the power to enact such legislation by local law.

☐ Other facts, as set forth in the following "Explanation" establish such necessity.

EXPLANATION

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

☒ The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)

☐ The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, both the chief executive officer and the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.

B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, only the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

CHIEF EXECUTIVE OFFICER'S SIGNATURE

(Signed) _____
(Chief Executive Officer)

BILL de BLASIO
(Print or Type Name Below Signature)

Mayor
(Title of Chief Executive Officer)

Date: May 23, 2014

CLERK'S CERTIFICATION

I, Michael McSweeney, do hereby certify that I am Clerk of the City Council of the City of New York and that on the _____ day of _____ 2014, such legislative body, at least a majority of the total membership having voted in favor thereof, approved the foregoing request.

(Signed) _____
Clerk

[SEAL OF LOCAL GOVERNMENT]

MICHAEL McSWEENEY
(Print or Type Name Below Signature)

Date: _____, 20 _____

(The following is the text of the State Assembly bill:)

9462

IN ASSEMBLY

April 30, 2014

Introduced by M. of A. SILVER, FARRELL -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph 3 of subdivision (a) of section 1212-A of the tax law, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

(3) a tax, at the same uniform rate, but at a rate not to exceed four and one-half per centum, in multiples of one-half of one per centum, on the receipts from every sale of any or all of the following services in whole or in part: credit rating, credit reporting, credit adjustment and collection services, including, but not limited to, those services provided by mercantile and consumer credit rating or reporting bureaus or agencies and credit adjustment or collection bureaus or agencies, whether rendered in written or oral form or in any other manner, except to the extent otherwise taxable under article twenty-eight of this chapter; notwithstanding the foregoing, collection services shall not include those services performed by a law office or a law and collection office, the maintenance or conduct of which constitutes the practice of law, if the services are performed by an attorney at law who has been duly licensed and admitted to practice law in this state. The local law imposing the taxes authorized by this paragraph may provide for exclusions and exemptions in addition to those provided for in such paragraph. Provided, however, that the tax hereby authorized shall not be imposed after November thirtieth, two thousand [~~**fourteen**~~] **seventeen**.

§ 2. Subsection (a) of section 1301 of the tax law, as amended by chapter 209 of the laws of 2011 and paragraph 2 as amended by section 11 of part J of chapter 59 of the laws of 2014, is amended to read as follows:

(a) Notwithstanding any other provision of law to the contrary, any city in this state having a population of one million or more inhabitants, acting through its local legislative body, is hereby authorized and empowered to adopt and amend local laws imposing in any such city, for taxable years beginning after nineteen hundred seventy-five:

(1) a tax on the personal income of residents of such city, at the rates provided for under subsection (a) of section thirteen hundred four of this article for taxable years beginning before two thousand [~~**fifteen**~~] **eighteen**, and at the rates provided for under subsection (b) of section thirteen hundred four of this article for taxable years beginning after two thousand [~~**fourteen**~~] **seventeen**, provided, however, that if, for any taxable year beginning after two thousand [~~**fourteen**~~] **seventeen**, the rates set forth in such subsection (b) are rendered inapplicable and the rates set forth in such subsection (a) are rendered applicable, then the tax for such taxable year shall be at the rates provided under subparagraph (A) of paragraphs one, two and three of such subsection (a),

(2) for taxable years beginning after nineteen hundred seventy-six, a separate tax on the ordinary income portion of lump sum distributions of such residents, at the rates provided for herein, such taxes to be administered, collected and distributed by the commissioner as provided for in this article.

§ 3. Subsection (b) of section 1304 of the tax law, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

(b) A tax other than the city separate tax on the ordinary income portion of lump sum distributions imposed pursuant to the authority of section thirteen hundred one of this article shall be determined as follows:

(1) Resident married individuals filing joint returns and resident surviving spouses. The tax under this section for each taxable year on the city taxable income of every city resident married individual who makes a single return jointly with his or her spouse under subsection (b) of section thirteen hundred six of this article and on the city taxable income of every city resident surviving spouse shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~fourteen~~] **seventeen**:

If the city taxable income is: The tax is: Not over $21,600 1.18% of the city taxable income Over $21,600 but not $255 plus 1.435% of excess over $45,000 over $21,600 Over $45,000 but not $591 plus 1.455% of excess over $90,000 over $45,000 Over $90,000 $1,245 plus 1.48% of excess over $90,000

(2) Resident heads of households. The tax under this section for each taxable year on the city taxable income of every city resident head of a household shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~fourteen~~] **seventeen**:

If the city taxable income is: The tax is: Not over $14,400 1.18% of the city taxable income Over $14,400 but not $170 plus 1.435% of excess over $30,000 over $14,400 Over $30,000 but not $394 plus 1.455% of excess over $60,000 over $30,000 [~~over~~] **Over** $60,000 $830 plus 1.48% of excess over $60,000

(3) Resident unmarried individuals, resident married individuals filing separate returns and resident estates and trusts. The tax under this section for each taxable year on the city taxable income of every city resident individual who is not a city resident married individual who makes a single return jointly with his or her spouse under subsection (b) of section thirteen hundred six of this article or a city resident head of household or a city resident surviving spouse, and on the city taxable income of every city resident estate and trust shall be determined in accordance with the following table:

For taxable years beginning after two thousand [~~fourteen~~] **seventeen**:

If the city taxable income is: The tax is: Not over $12,000 1.18% of the city taxable income Over $12,000 but not $142 plus 1.435% of excess over $25,000 over $12,000 Over $25,000 but not $328 plus 1.455% of excess over $50,000 over $25,000 Over $50,000 $692 plus 1.48% of excess over $50,000

§ 4. Subsection (a) of section 1304-B of the tax law, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

(a) (1) In addition to any other taxes authorized by this article, any city imposing such taxes is hereby authorized and empowered to adopt and amend local laws imposing in any such city for each taxable year beginning after nineteen hundred ninety but before two thousand [~~fifteen~~] **eighteen**, an additional tax on the city taxable income of every city resident individual, estate and trust, to be calculated for each taxable year as follows: (i) for each taxable year beginning after nineteen hundred ninety but before nineteen hundred ninety-nine, at the rate of fourteen percent of the sum of the taxes for each such taxable year determined pursuant to section thirteen hundred four and section thirteen hundred four-A of this article; and (ii) for each taxable year beginning after nineteen hundred ninety-eight, at the rate of fourteen percent of the tax for such taxable year determined pursuant to such section thirteen hundred four.

(2) Notwithstanding paragraph one of this subsection, for each taxable year beginning after nineteen hundred ninety-nine but before two thousand [~~fifteen~~] **eighteen**, any city imposing such additional tax may by local law impose such tax at a rate that is less than fourteen percent and may impose such tax at more than one rate depending upon the filing status and city taxable income of such city resident individual, estate or trust.

(3) A local law enacted pursuant to paragraph two of this subsection shall be applicable with respect to any taxable year only if it has been enacted on or before July thirty-first of such year. A certified copy of such local law shall be mailed by registered mail to the department at its office in Albany within fifteen days of its enactment. However, the department may allow additional time for such certified copy to be mailed if it deems such action to be consistent with its duties under this article.

§ 5. Paragraph E of subdivision 1 of section 11-604 of the administrative code of the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

E. For taxable years beginning on or after January first, nineteen hundred seventy-eight but before January first, two thousand [~~fifteen~~] **eighteen**, the tax imposed by subdivision one of section 11-603 of this subchapter shall be, in the case of each taxpayer:

(a) whichever of the following amounts is the greatest:

(1) an amount computed, for taxable years beginning before nineteen hundred eighty-seven, at the rate of nine per centum, and for taxable years beginning after nineteen hundred eighty-six, at the rate of eight and eighty-five one-hundredths per centum, of its entire net income or the portion of such entire net income allocated within the city as hereinafter provided, subject to any modification required by paragraphs (d) and (e) of subdivision three of this section,

(2) an amount computed at one and one-half mills for each dollar of its total business and investment capital, or the portion thereof allocated within the city, as hereinafter provided, except that in the case of a cooperative housing corporation as defined in the internal revenue code, the applicable rate shall be four-tenths of one mill,

(3) an amount computed, for taxable years beginning before nineteen hundred eighty-seven, at the rate of nine per centum, and for taxable years beginning after nineteen hundred eighty-six, at the rate of eight and eighty-five one-hundredths per centum, on thirty per centum of the taxpayer's entire net income plus salaries and other compensation paid to the taxpayer's elected or appointed officers and to every stockholder owning in excess of five per centum of its issued capital stock minus fifteen thousand dollars (subject to proration as hereinafter provided) and any net loss for the reported year, or on the portion of any such sum allocated within the city as hereinafter provided for the allocation of entire net income, subject to any modification required by paragraphs (d) and (e) of subdivision three of this section, provided, however, that for taxable years beginning on or after July first, nineteen hundred ninety-six, the provisions of paragraph H of this subdivision shall apply for purposes of the computation under this clause, or

(4) for taxable years ending on or before June thirtieth, nineteen hundred eighty-nine, one hundred twenty-five dollars, for taxable years ending after June thirtieth, nineteen hundred eighty-nine and beginning before two thousand nine, three hundred dollars, and for taxable years beginning after two thousand eight:

If New York city receipts are: Fixed dollar minimum tax is:

Not more than $100,000 $25

More than $100,000 but not over $250,000 $75

More than $250,000 but not over $500,000 $175

More than $500,000 but not over $1,000,000 $500

More than $1,000,000 but not over $5,000,000 $1,500

More than $5,000,000 but not over $25,000,000 $3,500

Over $25,000,000 $5,000 For purposes of this clause, New York city receipts are the receipts computed in accordance with subparagraph two of paragraph (a) of subdivision three of this section for the taxable year. For taxable years beginning after two thousand eight, if the taxable year is less than twelve months, the amount prescribed by this clause shall be reduced by twenty-five percent if the period for which the taxpayer is subject to tax is more than six months but not more than nine months and by fifty percent if the period for which the taxpayer is subject to tax is not more than six months. If the taxable year is less than twelve months, the amount of New York city receipts for purposes of this clause is determined by dividing the amount of the receipts for the taxable year by the number of months in the taxable year and multiplying the result by twelve, plus;

(b) an amount computed at the rate of three-quarters of a mill for each dollar of the portion of its subsidiary capital allocated within the city as hereinafter provided.

In the case of a taxpayer which is not subject to tax for an entire year, the exemption allowed in clause three of subparagraph (a) of this paragraph shall be prorated according to the period such taxpayer was subject to tax. Provided, however, that this paragraph shall not apply to taxable years beginning after December thirty-first, two thousand [~~fourteen~~] **seventeen**. For the taxable years specified in the preceding sentence, the tax imposed by subdivision one of section 11-603 of this subchapter shall be, in the case of each taxpayer, determined as specified in paragraph A of this subdivision, provided, however, that the provisions of paragraphs G and H of this subdivision shall apply for purposes of the computation under clause three of subparagraph (a) of such paragraph A.

§ 6. The opening paragraph of section 11-1701 of the administrative code of the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

A tax is hereby imposed on the city taxable income of every city resident individual, estate and trust determined in accordance with the rates set forth in subdivision (a) of this section for taxable years beginning before two thousand [~~fifteen~~] **eighteen**, and in accordance with the rates set forth in subdivision (b) of this

section for taxable years beginning after two thousand [~~**fourteen**~~] **seventeen**. Provided, however, that if, for any taxable year beginning after two thousand [~~**fourteen**~~] **seventeen**, the rates set forth in such subdivision (b) are rendered inapplicable and the rates set forth in such subdivision (a) are rendered applicable, then the tax for such taxable year shall be at the rates provided under subparagraph (A) of paragraphs one, two and three of such subdivision (a).

§ 7. Subdivision (b) of section 11-1701 of the administrative code of the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

(b) Rate of tax. A tax imposed pursuant to this section shall be determined as follows:

(1) Resident married individuals filing joint returns and resident surviving spouses. The tax under this section for each taxable year on the city taxable income of every city resident married individual who makes a single return jointly with his or her spouse under subdivision (b) of section 11-1751 of this title and on the city taxable income of every city resident surviving spouse shall be determined in accordance with the following table: For taxable years beginning after two thousand [~~**fourteen**~~] **seventeen**:

If the city taxable income is: The tax is: Not over $21,600 1.18% of the city taxable income Over $21,600 but not $255 plus 1.435% of excess over $45,000 over $21,600 Over $45,000 but not $591 plus 1.455% of excess over $90,000 over $45,000 Over $90,000 $1,245 plus 1.48% of excess

over $90,000

(2) Resident heads of households. The tax under this section for each taxable year on the city taxable income of every city resident head of a household shall be determined in accordance with the following table: For taxable years beginning after two thousand [~~**fourteen**~~] **seventeen**:

If the city taxable income is: The tax is: Not over $14,400 1.18% of the city taxable income Over $14,400 but not $170 plus 1.435% of excess over $30,000 over $14,400 Over $30,000 but not $394 plus 1.455% of excess over $60,000 over $30,000 Over $60,000 $830 plus 1.48% of excess over $60,000

(3) Resident unmarried individuals, resident married individuals filing separate returns and resident estates and trusts. The tax under this section for each taxable year on the city taxable income of every city resident individual who is not a married individual who makes a single return jointly with his or her spouse under subdivision (b) of section 11-1751 of this title or a city resident head of a household or a city resident surviving spouse, and on the city taxable income of every city resident estate and trust shall be determined in accordance with the following table: For taxable years beginning after two thousand [~~**fourteen**~~] **seventeen**:

If the city taxable income is: The tax is: Not over $12,000 1.18% of the city taxable income Over $12,000 but not $142 plus 1.435% of excess over $25,000 over $12,000 Over $25,000 but not $328 plus 1.455% of excess over $50,000 over $25,000 Over $50,000 $692 plus 1.48% of excess over $50,000

§ 8. Paragraph 1 of subdivision (a) of section 11-1704.1 of the administrative code of the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

(1) In addition to any other taxes imposed by this chapter, there is hereby imposed for each taxable year beginning after nineteen hundred ninety but before two thousand [~~**fifteen**~~] **eighteen**, an additional tax on the city taxable income of every city resident individual, estate and trust, to be calculated for each taxable year as follows: (i) for each taxable year beginning after nineteen hundred ninety but before nineteen hundred ninety-nine, at the rate of fourteen percent of the sum of the taxes for each such taxable year determined pursuant to section 11-1701 and section 11-1704 of this subchapter; and (ii) for each taxable year beginning after nineteen hundred ninety-eight, at the rate of fourteen percent of the tax for such taxable year determined pursuant to such section 11-1701.

§ 9. Subdivision (a) of section 11-2002 of the administrative code of the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

(a) There are hereby imposed and there shall be paid sales taxes at the rate of four and one-half percent on receipts from every sale of the services of beauty, barbering, hair restoring, manicuring, pedicuring, electrolysis, massage services and similar services, and every sale of services by weight control salons, health salons, gymnasiums, turkish and sauna bath and similar establishments and every charge for the use of such facilities, whether or not any tangible personal property is transferred in conjunction therewith; but excluding services rendered by a physician, osteopath, dentist, nurse, physiotherapist, chiropractor, podiatrist, optometrist, ophthalmic dispenser or a person performing similar services licensed under title eight of the education law, as amended, and excluding such services when performed on pets and other animals, as authorized by subdivision (a) of section twelve hundred twelve-A of the tax law. Provided, however, that the tax hereby imposed shall not be imposed after November thirtieth, two thousand [~~**fourteen**~~] **seventeen**.

§ 10. The opening paragraph of subdivision (a) of section 11-2040 of the administrative code of the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

There is hereby imposed within the city and there shall be paid a tax at the rate of four and one-half percent upon the receipts from every sale, except for resale, of the following services, provided, however, that the tax hereby imposed shall not be imposed after November thirtieth, two thousand [~~**fourteen**~~] **seventeen**, on receipts from sales of the services specified in paragraph one of this subdivision:

§ 11. Section 4 of chapter 877 of the laws of 1975, relating to the imposition of certain taxes in the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

§ 4. This act shall expire on December 31, [~~**2014**~~] **2017**, provided, however, that it is hereby declared to be the express intention of the legislature that the provisions of sections two and three of this act, except with respect to the enforcement and collection of any tax arising thereunder, shall remain in full force and effect only until the date of such expiration, at which time the provisions of law amended by this act shall be continued in full force and effect as they existed prior to the enactment of this act.

§ 12. Section 6 of chapter 884 of the laws of 1975, relating to the imposition of certain taxes in the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

§ 6. This act shall expire on December 31, [~~**2014**~~] **2017**, provided, however, that it is hereby declared to be the express intention of the legislature that the provisions of sections two, three and four of this act, except with respect to the enforcement and collection of any tax arising thereunder, shall remain in full force and effect only until the date of such expiration, at which time the provisions of law amended by this act shall be continued in full force and effect as they existed prior to the enactment of this act.

§ 13. Section 2 of chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, as amended by chapter 209 of the laws of 2011, is amended to read as follows:

§ 2. This act shall expire on December 31, [~~**2014**~~] **2017**, provided, however, that it is hereby declared to be the express intention of the legislature that the provisions of section one of this act, except with respect to the enforcement and collection of any tax arising thereunder, shall remain in full force and effect only until the date of such expiration, at which time the provisions of law amended by this act shall be continued in full force and effect as they existed prior to the enactment of this act.

§ 14. This act shall take effect immediately.

(The following is the text of the State Assembly Sponsor's Memorandum in Support:)

NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A9462

SPONSOR: Silver (MS)

TITLE OF BILL: An act to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York

SUMMARY OF PROVISIONS:

Sections 1 and 12 of the bill amend section 1212-A(a)(3) of the Tax Law and section 11-2040(a) of the New York City Administrative Code ("Administrative Code"), relating to New York City's ("City") 4.5 percent sales tax on credit rating and credit reporting services. The tax is set to expire on November 30, 2014. The Tax Law amendment authorizes the City to impose the tax for an additional three years (until November 30, 2017). The Administrative Code amendment imposes the tax for an additional three years (until November 30, 2017).

Section 2 of the bill amends Tax Law section 1301(a), relating to the tax on the personal income of residents of the City and the City minimum income tax. The amendment of Tax Law section 1301(a)(1) authorizes the City to extend the existing rates of the personal income tax (the rates set forth in Tax Law section 1304(a)(1)(A), (a)(2)(A) and (a)(3)(A)) for an additional three years (for taxable years beginning before 2018) and

delays the implementation of lower personal income tax rates (the rates set forth in Tax Law section 1304(b)) for three years (until taxable years beginning after 2017). The amendment of Tax Law section 1301(a)(2) authorizes the City to impose the minimum income tax for an additional three years (for taxable years beginning before 2018). Section 7 of the bill makes a conforming change to the opening paragraph of Administrative Code section 11-1701, which relates to the tax on the personal income of residents of the City. The amendment extends the existing personal income tax rates (the rates set forth in 11-1701(a)) for an additional three years (for taxable years beginning before 2018) and delays the implementation of lower personal income tax-rates (the rates set forth in 11-1701(b)) for three years (until taxable years beginning after 2017).

Sections 3 and 9 of the bill amend Tax Law section 1301-A(a) and Administrative Code section 11-1702, relating to the City minimum income tax. The Tax Law amendment extends the authority of the City to impose the minimum income tax at 2.85 percent for an additional three years (for taxable years beginning before 2018). (The rate is scheduled to fall to 2.5 percent beginning in 2015.) The Administrative Code amendment imposes the minimum tax at the existing rate of 2.85 percent for an additional three years (for taxable years beginning before 2018).

Sections 4 and 8 of the bill amend Tax Law section 1304(b) and Administrative Code section 11-1701(b), relating to the tax on the personal income of residents of the City. They make conforming changes to the lower personal income tax rates, delaying their implementation for three years (until taxable years beginning after 2017).

Sections 5 and 10 of the bill amend Tax Law section 1304-B(a) and Administrative Code section 11.1704.1(a)(1), relating to the additional tax on City taxable income. The Tax Law amendment authorizes the City to impose the additional tax for an additional three years at the rate of 14 percent (for taxable years beginning before 2018) and extends the authority of the City to reduce the additional tax by local law for taxable years beginning before 2018. The Administrative Code amendment imposes the additional tax for an additional three years at the rate of 14 percent (for taxable years beginning before 2018).

Sections 6, 14 and 15 of the bill amend section 11-604(1)(E) of the Administrative Code; Chapter 884 of the Laws of 1975 and Chapter 882 of the Laws of 1977, relating to the City general corporation tax. The current tax rate is the greater of 8.85 percent on income, 1.5 mills on business and investment capital, 8.85 percent of 15 percent of income plus the amount of salaries and other compensation paid to any person who at any time during the taxable year owned more than 5 percent of the taxpayer's capital stock or a minimum tax based on the amount of New York city receipts. There is also a 0.75 mill tax on subsidiary capital. (On January 1, 2015, the rates are scheduled to drop to 6.7 percent, 1 mill, 6.7 percent and $25, respectively, and .5 mill on subsidiary capital.) The amendments will continue the current rates until December 31, 2017.

Section 11 of the bill amends Administrative Code section 11-2002(a), relating to the 4.5 percent sales tax on beauty and barbering services. The amendment imposes the tax for an additional three years (until November 30, 2017). (Tax Law section 1212-A(a)(2) authorizes the City to impose a sales tax on beauty and barbering services.)

Section 13 of the bill amends Chapter 877 of the laws of 1975, relating to the New York City cigarette tax. The current cigarette tax rate is 75 cents for each ten cigarettes, but is set to decline to between 2 and 4 cents for each ten cigarettes, depending on tar and nicotine content, as of January 1, 2015. The amendment extends the existing rate of tax for an additional three years (until December 31, 2017).

Section 16 of the bill provides that it shall take effect immediately.

REASONS FOR SUPPORT: Most of the taxes that are extended by this legislation have been in effect for nearly forty years and as such have become an accepted and expected part of the City's tax and budgeting structure. The $7 billion in annual revenue (beginning in City Fiscal Year 2016) at stake in this legislation is a large percentage of the support necessary for critical municipal services, such as the core public safety functions performed by the City's police and fire departments. It is, therefore, of crucial importance that the revenue generated by these taxes will continue into the foreseeable future.

In the event that these taxes were allowed to expire, the effect of the loss of such revenue would be nothing short of devastating to the City's budget and the City's ability to provide basic services to its residents - a citizenry which comprises over 42% of the total population of the State of New York. It is important to note that these taxes have been regularly extended, most recently by Chapter 209 of the Laws of 2011.

Referred to the Committee on State and Federal Legislation.

Preconsidered M-66

Communication from the Mayor - "An Act to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof" S.6624.

(The following is the text from the Bluebacks submitted and signed by the Mayor for the Senate bill:)

HOME RULE REQUEST

(Request by a Local Government for Enactment of a Special Law)

To the Legislature:

Pursuant to Article IX of the Constitution, the CITY of NEW YORK requests the enactment of Senate bill (No. S.6624), entitled:

"**AN ACT to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof.**"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

☒ The local government does not have the power to enact such legislation by local law.

☐ Other facts, as set forth in the following "Explanation" establish such necessity.

EXPLANATION

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

☒ The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)

☐ The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, both the chief executive officer and the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.

B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, only the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

CHIEF EXECUTIVE OFFICER'S SIGNATURE

(Signed) _____
(Chief Executive Officer)

BILL de BLASIO
(Print or Type Name Below Signature)

Mayor
(Title of Chief Executive Officer)

Date: May 23, 2014

CLERK'S CERTIFICATION

I, Michael McSweeney, do hereby certify that I am Clerk of the City Council of the City of New York and that on the _____ day of _____ 2014, such legislative body, at least a majority of the total membership having voted in favor thereof, approved the foregoing request.

(Signed) _____
Clerk

[SEAL OF LOCAL GOVERNMENT]

MICHAEL McSWEENEY
(Print or Type Name Below Signature)

Date: _____, 20 _____

(The following is the text of the State Senate bill:)

6624

IN SENATE

February 19, 2014

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 2 of chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, as amended by chapter 107 of the laws of 2011, is amended to read as follows:

§ 2. This act shall take effect June 30, 1998 and shall expire and be deemed repealed on July 1, [~~2014~~] **2017**, provided, however, that investments purchased prior to the expiration of this act pursuant to the provisions of paragraph a of subdivision 3 of section 11 of the general municipal law, as designated and amended by section one of this act, shall continue to be subject to the conditions contained in such subdivision to the same extent as they had been subject thereto prior to such expiration and repeal.

§ 2. This act shall take effect immediately; provided however, if this act shall have become a law after July 1, 2014 it shall be deemed to have been in full force and effect on and after July 1, 2014.

(The following is the text of the State Senate Sponsor's Memorandum in Support:)

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S6624

SPONSOR: LANZA

TITLE OF BILL: An act to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof

SUMMARY OF PROVISIONS:

Section two would extend the sunset date of the subdivision 3 of section n of the General Municipal Law to July 1, 2017.

Section three sets forth the effective date.

JUSTIFICATION:

The "Temporary Investments" subdivision of the General Municipal Law, affecting only New York City, sunsets June 30, 2014. This bill would extend the sunset date to July 1, 2017.

Under the statute, New York City is permitted to invest in certain low risk, short term obligations, including top quality commercial paper. In an analysis done by New York City Comptroller Scott Stringer's office, New York City could lose around $10 million annually without this extension of the law.

This Legislature has voted to extend and the Governor has approved extending the sunset provision for three years on multiple occasions, most recently in 2011. This has provided New York City with increased flexibility in its investment decisions and has consequently allowed the City to achieve higher yields on its investments, without a significant increase in risk.

This bill is supported by the New York City Comptroller.

LEGISLATIVE HISTORY:

2011: S.5486 /A.7735 - Chapter 107.

FISCAL IMPLICATIONS:

None to the State

EFFECTIVE DATE:
This act shall take effect immediately; provided however, if this act shall have become a law after July 1, 2014 it shall be deemed to have been full force and effect on and after July 1, 2014.

Referred to the Committee on State and Federal Legislation.

Preconsidered M-67

Communication from the Mayor – Submitting the name of Meenakshi Srinivasan to the City Council for its advice and consent regarding her appointment as a member of the Landmarks Preservation Commission, pursuant to Sections 31 and 3020 of the New York city charter.
May 19, 2014

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

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 3020 of the New York City Charter, I am pleased to present the name of Meenakshi Srinivasan to the City Council lbr advice and consent prior to her appointment as member of the Landmarks Preservation Commission.

If appointed to the Commission, Ms. Srinivasan would serve for the remainder of a three-year term expiring on June 28, 2016.

Thank you for reviewing this appointment.

Sincerely,

Bill de Blasio
Mayor

Referred to the Committee on Rules Privileges and Elections.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-68

Communication from the Kings County Democratic County Committee - Submitting the name of John Flateau, for appointment as the Kings County Democratic Commissioner of Elections for the remainder of the unexpired term which began January 1, 2013, pursuant to Section 3-204 (2) and (5) of the Election Law.

M-68

STATE OF NEW YORK
STATE BOARD OF ELECTIONS

2014 MAY 15 P 2:03

ELECTION COMMISSIONER CERTIFICATION

To the Clerk of the Council of the City of New York:

I certify that:

At a meeting of the Executive Committee of the Democratic County Committee of the County of Kings, held on the 14th day of May 2014, in The New Grassroots Democratic Club, 203 Ralph Avenue, Brooklyn, New York, under the provisions of the Election Law and the rules and resolutions of the County Committee, a quorum being present, **John Flateau**, residing at 368 MacDonough Street, Brooklyn, New York 11233, was recommended by a majority of said committee as a suitable and qualified person for appointment to the office of Commissioner of Elections, for the remainder of the unexpired term which began January 1, 2013 and that said designee is a registered voter of the County of Kings and a duly enrolled member of the Democratic Party.

Dated at: Brooklyn, New York
May 14, 2014

Joseph A. Bova, Secretary
Kings County Democratic County Committee

SBOE-02(4/89)

Referred to the Committee on Rules Privileges and Elections.

LAND USE CALL UPS

M-69

By Council Member Garodnick:

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 1800 Broadway, Borough of Manhattan, Community Board No. 5, Application no. 20145428 TCM shall be subject to review by the Council.

Coupled on Roll Call.

LAND USE CALL UP VOTE

The Acting President Pro Tempore (Council Member Gentile) put the question whether the Council would agree with and adopt such motion which was decided in the affirmative by the following vote:

Affirmative – 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, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49.**

At this point, the Acting President Pro Tempore (Council Member Gentile) declared the aforementioned item adopted and referred this item to the Committee on Land Use and to the appropriate Land Use subcommittee.

At this point, the Public Advocate (Ms. James) assumed the Chair as the Acting President Pro Tempore and Acting Presiding Officer.

REPORTS OF THE STANDING COMMITTEES

Reports of the Committee on Finance

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

Report for Int. No. 360

Report of the Committee on Finance in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to a partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more.

The Committee on Finance, to which the annexed proposed local law was referred on May 29, 2014, respectfully

REPORTS:

Background

Pursuant to State Real Property Tax Law, property owners are safeguarded from large increases in the valuation of their property. Smaller properties have increases in their assessments capped, while larger properties have changes in their valuation phased-in over a 5 year period.

However, these protections do not apply to physical changes, such as repairs and construction. However, these safeguards only apply to changes in valuation due to market forces; changes due to physical changes and construction are not subject to the aforementioned protective caps and phase-ins. The rationale behind this distinction is that a property owner makes a proactive decision when undertaking physical improvements that raise the value of his or her property and are therefore able to plan for the associated increase in assessment that the improvement causes. Increases in valuation due to market conditions on the other hand are largely outside the control of the property owner.

The destruction and subsequent rebuilding triggered by Super Storm Sandy has resulted in a number of physical changes to properties that have affected their valuation. Prior to the storm, because of the assessment caps and phase-ins, a typical residential property may have had an assessment that was slowly increasing over the past several years, and would have likely grown for a number of years more before it finally reflected the true value of the home. After the storm, however, and after the necessary rebuilding was made, many property owners saw, or will see, their assessment jump to the target value. This is true when the property owner simply rebuilds the property to put it in pre-storm condition.

In effect, Sandy has short circuited the protections generally provided to property owners and will cause large assessment increases on properties that would not have seen such increases had the storm not occurred. It should be noted that as Class 1 (1 to 3 family homes) and Class 2 (other residential properties) with less than 11 units have the stronger protections of caps, they are more likely to be adversely affected by this "short circuiting" than the large Class 2 and Class 4 buildings.

Preconsidered Int. 360

For Fiscal Year (FY) 2015 only, this bill would provide real property tax relief to New York City residents who repaired or rebuilt properties that were severely damaged by Super Storm Sandy. In order to assist property owners who saw their assessed value increase to a level higher than its pre-storm level as a result of repairs due to Sandy damage, this bill provides that the Commissioner of Finance shall grant a partial abatement of real property taxes so that the owners of these properties will not incur such an increase in real property taxes for fiscal year 2015 over the bill they received in Fiscal 2013.

Section one of this bill adds a new section 11-243.1 to the Administrative Code authorizing the Commissioner of Finance to grant a partial abatement of real property taxes for certain class one, two and four properties.

Class 1, Class 2, and Class 4 properties which:

- The Department of Finance reduced the assessed valuation of the property in FY 14 as a result of Sandy damage;
- In FY 15, the Department of Finance increased the assessed valuation of the building as result of repairs for such damage;
- The assessed valuation of the building in FY 15 exceeds the value of the property in FY 14; and
- Owners of such property made repairs on or before January 5, 2014.

To the extent the square footage used to determine the assessed valuation of the

building on the property for fiscal year 2015 exceeds that for fiscal year 2013, the bill provides that the Department of Finance will recalculate the abatement to reduce the abatement by the portion of the tax for fiscal year 2015 that is attributable to the excess square footage of the building.

The bill also includes provisions for the correction of erroneous abatements and the collection of the amount of abatements granted in error, and for the adjustment of abatements granted to properties for which the assessed valuation and the corresponding real property tax have been reduced.

Effect of the Preconsidered Introduction

According to the Department of Finance, it is estimated a total of 7,456 tax parcels (1,684 buildings) will receive the abatement:

- Class 1: 2,109 parcels (1,458 buildings)
- Class 2: 4,931 parcels (126 buildings)
- Class 4: 416 parcels (100 buildings)
-

The amount of the abatement will reflect the increase in the real property tax attributable to improvements (repairs made for Sandy damage) on the eligible property. (The calculation varies slightly for the large Class 2 properties with more than 10 units, and Class 4 properties). This abatement will provide an estimated $4,083,018 in much-needed tax relief to 1,684 buildings. 1,458 of those buildings are 1 to 3 family homes who will see an estimated average abatement of $1,077 off their tax bill.

Class 1 and 2ABC Post-Exemption Tax Difference

Tax Class	All Total Buildings	All Parcels	All Abatement
CLASS 1 CONDO	32	644	$543,470
CLASS 1 OTHER	1,426	1,426	$1,026,552
CLASS 2ABC (10 or less units)	68	108	$359,696
All	1,526	2,178	$1,929,718

Class 2_ and 4 Post-Exemption Tax Difference

Tax Class	All Total Buildings	All Parcels	All Abatement
CLASS 2 CONDO	23	4,772	$403,736
CLASS 2 OTHER	35	35	$917,437
CLASS 4 CONDO	30	317	$341,107
CLASS 4 OTHER	70	70	$491,020
All	158	5,194	$2,153,300
TOTAL	1,684	7,372	$4,083,018

(The following is the text of the Fiscal Impact Statement for Int. No. 360:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PRECONSIDERED INTRO. NO:
COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to a partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more.

SPONSOR(S): Ignizio, Ferreras, Matteo, Treyger, Rose, Richards, Maisel, Deutsch, Menchaca, Chin, Vacca, and Ulrich (in conjunction with the Mayor)

SUMMARY OF LEGISLATION: For Fiscal Year (FY) 2015 only, this bill would provide real property tax relief to New York City residents who repaired or rebuilt properties that were severely damaged by Super Storm Sandy. In order to assist property owners who saw their assessed value increase to a level higher than its pre-storm level as a result of repairs due to Sandy damage, this bill provides that the Commissioner of Finance shall grant a partial abatement of real property taxes so that the owners of these properties will not incur such an increase in real property taxes for fiscal year 2015 over the bill they received in Fiscal 2013.

To the extent the square footage used to determine the assessed valuation of the building on the property for fiscal year 2015 exceeds that for fiscal year 2013, the bill provides that the Department of Finance will recalculate the abatement to reduce the abatement by the portion of the tax for fiscal year 2015 that is attributable to the excess square footage of the building.

The bill also includes provisions for the correction of erroneous abatements and the collection of the amount of abatements granted in error, and for the adjustment of abatements granted to properties for which the assessed valuation and the corresponding real property tax have been reduced.

EFFECTIVE DATE: This local law shall take effect on the same date as a chapter of the laws of 2014 amending the real property tax law relating to establishing a partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more, as proposed in legislative bill number S.7257, takes effect.

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	($4,000,000)	($4,000,000)
Expenditures	$0	$0	$0
Net	$0	($4,000,000)	($4,000,000)

IMPACT ON REVENUES: The bill would provide about $4,000,000 in abatements to 7,372 property tax parcels. The exact value of the abatements will not be known until the City adopts the tax rates for Fiscal 2015, which is done as part of the adoption process for the Fiscal 2015 budget. The $4,000,000 figure is therefore based on the final assessed values for Fiscal 2015 and Fiscal 2014 tax rates used as an estimate for the Fiscal 2015 rates. The final figure is not expected to vary greatly from this estimate.

IMPACT ON EXPENDITURES:

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: City Funds

SOURCE OF INFORMATION: New York City Department of Finance

ESTIMATE PREPARED BY: Emre Edev, Senior Legislative Financial Analyst

ESTIMATED REVIEWED BY: Raymond Majewski, Deputy Director / Chief Economist

Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: This legislation will be considered by the Committee on Finance as a Pre-considered Intro on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for introduction and vote.

DATE SUBMITTED TO THE COUNCIL: May 29, 2014

DATE PREPARED: May 28, 2014

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 360:)

Int. No. 360

By Council Members Ignizio, Ferreras, Matteo, Treyger, Rose, Richards, Maisel, Deutsch, Menchaca, Chin, Vacca, Ulrich, Dickens, Dromm, Eugene, Gentile, Greenfield, Koo and Vallone (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to a partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-243.1 to read as follows:

§ 11-243.1. Partial abatement for certain rebuilt real property seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more.

1. Generally. Notwithstanding any provision of any general, special or local law to the contrary, for the fiscal year beginning on the first of July, two thousand fourteen, the commissioner of finance shall grant a partial abatement of real property taxes in the amount provided in this section to eligible real property as defined in subdivision three of this section on the first of July, two thousand fourteen. If legal title to eligible real property is held by one or more trustees, the beneficial owner or owners shall be deemed to own the property for purposes of this section. Notwithstanding any provision of article four of the real property tax law to the contrary, a property that is receiving benefits pursuant to any other section of article four of the real property tax law shall not be prohibited from receiving a partial abatement pursuant to this section if such property is otherwise eligible to receive such abatement.

2. Definitions. As used in this section:

a. "Actual assessed valuation" means the assessed valuation of real property prior to the calculation of any transitional assessed valuation pursuant to subdivision three of section eighteen hundred five of the real property tax law, and which is not reduced by any exemption from real property taxes.

b. "Annual tax" means the amount of real property tax that is imposed on a property for a fiscal year, determined after reduction for any amount from which the property is exempt, or which is abated, pursuant to applicable law.

c. "Annual tax attributable to improvements" means the amount of real property tax that is imposed on a property for a fiscal year, determined after reduction for any amount from which the property is exempt, or which is abated, pursuant to applicable law, multiplied by a fraction, the numerator of which is equal to the assessed valuation of the property for such fiscal year that is attributable to the improvements on the property, and the denominator of which is the total assessed valuation of the property for such fiscal year.

d. "Assessed valuation" means the assessed valuation of real property that was used to determine the annual tax as defined in paragraph b of this subdivision, and which is not reduced by any exemption from real property taxes. For real property classified as class two or class four real property as defined in subdivision one of section eighteen hundred two of the real property tax law to which subdivision three of section eighteen hundred five of the real property tax law applies, unless otherwise provided, the assessed valuation is the lower of the actual assessed valuation as defined in paragraph a of this subdivision and transitional assessed valuation as defined in paragraph j of this subdivision.

e. "Assessed valuation attributable to improvements" means that portion of the assessed valuation of real property that was used to determine the annual tax attributable to improvements as defined in paragraph c of this subdivision, and which is not reduced by any exemption from real property taxes.

f. "Commissioner of finance" means the commissioner of finance of the city of New York, or his or her designee.

g. "Department of finance" means the department of finance of the city of New York.

h. "Improvements" means buildings and other articles and structures, substructures and superstructures erected upon, under or above the land, or affixed thereto, including bridges and wharves and piers and the value of the right to collect wharfage, cranage or dockage thereon.

i. "Total square footage of the improvements on the property" means, with respect to a fiscal year, the square footage used by the department of finance in determining the assessed valuation attributable to improvements on the property for such fiscal year.

j. "Transitional assessed valuation" is the assessed valuation calculated pursuant to subdivision three of section eighteen hundred five of the real property tax law, and which is not reduced by any exemption from real property taxes.

3. Eligible real property. For purposes of this section, "eligible real property" means any tax lot that contained, on the applicable taxable status date, class one, class two or class four real property as such class of real property is defined in subdivision one of section eighteen hundred two of the real property tax law, as to which:

a. the department of finance reduced the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand thirteen from the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand twelve as a result of damage caused by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve;

b. the department of finance increased the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen from the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand thirteen; and

c. the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen exceeds the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand twelve.

4. Amount of partial abatement. a. Except as provided in paragraph c of this subdivision, eligible real property shall receive a partial abatement of the real property taxes due on such property equal to the amount by which (1) the annual tax on the property for the fiscal year beginning on the first of July, two thousand fourteen exceeds (2) the annual tax on the property for the fiscal year beginning on the first of July, two thousand twelve.

b. Notwithstanding paragraph a of this subdivision and except as provided in paragraph c of this subdivision, the amount of the partial abatement of the real property taxes due on eligible real property classified as class two or class four real property as defined in subdivision one of section eighteen hundred two of this chapter to which subdivision three of section eighteen hundred five of this chapter applies shall be equal to the amount of (1) the increase in the actual assessed valuation attributable to an addition to or improvement of the property as provided in subdivision five of section eighteen hundred five of the real property tax law for the fiscal year beginning on the first of July, two thousand fourteen, (2) reduced by the increase in the actual assessed valuation attributable to an addition to or improvement of the property as provided in subdivision five of section eighteen hundred five of the real property tax law for the fiscal year beginning on the first of July, two thousand fourteen, multiplied by a fraction, the numerator of which is the transitional assessed valuation for the fiscal year beginning on the first of July, two thousand thirteen, and the denominator of which is the actual assessed valuation for the fiscal year beginning on the first of July, two thousand thirteen, (3) multiplied by the real property tax rate that is applicable to the property for the fiscal year beginning on the first of July, two thousand fourteen. Eligible real property shall not be eligible for an abatement under this section if the fraction calculated in subparagraph two of this paragraph is equal to or greater than one.

c. In the event that the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen exceeds the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand twelve, the amount of the partial abatement shall be the amount computed by multiplying the amount calculated under paragraph a or b of this subdivision by a fraction, the numerator of which is equal to the amount of the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand twelve, and the denominator of which is equal to the amount of the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen.

d. For property held in the cooperative form of ownership, the abatement shall be credited to each unit therein in an amount equal to that proportion of the amount calculated under this subdivision that is attributable to such unit, as determined by the proportional relationship of the owner's share or shares of stock in the cooperative corporation that owns such real property to the total outstanding stock of the cooperative corporation.

e. Eligible real property shall not be eligible for an abatement under this section if the amount of the abatement calculated pursuant to this subdivision exceeds the annual tax on the property for the fiscal year beginning on the first of July, two thousand fourteen.

5. Recovery of erroneous abatement.

a. For purposes of this section, an "erroneous abatement" means that:

(1) an abatement was granted to a property that was not entitled to an abatement under this section, or

(2) an abatement was applied or calculated in error under this section. In such event, the amount of the erroneous abatement shall be equal to the difference between the amount of the abatement originally received and the amount to which the property was entitled.

b. If the commissioner of finance determines that a property received an erroneous abatement, he or she shall recover such erroneous abatement by deducting the amount of the erroneous abatement from any refund or rebate otherwise payable to the owner, and any balance of the amount of the erroneous abatement remaining unpaid shall constitute a tax lien on the real property, as of the due and payable date provided on the next tax bill mailed by the commissioner of finance containing such amount. If such amount is not paid by such due

and payable date, interest at the rate applicable to delinquent real property taxes on such property shall be charged and collected on such amount from the due and payable date provided on such notice to the date of payment. Such tax lien shall be enforceable in accordance with the provisions of law relating to the enforcement of tax liens in any such city.

6. Reduction of assessed value. If the taxable assessed value of a property for the fiscal year beginning on the first of July, two thousand fourteen is reduced after the assessment roll applicable to such fiscal year becomes final, any abatement already granted pursuant to this section shall be adjusted accordingly. The difference between the original abatement and the adjusted abatement shall be deducted from any credit otherwise due.

7. Rulemaking. The commissioner of finance shall be authorized to promulgate rules necessary to effectuate the purposes of this section.

§ 2. This local law shall take effect on the same date as a chapter of the laws of 2014 amending the real property tax law relating to establishing a partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more, as proposed in legislative bill number S.7257, takes effect.

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, VINCENT M. IGNIZIO; Committee on Finance, May 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).

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. 256

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 May 29, 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 May 29, 2014, approves new designations and changes in the designation of certain organizations receiving local and aging 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 the Fiscal 2014 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2014 and Fiscal 2013 Expense Budget.

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

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 aging 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 3-12; sets forth new designations and specific changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2013 Expense Budget, as described in Chart 13; amends the description for the Description/Scope of Services for certain organizations receiving funding pursuant to the Fiscal 2014 Expense Budget as described in Chart 14; amends the description for the Description/Scope of Services for certain organizations receiving funding pursuant to the Fiscal 2013 Expense Budget as described in Chart 15.

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 aging discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 3 sets forth the changes in the designation, specifically a name change, 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 5 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 6 sets forth the changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 7 sets forth the changes in the designation, specifically a name change, of a certain organization receiving funding pursuant to the Infant Mortality Reduction 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 Adult Literacy Services Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 9 sets forth the changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Information and Referral Contracts 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 the Mental Hygiene Contracts – FY13 PEG Restoration Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 11 sets forth the changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Out of School Time Restoration Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 12 sets forth the changes in the designation, specifically the amount, of a certain organization receiving funding pursuant to the Child Care Vouchers Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 13 sets forth the changes in the designation, specifically an EIN change, of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 14 amends the description for the Description/Scope of Services for a certain organization receiving discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 15 amends the description for the Description/Scope of Services for a certain organization receiving 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. 256:)

Res. No. 256

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

By Council Members Ferreras, King and Koo.

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 and aging 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 2013 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving aging discretionary funding; 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 and youth discretionary funding; and

; 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 aging 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 changes in the designation, specifically a name change, 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Immigrant Opportunities 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 certain organizations receiving Discretionary Child Care Initiative funding 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the DYCD Food Pantries 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 changes in the designation, specifically a name change, of a certain organization receiving funding pursuant to the Infant Mortality Reduction 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 and changes in the designation of certain organizations receiving Adult Literacy Services Initiative funding 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Information and Referral Contracts 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 and changes in the designation of certain organizations receiving Mental Hygiene Contracts – FY13 PEG Restoration Initiative funding 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Out of School Time Restoration 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 changes in the designation, specifically an amount change, of a certain organization receiving funding pursuant to the Child Care Vouchers 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 changes in the designation, specifically an EIN change, of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new Description/Scope of Services for a certain organization receiving discretionary funding 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 Description/Scope of Services for a certain organization receiving discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 15.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
CD28	Baisley Park Houses Tenant Association	13-4994650	NYCHA	($7,500.00)	098	002		
CD28	Baisley Park Houses Tenant Association	13-6400434	NYCHA	$7,500.00	098	002		
Greenfield	Young Israel Senior Services, Inc.	03-0381957	DFTA	($5,000.00)	125	003		
Greenfield	Young Israel Senior Services, Inc.	13-4136312	DFTA	$5,000.00	125	003		
Greenfield	Community Service Center of Greater Williamsburg Inc	13-6400434	DFTA	($25,000.00)	125	003		
Greenfield	Community Service Center of Greater Williamsburg Inc	45-5180976	DFTA	$25,000.00	125	003		
Gentile	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2488439	DFTA	($3,500.00)	125	003		
Gentile	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2649513	DFTA	$3,500.00	125	003		
Brewer	Citywide Youth Opera, Inc. **	05-0616054	DCLA	($3,000.00)	126	003		
Brewer	Citywide Youth Opera, Inc. **	05-0616054	DYCD	$3,000.00	260	312		
CC	Cypress Hills Local Development Corporation **	11-2683663	DYCD	($40,000.00)	260	312		
CC	Cypress Hills Local Development Corporation **	11-2683663	HPD	$40,000.00	806	009		
Manhattan Delegation	STPCV Tenants Association Foundation, Inc. **	27-4554330	DYCD	($3,500.00)	260	005		
Manhattan Delegation	STPCV Tenants Association Foundation, Inc. **	27-4554330	HPD	$3,500.00	806	009		
	Trustees Of Columbia University In The City Of New York - Harlem Health Promotion Center	13-5598093	DOHMH	($38,000.00)	816	117		
	Trustees of Columbia University in the City of New York	13-5598093	DOHMH	$38,000.00	816	117		
Brewer	New York City Parents of Lesbians and Gay Men, Inc. (d/b/a PFLAG New York City)	13-3049626	DYCD	($500.00)	260	312		
Brewer	Citywide Youth Opera, Inc.	05-0616054	DYCD	$500.00	260	312		
Van Bramer	Sunnyside Chamber of Commerce	11-2944783	DSBS	($15,000.00)	801	002		
Van Bramer	Sunnyside District Management Association	26-1278224	DSBS	$15,000.00	801	002		

* Indicates pending completion of pre-qualification review.

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

CHART 3: Cultural After School Adventure - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Koo	Queens College Foundation For Kupferberg Center Performances	11-6080521	DCLA	($20,000.00)	126	003	
Koo	Queens College Foundation For Godwin Ternbach Museum	11-6080521	DCLA	$20,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 2: Aging Discretionary - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Greenfield	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2488439	DFTA	($7,500.00)	125	003			
Greenfield	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2649513	DFTA	$7,500.00	125	003			
Oddo	American-Italian Coalition of Organizations, Inc. (AMICO - Extended Services Program)	11-2488439	DFTA	($5,500.00)	125	003			
Oddo	American-Italian Coalition of Organizations, Inc. (AMICO - Extended Services Program)	11-2649513	DFTA	$5,500.00	125	003			
Gonzalez	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2488439	DFTA	($4,000.00)	125	003			
Gonzalez	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2649513	DFTA	$4,000.00	125	003			

* Indicates pending completion of pre-qualification review.

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

CHART 5: Discretionary Child Care - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Barron	United Community Day Care Center, Inc	11-1950787	ACS	($9,646.00)	068	004	
Barron	United Community Day Care Center, Inc	23-7129582	ACS	$9,646.00	068	004	
Eugene	Parkside ECDC	11-2248037	ACS	($51,667.00)	068	004	
Eugene	Catholic Charities Neighborhood Services, Inc	11-2047151	ACS	$51,667.00	068	004	
Lander	12th Street Preschool, Inc.	11-2295989	ACS	$119,108.00	068	004	

* Indicates pending completion of pre-qualification review.

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

CHART 4: Immigrant Opportunities Initiative - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Staten Island	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2488439	DYCD	($11,000.00)	260	005	
Staten Island	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2649513	DYCD	$11,000.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 7: Infant Mortality Reduction - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Mount Sinai School of Medicine of New York University	13-1624096	DOHMH	($123,541.16)	816	113	
Mount Sinai Hospital	13-1624096	DOHMH	$123,541.16	816	113	

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

CHART 6: DYCD Food Pantries - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn	St. Patrick's Vincent de Paul Society		DYCD	($5,000.00)	260	005	
Brooklyn	St. Patrick's Vincent de Paul Society	11-1631818	DYCD	$5,000.00	260	005	

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

CHART 9: Information and Referral Contracts - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
American-Italian Coalition of Organizations, Inc. (AMICO - Extended Services Program)	11-2488439	DFTA	($94,105.00)	125	003	
American-Italian Coalition of Organizations, Inc. (AMICO - Extended Services Program)	11-2649513	DFTA	$94,105.00	125	003	

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

CHART 8: Adult Literacy Services Initiative - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
American-Italian Coalition of Organizations, Inc. (AMICO)	11-2488439	DYCD	($10,000.00)	260	005	
American-Italian Coalition of Organizations, Inc. (AMICO)	11-2649513	DYCD	$10,000.00	260	005	
Fordham Bedford - Children's Services	13-3805049	DYCD	($30,000.00)	260	005	
Fordham Bedford Community Services	13-3805049	DYCD	$30,000.00	260	005	

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

CHART 11: Out of School Time Restoration - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
YM-YWHA of Washington Heights Inwood	13-1624228	DYCD	($37,665.00)	260	312	
YM-YWHA of Washington Heights Inwood	13-1635308	DYCD	$37,665.00	260	312	

* Indicates pending completion of pre-qualification review.

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

CHART 10: Mental Hygiene Contracts - FY13 PEG Restoration - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	($204,625.00)	816	121	
Brooklyn Bureau of Community Services	11-1630780	DOHMH	$8,000.00	816	121	
Staten Island ARC	13-5660279	DOHMH	$96,920.00	816	121	
United Cerebral Palsy	13-5654532	DOHMH	$99,705.00	816	121	

* Indicates pending completion of pre-qualification review.

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

CHART 13: Aging Discretionary - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Greenfield	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2488439	DFTA	($7,500.00)	125	003			
Greenfield	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2649513	DFTA	$7,500.00	125	003			

* Indicates pending completion of pre-qualification review.

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

CHART 12: Child Care Vouchers - Fiscal 2014

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Administration for Children Services	13-6400434	ACS	($119,108.00)	068	004	

* Indicates pending completion of pre-qualification review.

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

CHART 14: Purpose of Funds Changes - Fiscal 2014

Source	Organization	EIN Number	Agency	Amount	New Purpose of Funds *
Local	Brooklyn Congregations United, Inc.	61-1567317	DYCD	($3,500.00)	To support training and leadership development programs. Funding will pay for staff salaries and associated costs.
Local	Brooklyn Congregations United, Inc.	61-1567317	DYCD	$3,500.00	Funds will be used for community organizing to support training and leadership development programs and associated costs including rent and OTPS
Boro	Friends of Westerleigh Park	13-4176426	DYCD	($2,500.00)	
Boro	Friends of Westerleigh Park	13-4176426	DYCD	$2,500.00	Funds will be used to support the Youth Group for the maintenance of the Park.
Housing Preservation Initiative	MHANY Management, Inc.	72-1303737	HPD	($150,000.00)	This initiative allows neighborhood-based groups to design and implement a grassroots-based approach to the most critical threat to affordable housing in their individual community. Funds will be used for mailings and meetings on foreclosures, home buying and organizing in NYCHA buildings under a Housing Preservation Initiative City Council Discretionary allocation as well as for outreach and which will be conducted by New York Communities for Change.
Housing Preservation Initiative	MHANY Management, Inc.	72-1303737	HPD	$150,000.00	
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	($10,000.00)	
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	$10,000.00	The funding will support the call-in, texting and online services provided for the Brave line. This service requires staffing of mental health professionals to answer calls and upkeep of telephone and computer systems to answer calls. Some funding will also go towards training for existing and future staff on bullying as it relates to mental health and reporting requirements for the NYC Department of Education.
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	($3,500.00)	
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	$3,500.00	The funding will support the call-in, texting and online services provided for the Brave line. This service requires staffing of mental health professionals to answer calls and upkeep of telephony and computer systems to answer calls. Some funding will also go towards training for existing and future staff on bullying as it relates to mental health and reporting requirements for the NYC Department of Education.
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	($4,500.00)	
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	$4,500.00	The funding will support the call-in, texting and online services provided for the Brave line. This service requires staffing of mental health professionals to answer calls and upkeep of telephony and computer systems to answer calls. Some funding will also go towards training for existing and future staff on bullying as it relates to mental health and reporting requirements for the NYC Department of Education.
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	($7,500.00)	
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	$7,500.00	To operate a hotline for NYC students and families dealing with bullying in their communities and schools, and to train staff on bullying as it relates to mental health and reporting requirements for the NYC Department of Education.
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	($10,000.00)	
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	$10,000.00	Funds will support the Brave line, a hotline for New York City students and families dealing with bullying which provides for receipt of calls, texts and on-line communications and is staffed with mental health professionals.
Local	New York City Community Learning Schools Initiative	46-1227433	DOE	($150,000.00)	
Community Schools	New York City Community Learning Schools Initiative	46-1227433	DOE	$150,000.00	The allocation supports the UFT's Community Schools Program which will be launched in six public schools. Their community partners will create strategies that will tie specific health and social services directly to the schools' students and their families.
Aging	Brookdale Senior Resident Tenant Association	03-0488857	DFTA	($9,100.00)	Funds will be used for arts and crafts, recreational trips, celebrations, transportation, and speaker honoraria.
Aging	Brookdale Senior Resident Tenant Association	03-0488857	DFTA	$9,100.00	Funds will be used for arts and crafts, recreational trips, celebrations, transportation, and speaker honoraria. Funds will also be used to purchase a computer and/or peripherals.

CHART 14: Purpose of Funds Changes - Fiscal 2014 (Continued)

Source	Organization	EIN Number	Agency	Amount	New Purpose of Funds *
Local	Kings Highway Beautification Association Inc	20-4986882	DYCD	($15,000.00)	The funding will be used to launch a district-wide graffiti cleaning program in the 47th Council District. The program will make Kings Highway, Avenue U and Avenue P - between Ocean Parkway and McDonald Ave - and McDonald Ave between Ave P and Ave U graffiti-free via a 1 time cleaning of all roll down gates, side walls, doors, storefronts and street furniture. The program will keep these corridors graffiti free via monthly graffiti inspections and maintenance. In addition, the project will graffiti clean up to 50 residential properties throughout the Council District via a graffiti complaint program in which constituents call in graffitied locations to the Council office for fast response clean-up.
Local	Kings Highway Beautification Association Inc	20-4986882	DYCD	$15,000.00	The funding will be used for neighborhood beautification and graffiti removal in the 47th Council District. The program will make Kings Highway, Avenue U and Avenue P - between Ocean Parkway and McDonald Ave - and McDonald Ave between Ave P and Ave U graffiti-free via a 1 time cleaning of all roll down gates, side walls, doors, storefronts and street furniture. The program will keep these corridors graffiti free via monthly graffiti inspections and maintenance. In addition, the project will graffiti clean up to 50 residential properties throughout the Council District via a graffiti complaint program in which constituents call in graffitied locations to the Council office for fast response clean-up.
Youth	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.
Youth	Little Orchestra Society-Orpheon, Inc., The	13-2638292	DYCD	$5,000.00	To create and Implement a Kindergarten 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 K through Grade 3. Kindergarten students will work with LOS Teaching Artist.
Local	Sunnyside District Management Association	26-1278224	DSBS	$5,000.00	To support neighborhood beautification projects, which include hanging flower baskets throughout the district. The funds will be used for supplies, as well as installation, maintenance and breakdown of the flower baskets.
Local	Sunnyside District Management Association	26-1278224	DSBS	$20,000.00	To support neighborhood beautification projects, which include hanging flower baskets throughout the district. The funds will be used for supplies, as well as installation, maintenance and breakdown of the flower baskets. The funds will also be used for graffiti cleaning and removal services.

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

CHART 15: Purpose of Funds Changes - Fiscal 2013

Source	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Coney Island Sports Foundation, Inc.	58-2432003	DYCD	($4,000.00)	Funds will be used to provide free tennis instruction, practice, play and educational activities for beginner and Intermediate players, ages 6-18 years. Loaner racquets and balls will be provided to all participants. Special events, team tennis, games and
Local	Coney Island Sports Foundation, Inc.	58-2432003	DYCD	$4,000.00	tournaments, educational and family activities, and trips.

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

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, VINCENT M. IGNIZIO; Committee on Finance, May 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).

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 L.U. No. 77

Report of the Committee on Finance in favor of approving St. Andrews – Section 202 Supportive Housing Program - 2155 VIRGIL PLACE, Bronx, Block 3612, Lot 13, Council District No. 18.

The Committee on Finance, to which the annexed resolution was referred on May 29, 2014, respectfully

REPORTS:

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

May 29, 2014

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

FROM: Sarah Gastelum, Finance Division

RE: Finance Committee Agenda of May 29, 2014- Resolution approving a tax exemption for 2 Land Use Items (Council Districts 1 and 18).

The Open Door Senior Citizens Apartments located at 50 Norfolk Street in Council Member Chin's District consists of one multi-family residential building with 155 units of rental housing for elderly persons of low income. The Chinatown Planning Council Housing Development Fund Company ("HDFC") developed the project under the Section 202 Supportive Housing Program for the Elderly, with financing and operating subsidies from the United States Department of Housing and Urban Development ("HUD") and tax exemption from the City. HDFC now wishes to refinance its original HUD mortgage in order to fund needed repairs, decrease debt service, and meet other financial obligations. In order to facilitate the project, the Prior Tax Exemption must be terminated and replaced with a new exemption that is coterminous with the new 20-year term of the new regulatory agreement the HDFC will enter into with HPD. As such, HPD is requesting that the Council approve a new, 20 year tax exemption under the same terms pursuant to Section 577 of the Private Housing Finance Law.

This item has the approval of Council Member Chin.

St. Andrews Housing Development Fund Company located at 2155 Virgil Place in Council Member Palma's District consists of one multi-family residential building with 79 units of rental housing for elderly persons of low income. St. Andrews Housing Development Fund Company ("HDFC") developed the project under the Section 202 Supportive Housing Program for the Elderly, with financing and operating subsidies from the United States Department of Housing and Urban Development ("HUD") and tax exemption from the City. The HDFC wishes to refinance its original HUD mortgage in order to fund needed repairs, decrease debt service, and meet other financial obligations. In order to facilitate the project, the Prior Tax Exemption must be terminated and replaced with a new exemption that is coterminous with the new 35-year term of the new HUD mortgage loan. As such, HPD is requesting that the Council approve a new, 35 year, partial tax exemption under the same terms pursuant to Section 577 of the Private Housing Finance Law.

This item has the approval of Council Member Palma.

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

Res. No. 265

Resolution approving a partial exemption from real property taxes for property located at 2155 Virgil Place (Block 3612, Lot 13) the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 77).

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated April 21, 2014 that the Council take the following action regarding a housing project located at 2155 Virgil Place (Block 3612, Lot 13) the Bronx ("Exemption Area"):

Approve a partial exemption of the Project from real property taxes pursuant to Section 577 of the Real Property Tax Law (the "Tax Exemption");

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

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

RESOLVED:

The Council hereby grants a partial exemption from real property taxes provided:

(a) "Effective Date" shall mean the date of repayment or refinancing of the HUD Mortgage.

(b) "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3612, Lot 13 on the Tax Map of the City of New York.

(c) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

(d) "HDFC" shall mean St. Andrews Housing Development Fund Company, Inc.

(e) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.

(f) "HUD" shall mean the Department of Housing and Urban Development of the United States of America.

(g) "HUD Mortgage" shall mean the original loan made by HUD to the HDFC in connection with the Section 202 Supportive Housing Program for the Elderly, which loan was secured by a mortgage on the Exemption Area.

(h) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.

(i) "Owner" shall mean the HDFC or any future owner of the Exemption Area.

(j) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on November 13, 1981 (Cal. No. 222).

(k) "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.

(l) "Use Agreement" shall mean the use agreement by and between the HDFC and HUD which commences on or before the Effective Date, runs with the land, binds all subsequent owners and creditors of the Exemption Area, and requires that the housing project on the Exemption Area continue to operate on terms at least as advantageous to existing and future tenants as the terms required by the original Section 202 loan agreement or any Section 8 rental assistance payments contract or any other rental housing assistance contract and all applicable federal regulations.

2. The Prior Exemption shall terminate upon the Effective Date.

3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

4. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the HDFC shall make real property tax payments in the sum of (i) $197,402, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the housing project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the HDFC shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.

5. Notwithstanding any provision hereof to the contrary:

a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

b. The New Exemption shall only apply to a building on the Exemption Area that exists on the Effective Date.

c. Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked.

6. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, VINCENT M. IGNIZIO; Committee on Finance, May 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).

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 L.U. No. 78

Report of the Committee on Finance in favor of approving Open Door Senior Citizens Apartments, 50 Norfolk Street, Manhattan, Block 346, Lots 1 and 75, Council District No. 1.

The Committee on Finance, to which the annexed resolution was referred on May 29, 2014, respectfully

REPORTS:

(For text of Memo, please see the Report of the Committee on Finance for LU No. 77 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 266

Resolution approving a full exemption from real property taxes for property located at 50 Norfolk Street **(Block 346, Lots 1 and 75), Manhattan, pursuant to Section 577 of the Real Property Tax Law (Preconsidered L.U. No. 78).**

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated April 21, 2014 that the Council take the following action regarding a housing project located in the Borough of Manhattan and identified as Block 346, Lots 1 and 75 on the Tax Map of the City of New York (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Real Property Tax Law (the "Tax Exemption");

WHEREAS, the project description that HPD provided to the Council states that the owner of the Exemption Area (the "Sponsor") is a duly organized housing development fund company under Article XI of the Private Housing Finance Law, that developed the Exemption Area under the Section 202 Supportive Housing Program for the Elderly, and that Sponsor is refinancing its original HUD mortgage in order to fund needed repairs, decrease debt service, and meet other financial obligations;

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

RESOLVED:

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

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

(a) “Effective Date” shall mean the date of repayment or refinancing of the HUD Mortgage.

(b) “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 346, Lots 1 and 75 on the Tax Map of the City of New York.

(c) “Expiration Date” shall mean the earlier to occur of (i) a date which is twenty (20) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

(d) “HDFC” shall mean The Chinatown Planning Council Housing Development Company, Inc.

(e) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

(f) “HUD” shall mean the Department of Housing and Urban Development of the United States of America.

(g) "HUD Mortgage" shall mean the original loan made by HUD to HDFC in connection with the Section 202 Supportive Housing Program for the Elderly, which loan was secured by a mortgage on the Exemption Area.

(h) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.

(i) “Owner” shall mean HDFC or, with the prior written approval of HPD, any future owner of the Exemption Area.

(j) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on August 21, 1980 (Cal. No. 4).

(k) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.

(l) "Use Agreement" shall mean the use agreement by and between HDFC and HUD which commences on or before the Effective Date, runs with the land, binds all subsequent owners and creditors of the Exemption Area, and requires that the housing project on the Exemption Area continue to operate on terms at least as advantageous to existing and future tenants as the terms required by the original Section 202 loan agreement or any Section 8 rental assistance payments contract or any other rental housing assistance contract and all applicable federal regulations.

2. The Prior Exemption shall terminate upon the Effective Date.

3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

4. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, HDFC shall make real property tax payments in the sum of (i) $257,869, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the housing project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by HDFC shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.

5. Notwithstanding any provision hereof to the contrary:

a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (iv) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

b. The New Exemption shall not apply to any building constructed on the Exemption Area that was not completed and lawfully occupied on the Effective Date.

c. Nothing herein shall entitle HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked.

6. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, VINCENT M. IGNIZIO; Committee on Finance, May 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).

Reports of the Committee on Land Use

Report for L.U. No. 58

Report of the Committee on Land Use in favor of approving Application No. 20145481 HAK, by the Department of Housing Preservation and Development for approval of an Urban Development Action Area and Project and related tax exemption for property located at 1619 Lincoln Place, Borough of Brooklyn, Community District 8, Council District 41. This request is made pursuant to Article 16 of the General Municipal Law.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on April 29, 2014 (Minutes, page 1424), respectfully

REPORTS:

SUBJECT

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"),

ADDRESS	BLOCK/LOT	NON-ULURP NO.	L.U. NO.	PROGRAM PROJECT
1619 Lincoln Place Brooklyn	1387/57	20145481 HAK	58	Multifamily Preservation Loan
7 Stagg Street	3022/101	20145540 HAK	73	Low Income
198 Montrose Avenue Brooklyn	3063/101			
568 Graham Avenue 235 Driggs Avenue Brooklyn	2700/4	20145541 HAK	74	Third Party Transfer

INTENT

HPD requests that the Council:

1. Find that the present status of the Disposition/Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Projects are consistent with the policy and purposes of Section 691 of the General Municipal Law;

2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;

3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;

4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and

5. Approve an exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law for L.U. No. 58.

PUBLIC HEARING AS TO L.U. NO. 58

Date: May 20, 2014
Witnesses In Favor: Two **Witnesses Against:** None

PUBLIC HEARING AS TO L.U. NO. 73

Date: May 20, 2014
Witnesses In Favor: Three **Witnesses Against:** None

PUBLIC HEARING AS TO L.U. NO. 74

Date: May 20, 2014
Witnesses In Favor: Three **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

Date: May 20, 2014

The Subcommittee recommends that the Committee approve the proposals and grant the requests made by the Department of Housing Preservation and Development.

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

COMMITTEE ACTION

DATE: May 22, 2014

The Committee recommends that the Council approve the attached resolutions.

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

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

Res. No. 267

Resolution approving an Urban Development Action Area and Project located at 1619 Lincoln Place (Block 1387, Lot 57), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure and granting a real property tax exemption, pursuant to Article 16 of the General Municipal Law (L.U. No. 58; 20145481 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 7, 2014 its request dated March 17, 2014 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at 1619 Lincoln Place (Block 1387, Lot 57), Community District 8, Borough of Brooklyn (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;

2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;

3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;

4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and

5. Approve the exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption").

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on May 20, 2014;

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

RESOLVED:

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

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

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

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

The exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

a. All of the value of the buildings, structures, and other improvements situated on the Disposition Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the July 1st following the conveyance of the Disposition Area to the Sponsor, during the last ten years of which such exemption shall decrease in equal annual decrements.

b. The tax exemption granted hereunder shall terminate with respect to all or any portion of the Disposition Area if the Department of Housing Preservation and Development determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the Sponsor or the owner of such real property with, or for the benefit of, the City of New York. The Department of Housing Preservation and Development shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 L.U. No. 59

Report of the Committee on Land Use in favor of approving Application no. 20145032 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Brasserie Cognac East Corp, d/b/a Brasserie Cognac Cafe, for a revocable consent to modify and continue to maintain and operate an unenclosed sidewalk café located at 963 Lexington, Borough of Manhattan, Community District 8, Council District 4. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on April 29, 2014 (Minutes, page 1424), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 8 20145032 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Brasserie Cognac East Corp., d/b/a Brasserie Cognac Café, for a revocable consent to modify and continue to maintain and operate an unenclosed sidewalk café located at 963 Lexington Avenue.

INTENT

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

PUBLIC HEARING

DATE: May 20, 2014

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

SUBCOMMITTEE RECOMMENDATION

DATE: May 20, 2014

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

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

COMMITTEE ACTION

DATE: May 22, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 268

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 963 Lexington Avenue, Borough of Manhattan (20145032 TCM; L.U. No. 59).

By Council Members Greenfield and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on April 14, 2014 its approval dated April 11, 2014 of the petition of Brasserie Cognac East Corp., d/b/a Brasserie Cognac Café, for a revocable consent to modify and continue to maintain and operate an unenclosed sidewalk café located at 963 Lexington Avenue, Community District 8, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

WHEREAS, upon due notice, the Council held a public hearing on the Petition on May 20, 2014; and

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

RESOLVED:

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

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 L.U. No. 66

Report of the Committee on Land Use in favor of approving Application No. C 140207 HAM submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of Urban Development Action Area and Project for property located at 260 West 153rd Street (Block 2038, Lots p/o 1, 55 and 57) and pursuant to Section 197-c of the New York City Charter for the approval of disposition of such property (Block 2038, Lots 55 and 57), in the Borough of Manhattan, Community District 10, Council District 9. 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.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 14, 2014 (Minutes, page 1699), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 10 C 140207 HAM

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 260 West 153rd Street (Block 2038; Lots p/o 1, 55 and 57), 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 (Block 2038, Lots 55 and 57) to a developer selected by HPD;

to facilitate the development of a seven-story building, with approximately 51 residential units, 16,253 square feet of community facility space, and 2,652 square feet of recreation and open space.

INTENT

To facilitate the development of a seven-story building with approximately 51 residential units, community facility, recreational and open space.

PUBLIC HEARING

DATE: May 20, 2014

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

SUBCOMMITTEE RECOMMENDATION

DATE: May 20, 2014

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

In Favor: Dickens, Rodriguez, Cohen, Treyger

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

COMMITTEE ACTION

DATE: May 22, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

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

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

Res. No. 269

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 140207 HAM, approving the designation of properties located at 260 West 153rd Street (Block 2038, Lots 58 (formerly p/o 1), 55 and 57), Borough of Manhattan, as an Urban Development Action Area, approving an Urban Development Action Area Project, and approving the disposition of Block 2038, Lots 55 and 57 to a developer selected by HPD (L.U. No. 66; C 140207 HAM).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on April 25, 2014 its decision dated April 23, 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 properties located at 260 West 153rd Street (Block 2038, Lots 58 (formerly p/o 1), 55 and 57), as an Urban Development Action Area (the "Area");

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

pursuant to Section 197-c of the New York City Charter for the disposition of city-owned properties (Block 2038, Lots 55 and 57) to a developer to be selected by the New York City Department of Housing Preservation and Development to facilitate the development of a seven-story building with approximately 51 residential units, 16253 square feet of community facility space, and 2,652 square feet of recreational and open space, Community District 10, Borough of Manhattan (ULURP No. C 140207 HAM) (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 April 21, 2014 and submitted May 5, 2014, the New York City Department of Housing Preservation and Development (HPD) submitted its requests respecting the Application including a project summary (the "Project Summary");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on May 20, 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 including the negative declaration (CEQR No. 14HPD026M) issued on December 13, 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 140207 HAM) 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 (the "Project") 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 Manhattan, Block 2038, Lots 55 and 57 to a developer selected by the New York City Department of Housing Preservation and Development.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 L.U. No. 67

Report of the Committee on Land Use in favor of approving Application No. C 130313 MMQ submitted by Yeshiva Har Torah and NYC Department of Parks and Recreation Section 197-c and 199 of the New York City Charter for an amendment to the City Map involving the elimination, discontinuance and closed of a portion of 87th Avenue between 235th Court and Gettysburg Street and the establishment of parkland, Borough of Queens, Community Board 13, Council District 23. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 14, 2014 (Minutes, page 1700), respectfully

REPORTS:

SUBJECT

QUEENS CB – 13 **C 130313 MMQ**

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

- the elimination of a portion of 87th Avenue between 235th Court and Getysburg Street;
- the establishment of a park within an area generally bounded by Hillside Avenue, 235th Court, 87th Avenue and Gettysburg Street; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5015 dated December 12, 2013 and signed by the Borough President.

INTENT

This change to the City Map, in conjunction with the other related actions would establish a park and facilitate a parking lot expansion and improved circulation space for an adjacent school located in the Glen Oaks neighborhood of Queens in Community District 13.

PUBLIC HEARING

DATE: May 20, 2014

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

SUBCOMMITTEE RECOMMENDATION

DATE: May 20, 2014

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

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

COMMITTEE ACTION

DATE: May 22, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 270

Resolution approving the decision of the City Planning Commission on ULURP No. C 130313 MMQ, an amendment to the City Map (L.U. No. 67).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on April 25, 2014 its decision dated April 23, 2014 (the "Decision"), on the application submitted by Yeshiva Har Torah and the New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination of a portion of 87th Avenue between 235th Court and Getysburg Street;
- the establishment of a park within an area generally bounded by Hillside Avenue, 235th Court, 87th Avenue and Gettysburg Street; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5015 dated December 12, 2013 and signed by the Borough President, (ULURP No. C 130313 MMQ), Community District 13, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 130314 MMQ (L.U. No. 68), an amendment to the City Map involving the elimination, discontinuance and closing of a portion of the Grand Central Parkway; and C 140203 ZMQ (L.U. No. 69), an amendment of the Zoning Map pursuant to Sections 197-c and 201 of the New York City Charter by establishing within a former park an R3-2 District;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 20, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues, the negative declaration (CEQR No. 13DPR009Q) issued on November 27, 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 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 130313 MMQ, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination of a portion of 87th Avenue between 235th Court and Getysburg Street;
- the establishment of a park within an area generally bounded by Hillside Avenue, 235th Court, 87th Avenue and Gettysburg Street; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5015 dated December 12, 2013 and signed by the Borough President.

All such approvals being subject to the following conditions:

a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 5015, dated December 12, 2013, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter; and

b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition "a" above until the applicant shall have executed a mapping agreement protecting the City's interest, in form and sufficiency approved by the Corporation Counsel, and which agreement shall be accepted by the City Planning Commission (the "Mapping Agreement"); and

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 L.U. No. 68

Report of the Committee on Land Use in favor of approving Application No. C 130314 MMQ submitted by Yeshiva Har Torah and NYC Department of Parks and Recreation Section 197-c and 199 of the New York City Charter for an amendment to the City Map involving the elimination, discontinuance and closed of a portion of the Grand Central Parkway, Borough of Queens, Community Board 13, Council District 23. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 14, 2014 (Minutes, page 1700), respectfully

REPORTS:

SUBJECT

QUEENS CB – 13 **C 130314 MMQ**

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

- the elimination, discontinuance and closing of a portion of the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5010 dated December 12, 2013 and signed by the Borough President.

INTENT

This change to the City Map, in conjunction with the other related actions would establish a park and facilitate a parking lot expansion and improved circulation space for an adjacent school located in the Glen Oaks neighborhood of Queens in Community District 13.

PUBLIC HEARING

DATE: May 20, 2014

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

SUBCOMMITTEE RECOMMENDATION

DATE: May 20, 2014

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

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

COMMITTEE ACTION

DATE: May 22, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 271

Resolution approving the decision of the City Planning Commission on ULURP No. C 130314 MMQ, an amendment to the City Map (L.U. No. 68).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on April 25, 2014 its decision dated April 23, 2014 (the "Decision"), on the application submitted by Yeshiva Har Torah and the New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq*. of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5010 dated December 12, 2013 and signed by the Borough President, (ULURP No. C 130314 MMQ), Community District 13, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 130313 MMQ (L.U. No. 67), an amendment to the City Map involving the elimination of a portion of 87th Avenue between 235th Court and Gettysburg Street and the establishment of parkland; and C 140203 ZMQ (LL.U. No. 69), an amendment of the Zoning Map pursuant to Sections 197-c and 201 of the New York City Charter by establishing within a former park an R3-2 District;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 20, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues, the negative declaration (CEQR No. 13DPR009Q) issued on November 27, 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 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 130314 MMQ, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of the Grand Central Parkway at the intersection of the Grand Central Parkway and the Little Neck Parkway; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5010 dated December 12, 2013 and signed by the Borough President, as more particularly described as follows:

Beginning at a point on the westerly line of Little Neck Parkway, said point being the following two courses and distances from the point of tangency adjacent to the Queens Topographical Monument Number 21589, as said streets are shown on Alteration Map No. 5010 dated December 12, 2013;

1) 274.92 feet southerly along the westerly line of Little Neck Parkway, on the arc of a circle, curving to the right, the radius of which is 318.335 feet.

2) 35.65 feet continuing southerly along the westerly line of Little Neck Parkway.

No. 1 Running thence northwesterly along the former southwesterly line of Grand Central Parkway, discontinued and closed, on the arc of a circle, curving to the left, the radius of which is 318.335 feet, for 95.16 feet to a point;

No. 2 Thence continuing northwesterly along the former southwesterly line of Grand Central Parkway, discontinued and closed, on the arc of a circle, curving to the right, the radius of which is 205.000 feet, tangent to the last mentioned course, for 79.85 feet to a point;

No. 3 Thence westerly along the former southerly line of Grand Central Parkway, discontinued and closed, forming an interior angle of 33 degrees 10 minutes 57 seconds with the tangent of the last mentioned course, for 273.26 feet to a point;

No. 4 Thence continuing westerly along the former southerly line of Grand Central Parkway, discontinued and closed, forming an interior angle of 259 degrees 01 minutes 10 seconds with the last mentioned course, for 11.52 feet to a point;

No. 5 Thence continuing westerly along the former southerly line of Grand Central Parkway, discontinued and closed, forming an interior angle of 103 degrees 51 minutes 32 seconds with the last mentioned course, for 75.28 feet to a point;

No. 6 Thence easterly along a line, on the arc of a circle, curving to the right, the radius of which is 520.000 feet, the tangent of which forms an interior angle of 31 degrees 45 minutes 03 seconds with the last mentioned course, for 220.00 feet to a point;

No. 7 Thence continuing easterly along a line, on the arc of a circle, curving to the right, the radius of which is 300.000 feet, tangent to the last mentioned course, for 103.26 feet to a point;

No. 8 Thence continuing easterly along a line, tangent to the last mentioned course, for 34.13 feet to a point;

No. 9 Thence southeasterly along a line, on the arc of a circle, curving to the right, the radius of which is 279.920 feet, tangent to the last mentioned course, for 174.16 feet to a point;

No. 10 Thence continuing southeasterly along a line, tangent to the last mentioned course, for 49.43 feet to a point;

No.11 Thence westerly along a line, forming an interior angle of 90 degrees 00 minutes 00 seconds with the last mentioned course, for 17.11 feet to the westerly line of Little Neck Parkway, the point or place of beginning.

The area described above consists of 27,745 square feet or 0.64 acres and be it further

All such approvals being subject to the following conditions:

a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 5010, dated December 12, 2013, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and

b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, in form and sufficiency approved by the Corporation Counsel, and which agreement shall be accepted by the City Planning Commission (the “Mapping Agreement”); and

c. The subject street to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 L.U. No. 69

Report of the Committee on Land Use in favor of approving Application No. C 140203 ZMQ submitted by Yeshiva Har Torah and NYC Department of Parks and Recreation Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 11d, by establishing within a former park an R3-2 District as shown on a diagram (for illustrative purposes only), dated December 16, 2013, Borough of Queens, Community Board 13, Council District 23.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 14, 2014 (Minutes, page 1700), respectfully

REPORTS:

SUBJECT

QUEENS CB - 13 **C 140203 ZMQ**

City Planning Commission decision approving an application submitted by the New York City Department of Parks and Recreation and Yeshiva Har Torah pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 11d, by establishing within a former park an R3-2 District bounded by the westerly, northerly and easterly boundary lines of a park, and the southerly boundary lines of former park, as shown on a diagram (for illustrative purposes only) dated December 16, 2013.

INTENT

This amendment to the Zoning Map, in conjunction with the other related actions would establish a park and facilitate a parking lot expansion and improved circulation space for an adjacent school located in the Glen Oaks neighborhood of Queens in Community District 13.

PUBLIC HEARING

DATE: May 20, 2014

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

SUBCOMMITTEE RECOMMENDATION

DATE: May 20, 2014

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

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

COMMITTEE ACTION

DATE: May 22, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 272

Resolution approving the decision of the City Planning Commission on ULURP No. C 140203 ZMQ, a Zoning Map amendment (L.U. No. 69).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on April 25, 2014 its decision dated April 23, 2014 (the "Decision"), on the application submitted by the New York City Department of Parks and Recreation and Yeshiva Har Torah, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 11d, which in conjunction with the related actions, would facilitate the development of a parking lot expansion and improved circulation space for an adjacent school (ULURP No. C 140203 ZMQ), Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 130313 MMQ (L.U. No. 67), an amendment to the City Map involving the elimination of a portion of 87th Avenue between 235th Court and Gettysburg Street and the establishment of parkland; and C 130314 MMQ (L.U. No. 68), an amendment to the City Map involving the elimination, discontinuance and closing of a portion of the Grand Central Parkway;

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 May 20, 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 including the negative declaration (CEQR No. 13DPR009Q) issued on November 27, 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 140203 ZMQ, 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 by changing the Zoning Map, Section No. 11d, by establishing within a former park (located at the intersection of the Grand Central Parkway and Little Neck Parkway) an R3-2 District bounded by the westerly, northerly and easterly boundary lines of a park, and the southerly boundary lines of former park, as shown on a diagram (for illustrative purposes only) dated December 16, 2013, Community District 13, Borough of Queens.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 L.U. No. 73

Report of the Committee on Land Use in favor of approving Application No. 20145540 HAK, by the Department of Housing Preservation and Development for approval of an Urban Development Action Area and Project for properties located at 7 Stagg Street and 198 Montrose Avenue, Borough of Brooklyn, Community District 1, Council District 34. 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.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 14, 2014 (Minutes, page 1702), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for LU No. 52 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 273

Resolution approving an amendment to a previously approved Urban Development Action Area Project by adding two new tax lots created from the original project area, and now known as Block 3022, Lot 101 (7 Stagg Street) and Block 3063, Lot 101 (198 Montrose Avenue), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Article 16 of the General Municipal Law (L.U. No. 73; 20145540 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 28, 2014 its request dated March 17, 2014 that the Council amend a previously approved Urban Development Action Area Project (the "Amended Project") on an area that was subdivided from the original project area subsequent to the adoption of Council Resolution No. 1878 of 2001 and which created two new tax lots, Block 3022, Lot 101 (7 Stagg Street) and Block 3063, Lot 101 (198 Montrose Avenue), Community District 1, Borough of Brooklyn (the "Amended Project Area"):

1. Find that the present status of the Amended Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;

2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;

3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law; and

4. Approve the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

WHEREAS, the Amended Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, the request made by the New York City Department of Housing Preservation and Development is related to a previously approved City Council Resolution on April 25, 2001, (Resolution No. 1878 of 2001, L.U. No. 998);

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on May 20, 2014;

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

RESOLVED:

The Council finds that the present status of the Amended Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement of the Amended Project Area as an urban development action area under Section 693 of the General Municipal Law pursuant to said Section.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Amended Project shall be developed upon the terms and conditions in the Amended Project Summary that HPD has submitted to the Council on April 28, 2104, a copy of which is attached hereto.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 L.U. No. 74

Report of the Committee on Land Use in favor of approving Application No. 20145541 HAK, by the Department of Housing Preservation and

Development for approval of an Urban Development Action Area and Project for properties located at 568 Graham Avenue and 235 Driggs Avenue, Borough of Brooklyn, Community District 1, Council District 33. 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.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 14, 2014 (Minutes, page 1702), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for LU No. 52 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 274

Resolution approving an amended project summary for a previously approved Urban Development Action Area Project including 568 Graham Avenue and 235 Driggs Avenue (Block 2700, Lot 4), Borough of Brooklyn, and waiving the urban development action area designation requirement and approving the amended project as an Urban Development Action Area Project, pursuant to Article 16 of the General Municipal Law (L.U. No. 74; 20145541 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 28, 2014 its request dated March 14, 2014 that the Council amend the project summary (the "Amended Project") with respect to a transfer parcel located at 568 Graham Avenue and 235 Driggs Avenue (Block 2700, Lot 4), which was previously approved as an Urban Development Action Area Project, Community District 1, Borough of Brooklyn (the "Transfer Area"):

1. Find that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;

2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;

3. Approve the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

WHEREAS, the Amended Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, the request made by the New York City Department of Housing Preservation and Development is related to a previously approved City Council Resolution on April 17, 2001, (Resolution No. 1852 of 2001, L.U. No. 1008);

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on May 20, 2014;

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

RESOLVED:

The Council finds that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement of the Transfer Area as an urban development action area under Section 693 of the General Municipal Law pursuant to said Section.

The Council approves the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Amended Project shall be developed upon the terms and conditions in the Amended Project Summary that HPD has submitted to the Council on April 28, 2014, a copy of which is attached hereto.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN, ARROYO, INEZ E. DICKENS, DANIEL R. 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, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, May 22, 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 State and Federal Legislation

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

Report for M-65

Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor - "An act to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York." A.9462 / S.7386

The Committee on State and Federal Legislation, to which the annexed communication was referred on May 29, 2014, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly in Albany, N.Y. This Committee is to decide whether to recommend the adoption of this respective Mayor's Message by the Council. By adopting this item, the Council would be formally requesting the New York State Legislature to act favorably in this matter)

BACKGROUND:

The proposed legislation provides for the extension of the City's authority to continue to impose certain taxes. Specifically, in many instances such as with the City's personal income tax, cigarette tax and general corporation tax, failure to extend this authority could result in a return to "default" tax rates which are very out-dated and are substantially below current rates.

According to the two sponsor's memorandum in support if the current levels of taxation are allowed to expire at the end of 2014, the City will lose approximately $12 billion in revenue in Fiscal 2015. Most of these taxes have been in effect since the 1970s and have become an accepted part of the City's tax structure. The loss of such revenue would have a devastating affect on the City's budget. According to the Memorandum, these taxes are extended periodically, most recently in 2011.

- This legislation extends the current rates associated with the City's personal income tax through 2017. These rates are due to sunset on December 31, 2014. Should the rates sunset, they revert to lower tax rate with a maximum rate of 1.48 percent.
- It extends the City's current general corporation tax's rates, which would otherwise sunset on December 31, 2014, reverting to lower rates. The rates are set by formula and can be based on the larger of a respective firm's income, business and investment capital, or combined firm's income and salaries paid to persons owning over five percent of taxpayer's capital stock.
- It extends the 4.5% City sales tax on credit rating & reporting services beyond its sunset date November 30, 2014 to November 30, 2017.
- It also extends the City's sales tax on beauty and barbering services beyond its sunset date November 30, 2014 to November 30, 2017.
- Finally, it extends the City's current cigarette tax rates. The current rate is 75 cents for each 10 cigarettes, but is set to decline to between 2 and 4 cents for each 10 cigarettes, depending on tar and nicotine content, as of December 31, 2014.

PROPOSED LEGISLATION

According to the Sponsor's Memorandum in Support, the provisions of the legislation is the following: Sections 1 and 12 of this legislation would amend Section 1212-A(a)(3) of the Tax Law and Section 11-2040(a) of the Administrative Code, relating to the City's 4.5% sales tax on credit rating and credit reporting services. This tax is set to expire on November 30, 2014. The Tax Law amendment authorizes the City to impose the tax for an additional three years, until November 30, 2017. The Administrative Code amendment imposes the tax for an additional three years until November 30, 2017.

Section 2 of the bill amends Tax Law Section 1310 (a), relating to the tax on personal income of residents of the City. The amendment of the Tax Law section 1301 (a)(1) authorizes the City to extend existing rates of the personal income tax (the rates set forth in Tax Law section 1304 (a)(1)(A), (a)(2)(A) and (a)(3)(A) for an additional three years (for taxable years beginning before 2018) and delays implementation of lower personal income tax rates for three years.

Section 7 of the bill makes a conforming change to the opening paragraph of Administrative Code section 11-1701, which relates to the tax on personal income of residents of the City. The amendment extends the existing personal income rates an additional three years (for taxable years beginning in 2015) and delays the implementation of lower personal income tax rates for three years.

Sections 4 and 8 of the bill amends the Tax Law section 1304(b) and Administrative Code section 11-1701 (b), relating to the tax on the personal income of residents of the City. They make conforming changes to the lower personal income tax rates, delaying their implementation for three years (until taxable years beginning after 2017).

Section 5 and 10 of the bill amends the Tax Law section 1304 (B) (a) and the Administrative code section 11-1704.1 (a)(1), relating to the additional tax on City taxable income. The Tax Law amendment authorizes the City to impose the additional tax for an additional three years at the rate of 14% (for taxable years beginning before 2018).

Section 6, 14, and 15 of the bill amend section 11-604-E of the Administrative Code, Chapter 884 of the Laws of 1975 and Chapter 882 of the Laws of 1977, relating to the City general corporation tax. The current tax rate is the greater of 8.85% on income, 1.5 mills on business and investment capital, 8.85% multiplied by 15% of income plus the amount of salaries and other compensation paid to any person who at any time during the taxable year owned more than 5% of the taxpayer's capital stock or a minimum tax based on the amount of New York City receipts.

Section 11 of the bill amends the Administrative Code section 11-2002 (a) relating to the 4.5% sales tax on beauty and barbering services. The amendment imposes the tax for another three years.

Section 13 of the bill amends Chapter 877 of the laws of 1975 relating to the New York City cigarette tax. The current cigarette tax rate is 75 cents for each ten cigarettes, but is set to decline to 2 cents for each ten cigarettes on January 1, 2015. The amendment extends the existing rate of tax for an additional three years (until December 31, 2017).

FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately.

(The following is the text of the Fiscal Impact Statement for M-65:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PRECONSIDERED M: S. 7386, A. 9462
COMMITTEE: State and Federal Legislation

TITLE: AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York.	**SPONSOR(S):** Council Member Koslowitz

SUMMARY OF LEGISLATION: Extends the authority beneath a variety of taxes and/or associated rates for a further three (3) years. For example, it would extend: the City's current personal income tax rates, which will otherwise revert at the end of 2014 to lower tax rates; general corporation tax rates, preventing reversion at the end of calendar year 2014 to lower rates; sales taxes on credit rating and reporting services and on beauty and barbering services, which are set to sunset November 30, 2014, and; the cigarette tax rate, which is set to decline (the current rate is 75 cents for each ten cigarettes, but is set to decline to between 2 and 4 cents for each ten cigarettes, depending on tar and nicotine content) on December 31, 2014.

EFFECTIVE DATE: The State act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

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 from this legislation. The financial plan assumes the authority regarding taxes covered by this legislation will continue beyond their respective sunset dates this year. Legislative sponsors note that most of these taxes have been in effect for nearly four (4) decades years and have become an accepted and expected part of the City's tax and budgeting structure.

IMPACT ON EXPENDITURES: None

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Christopher Eshleman, Senior Legislative Financial Analyst

ESTIMATED REVIEWED BY: Ray Majewski, Deputy Director & Chief Economist
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: The committee will vote on the Preconsidered M on May 28, 2014. Upon successful committee vote, the Preconsidered M will be submitted for introduction to the Full Council on May 29, 2014, and immediately thereafter, will be voted upon by the Full Council.

DATE SUBMITTED TO THE COUNCIL: MAY 29, 2014

DATE PREPARED: May 20, 2014

EXPECTED VOTE: MAY 28, 2014 – STATE AND FEDERAL LEGISLATION; MAY 29, 2014 – COUNCIL

(For text of the State Assembly bill and respective State Assembly Sponsor's Memorandum of Support, please see M-65 printed in the Mayor's Message section of these Minutes; for text of the State Senate bill and respective State Senate Sponsor's Memorandum of Support, please refer to the State Senate website at www.nysenate.gov)

KAREN KOSLOWITZ, Chairperson; INEZ E. DICKENS, BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; Committee on State and Federal Legislation, May 28, 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 Finance and had been favorably reported for adoption.

Report for M-66

Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor - "AN ACT to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof." S.6624

The Committee on State and Federal Legislation, to which the annexed communication was referred on May 29, 2014, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate in Albany, N.Y. This Committee is to decide whether to recommend the adoption of this respective Mayor's Message by the Council. By adopting this item, the Council would be

formally requesting the New York State Legislature to act favorably in this matter)

BACKGROUND

The State General Municipal Law explicitly identifies the types of instruments in which local governments can temporarily invest their funds. New York City is given additional authority to choose between a broader array of temporary instruments than smaller cities. The Legislature has recognized the need to allow the City to modernize the management of its finances by expanding the types of instruments in which the City may invest, within prudent limits. The expansion has provided the City with increased flexibility in its investment decisions and has consequently allowed the City to achieve higher yields on its investments without a significant increase of risk. According to the Memorandum in Support, in an analysis done by New York City Comptroller Scott Stringer's office, New York City could lose around $10 million annually without the extension of this law.

This bill extends to 2017 the City's authority to hold commercial paper and short term securities issued by other states and localities. Without it the City is limited to bank deposits, Treasuries, agency securities and NYS paper as ways of managing its cash.

LEGISLATION

This legislation extends the July 1, 2014 sunset provisions on the City's additional authority over temporary investments by three years to July 1, 2017. A new three-year extension will allow the City to continue to achieve the increased flexibility and higher yields made possible by the past changes.

FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

The act would take effect immediately; provided however, if this act shall have become law after July 1, 2014 it shall be deemed to have been in full force and effect on and after July 1, 2014.

(The following is the text of the Fiscal Impact Statement for M-66:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PRECONSIDERED M: S. 6624

COMMITTEE: State and Federal Legislation

TITLE: AN ACT to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof.

SPONSOR(S): Council Member Koslowitz

SUMMARY OF LEGISLATION: Extends to 2017 the law, which allows the City flexibility in the types of instruments it uses to invest.

EFFECTIVE DATE: The act would take effect immediately; provided however, if this act shall have become law after July 1, 2014 it shall be deemed to have been in full force and effect on and after July 1, 2014.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

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 from this legislation. The financial plan assumes the temporary investment provisions covered by this legislation will continue to be used as mechanisms to maximize flexibility in making temporary investments. A recent NYC Comptroller estimate indicates the City could lose $10 million annually without that flexibility.

IMPACT ON EXPENDITURES: None

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Christopher Eshleman, Senior Legislative Financial Analyst

ESTIMATED REVIEWED BY: Ray Majewski, Deputy Director & Chief Economist
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: The committee will vote on the Preconsidered Reso. On May 28, 2014. Upon successful committee vote, on May 28, 2014 the bill will be introduced to the Full Council and immediately voted upon following such introduction.

DATE SUBMITTED TO THE COUNCIL: MAY 28, 2014

DATE PREPARED: May 23, 2014

EXPECTED VOTE: MAY 28, 2014 – STATE AND FEDERAL LEGISLATION; MAY 29, 2014 – COUNCIL

(For text of the State Senate bill and respective State Senate Sponsor's Memorandum of Support, please see M-66 printed in the Mayor's Message section of these Minutes; note: the State Assembly companion bill A.8853 was deemed not to require a Home Rule Message from the Council - for text of this State Assembly bill and the respective State Assembly Sponsor's Memorandum of Support, please refer to the State Assembly website at assembly.state.ny.us).

KAREN KOSLOWITZ, Chairperson; INEZ E. DICKENS, BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; Committee on State and Federal Legislation, May 28, 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 Transportation

Report for Int. No. 43-A

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

The Committee on Transportation, to which the annexed amended proposed local law was referred on February 4, 2014 (Minutes, page 297), respectfully

REPORTS:

INTRODUCTION

On May 29, 2014, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a vote on the following legislation:

Proposed Int. No. 43-A, a Local Law to amend the Administrative Code of the City of New York ("the Code"), in relation to a study on left turns;

Proposed Int. No. 46-A, a Local Law to amend the Code, in relation to traffic control signals;

Proposed Int. No. 80-A, a Local Law to amend the Code, in relation to work zone safety on bridges;

Proposed Int. No. 140-A, a Local Law to amend the Code, in relation to reducing speed limits and establishing slow zones;

Proposed Int. No. 167-A, a Local Law to amend the Code, in relation to prohibiting certain stunt behavior with vehicles;

Proposed Int. No. 168-A, a Local Law to amend the Code, in relation to safer arterial streets;

Proposed Int. No. 171-A, a Local Law to amend the Code, in relation to traffic violations and serious crashes;

Proposed Int. No. 174-A, a Local Law to amend the Code, in relation to Taxi and Limousine Commission review of crashes;

Proposed Int. No. 238-A, a Local Law to amend the Code, in relation to the right of way of pedestrians and bicyclists;

Proposed Int. No. 272-A, a Local Law to amend the Code, in relation to the New York City Taxi and Limousine Commission's critical drivers and persistent violators programs;

Proposed Int. No. 277-A, a Local Law to amend the Code, in relation to the reporting of crash data involving Taxi and Limousine Commission licensed vehicles;

Res. No. 6, a 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;

Res. No. 51, a Resolution calling on the New York State Legislature to remedy several deficiencies in the law regarding leaving the scene of an accident;

Proposed Res. No. 68-A, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation increasing the penalty for driving on the sidewalk;

Proposed Res. No. 117-A, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own speed camera program;

Res. No. 118, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own red light camera program; and

Res. No. 144, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would make a violation of Hayley and Diego's Law a misdemeanor.

This will be the second hearing on these bills and resolutions. The first hearing was held April 30, 2014. At that time, the Committee heard testimony from representatives of the New York City Department of Transportation (DOT), the Taxi and Limousine Commission (TLC), and the Police Department (NYPD), as well as other interested stakeholders and community members. Amendments were made as a result of that hearing.

BACKGROUND

In 2013, 286 people, including 168 pedestrians and 11 cyclists, were killed in traffic crashes in New York City, a 24 percent increase in pedestrians killed compared to 2012.[1] There were over 16,000 pedestrian and cyclist injuries in 2013 among over 54,000 total traffic-related injuries.[2]

The beginning of 2014 brought a particularly tragic series of pedestrian and cyclist fatalities. On January 10, 2014, a 9-year-old boy walking with his father on West End Avenue at 97th Street in Manhattan was struck and killed by a taxi.[3] On the same day, a 73-year-old man was fatally struck by a tour bus at 96th Street and Broadway.[4] On January 18, 2014, Angela Hurtado was killed when she was struck by a vehicle as she crossed Grand Avenue at 69th Place in Queens; the driver of the vehicle, Abel Tinoco, 28, was charged with a misdemeanor for driving with a suspended license.[5] On the same day, a Ford Expedition fatally struck a man in Queens, near Cross Island Parkway and Union Turnpike.[6] On January 19, 2014, an ambulance clipped Samantha Lee as she was crossing midblock on West 96th Street between Broadway and West End Avenue in Manhattan, knocking her down and into the path of another car that struck and killed her.[7] On the same day, bicyclist Pedro Santiago was struck and killed by a

[1] NYPD data via http://www.nyc.gov/html/nypd/html/traffic_reports/motor_vehicle_collision_data.shtml and DMV data via http://www.streetsblog.org/2014/01/31/nypd-16059-pedestrians-and-cyclists-injured-178-killed-in-trafficin-2013/ accessed on 2/13/2014.

[2] *Id.*

[3] http://www.nytimes.com/2014/01/20/nyregion/pedestrian-and-bicyclist-are-killed-in-separate-trafficaccidents.html

[4] *Id.*

[5] *Id.*

[6] *Id.*

[7] *Id.*

Metropolitan Transportation Authority bus on West 125th Street near Lenox Avenue in Manhattan.[8]

Vision Zero Action Plan

On January 15, 2014, Mayor de Blasio announced the creation of the Vision Zero Working Group.[9] The Group included the NYPD, DOT, TLC, and Department of Health and Mental Hygiene (DOHMH), and it was tasked with "developing a comprehensive roadmap to eliminate deadly crashes, especially those involving pedestrians."[10]

On February 18, 2014, the Working Group issued an Action Plan which included 63 recommendations for ways to reduce traffic fatalities on the City's streets.[11] The proposals fell within the jurisdiction of various City agencies and included several State and City legislative suggestions.

In the past, traffic safety advocates have criticized the NYPD for appearing to focus on vehicle violations less directly related to preventing collisions, such as tinted windows and broken taillights, at the expense of other violations such as speeding and failure to yield. According to the Action Plan, "70% of pedestrian fatalities have causes outside of the pedestrian's control, particularly drivers speeding or failing to yield."[12] To combat the types of behavior that play a direct role in causing collisions, the Action Plan recommends that the NYPD "increase enforcement against dangerous moving violations, including speeding, failing to yield to pedestrians, signal violations, improper turns/disobeying signage, and phoning/texting while

[8] *Id.*

[9] http://www1.nyc.gov/office-of-the-mayor/news/023-14/mayor-de-blasio-launches-interagency-working-group-implement-vision-zero-prevent-pedestrian#/0

[10] *Id.*

[11] http://www.capitalnewyork.com/article/city-hall/2014/02/8540472/de-blasio-unveils-definitional-vision-zeroplan?top-featured-2

[12] Vision Zero Action Plan ("Action Plan"), pg. 16

driving."[13] The Action Plan also reaffirms the NYPD's commitment to expanding Collision Investigation Squad ("CIS") investigations to "critical injury" cases and enhancing collision investigations with increased training and personnel.[14]

In the wake of the pedestrian deaths that have occurred this year, discussion has ensued regarding the appropriate role that the enforcement of pedestrian violations should play in the City's efforts to increase traffic safety. Media reports revealed a jaywalking crackdown on the Upper West Side in January and a nearly eightfold increase in jaywalking tickets citywide as a result.[15] However, in his presentation of the Action Plan, Mayor de Blasio said that jaywalking enforcement is not a part of the overall Vision Zero priorities but that precinct commanders have discretion to direct pedestrian enforcement as they deem necessary.[16]

The Action Plan also lays out actions to be taken beyond police enforcement and investigations. DOT is tasked with making a wide variety of street design changes aimed at improving traffic safety, including intersection redesigns, new slow zones, more speed humps, programming more intersections with leading pedestrian intervals, and more pedestrian safety islands, among many others.[17] The Plan calls on TLC to create a safety enforcement squad, equipped with speed radar equipment, to enforce speed and safety regulations, in addition to exploring new technology and enhancing driver education to increase safety.[18]

Furthermore, the Plan calls for a series of State legislative actions, including granting New York City local control over speed camera and red light camera enforcement, giving the City the ability to lower its citywide speed limit to 25 miles per hour, and strengthening Hayley

[13] http://www.nyc.gov/html/visionzero/pages/home/actions.html

[14] Action Plan, pg. 10

[15] http://www.nytimes.com/2014/02/15/nyregion/vow-to-end-traffic-deaths-vs-reality-of-city-streets.html?hpw&rref=nyregion&_r=1

[16] http://www.nytimes.com/2014/02/19/nyregion/de-blasio-unveils-plans-to-eliminate-traffic-deaths.html?hpw&rref=nyregion

[17] Action Plan pgs. 11 and 28

[18] Action Plan pg. 12

and Diego's Law as discussed above.[19] The Plan also includes ideas for City legislative actions, particularly related to bolstering enforcement efforts against dangerous TLC-licensed drivers. Finally the plan calls for extensive public education and outreach efforts in order to both solicit the public's input regarding Vision Zero initiatives and to encourage all New Yorkers to take street safety into account as they go about their daily lives.

The Council & Vision Zero

On February 24, 2014, the Committee on Transportation and the Committee on Public Safety held a joint oversight hearing examining the Vision Zero Action Plan, at which time the Committees heard testimony from the Administration regarding their plans and strategies related to Vision Zero. Safety advocates and victims' families, as well Manhattan Borough President Gale Brewer and representatives of the New York County District Attorney and the New York Taxi Workers Alliance also offered their views on the Plan and ideas for how to increase traffic safety in New York City.

The Council held Vision Zero town hall meetings in each borough in order to gather feedback from the public regarding Vision Zero, in particular new ideas for street safety-related legislative and policy proposals. The first town hall meeting was held in Manhattan on March 26, 2014, followed by one in Brooklyn on April 1, 2014 and one in Queens on April 23, 2014, Staten Island on May 7, 2014 and in the Bronx on May 22, 2014. Individual Council Members have also held their own Vision Zero-themed events in recent weeks.

Vision Zero Legislative Package

The bills and resolutions the Committee will hold a hearing on today relate to the street safety goals of Vision Zero. The bills proposed would require the City to study factors found to be related to serious crashes, impose penalties for certain dangerous behaviors, regulate DOT's

[19] Action Plan pg. 21

actions concerning work zones and traffic signal replacement, require safety equipment on trucks, lower the speed limit on certain streets, require the installation of "slow zones," mandate more publicly available crash data, including crashes involving TLC-licensed vehicles, and strengthen penalties against TLC-licensed drivers involved in serious collisions and who exhibit dangerous driving behaviors. The specific provisions of each bill and resolution are discussed below.

ANALYSIS

Proposed Int. No. 43-A

Section 1 of Proposed Int. No. 43-A would amend section 19-182 of the Administrative Code by adding a new subdivision c. Currently, section 19-182 requires DOT to conduct a comprehensive pedestrian safety study and report on such study every five years, with the first study to be released and sent to the Mayor, City Council Speaker and posted on DOT's website on or before November 30, 2015.

Paragraph 1 of new subdivision c would define three terms: "exclusive pedestrian phase" would be defined as a pedestrian control signal that allows pedestrians an exclusive interval of time to completely cross a street using any of the existing crosswalks within the intersection while traffic is stopped in all directions; "leading pedestrian signal" would be defined as a pedestrian control signal where the walk signal would be shown for an interval of time prior to a green light being shown for the corresponding or parallel direction of traffic; and "motor vehicle" would have the same meaning as in the New York State Vehicle and Traffic Law.

Paragraph 2 of new subdivision c would require that as part of the comprehensive studies and plans required pursuant to section 19-182, left turns be studied, with a goal of reducing crashes and the severity of crashes. Included in the study would be a consideration of the removal of parking near left turn location, and the installation of leading pedestrian interval, the designation of lanes exclusive for left turn, and the installation of exclusive phase.

Section 2 of Proposed Int. 43-A would have the bill take effect immediately upon enactment into law.

Proposed Int. No. 46-A

Section 1 of Proposed Int. No. 46-A would amend section 19-128 of the Administrative Code by amending subdivisions a and b and by adding new subdivisions e and f. Subdivision a would be amended to add a paragraph 2, which would define "traffic control signal" with the same meaning as in the New York State Vehicle and Traffic Law. Subdivision b would be amended to require DOT to maintain a log of when DOT was notified of a traffic control signal having malfunctioned. The log would have to have the date and time the notice was received, the date and time of when it was repaired, or the date and time of when it was determined that repair was not necessary.

New subdivision e would require DOT to either repair a traffic control signal, implement alternative measures to control traffic, or determine that repair is not needed within 24 hours of the notice that the signal was in need of repair.

New subdivision f would specify that the requirements of the section will not apply as long as at least one other traffic signal facing the same direction as the broken or missing signal remains operational.

Section 2 of Proposed Int. 46-A would have the bill take effect ninety days following enactment into law.

Proposed Int. No. 80-A

Section 1 of Proposed Int. No. 80-A would amend subchapter 1 of chapter 1 of title 19 of the Administrative Code by adding a new section 19-156. Subdivision a of new section 19-156 would define the term "bridge" as a span that includes a roadway for vehicle use that is located above another surface. Work zone would be defined as a location where workers are engaged in a stationary operation for more than four hours and are not mostly separated from traffic by a temporary concrete or similar such barrier.

Subdivision b of new section 19-156 would require that on or before January 1, 2015, DOT would have to conduct a review of guidelines and best practices with regard to work zone safety on bridges under DOT's jurisdiction. A written report detailing those guidelines and best practices would have to be submitted to the Speaker of the Council and posted on DOT's website.

Section 2 of Proposed Int. 80-A would have the bill take effect immediately upon enactment into law.

Proposed Int. No. 140-A

Section 1 of Proposed Int. No. 140-A would amend section 19-177 of the Administrative Code by adding subdivisions d, e, and f. The title of the section would be amended to read: "Speed Limits; posting of signs; neighborhood slow zones; speed limits near schools."

Paragraph 1 of new subdivision d of section 19-177 would require seven neighborhood slow zones established annually in 2014 and 2015, with each slow zone containing at least five blocks. The slow zones would have the speed limit reduced to 20 miles per hour in that area, with appropriate traffic calming measures implemented (traffic calming measures defined as "any physical engineering measure or measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users such as pedestrians and bicyclists.") Paragraph 2 of such new subdivision d would require DOT to produce annual reports listing the location of all neighborhood slow zones, reviewing whether such zones have minimized the risk of traffic crashes, critical injuries or death, and would include a determination as to whether DOT will continue to establish seven neighborhood slow zones annually.

New subdivision e of section 19-177 would have three paragraphs. Paragraph 1 would require DOT to establish speed limits between 15 and 20 mph at fifty school locations annually. Paragraph 2 of new subdivision e of such section would require the DOT Commissioner to inform the Mayor and the Speaker of the Council if such speed limits will be established at less than fifty schools within a year and the reason thereof. Paragraph 3 of new subdivision e, would allow DOT to determine, after evaluating every school in the City for the establishment of such speed limits, not to establish any further such speed limits. DOT would have to inform the Mayor and the Speaker of the Council in writing and continue to evaluate the need to establish such speed limits.

New subdivision f of such section would require the DOT Commissioner to annually, staring February 1, 2015, list on DOT's website all locations established pursuant to new subdivision e of section 19-177.

Section 2 of Proposed Int. 140 would have the bill take effect immediately upon its enactment into law.

Proposed Int. No. 167-A

Section 1 of Proposed Int. No. 167-A would amend section 10-163 of the Administrative Code. The title of the section would be amended to read "Speed contests and stunt behavior."

Subdivision a would provide three definitions: "vehicle" would be as defined in the New York State Vehicle and Traffic Law; "engage" or "aid or abet" would mean "actions or circumstances that reasonably indicate that a race, exhibition or contest of speed or stunt behavior has occurred or is imminent, including, but not limited to: the presence of a canister appearing to hold nitrous oxide attached to a vehicle; an explicit invitation to race; the presence of a starting or ending point marked in some way; wagering on the race's outcome; the exhibiting of stunt behavior; acting as a starter or flagperson; pushing vehicles to a starting line; or directing traffic at such an event or gathering;" and "stunt behavior" would mean operating a motor vehicle in a manner that would unreasonably interfere with the public's use of public streets or private streets that are held open to public use, and/or endangers the health or safety of the public, the vehicle operator, or the passengers of the vehicle. This would occur through actions including but not limited to accelerating the vehicle rapidly, performing a "wheelie", or spinning the vehicle into a circle ("a "donut"), heating the rear tire (a "burnout") or revving the engine.

Subdivision b of section 10-163 would make technical amendments, but would still make it illegal for an individual to participate in or aid or abet in a speed contest involving a vehicle. New subdivision c of section 10-163 would make it illegal for a person to participate in or aid or abet a stunt behavior involving a vehicle, except as provided in the Vehicle and Traffic Law. Subdivision d of such section would make it illegal to participate in a speed contest or stunt behavior by taking specific overt actions encouraging the individuals involved in the speed contest or stunt behavior or by wagering on the outcome of the contest. Subdivision e of section 10-163 would make it illegal for a person to operate, drive or park a motorcycle unless the license plate is easily readable and is not obstructed.

Subdivision f of such section would make violation of subdivisions b or c of section 10 163 misdemeanors punishable by a fine of not more than $600, imprisonment of up to 6 months, or both, except that the imprisonment for a violation of such subdivision c could not be more than sixty days. A second or subsequent conviction of subdivision b or c within 10 years would increase the penalty to up to $1000, 1 year in jail, or both, except that the imprisonment for a violation of such subdivision c could not be more than one hundred twenty days. A violation of subdivisions d or e of such section would be punishable by up to $250, fifteen days in jail, or both.

Section 2 of Proposed Int. 167-A would have the bill take effect ninety days after its enactment into law.

Proposed Int. No. 168-A

Section 1 of Proposed Int. No. 168-A would amend section 19-182 of the Administrative Code by adding a new subdivision d. Currently, section 19-182 requires the DOT to conduct a comprehensive pedestrian safety study and report on such study every five years, with the first study to be released and sent to the Mayor, City Council Speaker and posted on DOT's website on or before November 30, 2015. Paragraph 1 of new subdivision d would define "arterial streets" as "high-capacity" streets. Paragraph 2 of new subdivision d would require that as part of the comprehensive studies and plans required pursuant to section 19-182, arterial streets be studied, with a goal of reducing crashes and the severity of crashes to minimize the risk of critical injury or death.

Section 2 of Proposed Int. 168-A would have the bill take effect immediately upon enactment into law.

Proposed Int. No. 171-A

Section 1 of Proposed Int. No. 171-A would amend chapter 5 of title 19 of the Administrative Code to add a new section 19-541titled "serious crashes." New section 19-541 would allow the summary suspension of a TLC driver when a crash has occurred involving that driver, critical injury or death occurred as a result of that crash and a summons was issued to the driver for a traffic infraction. Upon the conviction of such driver for a violation that caused the serious injury or death, the drivers, TLC-issued license of the driver would be revoked. Where the traffic violation was dismissed or where there was a not guilty finding, the summary suspension would be lifted. Critical injury would be defined for the purposes of

section 19-541 as any injury determined to be critical by emergency services workers present at the scene of the crash. The proposed section would not limit the TLC's authority to summarily suspend drivers for any other reasons.

Section 2 of Proposed Int. 171-A would have the bill take effect ninety days following enactment into law, except that the TLC would take all necessary actions, including the adoption of rules prior to the effective date.

Proposed Int. No. 174-A

Section 1 of Proposed Int. No. 174-A would amend chapter 5 of title 19 of the Administrative Code by adding a new section 19-540. New section 19-540 would be titled "Review of crashes" and subdivision a of this new section would require TLC to review the results of the Police Department's investigation prior to or at the conclusion of the investigation where a crash occurred involving a TLC licensed vehicle and where critical injury or death resulted to one or more people. Furthermore, the TLC would be required to assess the fitness of the driver to continue to drive. The commission would have the authority to summarily suspend the TLC-licensed driver while any fitness review or enforcement action is pending. Critical injury would be defined in the section as any injury determined to be critical by emergency services workers present at the scene of the crash.

Subdivision b of new section 19-540 would require TLC to provide a quarterly report beginning February, 1, 2015, to the Council Speaker detailing the number of crashes in the prior quarter that triggered the fitness review required by subdivision a of the new section, how many summary suspensions occurred, and in how many instances enforcement action was brought. The report would also need to be posted to TLC's website.

Section 2 of Proposed Int. 174-A would have the bill take effect ninety days following enactment into law.

Proposed Int. No. 238-A

Section 1 of Proposed Int. No. 238-A would amend subchapter 3 of chapter 1 of title 19 of the Administrative Code by adding a new section 19-190 to be titled "right of way." Subdivision a of new section 19-190 would make it a traffic infraction for a motorist to interfere with the right of way of a pedestrian or bicyclist by failing to yield to the pedestrian or bicyclist while the pedestrian is in the crosswalk or otherwise lawfully crossing the street, and while the bicyclist is lawfully riding the bicyclist. The penalty for such an infraction would be a fine of up to $50 dollars, up to fifteen days in jail, or both. In addition, a civil penalty of up to $100 could be assessed.

Subdivision b of new section 19-190 would make it a misdemeanor for a motorist to interfere with the right of way of a pedestrian by causing contact with a pedestrian on the sidewalk or while the pedestrian was in the crosswalk or otherwise lawfully crossing the street, and as a result of the contact physical injury to the pedestrian or bicyclist occurs. The punishment would be a fine of up to $250, up to 30 days in jail, or both. In addition, a violator could be assessed a civil penalty of up to $250 as an alternative punishment or an additional punishment.

Subdivision c of new section 19-190 would provide a defense to a violation of the section that the occurrence was fully outside of the control of the motorist, including but not limited to when the contact was initiated by the pedestrian.

Subdivision d exempts persons, teams, or vehicles working on behalf of the City of New York, the state of New York, or the federal government. However, such persons, teams, or vehicles would still be required to exercise due care towards pedestrians or bicyclists.

Section 2 of Proposed Int. No. 238-A would have the bill take effect sixty days after its enactment into law.

Proposed Int. No. 272-A

Section 1 of Proposed Int. No. 272-A would amend subdivisions a, b, c and e of section 19-507.1 of the Administrative Code and would add new subdivisions i and j to this section. Subdivisions a, b, c, and e would remove now unnecessary language. Subdivision a would allow a driver to attend an approved remedial or refresher course in order to deduct 3 points from the number of points that they had accumulated under the persistent violators program, increased from the current 2 points. In the event that an approved course is not available the driver would be allowed to take a course approved by the New York State Department of Motor Vehicles. Upon completion of such a course the driver would be allowed to deduct 3 points from the point accumulated under the persistent violators program or the critical drivers program, but not from both. The driver would decide from which program the points should be deducted. In addition, subdivision b would be amended to provide that any suspensions for accruing up to 6, but fewer than 10 points on a TLC driver's license would lead to a suspension of up to 30 days (currently, it is mandated that the suspension be 30 days.) Subdivision e would be amended to allow for points assessed pursuant to the section discussing the critical driver program to be added to the points assessed pursuant to the section discussing the persistent violator program, but would still not allow for there to be both program points assessed for the same occurrence.

New subdivision i of section 19-507.1 would allow a drivers TLC issued license to be suspended for up to 30 days if the driver accumulates 6 or more points, but fewer than 10, within a period of 15 months on his or her TLC license and Department of Motor Vehicle issued license. However, the points would have to be related to violations that threaten the safety or passengers or any other person. New subdivision j would allow a drivers TLC issued license to be revoked by the TLC if the driver accumulates 10 or more points within 15 month period on his or her TLC issued license and Department of Motor Vehicle license. However, the points would have to be related to violations that threaten the safety or passengers or any other person.

Section 2 of Proposed Int. 272-A would amend subdivisions a and b of section 19-507.2 of the Administrative Code. Subdivisions a and b would both have technical amendments. Subdivision c would allow a driver to attend a DMV approved course in order to deduct 3 points from the number of points that they had accumulated under the critical drivers program, increased from the current 2 points. In the event that a TLC approved course is not available the driver would be allowed to take a DMV approved course to deduct 3 points from the points accumulated under the persistent violators program or the critical drivers program, but not from both. The driver would decide from which program the points should be deducted.

Section 3 of Int. 272 would have the bill take effect one hundred twenty days after enactment into law. Newly added subdivision i and j of section 19-507.1 would only be applicable to points accumulated subsequent to the effective date of this section. The TLC would be required to take all necessary action, including the promulgation of rules, prior to the effective date.

Proposed Int. No. 277-A

Section 1 of Proposed Int. No. 277-A would amend chapter 5 of title 19 of the Administrative Code by adding a new section 19-542. New section 19-542 would require that beginning February 1, 2015, and every quarter thereafter, the TLC provide a report to the Council and post on TLC's website regarding the number of crashes involving a TLC licensed vehicle. The report would be required to be disaggregated by the type of TLC vehicle involved and whether critical injury or death resulted. Critical injury would be defined in the section as any injury determined to be critical by emergency services workers present at the scene of the crash. Finally, TLC would have to maintain within its records the number of crashes involving a specific TLC licensed driver.

Section 2 of Proposed Int. 277-A would have the bill take effect immediately upon its enactment into law.

Res. No. 6

Res. No. 6 would state that 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. The Resolution would note that 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.

The Resolution would state that 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. The Resolution would point out that 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.

The Resolution would state that 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. The Resolution would state that 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.

The Resolution would state that Ariel Russo tragically died as the result of her injuries and her grandmother was hospitalized for several weeks as a result of hers.

The Resolution would state that the 17-year-old driver, Franklyn Reyes, was subsequently reportedly charged with manslaughter and vehicular manslaughter. The Resolution would further state that this in addition to the burden of proof problems, the current penalties associated with leaving the scene of an accident do not accurately reflect the severity of the crime.

The Resolution would state that reports indicate there was a 4 minute delay in dispatching an ambulance to assist Ariel and her grandmother. The Resolution would state that this delay could potentially be a factor in any criminal case against the driver but particularly in a case for manslaughter or vehicular manslaughter.

The Resolution would state that 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.

The Resolution would state that 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. The Resolution would further state that the New York State Legislature should immediately determine more appropriate criminal penalties and change the law accordingly.

Finally, Res. No. 6 would call 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.

Res. No. 51

Res. No. 51 would state that hit-and-run drivers not only endanger the lives of others, but also evade personal responsibility. The Resolution would note that according to the American Automobile Association Foundation for Traffic Safety,

approximately 11 percent of all police reported crashes involve at least one driver who flees the scene and nearly 1,500 people die annually in hit and run crashes.

The Resolution would state that in order to hold drivers accountable for their actions, in May 2005, the New York State Legislature amended §600 of the New York State Vehicle and Traffic Law ("VTL"), entitled "leaving scene of an incident without reporting," to remedy gaps in the law that gave intoxicated and reckless drivers an incentive to leave the scene of an accident when serious physical injury or death had occurred. The Resolution would point out that prior to the May 2005 revision, a driver who was intoxicated and caused a death could, depending on the circumstances, be charged with vehicular manslaughter in the second degree, a class D felony carrying a penalty of up to 7 years imprisonment, yet if the driver left the scene and was no longer intoxicated at the time he or she was apprehended, the most with which the driver could be charged was criminally negligent homicide, a class E felony, carrying a penalty of up to 4 years imprisonment.

The Resolution would state that the State Legislature closed this gap by making it a class D felony for a person to leave the scene of an accident when death results from the accident; the Legislature also increased the penalty for those who leave the scene of an accident when personal injury results, from a B misdemeanor to an A misdemeanor. The Resolution would argue that despite these changes to the law, the State Legislature failed to address the burden of proof problems in prosecuting these cases.

The Resolution would state that in order to secure a conviction, a prosecutor must still prove that the driver knew or had reason to know that personal injury, serious physical injury, or death resulted from the accident. The Resolution would also state prosecutors often face substantial difficulties attempting to prove that a driver fleeing the scene of an accident knew or should have known of an injury or death, particularly when the driver who is fleeing is intoxicated.

The Resolution would state that in cases where a serious physical injury or death results, a driver who leaves the scene of an accident should be strictly liable and charged with leaving the scene and causing the injury or death without the prosecutor being required to demonstrate that the driver knew of or had cause to know of the injury or death. The Resolution would further state that this in addition to the burden of proof problems, the current penalties associated with leaving the scene of an accident do not accurately reflect the severity of the crime.

The Resolution would state that A.1533, sponsored by Assembly Member Steven Cymbrowitz and currently pending in the New York State Assembly, and companion bill S.2503, sponsored by State Senator Martin J. Golden and currently pending in the New York State Senate, seek to amend the VTL by increasing various penalties associated with the offense of leaving the scene of an accident without reporting it.

The Resolution would state that while A.1533/S.2503 would allow prosecutors to charge a driver who leaves the scene of an accident where personal injury results from the accident with a class E felony and subject them to a fine of between $1,000 and $1,500; any subsequent offense would constitute a class D felony and carry a fine of between $1,500 and $3,000. The Resolution would state that furthermore, under this legislation, a driver convicted of leaving the scene when serious physical injury resulted from the accident would be charged with a class D felony and subject to a fine of between $1,500 and $5,500; if the accident resulted in a death, the driver would be charged with a class C felony and subject to a fine of between $2,500 and $5,500.

The Resolution would state that drivers who are irresponsible and callous should be penalized appropriately, and drivers who seriously injure and kill others, then flee the scene, should be strictly liable for such actions Finally, Res. No. 51 would call upon the New York State Legislature to remedy several deficiencies in the law regarding leaving the scene of an accident.

Proposed Res. No. 68-A

Proposed Res. No. 68-A would state that Section 1225-a of the New York State Vehicle and Traffic Law prohibits any individual from driving "a motor vehicle on or across a sidewalk" with minor exceptions, such as to gain access to adjacent buildings or driveways. The Resolution would note that a violation of §1225-a is a traffic infraction, resulting in an escalating range of penalties, including a fine of up to $150 for a first offense.

The Resolution would state that driving on the sidewalk presents a grave risk to pedestrians. The Resolution would point out that during a 30-day period in February and March 2013, there were five instances of a motorist hitting a pedestrian on a sidewalk, resulting in three deaths and two serious injuries.

The Resolution would state that on September 12, 2013, five children were injured in Maspeth, Queens when an SUV hit them while they were walking on the sidewalk. The Resolution would argue that in light of the inexcusable and serious nature of driving on the sidewalk and the dangerous conditions it creates, the fine for violation of §1225-a of the Vehicle and Traffic Law should be increased to up to $250 for a first offense and the infraction should also result in three points being added to the driver's license.

Finally, Proposed Res. No. 68-A would call upon the New York State Legislature to pass, and the Governor to sign, legislation increasing the penalty for driving on the sidewalk.

Proposed Res. No. 117-A

Proposed Res. No. 117-A would state that in 2013, 286 people, including 168 pedestrians, were killed in traffic crashes in New York City, according to New York City Police Department (NYPD) data. The Resolution would note that in 2013, "unsafe speed" was cited as a contributing factor in over 3,000 collisions that resulted in injuries or fatalities in the City, also according to NYPD data.

The Resolution would state that many studies have concluded that the chances of a pedestrian surviving a motor vehicle collision decrease dramatically as the speed of the vehicle increases. The Resolution would point out that one such study by the United Kingdom Transportation Department determined that while a pedestrian has a 45 percent chance of dying if struck by a vehicle traveling at 30 miles per hour, the chance of death drops to 5 percent if the vehicle is traveling at 20 miles per hour.

The Resolution would state that slower speeds also decrease stopping distance, giving drivers a better chance to take action to prevent collisions from occurring in the first place. The Resolution would highlight that according to Mayor de Blasio's Vision Zero Action Plan ("Action Plan"), since 1988, New York City's 190 red light cameras have issued over 4 million violations, and intersections where red light cameras were installed saw a 20 percent decline in all injuries, a 31 percent decrease in pedestrian injuries, and a 25 percent decrease in serious injuries in the three years after installation.

The Resolution would state that according to the Action Plan, evidence exists that the red light cameras have deterred dangerous driving behavior, as the number of violations issued by the cameras declined by 22% from 2010 to 2011. The Resolution would point out that in Washington D.C., at intersections where speed cameras are in use the number of crashes and injuries has gone down by 20%, according to the Action Plan.

The Resolution would state that in 2013, the State Legislature passed, and the Governor signed, legislation authorizing New York City to implement a demonstration program in which it can use cameras to automatically enforce speeding laws at no more than 20 locations near schools, during school hours, for five years. The Resolution would note that in a four-month period at the beginning of 2014, the five speed cameras in operation in the City caught 14,500 drivers going at least 40 miles per hour. It would also point out that the State Legislature recently passed legislation which would increase to 140 the number of locations where speed cameras can operate under the demonstration program. The Resolution would state that in the interest of safety, the City should be able to control the number and placement of speed cameras within its borders as it sees fit.

Finally, Proposed Res. No. 117-A would call upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own speed camera program.

Res. No. 118

Res. No. 118 would state that in 2013, 286 people, including 168 pedestrians, were killed in traffic crashes in New York City, according to New York City Police Department data. The Resolution would note that according to Mayor de Blasio's Vision Zero Action Plan ("Action Plan"), since 1988, New York City's red light cameras have issued over 4 million violations, and intersections where red light cameras were installed saw a 20 percent decline in all injuries, a 31 percent decrease in pedestrian injuries, and a 25 percent decrease in serious injuries in the three years after installation.

The Resolution would state that according to the Action Plan, evidence exists that the red light cameras have deterred dangerous driving behavior, as the number of violations issued by the cameras declined by 22% from 2010 to 2011. The Resolution would point out that current State law only allows the City to operate red light cameras at 150 intersections at any one time.

The Resolution would state that the authorization for the City's red light program will expire on December 1, 2014 unless State law is amended. The Resolution would highlight that in the interest of safety, the City should be able to control the number and placement of red light cameras within its borders as it sees fit.

Finally, Res. No. 118 would call upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own red light camera program.

Res. No. 144

Res. No. 144 would state that in 2010, the New York State Legislature passed, and the Governor signed, Hayley and Diego's Law, which makes it a traffic infraction for a driver to injure a pedestrian or bicyclist while failing to "exercise due care". The Resolution would note that a violation of Hayley and Diego's Law is punishable by a fine of up to $500 (or up to $750 if the driver causes "serious physical injury") or by imprisonment for up to 15 days or by both such fine and imprisonment.

The Resolution would state that Hayley and Diego's Law is named after two children who were killed in 2009 in Chinatown in Manhattan when a delivery van that had been left idling and in reverse climbed the curb and hit them. The Resolution would point out that the driver in question was not charged with any infraction resulting from the children's deaths.

The Resolution would state that enforcement of Hayley and Diego's Law has been limited because a police officer needs to witness a traffic infraction in order to issue a summons or make an arrest. The Resolution would highlight that making violation of Hayley and Diego's Law a misdemeanor would increase the penalties associated with carelessly harming a pedestrian or bicyclist.

The Resolution would state that the change would also make enforcement easier by allowing a police officer to issue a summons for failing to exercise due care and injuring someone based upon probable cause, even if the officer was not present to witness the crash. The Resolution would further state that in the interest of enhancing pedestrian and bicyclist safety, a violation of Hayley and Diego's Law should be a misdemeanor.

Finally, Res. No. 144 would call upon the New York State Legislature to pass, and the Governor to sign, legislation that would make a violation of Hayley and Diego's Law a misdemeanor.

(The following is the text of the Fiscal Impact Statement for Int. No. 43-A:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 43-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to a study on left turns.

Sponsor: By Council Members Wills, Koo, Reynoso, Levin, Arroyo, Chin and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend section 19-182 of the administrative code of the city of New York by adding a new subdivision c to require that the study on the making of left turns be added to the comprehensive study of pedestrian fatalities and serious injuries, which is due by preexisting law on November 30, 2015, and every 5 years thereafter. In addition, the mandated study would consider and make recommendations as to how streets and sidewalks may be designed to minimize the risk of traffic crashes and to minimize the risk of critical injury or death resulting from the making of left turns.

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 FY15
Revenues (+)	$0	$0	$0
Expenditures (-)	$0	$200,000	$200,000
Net	$0	$200,000	$200,000

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

IMPACT ON EXPENDITURES: It is estimated that the impact on expenditures resulting from the enactment of this legislation would be approximately $200,000 for costs associated with the required study on left turns.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Council Finance Division
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 43 by the Council on February 4, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 43 has been amended, and the amended version, Proposed Int. 43-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

(For text of the other bills, resolutions, and Fiscal Impact Statements for the remaining items, please see the respective Reports of the Committee on Transportation printed in this section and in the voice-vote Resolutions section of these Minutes)

Accordingly, this Committee recommends the adoption of Int Nos. 43-A, 46-A, 80-A, 140-A, 167-A, 168-A, 171-A, 174-A, 238-A, 272-A, 277-A and Res Nos. 6, 51, 68-A, 117-A, 118, and 144.

(The following is the text of Int. No. 43-A:)

Int. No. 43-A

By Council Members Wills, Koo, Reynoso, Levin, Arroyo, Chin, Van Bramer, Vallone, Barron and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to a study on left turns.

Be it enacted by the Council as follows:

Section 1. Section 19-182 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. 1. For purposes of this section, the following terms shall have the following meanings:

(A) "Exclusive pedestrian phase" shall mean a pedestrian control signal that allows pedestrians an exclusive interval at which to completely cross using any of the existing crosswalks within the intersection while traffic is stopped in all directions;

(B) "Leading pedestrian interval" shall mean a pedestrian control signal that displays a walk indication before a green indication for the parallel direction of traffic; and

(C) "Motor vehicle" shall have the same meaning as in section one hundred twenty-five of the vehicle and traffic law.

2. As part of the comprehensive study and plan required pursuant to this section, the department shall study means of enhancing the safety of pedestrians and bicyclists where motor vehicles make left turns. Such study and plan shall consider and make recommendations as to how streets and sidewalks may be designed to minimize the risk of traffic crashes and to minimize the risk of critical injury or death resulting from the making of such turns. Such study and plan shall include, but not be limited to, at or near left turn locations, consideration of removing motor vehicle parking, the installation of leading pedestrian intervals, the designation of lanes exclusively for left turns, and the installation of exclusive pedestrian phases.

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

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 46-A

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

The Committee on Transportation, to which the annexed amended proposed local law was referred on February 26, 2014 (Minutes, page 380), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 46-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 46-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the

Sponsor: By Council Members

administrative code of the city of New York, in relation to traffic control signals.	Cabrera, Koo, Palma, Rose, Koslowitz, Levin, Arroyo and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend subdivisions a and b of section 19-128 of the administrative code of the city of New York, as added by local law number 49 for the year 2007 to include traffic signals. The Administrative Code currently requires DOT to maintain a log regarding missing priority regulatory signs (which include stop signs, yield signs, do not enter signs, and one way signs) with information about when the problem was reported and when it was fixed. This bill would require traffic signals to be a part of this log as well. Additionally, the bill would require that DOT repair a missing or damaged traffic signal within 24 hours of receiving notice that the signal is not operational or visible; however, it would allow DOT to implement alternative measures to control traffic if the repair or replacement would take more than 24 hours or DOT can make a determination within those 24 hours that the repair or replacement is not warranted. Lastly, the bill would not apply if at least one other traffic signal facing the same direction remains operational.

EFFECTIVE DATE: This local law would take effect ninety days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2014

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues (+)	$0	$0	$0
Expenditures (-)	$0	$0	$0
Net	$0	$0	$0

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

IMPACT ON EXPENDITURES: 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 46 by the Council on February 26, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 46 has been amended, and the amended version, Proposed Int. 46-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 46-A:)

Int. No. 46-A

By Council Members Cabrera, Koo, Palma, Rose, Koslowitz, Levin, Arroyo, Van Bramer, Vallone, Barron and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to traffic control signals.

Be it enacted by the Council as follows:

Section 1. The title and subdivisions a and b of section 19-128 of the administrative code of the city of New York, as added by local law number 49 for the year 2007, are amended to read as follows:

§ 19-128. Damaged or missing signs *and signals*. a. For the purposes of this section, the [phrase] *following terms shall be defined as follows:*

(i) "priority regulatory sign" shall mean a stop sign, yield sign, do not enter sign, or one way sign[.]*;*

(ii) "traffic control signal" shall have the same meaning as set forth in section one hundred fifty-four of the vehicle and traffic law or any successor provision thereto.

b. The department shall maintain a log of notices regarding priority regulatory signs *and traffic control signals* that are missing or damaged to the extent that any such sign *or signal* is not *operational*, visible or legible to a motorist who must obey or rely upon such sign *or signal*. Such log shall include the date and time such notice was received and the date and time on which such priority regulatory sign [or one way sign] *or traffic control signal* was repaired or replaced, or the date on which a determination was made that repair or replacement was not warranted and the reason for such determination.

§ 2. Section 19-128 of the administrative code of the city of New York is amended by adding two new subdivisions e and f to read as follows:

e. Within twenty-four hours of receiving notice that a traffic control signal is missing or damaged to the extent that such signal is not operational or visible to a motorist who must obey or rely upon such signal the department shall:

(i) repair or replace such signal,

(ii)implement alternative measures to control traffic if such repair or replacement will take greater than twenty-four hours, or

(iii) make a determination that repair or replacement is not warranted.

f. This section shall not apply with regard to traffic control signals at a location where multiple traffic control signals are present and facing the same direction in the same intersection and one or more of such signals remains operational.

§ 3. This local law shall take effect ninety days after its enactment into law.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 80-A

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

The Committee on Transportation, to which the annexed amended proposed local law was referred on February 26, 2014 (Minutes, page 438), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 80-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 80-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to work zone safety on bridges.	**Sponsor:** By Council Members Lancman, Koo, Rose, Rosenthal, Menchaca, Levin, Arroyo and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend subchapter one of chapter one of title 19 of the administrative code of the city of New York by adding a new section 19-156 to require that the City Department of Transportation (DOT) conduct a review of the safety guidelines related to work zones on bridges. The review would be conducted on or before January 1, 2015, and the findings of the study would be reported to the Council and posted to DOT's website.

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 FY15
Revenues (+)	$0	$0	$0
Expenditures (-)	$0	$0	$0
Net	$0	$0	$0

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

IMPACT ON EXPENDITURES: 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 80 by the Council on February 26, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 80 has been amended, and the amended version, Proposed Int. 80-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 80-A:)

Int. No. 80-A

By Council Members Lancman, Koo, Rose, Rosenthal, Menchaca, Levin, Arroyo, Van Bramer, Barron, Dromm and Greenfield.

A Local Law to amend the administrative code of the city of New York, in relation to work zone safety on bridges.

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-156 to read as follows:

§19-156 Work zone safety on bridges. a. For purposes of this section, the following terms shall have the following meanings:

1. "Bridge" shall mean a span that includes a roadway for use by motor vehicles, that is located above another surface.

2. "Work zone" shall mean a location where workers are engaged in a stationary operation that exceeds four hours in duration and which is not predominantly separated from traffic by a temporary concrete or other rigid barrier system.

b. On or before January 1, 2015, the commissioner shall conduct a review of guidelines and best practices with regard to work zone safety on bridges that are under the jurisdiction of the department. A written report detailing such guidelines and best practices shall be submitted to the speaker of the council and posted on the department's website upon completion.

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

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 140-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to reducing speed limits and establishing slow zones.

The Committee on Transportation, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 640), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 140-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 140-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing neighborhood slow zones and speed limits near schools.

Sponsor: By Council Members Greenfield, Chin, Constantinides, Espinal, Gentile, Gibson, Johnson, Koo, Levine, Reynoso, Richards, Torres, Van Bramer, Mendez, Rosenthal, Kallos and Arroyo

SUMMARY OF LEGISLATION: This legislation would retitle section 19-177 of the administrative code of the city of New York, as added by local law number 6 for the year 1996 and subdivisions d, e and f to require the City Department of Transportation (DOT) to establish at least seven 20mph neighborhood slow zones in both 2014 and 2015 that would contain traffic calming measures. Every year starting in 2015, DOT would have to issue a report listing the location of all neighborhood slow zones, assessing whether such zones have minimized the risk of traffic crashes, critical injuries, and death, and include a determination of whether or not it will continue to establish seven neighborhood slow zones annually.

Also, the bill would require that DOT establish speed zones with speed limits of 15-20mph at 50 school locations annually. DOT would have to inform the Mayor and Speaker in writing if it determines that such speed limits would be established at fewer than 50 school locations within a year or if it determines, after evaluating every school in the City, that no more school speed zones would be installed. The bill would require that every year DOT provide a listing of all school speed zones established pursuant to this law to the Mayor and Speaker of the Council, and on the Department's website.

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 FY15
Revenues (+)	$0	$0	$0
Expenditures (-)	$0	$0	$0
Net	$0	$0	$0

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

IMPACT ON EXPENDITURES: 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 140 by the Council on March 12, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 140 has been amended, and the amended version, Proposed Int. 140-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 140-A:)

Int. No. 140-A

By Council Members Greenfield, Chin, Constantinides, Espinal, Gentile, Gibson, Johnson, Koo, Levine, Reynoso, Richards, Torres, Van Bramer, Mendez, Rosenthal, Kallos, Arroyo, Levin, Vallone, Barron and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to establishing neighborhood slow zones and speed limits near schools.

Be it enacted by the Council as follows:

Section 1. Section 19-177 of the administrative code of the city of New York, as added by local law number 6 for the year 1996, is retitled and subdivisions d, e and f are added to read as follows:

§ 19-177 Speed Limits; posting of signs*; neighborhood slow zones; speed limits near schools*.

d. (1) The commissioner shall establish neighborhood slow zones in which speed limits of twenty miles per hour apply on or along designated highways for the purpose of implementing traffic calming measures. The commissioner shall establish not less than seven neighborhood slow zones, which shall contain not less than five blocks per zone, annually in the years 2014 and 2015. For purposes of this subdivision, "traffic calming measures" shall mean any physical engineering measure or measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users such as pedestrians and bicyclists.

(2) Upon the establishment of neighborhood slow zones pursuant to paragraph 1 of this subdivision, commencing on or before February 1, 2015, and annually thereafter, the commissioner shall provide to the mayor and speaker of the council, and shall post on the department's website, a report listing the location of all neighborhood slow zones. This report shall include, but not be limited to, a review of whether such zones have minimized the risk of traffic crashes, critical injuries or death, and a determination of whether the department shall continue to establish seven neighborhood slow zones annually.

e. (1) Except as provided in paragraph two of this subdivision, the commissioner shall establish speed limits of not less than fifteen nor more than twenty miles per hour at fifty school locations annually, for a distance not to exceed one thousand three hundred twenty feet, on highways passing any school building, entrance or exit of a school abutting on the highway. For purposes of this subdivision, the term "school" shall have the same meaning as in section 19-189 of this title.

(2) Should the commissioner determine that such speed limits will be established at fewer than fifty school locations within a year, the commissioner shall inform the mayor and the speaker of the council in writing of such determination and the reason therefore.

(3) After evaluating every school in the city for the establishment of such speed limits, the commissioner may determine not to establish any further such speed limits and shall inform the mayor and the speaker of the council in writing and shall continue to evaluate the need to establish such speed limits after such notice is given.

f. Commencing on or before February 1, 2015, and annually thereafter, the commissioner shall provide to the mayor and speaker of the council, and shall post on the department's website, a list of all locations established pursuant to subdivision e of this section.

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

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 167-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain stunt behavior with vehicles.

The Committee on Transportation, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 677 respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 167-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 167-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain stunt behavior with vehicles.	**Sponsor:** By Council Members Rodriguez, Chin, Koo, Levine, Treyger, Levin, Arroyo and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend section 10-163 of the administrative code of the city of New York, as added by local law number 46 for the year 2004 broaden the prohibition speed contests to include "stunt behavior" such as wheelies, donuts, burnouts, and revving. A first violation of the stunt behavior prohibition would be a misdemeanor punishable by up to 60 days in jail and/or a fine of up to $600. A second or subsequent violation committed within ten years would result in up to 120 days in jail and/or a fine up to $1,000.

In addition, existing City law prohibits individuals from participating as a spectator in speed contests or stunt behavior. This bill would extend that prohibition to include stunt behavior and defines participation by a spectator as taking "specific overt actions" encouraging the people engaged in the speed contest or stunt behavior or wagering on the outcome. A violation would result in up to 15 days in jail and/or a fine of up to $250.

The bill would also require motorcycles' license plates to be clearly visible at all times. A violation would result in up to 15 days in jail and/or a fine of up to $250.

EFFECTIVE DATE: This local law would take effect 90 days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues (+)	**$0**	**$0**	**$0**
Expenditures (-)	**$0**	**$0**	**$0**
Net	**$0**	**$0**	**$0**

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

IMPACT ON EXPENDITURES: 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 167 by the Council on March 12, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 167 has been amended, and the amended version, Proposed Int. 167-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 167-A:)

Int. No. 167-A

By Council Members Rodriguez, Chin, Koo, Levine, Treyger, Levin, Arroyo, Van Bramer, Dromm and Greenfield.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain stunt behavior with vehicles.

Be it enacted by the Council as follows:

Section 1. Section 10-163 of the administrative code of the city of New York, as added by local law number 46 for the year 2004, is amended to read as follows:

§ 10-163[.] Speed contests [and], races *and stunt behavior*.

a. *Definitions. For the purposes of this section, the following terms shall have the following meanings:*

1. "Vehicle" shall have the same meaning as such term is defined in article one of the vehicle and traffic law.

2. "Engage" or "aid or abet" shall mean actions or circumstances that reasonably indicate that a race, exhibition or contest of speed or stunt behavior has occurred or is imminent, including, but not limited to: the presence of a canister appearing to hold nitrous oxide attached to a vehicle; an explicit invitation to race; the presence of a starting or ending point marked in some way; wagering on the race's outcome; the exhibiting of stunt behavior; acting as a starter or flagperson; pushing vehicles to a starting line; or directing traffic at such an event or gathering.

3. "Stunt behavior" shall mean operating a vehicle in a public place, or on private property open to the public, in a manner which unreasonably interferes with other persons' use of public streets and/or endangers the health or safety of the public, the vehicle operator or its passengers, by accelerating a vehicle at a high rate of speed; raising a vehicle to the degree that one or more wheels lose contact with the ground, commonly referred to as a "wheelie"; spinning a vehicle rapidly in a circle, commonly referred to as a "donut"; using the power of the engine and braking force to cause the rear wheel of a vehicle to spin, heating the rear tire and producing smoke; or increasing the revolutions per minute of a vehicle whether or not the vehicle is in motion, commonly referred to as "revving," thereby causing unreasonable noise.

b. Except as provided in the vehicle and traffic law, no person shall engage in [or participate in] any race, exhibition or contest of speed *involving a vehicle*, or aid or abet in such race, exhibition or contest of speed, on any highway, street, alley, sidewalk, or any public or private parking lot or area. [Under this subdivision, "engage in" and "participate" shall mean actions or circumstances that reasonably indicate that a race, exhibition or contest of speed has occurred or is imminent, including, but not limited to, the presence of a canister appearing to hold nitrous oxide attached to a vehicle; an explicit invitation to race; a starting or ending point marked in some way; the wagering on the race's outcome; the operation of a motor vehicle in a manner where the operator, in competition, accelerates at a high rate of speed; the raising of a vehicle vertically; the spinning of the vehicle rapidly in a circle.]

[b. No] *c. Except as provided in the vehicle and traffic law, no person shall engage in stunt behavior involving a vehicle, or aid or abet in such stunt behavior.*

d. Except as provided in the vehicle and traffic law, no person shall participate [as a spectator] in any event or gathering held for the purpose of a race, exhibition or contest of speed [not authorized pursuant to the vehicle and traffic law] *or stunt behavior involving a vehicle*. [Under] *For purposes of* this subdivision, "participate" shall mean [acts at the scene of a race that reasonably appear to support such race] wagering on the outcome of the race, *exhibition or contest of speed or stunt behavior* or [actively] *taking specific overt actions* encouraging the [participants to] *people engaging in* the race, exhibition, contest of speed *or stunt behavior*.

[c.] *e. Except as provided in the vehicle and traffic law, no person shall operate, drive or park a motorcycle, whether or not in motion, unless the number plate is easily readable and is not obstructed by any part of the motorcycle, its equipment, or anything carried thereon, including the operator or a passenger. For purposes of this subdivision, "motorcycle" shall have the same meaning as in section one hundred twenty three of the vehicle and traffic law.*

f. A violation of subdivision [a] *b or c* shall constitute a misdemeanor and be punishable by imprisonment of not more than six months or a fine of not more than six hundred dollars, or both such fine and imprisonment, *except that the imprisonment for a violation of subdivision c shall be not more than sixty days*. A second *or subsequent* violation of subdivision [a] *b or c* of this section committed within ten years of a violation of subdivision [a] *b or c* of this section shall be punishable upon conviction by imprisonment of not more than one year or a fine of not more than one thousand dollars, or both such fine and imprisonment, *except that the imprisonment for a violation of subdivision c shall be not more than one hundred twenty days*. A violation of subdivision [b] *d or e* shall constitute a violation punishable by imprisonment of up to fifteen days or a fine of not more than two hundred fifty dollars, or both such fine and imprisonment.

§2. This local law shall become effective 90 days after its enactment into law.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 168-A

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

The Committee on Transportation, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 678), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 168-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 168-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to safer arterial streets.	**Sponsor:** By Council Members Rodriguez, Koo, Levine, Mendez, Levin, Rosenthal, Arroyo and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend section 19-182 of the administrative code of the city of New York by adding a new subdivision d to require that arterial streets be included in the comprehensive study of pedestrian fatalities and serious injuries, which is due by November 30, 2015, and every 5 years thereafter, as mandated by existing local law. The study would make recommendations as to how such streets may be designed to minimize the risk of traffic crashes and to minimize the risk of critical injury or death resulting from such crashes.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 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: There would be no impact on revenues resulting from 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 168 by the Council on March 12, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 168 has been amended, and the amended version, Proposed Int. 168-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 168-A:)

Int. No. 168-A

By Council Members Rodriguez, Koo, Levine, Mendez, Levin, Rosenthal, Arroyo, Van Bramer and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to safer arterial streets.

Be it enacted by the Council as follows:

Section 1. Section 19-182 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. 1. For purposes of this subdivision, "arterial streets" shall mean high-capacity streets under the jurisdiction of the department serving as the principal network of through-traffic flow.

2. As part of the comprehensive study and plan required pursuant to this section, the department shall study arterial streets as defined herein and make recommendations as to how such streets may be designed to minimize the risk of traffic crashes and to minimize the risk of critical injury or death resulting from such crashes.

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

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 171-A

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

The Committee on Transportation, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 681), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 171-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 171-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to traffic violations and serious crashes.

Sponsor: By Council Members Rosenthal, Chin, Crowley, Koo, Levine, Reynoso, Arroyo, Van Bramer and Ulrich

SUMMARY OF LEGISLATION: This legislation would amend chapter 5 of title 19 of the administrative code of the city of New York by adding a new section 19-541 to require that where a driver licensed by the Taxi and Limousine Commission ("the Commission") has been issued a summons for or charged with one or more traffic related violations or crimes in a crash in which any person has suffered critical injury (defined as "any injury determined to be critical by the emergency medical service personnel responding to such crash") or death, the license issued to such driver by the Commission may be summarily suspended consistent with the rules of the Commission regarding summary suspensions, and, upon conviction of such driver of one or more of the violations or crimes stated in the summons or such charges and upon a determination that one or more of such violations or crimes for which conviction occurred was a cause of such critical injury or death, such license shall be revoked. The bill would also require that a summary suspension pursuant to this local law may be lifted pursuant to the rules of the Commission or upon dismissal of all such charges or upon a finding of not guilty of all of the stated traffic related violations and crimes, except that the Commission may continue to suspend such license pursuant to section 19-540 of this chapter. This legislation shall not disallow the TLC from suspending the driver's license for other reasons.

EFFECTIVE DATE: This local law would take effect ninety days following enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues (+)	$0	$0	$0
Expenditures (-)	$0	$0	$0
Net	$0	$0	$0

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

IMPACT ON EXPENDITURES: Because the Commission 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 171 by the Council on March 12, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 171 has been amended, and the amended version, Proposed Int. 171-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 171-A:)

Int. No. 171-A

By Council Member Rosenthal, Chin, Crowley, Koo, Levine, Reynoso, Arroyo, Van Bramer, Vallone, Dromm, Greenfield and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to traffic violations and serious crashes.

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 19-541 to read as follows:

§19-541 Serious crashes. Where a driver licensed by the commission has been issued a summons for or charged with one or more traffic related violations or crimes in a crash in which any person has suffered critical injury or death, the license issued to such driver by the commission may be summarily suspended consistent with the rules of the commission regarding summary suspensions, and, upon conviction of such driver of one or more of the violations or crimes stated in the summons or such charges and upon a determination that one or more of such violations or crimes for which conviction occurred was a cause of such critical injury or death, such license shall be revoked. A summary suspension pursuant to this section may be lifted pursuant to the rules of the commission or upon dismissal of all such charges or upon a finding of not guilty of all of the stated traffic related violations and crimes, except that the commission may continue to suspend such license pursuant to section 19-540 of this chapter. For purposes of this section, "critical injury" shall mean any injury determined to be critical by the emergency medical service personnel responding to such crash. This section shall not limit in any way the commission's authority to summarily suspend a driver licensed by the commission for other reasons.

§2. This local law shall take effect ninety days following enactment into law, except that the taxi and limousine commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

YDANIS A. RODRIGUEZ, Chairperson; JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 174-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to taxi and limousine commission review of crashes.

The Committee on Transportation, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 684), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 174-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 174-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to Taxi and Limousine Commission review of crashes.

Sponsor: By Council Members Vacca, Mendez, Levin, Rosenthal, Arroyo and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend chapter 5 of title 19 of the administrative code of the city of New York by adding a new section 19-540 to require that following any crash involving a driver licensed by the Taxi and Limousine Commission "the Commission" while operating a vehicle licensed by the Commission where critical injury, defined as any injury determined to be critical by the emergency medical service personnel responding to any such incident, or death resulted to one or more persons, the Commission shall, upon notification of such crash, review the results of the Police Department's investigation at or before the conclusion of such department's investigation. The Commission shall further review the fitness of such driver to operate a vehicle licensed by the Commission and take any enforcement action that it determines appropriate, unless such driver's commission issued license has been suspended, in which case such review may occur prior to the lifting of such suspension. The Commission may summarily suspend the Commission issued license of such driver while any fitness review or enforcement action is pending, consistent with the rules of the Commission regarding summary suspensions. In addition, on or before February 1, 2015 and quarterly thereafter, the Commission shall provide to the Speaker of the Council and shall place on the Commission's website, a written report detailing how many crashes the Commission reviewed in the prior quarter, how many summary suspensions occurred, and enforcement actions taken by the Commission following such review.

EFFECTIVE DATE: This local law would take effect ninety days following its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues (+)	$0	$0	$0
Expenditures (-)	$0	$0	$0
Net	$0	$0	$0

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

IMPACT ON EXPENDITURES: Because the Commission 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 174 by the Council on March 12, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 174 has been amended, and the amended version, Proposed Int. 174-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 174-A:)

Int. No. 174-A

By Council Members Vacca, Mendez, Levin, Rosenthal, Arroyo, Van Bramer, Barron and Greenfield.

A Local Law to amend the administrative code of the city of New York, in relation to taxi and limousine commission review of crashes.

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 19-540 to read as follows:

§19-540 Review of crashes. a. Following any crash involving a driver licensed by the commission while operating a vehicle licensed by the commission where critical injury or death resulted to one or more persons, the commission shall, upon notification of such crash, review the results of the police department's investigation at or before the conclusion of such department's investigation. The commission shall further review the fitness of such driver to operate a vehicle licensed by the commission and take any enforcement action that it determines appropriate, unless such driver's commission issued license has been suspended, in which case such review may occur prior to the lifting of such suspension. The commission may summarily suspend the commission issued license of such driver while any fitness review or enforcement action is pending, consistent with the rules of the commission regarding summary suspensions. For purposes of this section, "critical injury" shall mean any injury determined to be critical by the emergency medical service personnel responding to any such incident. This section shall not limit in any way the commission's authority to summarily suspend a driver's commission issued license for other reasons.

b. On or before February 1, 2015 and quarterly thereafter, the commission shall provide to the speaker of the council and shall place on the commission's website, a written report detailing how many crashes the commission reviewed pursuant to subdivision a of this section in the prior quarter, how many summary suspensions occurred, and enforcement actions taken by the commission following such review.

§2. This local law shall take effect ninety days following enactment into law.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 238-A

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

The Committee on Transportation, to which the annexed amended proposed local law was referred on March 26, 2014 (Minutes, page 899), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 238-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 238-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the right of way of pedestrians and bicyclists.

Sponsor: By Council Members Weprin, Rodriguez, Levine, Levin, Arroyo and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York by adding a new section 19-190 by requiring any driver of a motor vehicle who fails to yield to a pedestrian or person riding a bicycle when such pedestrian or person has the right of way shall be guilty of a traffic infraction, which shall be punishable by a fine of not more than fifty dollars or imprisonment for not more than fifteen days or both such fine and imprisonment. In addition to or as an alternative to such penalty, such driver shall be subject to a civil penalty of not more than one hundred dollars which may be recovered in a proceeding before the environmental control board. Furthermore, the bill would require that any driver of a motor vehicle who violates this local law and whose motor vehicle causes contact with a pedestrian or person riding a bicycle and thereby causes physical injury, shall be guilty of a misdemeanor, which shall be punishable by a fine of not more than two hundred fifty dollars, or imprisonment for not more than thirty days or both such fine and imprisonment. In addition to or as an alternative to such penalty, such driver shall also be subject to a civil penalty of not more than two hundred fifty dollars which may be recovered in a proceeding before the environmental control board. Physical injury shall be as defined in the Penal Law.

However, it shall not be a violation of this local law if the failure to yield and/or physical injury was not caused by the driver's failure to exercise due care. Additionally, the bill does not apply to persons, teams, motor vehicles, and other equipment working on behalf of the city of New York, the state of New York or the federal government while actively engaged in work requiring the presence of a motor vehicle in a location that interferes with the right of way of a pedestrian or person riding a bicycle. Additionally, such persons, teams, motor vehicles, and other equipment shall proceed at all times during all phases of such work exercising due regard for the safety of all persons and consistent with all applicable laws, rules, and regulations. Nothing in this local law shall relieve such persons or teams or such operators of motor vehicles or other equipment from the consequences of failure to exercise due care or the consequences of their reckless disregard for the safety of others.

EFFECTIVE DATE: This local law would take effect sixty days following its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues (+)	**$0**	**$0**	**$0**
Expenditures (-)	**$0**	**$0**	**$0**
Net	**$0**	**$0**	**$0**

IMPACT ON REVENUES: Because the bill is intended as a deterrent measure, it is anticipated that there would be minimal to no impact on revenues resulting from 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 238 by the Council on March 26, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 238 has been amended, and the amended version, Proposed Int. 238-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 238-A:)

Int. No. 238-A

By Council Members Weprin, Rodriguez, Levine, Levin, Arroyo, Van Bramer and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to the right of way of pedestrians and bicyclists.

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 19-190 to read as follows:

§19-190 Right of way. a. Except as provided in subdivision b of this section, any driver of a motor vehicle who fails to yield to a pedestrian or person riding a bicycle when such pedestrian or person has the right of way shall be guilty of a traffic infraction, which shall be punishable by a fine of not more than fifty dollars or imprisonment for not more than fifteen days or both such fine and imprisonment. In addition to or as an alternative to such penalty, such driver shall be subject to a civil penalty of not more than one hundred dollars which may be recovered in a proceeding before the environmental control board. For purposes of this section, "motor vehicle" shall have the same meaning as in section one hundred twenty-five of the vehicle and traffic law.

b. Except as provided in subdivision c of this section, any driver of a motor vehicle who violates subdivision a of this section and whose motor vehicle causes contact with a pedestrian or person riding a bicycle and thereby causes physical injury, shall be guilty of a misdemeanor, which shall be punishable by a fine of not more than two hundred fifty dollars, or imprisonment for not more than thirty days or both such fine and imprisonment. In addition to or as an alternative to such penalty, such driver shall also be subject to a civil penalty of not more than two hundred fifty dollars which may be recovered in a proceeding before the environmental control board. For purposes of this section, "physical injury" shall have the same meaning as in section 10.00 of the penal law.

c. It shall not be a violation of this section if the failure to yield and/or physical injury was not caused by the driver's failure to exercise due care.

d. This section shall not apply to persons, teams, motor vehicles, and other equipment working on behalf of the city of New York, the state of New York or the federal government while actively engaged in work requiring the presence of a motor vehicle in a location that interferes with the right of way of a pedestrian or person riding a bicycle. Such persons, teams, motor vehicles, and other equipment shall proceed at all times during all phases of such work exercising due regard for the safety of all persons and consistent with all applicable laws, rules, and regulations. Nothing in this section shall relieve such persons or teams or such operators of motor vehicles or other equipment from the consequences of failure to exercise due care or the consequences of their reckless disregard for the safety of others.

§2. This local law shall take effect sixty days following enactment into law.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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 Int. No. 272-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the New York city taxi and limousine commission's critical drivers and persistent violators programs.

Amended and Coupled on GO with a Message of Necessity

The Committee on Transportation, to which the annexed amended proposed local law was referred on April 10, 2014 (Minutes, page 1137), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 272-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 272-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the New York City Taxi and Limousine Commission's critical drivers and persistent violators programs.

Sponsor: By Council Members Rodriguez, Gibson, Levine, Levin, Rosenthal, Arroyo and Van Bramer (by request of the Mayor)

SUMMARY OF LEGISLATION: This legislation would amend section 19-507.1 of the administrative code of the city of New York, as added by local law number 20 for the year 1999, by amending subdivisions a, b, c and e, and adding new subdivisions i and j to allow the Taxi and Limousine Commission "TLC" to more quickly identify and take action against drivers who have a history of safety related violations.

Under current rules, violation points issued against the driver by the TLC and the State Department of Motor Vehicles (DMV) are kept separate. As a result, the TLC is not allowed to take action against drivers who might have accumulated enough combined DMV and TLC points to warrant suspension or revocation of their license. The proposed legislation would allow the TLC to aggregate points issued by the TLC and DMV for purposes of suspension and revocation, if those points are safety related. In addition, the legislation would allow for the taking of a vehicle safety course to remove three of such points from the driver's record.

EFFECTIVE DATE: This local law would take effect one hundred twenty days following enactment; newly added subdivisions i and j of section 19-507.1 of the administrative code of the city of New York shall only be applicable to points accrued subsequent to the effective date of this local law. The TLC shall take all necessary action, including the promulgation of rules, prior to such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	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 the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Commission 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 272 by the Council on April 10, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 272 has been amended, and the amended version, Proposed Int. 272-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 272-A:)

Int. No. 272-A

By Council Members Rodriguez, Gibson, Levine, Levin, Rosenthal, Arroyo, Van Bramer and Barron (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the New York city taxi and limousine commission's critical drivers and persistent violators programs.

Be it enacted by the Council as follows:

Section 1. Section 19-507.1 of the administrative code of the city of New York, as added by local law number 20 for the year 1999, is amended by amending subdivisions a,b,c and e, and adding new subdivisions i and j, to read as follows:

§ 19-507.1 Persistent Violators of Rules Relating to Drivers of Taxicabs and For-Hire Vehicles. a. (1) [On or after September 1, 1999, any] *Any* taxicab or for-hire vehicle driver may attend a remedial or refresher course approved by the commission. Upon *presentation to the commission of proof of* satisfactory completion of a commission-approved course by such driver, [two] *three* points shall be deducted from the number of points assessed under the persistent violators program against his or her taxicab or for-hire vehicle driver's license, *except as otherwise provided in this paragraph*. A taxicab or for-hire vehicle driver shall be eligible for a point reduction pursuant to this subdivision only once within [the] *a* five-year period [commencing on or after September 1, 1999]. *In the event no such approved course is available at the time such driver seeks to enroll, such driver may take a course provided for in paragraph one of subdivision c of section 19-507.2 of this chapter. In such instance, completion of a course taken pursuant to this paragraph or pursuant to paragraph one of subdivision c of section 19-507.2 shall result in the removal of three points from either the number of points accrued under the persistent violators program or from the number of points accrued under the critical drivers program, but not from both, upon the election of the driver who completes such course.*

(2) [Notwithstanding the provisions of paragraph one of this subdivision, any taxicab or for-hire vehicle driver may attend one remedial or refresher course approved by the commission between the effective date of this local law and August 31, 1999. Upon satisfactory completion of a commission-approved course by such driver two points shall be deducted from the number of points assessed under the persistent violators program against his or her taxicab or for-hire vehicle driver's license.

(3)] Notwithstanding the provisions of [paragraphs] *paragraph* one [or two] of this subdivision, no point reduction shall affect any suspension or revocation action which may be taken by the commission pursuant to this program prior to the completion of the course and no taxicab or for-hire vehicle driver shall receive a point reduction unless attendance at the course is voluntary on the part of the driver. [If the commission has no approved remedial or refresher course on the effective date of this subdivision, then a department of motor vehicles-approved course shall be deemed acceptable until such time as the commission approves a course.

b. Any taxicab or for-hire vehicle driver who has been found guilty of violations of the commission's rules such that six or more points *but fewer than ten points* have been assessed against his or her taxicab or for-hire vehicle driver's license within any fifteen-month period and whose license has not been revoked shall have his or her taxicab or for-hire vehicle driver's license suspended *for up to* thirty days. [The provisions of this subdivision shall apply only to violations issued on or after July 26, 1998.]

c. Any taxicab or for-hire vehicle driver who has been found guilty of violations of the commission's rules such that ten or more points have been assessed against his or her taxicab or for-hire vehicle driver's license within any fifteen-month period shall have his or her taxicab or for-hire vehicle driver's license revoked. [The provisions of this subdivision shall apply only to violations issued on or after July 26, 1998.]

e. A taxicab or for-hire vehicle driver shall not be subject to an assessment of points against his or her taxicab or for-hire vehicle driver's license or the imposition of duplicate penalties where the same act is a violation under provisions of law other than commission rules and where such violations duplicate each other or are substantively the same and any such driver may be issued only one summons or notice of violation for such violation. Points assessed [by the department of motor vehicles by reason of violations under the vehicle and traffic law] *pursuant to section 19-507.2 of this chapter* may [not], *pursuant to subdivisions i and j of this section*, be added to points assessed by the commission under this section for violations of commission rules.

i. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that six or more points but fewer than ten points in total have been assessed within any fifteen-month period against his or her taxicab or for-hire vehicle driver's license pursuant to this section and against the driver license issued to such taxicab or for-hire vehicle driver by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence pursuant to section 19-507.2 of this chapter and whose taxicab or for-hire vehicle driver's license has not been revoked shall have his or her taxicab or for-hire vehicle driver's license suspended for up to thirty days; provided, however, that only points assessed against a taxicab or for-hire vehicle driver's license for violations that threaten the safety of passengers or any other persons, as specified by rule of the commission, may be applied for purposes of this subdivision.

j. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that ten or more points in total have been assessed within any fifteen-month period against his or her taxicab or for-hire vehicle driver's license pursuant to this section and against the driver's license issued to such taxicab or for-hire vehicle driver by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence pursuant to section 19-507.2 of this chapter shall have his or her taxicab or for-hire vehicle driver's license revoked; provided, however, that only points assessed against a taxicab or for-hire vehicle driver's license for violations that threaten the safety of passengers or any other persons, as specified by rule of the commission, may be applied for purposes of this subdivision.

§2. Section 19-507.2 of the administrative code of the city of New York, as added by local law number 20 for the year 1999, is amended to read as follows:

§19-507.2 Critical driver program a. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that six or more points have been assessed by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence against the driver license issued to such taxicab or for-hire vehicle driver within any fifteen-month period and whose taxicab or for-hire vehicle driver's license has not been revoked shall have his or her taxicab or for-hire vehicle driver's license suspended for thirty days. [The provisions of this subdivision shall apply only to violations issued on or after February 15, 1999.]

b. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that ten or more points have been assessed by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence against the driver license issued to such taxicab or for-hire vehicle driver within any fifteen-month period shall have his or her taxicab or for-hire vehicle driver's license revoked. [The provisions of this subdivision shall apply only to violations issued on or after February 15, 1999.]

c. (1) [On or after September 1, 1999, a] *A* taxicab or for-hire vehicle driver shall be eligible to receive a [two] *three* point reduction in the number of points assessed pursuant to the critical driver program upon the submission to the commission of proof of the satisfactory completion of a motor vehicle accident prevention course approved by the department of motor vehicles. Such point reduction shall be considered in computing the total number of points accumulated by such driver as a result of violations which occurred within fifteen months prior to the date of the completion of the course. *In the event that no commission approved course is available pursuant to paragraph one of subdivision a of section 19-507.1 of this chapter, completion of a course taken pursuant to this paragraph shall result in the removal of three points from either the number of points accrued under the persistent violators program or from the number of points accrued under the critical drivers program, but not from both, upon the election of the driver who completes such course.*

(2) Notwithstanding the provisions of paragraph one of this subdivision no point reduction shall affect any suspension or revocation action which may be taken by the commission pursuant to this program prior to the completion of the course. No person shall receive a point reduction more than once in any eighteen month period and no person shall receive a point reduction unless attendance at the course is voluntary on the part of the driver.

[(3) Notwithstanding the provisions of paragraphs one and two of this subdivision, any taxicab or for-hire vehicle driver who voluntarily attends and satisfactorily completes one motor vehicle accident prevention course approved by the department of motor vehicles between the effective date of this local law and August 31, 1999, shall have two points deducted from the total number of points assessed pursuant to the critical driver program against his or her taxicab or for-hire vehicle driver's license. No point reduction shall affect any suspension or revocation action which may be taken by the commission pursuant to this program prior to the completion of the course.]

§3. This local law shall take effect one hundred twenty days following enactment; newly added subdivisions i and j of section 19-507.1 of the administrative code of the city of New York shall only be applicable to points accrued subsequent to the effective date of this local law. The commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 29, 2014.

(The following is the text of a Message of Necessity from the Mayor for the Immediate Passage of Int No. 272-A:)

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Pursuant to authority vested in me by section twenty of the Municipal Home Rule and by section thirty-seven of the New York City Charter, I hereby certify to the necessity for the immediate passage of a local law, entitled:

A LOCAL LAW

To amend the administrative code of the City of New York, in relation to the New York City Taxi and Limousine Commission's critical drivers and persistent violators programs.

Given under my hand and seal this 28th day of May, 2014 at City Hall in the City of New York.

_____

Bill de Blasio
Mayor

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

Report for Int. No. 277-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the reporting of crash data involving taxi and limousine commission licensed vehicles.

The Committee on Transportation, to which the annexed amended proposed local law was referred on April 10, 2014 (Minutes, page 1144), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 277-A:

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY, ACTING DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 277-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the reporting of crash data involving Taxi and Limousine Commission licensed vehicles.

Sponsor: By Council Members Vacca, Rodriguez, Gibson, Koo, Levine, Levin, Rosenthal, Arroyo and Van Bramer

SUMMARY OF LEGISLATION: This legislation would amend chapter five of title 19 of the administrative code of the city of New York by adding a new section 19-542 to require that beginning on February 1, 2015, and every three months thereafter that the Taxi and Limousine Commission "TLC" would provide a report to the Council regarding the number of crashes involving a TLC licensed vehicle.

Also, the legislation would require that these reports disaggregate such crashes by the type of vehicle involved (for example livery or taxicab) and by whether the crash resulted in critical injury or death. The legislation would also require that the TLC maintain within its records the number of crashes each licensed driver has been involved in while operating a TLC licensed vehicle.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 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: There would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Commission 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
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

HISTORY: Introduced as Intro. 277 by the Council on April 10, 2014 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on April 30, 2014. Intro. 277 has been amended, and the amended version, Proposed Int. 277-A, will be considered by the Committee on Transportation on May 29, 2014 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 277-A:)

Int. No. 277-A

By Council Members Vacca, Rodriguez, Gibson, Koo, Levine, Levin, Rosenthal, Arroyo, Van Bramer and Vallone.

A Local Law to amend the administrative code of the city of New York, in relation to the reporting of crash data involving taxi and limousine commission licensed vehicles.

Be it enacted by the Council as follows:

Section 1. Chapter five of title 19 of the administrative code of the city of New York is amended by adding a new section 19-542 to read as follows:

§19-542 Reporting of crash data on commission licensed vehicles. On or before February 1, 2015 and quarterly thereafter, the commission shall for the prior quarter provide a report to the council and shall post on its website, the number of crashes involving a vehicle licensed by the commission. Such report shall disaggregate such crashes by the type of commission licensed vehicle and by whether critical injury or death resulted from such crashes. The commission shall also maintain within its records the number of crashes each licensed driver has been involved in while operating a commission licensed vehicle. For purposes of this section, "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 into law.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 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).

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 #
Danielle E. Burns	560 West 148th Street #3E New York, N.Y. 10031	7
Jarleny Quezada	678 Academy Street #C1 New York, N.Y. 10034	10
Francis Jon	3220 Steuben Avenue #2H	11

	Bronx, N.Y. 10467	
Sabrina Adele Jenkins	97-28 57TH Avenue #2D Queens, N.Y. 11368	21
Elijah David Raytsin	65-65 Wetherole Street #1X Queens, N.Y. 11374	29
Marcial Ramos	316 Beach 65th Street Far Rockaway, N.Y. 11692	31
Nadeem Veerapen	80-24 89th Avenue Queens, N.Y. 11421	32
Ruben A. Baez	122 McGuinness Blvd Brooklyn, N.Y. 11222	33
Riley Doyle Evans	98 Ryerson Street #2 Brooklyn, N.Y. 11205	35
Julio Segura	856 Wyckoff Avenue Brooklyn, N.Y. 11237	37
Tiffany R. Walker	1404 New York Avenue #2F Brooklyn, N.Y. 11210	45
Michael Arvanites	966 Clove Road #H1 Staten Island, N.Y. 10301	49

Approved New Applicants and Reapplicants

Name	Address	District #
Raissa Krachunas	310 Greenwich Street #36G New York, N.Y. 10013	1
Jennifer Salerno	12 Monroe Street #3A New York, N.Y. 10002	1
Donald Neville	1 Haven Plaza #21A New York, N.Y. 10009	2
Michael Zumbluskas	441 East 83rd Street New York, N.Y. 10028	5
Alice Marquez	239 West 103rd Street #2C New York, N.Y. 10025	6
Lisa J. Padilla	240 West 66th Street #14A New York, N.Y. 10023	6
Ruth Brown-McGill	567 West 149th Street #27 New York, N.Y. 10031	7
Stephen Dickerson	2170 Madison Avenue #4D New York, N.Y. 10037	9
Yvelisse Mota	1707-09 Park Avenue #2B New York, N.Y. 10035	9
Ramona Ramirez	246 West 116th Street #5C New York, N.Y. 10026	9
Hope Sterling	2441 7th Avenue #1C New York, N.Y. 10038	9
Cynthia Watkins	480 St. Nicholas Avenue #12E New York, N.Y. 10030	9
Lizbeth Ceballo	117 Post Avenue #3H New York, N.Y. 10034	10
Marguerite A. Maignan	165 Audubon Avenue #53 New York, N.Y. 10033	10
Ramon A. Sosa	24 Laurel Hill Terrace New York, N.Y. 10033	10
Carl Merante	4295 Webster Avenue #5G Bronx, N.Y. 10470	11
Milagros Cruz-Javier	825 East 233RD Street Bronx, N.Y. 10466	12
Sonia Espinoza	100 Casals Place #10A Bronx, N.Y. 10475	12
Mary Y. Scheman	3866 Laconia Avenue Bronx, N.Y. 10469	12
Victor B. Tosi	3309 Hone Avenue Bronx, N.Y. 10469	12
Carmen E. Lepin	2830 Schley Avenue #6A Bronx, N.Y. 10465	13
Carmen S. Lopez	1950 Andrews Avenue Bronx, N.Y. 10453	14
Ronda Middleton-Pendelton	1002 Garrison Avenue #5D Bronx, N.Y. 10451	17
Renee Reeves	750 Grand Concourse #1A Bronx, N.Y. 10451	17
Beryl M. Wright	820 Boynton Avenue #14H Bronx, N.Y. 10473	17
Daniel Puerta	35-24 95th Street #D2 Queens, N.Y. 11374	21
Rose Birtley	141-08 Collidge Avenue Queens, N.Y. 11435	24
Linda Hood	186-09 Baisley Blvd Queens, N.Y. 11412	27
Nancy F. Redden	120-36 218th Street Queens, N.Y. 11411	27
Cherrise Waston-Jackson	164-21 109th Road Jamaica, N.Y. 11433	27
Mikaela Mihai	104-21 68th Drive #A13 Forest Hills, N.Y. 11375	29
Donna Erdmann-Gruber	88-41 Doran Avenue Glendale, N.Y. 11385	30
Sandra Stewart	133-05 229th Street Queens, N.Y. 11413	31
Martha Ilegbameh	7400 Shorefront Parkway #8K Queens, N.Y. 11692	32
Angela Maiello	155-39 81st Street Queens, N.Y. 11414	32
Joann McErlean	31 Hausman Street Brooklyn, N.Y. 11222	33
Carmen Bonilla	384 Central Avenue #6 Brooklyn, N.Y. 11221	34
Myrta R. Colon	31 Leonard Street #9G Brooklyn, N.Y. 11206	34
Lisa Suzette Long- Waithe	150 Crown Street #D4 Brooklyn, N.Y. 11225	35
Lloyd Noel	239 New York Avenue #2R Brooklyn, N.Y. 11216	35
Yves Vilys	345 Lincoln Place #1D Brooklyn, N.Y. 11238	35
Robert Santos	506 40th Street #3 Brooklyn, N.Y. 11232	38
Mario Tesoriero	276 Carroll Street #B Brooklyn, N.Y. 11231	39
Herminia Eludia Brown	145 Erasmus Street Brooklyn, N.Y. 11226	40
Edeline Duduche	210 East 51st Street #B& Brooklyn, N.Y. 11203	41
Vanessa Jones	249 Thomas Boyland Street #23K Brooklyn, N.Y. 11233	41
Rodney Payne	1305 Delmar Loop #17D Brooklyn, N.Y. 11239	42
Ernest Vasquez	596 Pine Street #2 Brooklyn, N.Y. 11208	42
Katherine Baiardi	953 71st Street Brooklyn, N.Y. 11228	43
Jerome Daniel Burdi	8616 Fort Hamilton Parkway Brooklyn, N.Y. 11209	43
Sara Teitelbaumn	1250 East 29th Street Brooklyn, N.Y. 11210	45
Beverly Wilson	938 Troy Avenue #2 Brooklyn, N.Y. 11203	45
Martha Berkowitz	2286 Brigham Street #5E Brooklyn, N.Y. 11229	46
Joan P. Baynes	3105 Avenue V #3H Brooklyn, N.Y. 11229	46
Adam J. D'Amico	1615 East 38th Street Brooklyn, N.Y. 11234	46
Polina Smolianski	4596 Bedford Avenue Brooklyn, N.Y. 11235	48
Susan Been	77 Cameron Avenue Staten Island, N.Y. 10305	50
Edmund Golat, Jr.	93 Sawyer Avenue Staten Island, N.Y. 10314	50

Patricia A. Ledoux	75B Freedom Avenue Staten Island, N.Y. 10314	50
Carmine T. Raimondi	19 Wilson Street Staten Island, N.Y. 10304	50
Dawn Townsley	1316 Mason Avenue Staten Island, N.Y. 10306	50
Debra Vadola	334 Colony Avenue Staten Island, N.Y. 10306	50

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

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

(1) M 65 - Imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York. **A.9462 / S.7386 (Home Rule item introduced by the Mayor).**

(2) M 66 - Temporary investments by local governments, in relation to extending the expiration of the provisions thereof." **S.6624 (Home Rule item introduced by the Mayor).**

(3) Int 43-A - Study on left turns.

(4) Int 46-A - Traffic control signals.

(5) Int 80-A - Work zone safety on bridges.

(6) Int 140-A - Reducing speed limits and establishing slow zones.

(7) Int 167-A - Prohibiting certain stunt behavior with vehicles.

(8) Int 168-A - Safer arterial streets.

(9) Int 171-A - Traffic violations and serious crashes.

(10) Int 174-A - Taxi and limousine commission review of crashes.

(11) Int 238-A - Right of way of pedestrians and bicyclists.

(12) Int 272-A - New York city taxi and limousine commission's critical drivers and persistent violators programs **(with Message of Necessity from the Mayor requiring an affirmative vote of at least two-thirds of the Council for passage).**

(13) Int 277-A - Reporting of crash data involving taxi and limousine commission licensed vehicles.

(14) Int 360 - Partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm.

(15) Res 256 - Approving the new designation and changes in the designation of certain organizations to receive funding **(Transparency Resolution).**

(16) L.U. 58 & Res 267 - **App. 20145481 HAK**, Brooklyn, Community District 8, Council District 41.

(17) L.U. 59 & Res 268 - **App. 20145032 TCM**, unenclosed sidewalk café located at 963 Lexington, Manhattan, Council District 4.

(18) L.U. 66 & Res 269 - **App. C 140207 HAM** Manhattan, Community District 10, Council District 9.

(19) L.U. 67 & Res 270 - **App. C 130313 MMQ** Queens, Community Board 13, Council District 23.

(20) L.U. 68 & Res 271 - **App. C 130314 MMQ** Queens, Community Board 13, Council District 23.

(21) L.U. 69 & Res 272 - **App. C 140203 ZMQ** Queens, Community Board 13, Council District 23.

(22) L.U. 73 & Res 273 - **App. 20145540 HAK**, Brooklyn, Community District 1, Council District 34.

(23) L.U. 74 & Res 274 - **App. 20145541 HAK**, Community District 1, Council District 33.

(24) L.U. 77 & Res 265 - St. Andrews – 2155 VIRGIL PLACE, Bronx, Block 3612, Lot 13, Council District No. 18.

(25) L.U. 78 & Res 266 - Open Door Senior Citizens Apartments, 50 NORFOLK STREET, Manhattan, Block 346, Lots 1 and 75, Council District No. 1.

(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 – 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, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

The General Order vote recorded for this Stated Meeting was 49-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **M-65 (Home Rule item):**

Affirmative – 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, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Vacca, Vallone, Weprin, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

Negative – Matteo, Rose, Ulrich, and Ignizio **– 4.**

The following was the vote recorded for **Int No. 167-A:**

Affirmative – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **48**.

Negative – Cumbo **– 1.**

The following was the vote recorded for **Int No. 171-A**:

Affirmative – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **46**.

Negative – Weprin **– 1.**

Abstention – Gentile and Williams **– 2.**

The following was the vote recorded for **Int No. 272-A**:

Affirmative – Barron, 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, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **48**.

Negative – Cabrera **– 1.**

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 43-A, 46-A, 80-A, 140-A, 167-A, 168-A, 171-A, 174-A, 238-A, 272-A (passed under a Message of Necessity), 277-A, and 360.

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:

Report for voice-vote Res. No. 6

Report of the Committee on Transportation in favor of approving a 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.

The Committee on Transportation, to which the annexed resolution was referred on February 4, 2014 (Minutes, page 227), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 6:)

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, Levin, Rosenthal, Arroyo, Van Bramer, Dromm, Greenfield 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.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 29, 2014.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 51

Report of the Committee on Transportation in favor of approving a Resolution calling on the New York State Legislature to remedy several deficiencies in the law regarding leaving the scene of an accident.

The Committee on Transportation, to which the annexed resolution was referred on February 26, 2014 (Minutes, page 405), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 51:)

Res. No. 51

Resolution calling on the New York State Legislature to remedy several deficiencies in the law regarding leaving the scene of an accident.

By Council Members Crowley, Constantinides, Koo, Palma, Vacca, Reynoso, Gibson, Menchaca, Rodriguez, Levin, Arroyo, Van Bramer and Vallone.

Whereas, Hit-and-run drivers not only endanger the lives of others, but also evade personal responsibility; and

Whereas, According to the American Automobile Association Foundation for Traffic Safety, approximately 11 percent of all police reported crashes involve at least one driver who flees the scene and nearly 1,500 people die annually in hit and run crashes; and

Whereas, In order to hold drivers accountable for their actions, in May 2005, the New York State Legislature amended §600 of the New York State Vehicle and Traffic Law ("VTL"), entitled "leaving scene of an incident without reporting," to remedy gaps in the law that gave intoxicated and reckless drivers an incentive to leave the scene of an accident when serious physical injury or death had occurred; and

Whereas, Prior to the May 2005 revision, a driver who was intoxicated and caused a death could, depending on the circumstances, be charged with vehicular manslaughter in the second degree, a class D felony carrying a penalty of up to 7 years imprisonment, yet if the driver left the scene and was no longer intoxicated at the time he or she was apprehended, the most with which the driver could be charged was criminally negligent homicide, a class E felony, carrying a penalty of up to 4 years imprisonment; and

Whereas, The State Legislature closed this gap by making it a class D felony for a person to leave the scene of an accident when death results from the accident; the Legislature also increased the penalty for those who leave the scene of an accident when personal injury results, from a B misdemeanor to an A misdemeanor; and

Whereas, Despite these changes to the law, the State Legislature failed to address the burden of proof problems in prosecuting these cases; and

Whereas, In order to secure a conviction, a prosecutor must still prove that the driver knew or had reason to know that personal injury, serious physical injury, or death resulted from the accident; and

Whereas, Prosecutors often face substantial difficulties attempting to prove that a driver fleeing the scene of an accident knew or should have known of an injury or death, particularly when the driver who is fleeing is intoxicated; and

Whereas, In cases where a serious physical injury or death results, a driver who leaves the scene of an accident should be strictly liable and charged with leaving the scene and causing the injury or death without the prosecutor being required to demonstrate that the driver knew of or had cause to know of the injury or death; and

Whereas, In addition to the burden of proof problems, the current penalties associated with leaving the scene of an accident do not accurately reflect the severity of the crime; and

Whereas, A.1533, sponsored by Assembly Member Steven Cymbrowitz and currently pending in the New York State Assembly, and companion bill S.2503,

sponsored by State Senator Martin J. Golden and currently pending in the New York State Senate, seek to amend the VTL by increasing various penalties associated with the offense of leaving the scene of an accident without reporting it; and

Whereas, A.1533/S.2503 would allow prosecutors to charge a driver who leaves the scene of an accident where personal injury results from the accident with a class E felony and subject them to a fine of between $1,000 and $1,500; any subsequent offense would constitute a class D felony and carry a fine of between $1,500 and $3,000; and

Whereas, Furthermore, under this legislation, a driver convicted of leaving the scene when serious physical injury resulted from the accident would be charged with a class D felony and subject to a fine of between $1,500 and $5,500; if the accident resulted in a death, the driver would be charged with a class C felony and subject to a fine of between $2,500 and $5,500; and

Whereas, Drivers who are irresponsible and callous should be penalized appropriately, and drivers who seriously injure and kill others, then flee the scene, should be strictly liable for such actions; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to remedy several deficiencies in the law regarding leaving the scene of an accident.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 29, 2014.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 68-A

Report of the Committee on Transportation in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation increasing the penalty for driving on the sidewalk.

The Committee on Transportation, to which the annexed amended resolution was referred on February 26, 2014 (Minutes, page 492), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 68-A:)

Res. No. 68-A

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation increasing the penalty for driving on the sidewalk.

By Council Members Weprin, Constantinides, Levine, Mendez, Rosenthal, Reynoso, Menchaca, Levin, Arroyo, Van Bramer, Vallone and Dromm.

Whereas, Section 1225-a of the New York State Vehicle and Traffic Law prohibits any individual from driving "a motor vehicle on or across a sidewalk" with minor exceptions, such as to gain access to adjacent buildings or driveways; and

Whereas, A violation of §1225-a is a traffic infraction, resulting in an escalating range of penalties, including a fine of up to $150 for a first offense; and

Whereas, Driving on the sidewalk presents a grave risk to pedestrians; and

Whereas, During a 30-day period in February and March 2013, there were five instances of a motorist hitting a pedestrian on a sidewalk, resulting in three deaths and two serious injuries; and

Whereas, On September 12, 2013, five children were injured in Maspeth, Queens when an SUV hit them while they were walking on the sidewalk; and

Whereas, In light of the inexcusable and serious nature of driving on the sidewalk and the dangerous conditions it creates, the fine for violation of §1225-a of the Vehicle and Traffic Law should be increased to up to $250 for a first offense and the infraction should also result in three points being added to the driver's license; 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 increasing the penalty for driving on the sidewalk.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 29, 2014.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 103

Report of the Committee on Veterans in favor of approving a Resolution urging Congress to pass and the President to sign H.R.1726 and S.1174, to award a Congressional Gold Medal to the 65th Infantry Regiment, known as Borinqueneers.

The Committee on Veterans, to which the annexed resolution was referred on March 12, 2014 (Minutes, page 611), respectfully

REPORTS:

INTRODUCTION

On May 28, 2014, the Committee on Veterans, chaired by Council Member Eric Ulrich, held a hearing on Res. No. 103, a Resolution urging Congress to pass and the President to sign H.R.1726 and S.1174, to award a Congressional Gold Medal to the 65th Infantry Regiment, known as Borinqueneers. The first hearing was held on May 23, 2014. At the second hearing. the resolution passed by a vote of 5-0.

BACKGROUND

Puerto Rico's establishment as United States (U.S.) territory in 1898 and the subsequent extension of U.S. citizenship to its residents in 1917 helped to create the framework for a bond between the two places that has persisted in the decades since.[1] Today, more than 4.5 million Americans are of Puerto Rican heritage.[2] Puerto Rican roots run particularly deep in New York City, where more than 700,000 residents are of Puerto Rican origin.[3] Puerto Ricans have made outsized contributions to the U.S. in a number of fields, including a legacy of outstanding military service.

The first American military unit based in Puerto Rico, the Puerto Rico Battalion of Volunteer Infantry, was created in 1899 through Congressional authorization.[4] Early successes by the unit led to its official incorporation into the U.S. Army nine years later.[5] The unit went on to serve in World War I, defending the Panama Canal and U.S. installations in the Caribbean.[6] Following World War I, the unit was re-designated the 65th Infantry Regiment and continued to train during the interwar period.[7] The Regiment was called up to serve in various locations during World War II, including the Panama Canal Zone, North Africa, and Europe.[8]

The 65th Infantry Regiment is perhaps best known for its heroic service during the Korean War. The unit, which adopted the nickname of "the Borinqueneers," was instrumental in battles against the Chinese Army in 1950 and 1951.[9] The unit's service during the war earned its men and the unit itself a number of awards, including four Distinguished Service Crosses, 125 Silver Stars, the Presidential and Meritorious Unit Commendations, two Korean Presidential Unit Citations, and the Greek Gold Medal for Bravery.[10] In 2014, Master Sargent Juan E. Negron was posthumously awarded the Medal of Honor, the U.S.'s highest military award, for his service in the 65th Infantry Regiment during combat operations in Kalma-Eri, Korea.[11] The City Council has also acted to honor the Bourinqueneers. In November 2012, following the passage of authorizing legislation, Southern Boulevard in the Bronx, between Bruckner Boulevard and East Fordham Road, was renamed "La 65 de Infanteria Boulevard."[12]

However, during their service in Korea, the Borinqueneers faced discrimination, upheavals in leadership, and communication issues as non-Spanish

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[1] U.S. Library of Congress, Puerto Rico and the United States, http://memory.loc.gov/ammem/collections/puertorico/bras10.html (*last accessed* May 19, 2014).
[2] U.S. Census Bureau, 2010 Census Summary File 2, Allocation of Hispanic of Latino Origin – Population Group: Puerto Rican, http://www.census.gov/acs/www/ (*last accessed* May 19, 2014).
[3] *Id.*
[4] Gilberto Villahermosa, *Honor and Fidelity: The 65th Infantry in Korea, 1950-1953*(2009) 2, *available at* http://www.history.army.mil/html/books/korea/65Inf_Korea/65Inf_KW.pdf.
[5] *Id.* at 2-5.
[6] *Id.* at 6; Silvia Alvarez Curbelo, *A Mediation on the 65th Infantry* (1991), *available at* http://centropr.hunter.cuny.edu/sites/default/files/Journal/1991-1994/Centro%20Winter%201991-1992/7_Ameditationonthe65th%20--SilviaAlvarez.pdf.
[7] *Id.*
[8] Villahermosa, *supra* note 5, at 7-10.
[9] U.S. Army Center of Military History, Hispanic Americans in the Korean War, http://www.history.army.mil/html/topics/hispam/hisp-kor.html (*last accessed* May 19, 2014).
[10] U.S. Army Center of Military History, The Borinqueneers, http://www.history.army.mil/html/topics/hispam/borinqueneers.html (*last accessed* May 19, 2014).
[11] The White House, Press Release, *President Obama to Award Medal of Honor*, Feb. 21, 2014, *available at* http://www.whitehouse.gov/the-press-office/2014/02/21/president-obama-award-medal-honor.
[12] Int. 935-2012, L.L. 2012/48.

speaking officers were assigned to the unit.[13] Ninety-five soldiers in the regiment were court-marshaled for failure to obey orders, but the Army later moved to pardon the soldiers, citing language barriers between the men and the officers involved.[14] The Borinqueneers also faced serious logistical challenges, including a lack of proper gear for the cold-weather conditions in Korea.[15] The 65th Infantry Regiment also suffered great losses during deployments to Korea, resulting in Puerto Rico bearing a disproportionate share of casualties during the Korean War compared to those hailing from mainland States.[16]

Congressional Gold Medal Campaign

In 2013, Representative Bill Posey of Florida and Senator Richard Blumenthal of Connecticut introduced legislation calling on Congress to award the Borinqueneers the Congressional Gold Medal for their service and sacrifices in the face of unique hardships and discrimination.[17] The Congressional Gold Medal was first awarded to George Washington for his services as commander of the Continental Army by the Continental Congress in March 1776, more than two decades before the U.S. Congress was convened.[18]

Congressional Gold Medals are awarded according to rules established by each Congress. According to current rules of the House Committee on Financial Services, a hearing on Congressional Gold Medal legislation may not be held until it is co-sponsored by at least 290 Members of the House.[19] Rules of the Senate Banking, Housing, and Urban Affairs Committee require at least 67 Senator cosponsors before a Congressional Gold Medal bill may be considered.[20] On May 21, with 301 sponsors signed onto the bill, the House voted to award the Congressional Gold Medal to the 65th Infantry Regiment.[21] The following day, the Senate bill reached the requisite number of sponsors and voted out the legislation, which must now be signed into law by President Barack Obama.[22] The companion bills are cosponsored by the entire New York City Congressional delegation: Representatives Charles Rangel, Jose Serrano, Nydia Velazquez, Grace Meng, Joseph Crowley, Yvette Clark, Gregory Meeks, Jerrold Nadler, Eliot Engel, Carolyn Maloney, Michael Grimm, Hakeem Jeffries, and William Owens; and Senators Charles Schumer and Kirsten Gillibrand.[23]

A substantial portion of Congressional Gold Medals awarded have been in recognition of military service. Recently, a number of collective Gold Medals have been awarded to military units comprised of minorities. These collective Congressional Gold Medals include awards in 2000, to the Native American Marines known as the Navajo Code Talkers who transmitted secret tactical messages through the use of their native language; in 2006, to the Tuskegee Airmen, the first African-American military aviators; in 2009, to the Women's Air Service Pilots (WASP) of World War II; in 2010, to Japanese American soldiers serving in the 100th Infantry Battalion and the 442nd Regimental Combat Team during World War II; in 2011, to the Montford Point Marines, the first African-Americans to break the race barrier in the Marines; and in 2013, to the First Special Service Force, an elite commando unit comprised of Canadian and American volunteers known as the Devil's Brigade for their service during World War II.[24]

ANALYSIS

Res. No. 103 states that there are nearly five million United States (U.S.) citizens who are of Puerto Rican descent, more than 750,000 of whom live in New York City. The resolution goes on to describe the history of U.S. military units based in Puerto Rico following its establishment as a territory in 1898, following the end of the Spanish-American War, including the organization of the Porto Rico Provisional Regiment of Infantry, later renamed the 65th Infantry Regiment, in 1901. The resolution indicates that the 65th Infantry Regiment fought in World War I as a division of the U.S. Army, defending the Panama Canal and San Juan Bay. The resolution recounts the 65th Infantry's deployments and participation in battles in North Africa and Europe during World War II and describes how the unit performed high-risk operations in Germany.

The resolution describes the heroic service of the 65th Infantry Regiment and the more than 61,000 Puerto Ricans that served during the Korean War and notes that Puerto Rico suffered more casualties than most U.S. states. The resolution states that during the Korean War, members of 65th Infantry Regiment began calling themselves the Borinqueneers, after Puerto Rico's indigenous Taino name. The resolution lists the awards earned by the regiment during the conflict in Korea, which include nine Korean Battle Campaign Awards, the Presidential and Meritorious Unit Commendations, two Korean Presidential Unit Citations, the Greek Gold Medal, a Navy Unit Commendation, and the Medal of Honor, awarded posthumously to Master Sergeant Juan E. Negron. The resolution states that since the establishment of the regiment, its service members have also received 10 Distinguished Service Crosses, 256 Silver Stars, 606 Bronze Stars, and 2,771 Purple Hearts.

The resolution notes that while the 65th Infantry Regiment has received a number of awards and honors, including a street co-naming in the Bronx, it has never received a Congressional Gold Medal. The resolution declares that Borinqueneers deserve to be awarded the Congressional Gold Medal, alongside other distinguished military unit recipients such as the Native American Marines, known as the Navajo Wind Talkers; Japanese American intelligence soldiers during World War II, known as the Nisei Soldiers, and the first African American military aviators, known as the Tuskegee Airmen.

The resolution expresses support for H.R.1726, sponsored by Congressman Bill Posey, and S.1174, sponsored by Senator Richard Blumenthal, which would award a Congressional Gold Medal to the 65th Infantry Regiment. The resolution cites the 65th Infantry's bravery while loyally defending America against all enemies while facing discrimination, segregation and unusual obstacles. The resolution urges Congress to pass and the President to sign H.R.1726 and S.1174, to award a Congressional Gold Medal to the 65th Infantry Regiment, known as Borinqueneers.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 103:)

Res. No. 103

Resolution urging Congress to pass and the President to sign H.R.1726 and S.1174, to award a Congressional Gold Medal to the 65th Infantry Regiment, known as Borinqueneers.

By The Speaker (Council Member Mark-Viverito) and Council Members Arroyo, Barron, Chin, Constantinides, Dickens, Ferreras, Palma, Reynoso, Rose, Mendez, Miller, Van Bramer and Ulrich.

Whereas, Today, there are 4.9 million United States ("U.S.") citizens who are of Puerto Rican descent, of which 761,720 reside in New York City, according to the latest data reported by the U.S. Census Bureau; and

Whereas, On March 2, 1889, Congress passed the Army Appropriation Bill, which authorized the first body of native troops in Puerto Rico; and

Whereas, Puerto Rico became a U.S. Territory after the signing of the 1898 Treaty of Paris which ended the Spanish-American War; and

Whereas, The "Porto Rico Provisional Regiment of Infantry" was organized in 1901; and

Whereas, In 1917, Puerto Ricans were granted U.S. citizenship, and in that same year, the Puerto Rican military unit officially became part of the U.S. Army; and

Whereas, During World War I, the infantry defended the Panama Canal and upon their return to Puerto Rico in 1919, was renamed the "65th Infantry Regiment"; and

Whereas, During World War I, Lieutenant Teófilo Marxuach fired the first shots of the war on behalf of the United States at the Odenwald, an armed German supply ship, which was returned by force to San Juan Bay whereupon its contraband was confiscated; and

Whereas, During World War II, the 65th Infantry gallantly served in North Africa and Europe, winning the Maples-Foggian, Rome-Arne, Central Europe and Rhineland battle campaigns; and

Whereas, After the war, the 65th Infantry were assigned dangerous security, anti-sabotage and other occupation missions in Germany, and was among the last units to return home; and

Whereas, In 1950, after arriving in Pusan, Korea, the 65th Infantry joined the United States 3rd Infantry and were amongst the first to meet the enemy in the battlefields of Korea; and

Whereas, Throughout the course of the Korean War, Puerto Rico suffered more casualties than a majority of the states in the U.S.; and

Whereas, A total of 61,000 Puerto Ricans served in the U.S. military during the Korean War, of which more than 700 men were killed and more than 100 are still missing in action; and

Whereas, During the Korean War, members of 65th Infantry Regiment informally called themselves "Borinqueneers," a term derived from Puerto Rico's indigenous Taino name, Borikén, meaning "land of the brave lord"; and

Whereas, The 65th Infantry is credited with the last battalion-sized bayonet assault in United States Army history; and

Whereas, The 65th Infantry was awarded nine Korean Battle Campaign Awards, the Presidential and Meritorious Unit Commendations, two Korean Presidential Unit Citations, the Greek Gold Medal, Navy Unit Commendation and many other awards for bravery; and

Whereas, On March 18, 2014, Master Sergeant Juan E. Negron will receive the Medal of Honor, posthumously, for his courageous actions while serving as a member of Company L, 65th Infantry Regiment, 3d Infantry Division during combat operations against an armed enemy in Kalma-Eri, Korea on April 28, 1951; and

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[13] Gilberto Villahermosa, *From Glory to Disaster and Back*, ARMY MAGAZINE, Sept. 2001, *available at* http://www.ausa.org/publications/armymagazine/archive/2001/9/Documents/Villahermosa_0901.pdf.

[14] *Id.*

[15] Mark K. Matthews, *Puerto Rican Army regiment may get honors for fighting in Korea*, ORLANDO SENTINEL, Mar. 7, 2014, *available at* http://articles.orlandosentinel.com/2014-03-07/news/os-borinqueneers-medal-honor-20140307_1_borinqueneers-korean-war-65th-infantry-regiment.

[16] David Gonzalez, *Bloodied in Battle, Now Getting Their Due*, N.Y. TIMES, Oct. 2, 2007, *available at* http://www.nytimes.com/2007/10/02/nyregion/02vets.html?_r=1&oref=slogin&pagewanted=all.

[17] H.R. 1726 and S.1174, 113th Cong. (2013).

[18] Matthew Eric Glassman, Congressional Research Service, *Congressional Gold Medals, 1776-2014* (Apr. 2014) 2, *available at* http://www.senate.gov/CRSReports/crs-publish.cfm?pid=%270E%2C*PL[%3C%230%20%20%0A.

[19] *Id.* at 17, *citing Publication of Committee Rules*, Congressional Record, daily edition, vol. 159 (Feb. 15, 2013), p. H578.

[20] *Id.*, *citing Committee on Banking, Housing, and Urban Affairs Rules of Procedure*, Congressional Record , daily edition, vol. 159 (Feb. 26, 2013), pp. S859.

[21] *Id.*

[22] H.R. 1726 and S.1174, 113th Cong. (2013).

[23] S.1174 and H.R. 1726 113th Cong. (2013).

[24] P.L. 106-554; P.L. 109-213; P.L. 111-40; P.L. 111-254, P.L. 112-59; and P.L. 113-16.

Whereas, Including the aforementioned award, individual members of the 65th Infantry Regiment would have earned one Medal of Honor, 10 Distinguished Service Crosses, 256 Silver Stars, 606 Bronze Stars, 2,771 Purple Hearts and many other individual awards over the span of World War I, World War II, and the Korean War; and

Whereas, The 65th Infantry Regiment has received other honors including a street co-naming in the Bronx, New York, called "La 65 de Infanteria Boulevard"; and

Whereas, Although the 65th Infantry has received many prestigious awards, it has never received a Congressional Gold Medal; and

Whereas, Other military units have received the Congressional Gold Medal including the Native American Marines, known as the Navajo Wind Talkers, World War II Japanese American intelligence soldiers, known as the Nisei Soldiers, and the first African American military aviators, known as the Tuskegee Airmen; and

Whereas, Given the contributions of these American citizens to the U.S. military, Borinqueneers deserve to be Congressional Gold Medal recipients among the other distinguished soldiers; and

Whereas, H.R.1726, sponsored by Congressman Bill Posey, and S.1174, sponsored by Senator Richard Blumenthal, would award a Congressional Gold Medal to the 65th Infantry Regiment, known as Borinqueneers; and

Whereas, The 65th Infantry fought bravely as they loyally defended America against all enemies while facing discrimination, segregation and unusual obstacles; and

Whereas, It is imperative that Congress pass H.R.1726 and S.1174 to recognize and honor the 65th Infantry's outstanding service; now, therefore, be it

Resolved, That the Council of the City of New York urges Congress to pass and the President to sign H.R.1726 and S.1174, to award a Congressional Gold Medal to the 65th Infantry Regiment, known as Borinqueneers.

ERIC A. ULRICH, Chairperson; FERNANDO CABRERA, ANDREW COHEN, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans; May 28, 2014.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 117-A

Report of the Committee on Transportation in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own speed camera program.

The Committee on Transportation, to which the annexed amended resolution was referred on March 12, 2014 (Minutes, page 686), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 117-A:)

Res. No. 117-A

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own speed camera program.

By Council Members Vacca, Levine, Van Bramer, Chin, Cohen, Ferreras, Lander, Reynoso, Torres, Rosenthal, Mendez, Koslowitz, Menchaca, Levin, Barron and Dromm.

Whereas, In 2013, 286 people, including 168 pedestrians, were killed in traffic crashes in New York City, according to New York City Police Department (NYPD) data; and

Whereas, In 2013, "unsafe speed" was cited as a contributing factor in over 3,000 collisions that resulted in injuries or fatalities in the City, also according to NYPD data; and

Whereas, Many studies have concluded that the chances of a pedestrian surviving a motor vehicle collision decrease dramatically as the speed of the vehicle increases; and

Whereas, One such study by the United Kingdom Transportation Department determined that while a pedestrian has a 45 percent chance of dying if struck by a vehicle traveling at 30 miles per hour, the chance of death drops to 5 percent if the vehicle is traveling at 20 miles per hour; and

Whereas, Slower speeds also decrease stopping distance, giving drivers a better chance to take action to prevent collisions from occurring in the first place; and

Whereas, According to Mayor de Blasio's Vision Zero Action Plan ("Action Plan"), since 1988, New York City's 190 red light cameras have issued over 4 million violations, and intersections where red light cameras were installed saw a 20 percent decline in all injuries, a 31 percent decrease in pedestrian injuries, and a 25 percent decrease in serious injuries in the three years after installation; and

Whereas, According to the Action Plan, evidence exists that the red light cameras have deterred dangerous driving behavior, as the number of violations issued by the cameras declined by 22 percent from 2010 to 2011; and

Whereas, In Washington D.C., at intersections where speed cameras are in use the number of crashes and injuries has gone down by 20 percent, according to the Action Plan; and

Whereas, In 2013, the New York State Legislature passed, and the Governor signed, legislation authorizing New York City to implement a demonstration program in which it can use cameras to automatically enforce speeding laws at no more than 20 locations near schools, during school hours, for five years; and

Whereas, In a four-month period at the beginning of 2014, the five speed cameras in operation in the City caught 14,500 drivers going at least 40 miles per hour; and

Whereas, The State Legislature recently passed legislation which would increase to 140 the number of locations where speed cameras can operate under the demonstration program; and

Whereas, In the interest of safety, the City should be able to control the number and placement of speed cameras within its borders as it sees fit; 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 give New York City control over its own speed camera program.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 29, 2014.

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 3 Council Members formally voted against this item: Council Members Matteo, Ulrich and Ignizio.

Adopted by the Council by voice-vote.

Report for voice-vote Res. No. 118

Report of the Committee on Transportation in favor of approving a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own red light camera program.

The Committee on Transportation, to which the annexed resolution was referred on March 12, 2014 (Minutes, page 693), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 118:)

Res. No. 118

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would give New York City control over its own red light camera program.

By Council Members Van Bramer, Chin, Cohen, Lander, Reynoso, Torres, Vallone, Rosenthal, Mendez, Koslowitz, Menchaca, Levin, Arroyo, Barron and Dromm.

Whereas, In 2013, 286 people, including 168 pedestrians, were killed in traffic crashes in New York City, according to New York City Police Department data; and

Whereas, According to Mayor de Blasio's Vision Zero Action Plan ("Action Plan"), since 1988, New York City's red light cameras have issued over 4 million violations, and intersections where red light cameras were installed saw a 20 percent

decline in all injuries, a 31 percent decrease in pedestrian injuries, and a 25 percent decrease in serious injuries in the three years after installation; and

Whereas, According to the Action Plan, evidence exists that the red light cameras have deterred dangerous driving behavior, as the number of violations issued by the cameras declined by 22% from 2010 to 2011; and

Whereas, Current State law only allows the City to operate red light cameras at 150 intersections at any one time; and

Whereas, The authorization for the City's red light program will expire on December 1, 2014 unless State law is amended; and

Whereas, In the interest of safety, the City should be able to control the number and placement of red light cameras within its borders as it sees fit; 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 give New York City control over its own red light camera program.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 29, 2014.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 144

Report of the Committee on Transportation in favor of approving a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would make a violation of Hayley and Diego's Law a misdemeanor.

The Committee on Transportation, to which the annexed resolution was referred on March 26, 2014 (Minutes, page 890), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 43-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 144:)

Res. No. 144

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would make a violation of Hayley and Diego's Law a misdemeanor.

By Council Members Vacca, Mendez, Menchaca, Levin, Rosenthal, Arroyo, Chin, Van Bramer, Vallone and Dromm.

Whereas, In 2010, the New York State Legislature passed, and the Governor signed, Hayley and Diego's Law, which makes it a traffic infraction for a driver to injure a pedestrian or bicyclist while failing to "exercise due care"; and

Whereas, A violation of Hayley and Diego's Law is punishable by a fine of up to $500 (or up to $750 if the driver causes "serious physical injury") or by imprisonment for up to 15 days or by both such fine and imprisonment; and

Whereas, Hayley and Diego's Law is named after two children who were killed in 2009 in Chinatown in Manhattan when a delivery van that had been left idling and in reverse climbed the curb and hit them; and

Whereas, The driver in question was not charged with any infraction resulting from the children's deaths; and

Whereas, Enforcement of Hayley and Diego's Law has been limited because a police officer needs to witness a traffic infraction in order to issue a summons or make an arrest; and

Whereas, Making violation of Hayley and Diego's Law a misdemeanor would increase the penalties associated with carelessly harming a pedestrian or bicyclist; and

Whereas, The change would also make enforcement easier by allowing a police officer to issue a summons for failing to exercise due care and injuring someone based upon probable cause, even if the officer was not present to witness the crash; and

Whereas, In the interest of enhancing pedestrian and bicyclist safety, a violation of Hayley and Diego's Law should be a misdemeanor; 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 make a violation of Hayley and Diego's Law a misdemeanor.

YDANIS A. RODRIGUEZ, Chairperson; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BARAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, May 29, 2014.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 200

Report of the Committee on Veterans in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign, S.4714 and A.6974, legislation that would allow credit to members of the public retirement systems of New York State for military service.

The Committee on Veterans, to which the annexed resolution was re-referred on May 12, 2014 pursuant to from the Committee on Civil Service and Labor to which this item was originally referred on April 29, 2014 (Minutes, page 1402), respectfully

REPORTS:

INTRODUCTION

On May 28, 2014, the Committee on Veterans, chaired by Council Member Eric Ulrich, held a hearing on Res. No. 200, a Resolution calling upon the New York State Legislature to pass and the Governor to sign, S.4714 and A.6974, legislation that would allow credit to members of the public retirement systems of New York State for military service. This is the second hearing on this resolution. The first hearing was held on May 23, 2014. At the second hearing, the resolution passed by a vote of 5-0.

BACKGROUND

After leaving the military, many veterans choose to continue pursuing careers in public service through employment with federal, state, or local governments.[1] In order to attract veterans, and in appreciation for their service, many governments offer incentives to applicants and current employees that served in the military. For example, the New York State Constitution and Civil Service Law contain point preferences for veterans seeking civil service appointments and promotions, awarding non-disabled veterans a five point preference and disabled veterans a ten point preference.[2] The State also offers veterans special benefits under its retirement program.

Employees of New York State are eligible for service and disability benefits under the New York State and Local Retirement System (NYSLRS).[3] NYSLRS is composed of the Employees' Retirement System (ERS) and the Police and Fire Retirement System (PFRS), which currently provides pensions to more than 400,000 retirees and beneficiaries.[4] Members of NYSLRS who have previous public service may receive credit for that service toward their retirement by purchasing credit, a process known as "buy back."[5] Under State law, veterans can buy back military service to apply toward retirement, but only if their service occurred during certain listed periods of conflict.[6] Currently, in order to buy back time served in the military, a veteran must have served in World War II, the Korean War, the Vietnam War, operations in Lebanon between 1983 and 1987, operations in Grenada in 1983, operations in Panama between 1989 and1990, or in the "theater of operations including Iraq, Kuwait, Saudi Arabia, Bahrain, Qatar, United Arab Emirates, Oman, the Gulf of Aden, the Gulf of Oman, the Persian Gulf, and the Red Sea, and the airspace above" beginning in 1990.[7] As women were until recently excluded from serving in combat, many women who served are excluded from participating in the buy back as they would not have been deployed to many of the conflict zones listed in State law, regardless of their desire to serve.[8]

In 2013, legislation was introduced in the New York State Legislature by State Senator William J. Larkin and Assembly Member Amy Paulin to amend State law to allow all veterans, no matter in what era they served, to participate in the military service buy back program.[9] The bills would delete all references to dates and specific periods of conflict from State law, so that current and future public employees would be eligible to apply up to three years of military service toward retirement.[10] Further, as the amended language would remove references to service in specific combat zones, many women who served would be newly eligible to buy back time spent in the military.

ANALYSIS

Res. No. 200 states that approximately 200,000 live in New York City and that a number of these veterans work in the public sector. The resolution argues that the State should honor veterans regardless of whether their service was during a period of conflict. The resolution indicates that the State only allows veterans serving as public employees to apply for credit for time in the military toward the State's public

retirement systems if that service was during certain periods of conflict. The resolution points out that New York's veterans who have accrued peacetime military service are excluded from buying back such time to count toward their retirement with the State. The resolution notes that buying and applying military service credit toward retirement can substantially increase an employee's retirement benefits.

The resolution indicates that New York State Senator William J. Larkin and Assembly Member Amy Paulin introduced S.4714 and A.6974, bills that would provide credit to members of public retirement systems for military service regardless of whether such service was during a time of conflict. The resolution states that the legislation would allow New York to honor its veterans and their sacrifices by allowing them to purchase and apply for up to three years credit toward retirement. The resolution discusses how the State could do more to recognize veterans and acknowledge their military service. The resolution further recognizes and acknowledges that our veterans were ready to make sacrifices for their country, including combat service, if such services were required. The resolution calls upon the New York State Legislature to pass and the Governor to sign, S.4714 and A.6974, legislation that would allow credit to members of the public retirement systems of New York State for military service.

[1] Joint Economic Committee – U.S. Congress, *Building Job Opportunities for Returning Veterans* 6-7 (May 2013), *available at* http://www.jec.senate.gov/public/?a=Files.Serve&File_id=368731bc-cc81-48ea-915d-abd605064b51.
[2] N.Y. State Cont., Art. V, § 6; N.Y. Civil Service Law §§ 85-88.
[3] N.Y. State Office of the State Comptroller, NYSLRS – About Us, http://www.osc.state.ny.us/retire/about_us/index.php (*last accessed* May 20, 2014).
[4] *Id.*
[5] N.Y. State Office of the State Comptroller, Get Credit for All Your Public Service, http://www.osc.state.ny.us/retire/members/getting_credit_for_service.php (*last accessed* May 20, 2014).
[6] N.Y. State Retirement and Social Security Law § 1000.
[7] *Id.*
[8] *Id.*; Elisabeth Bumiller and Thom Shanker, *Pentagon Is Set to Lift Combat Ban for Women*, N.Y. TIMES, Jan. 23, 2013, *available at* http://www.nytimes.com/2013/01/24/us/pentagon-says-it-is-lifting-ban-on-women-in-combat.html?pagewanted=all.
[9] S.4714 and A.6974.
[10] *Id.*

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 200:)

Res. No. 200

Resolution calling upon the New York State Legislature to pass and the Governor to sign, S.4714 and A.6974, legislation that would allow credit to members of the public retirement systems of New York State for military service.

By Council Members Ulrich, Dickens, Gentile, Gibson, Rose, Barron and Dromm.

Whereas, New York City is home to roughly 200,000 veterans, a number of whom are currently public employees that have served in the armed forces throughout various conflicts and during peacetime; and

Whereas, New York State should recognize the sacrifices made by veterans, regardless of whether they have served during conflicts or peacetime eras; and

Whereas, New York State only permits active public employees who have accrued military service during certain wartime dates to purchase and apply credit for military time served to New York State's public retirement system; and presently excluded from purchasing and applying military service credit to the State's retirement system; and

Whereas, In most cases, purchasing and applying military service credit toward the State's retirement system would substantially increase an employee's retirement benefits; and

Whereas, In 2013, New York State Senator William J. Larkin and AssemblyMember Amy Paulin introduced S.4714 and A.6974, respectively, legislation that would provide credit to members of public retirement systems for military service rendered during both peacetime and wartime; and

Whereas, S.4714 and A.6974 would allow eligible veterans to purchase and apply for up to a maximum of three years credit toward retirement for military service; and

Whereas, S.4714 and A.6974 would provide an opportunity for New York to honor its veterans by acknowledging the sacrifices they made through military service; and

Whereas, New York State should do more to recognize and acknowledge our veterans, whether peacetime or wartime, who were ready to make any sacrifices, including combat services, if their nation asked; 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.4714 and A.6974, legislation that would allow credit to members of the public retirement systems of New York State for military service.

ERIC A. ULRICH, Chairperson; FERNANDO CABRERA, ANDREW COHEN, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans; May 28, 2014.

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 357

By Council Members Arroyo, King, Koo and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of small business services to report violations concerning public wholesale markets.

Be it enacted by the Council as follows:

Section 1. Chapter 1-B of title 22 of the administrative code of the city of New York is amended by adding a new section 22-270 to read as follows:

§ 22-270 Reports of violations at public wholesale markets. Not later than January thirty first, two thousand fifteen, and not later than January thirty first each year thereafter, the department shall issue an annual report on the number of violations issued at each public wholesale market to the mayor and the speaker of the city council. The report shall include, but not be limited to, information on the number and types of violations, and the amount of revenue generated by the violations, disaggregated by each public wholesale market.

§2. This local law shall take effect one hundred eighty days after enactment.

Referred to the Committee on Economic Development.

Int. No. 358

By Council Members Chin, Vallone, Johnson, Arroyo, Vacca, Dickens, Koo, Levine, Rose, Wills, Rodriguez, Mendez, Koslowitz, and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to regulating social adult day care.

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 17 to read as follows:

Chapter 17
Social adult day care.
§ 17-1701 Definitions.
§ 17-1702 Social adult day care.
§ 17-1703 Civil penalties.

§ 17-1701 Definitions. For the purposes of this chapter "social adult day care" shall have the same meaning as set forth in section two hundred fifteen of the elder law and any regulations promulgated by the director of the office for the aging pursuant to such section.

§ 17-1702 Social adult day care. a. All social adult day cares that do not receive funding pursuant to section two hundred fifteen of the elder law shall meet the standards and requirements of any rules or regulations promulgated by the director of the office for the aging pursuant to such section related to program standards and participant rights, notwithstanding the fact that such social adult day cares do not receive such funding, except that any reference to an "area agency on aging" in such rules and regulations shall instead be deemed a reference to the department and further provided that any reference to a "participant" in such rules and regulations shall instead be deemed an adult individual who is eligible for and is receiving services from a social adult day care in accordance with this chapter. Any references to "functionally impaired" and "social adult day care program" in such rules and regulations shall have the same meanings as set forth in such rules and regulations.

b. All social adult day cares covered by the provisions of this chapter shall carry out the provisions of this chapter in accordance with the applicable provisions of the Americans with disabilities act of nineteen ninety.

§ 17-1703 Civil penalties. The department, in consultation with the department for the aging, shall adopt regulations establishing civil penalties of not less than two hundred and fifty dollars per day and not more than five hundred dollars per day to be assessed against social adult day cares covered by the provisions of this chapter for violations of this chapter and any regulations promulgated thereunder. Such regulations establishing civil penalties shall specify the violations subject to penalty.

§ 2. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-204 to read as follows:

§ 21-204 Social adult day care ombudsman. a. 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 social adult day care as defined in chapter seventeen of title seventeen of this code;

2. investigating complaints received pursuant to paragraph one of this subdivision and any information known to the department related to a social adult day care that may be in violation of the provisions of chapter seventeen of title seventeen of this code and taking appropriate action regarding such complaints and information, including but not limited to referring such complaints and information to appropriate city and state agencies to ensure compliance with the provisions of chapter seventeen of title seventeen of this code;

3. obtaining a list from the state at least annually of providers operating social adult day cares as defined in chapter seventeen of title seventeen of this code and the street address of each such social adult day care, that the department shall share with the department of health and mental hygiene; and

4. making recommendations to the commissioner and the commissioner of the department of health and mental hygiene regarding the operation of social adult day cares as defined in chapter seventeen of title seventeen of this code.

b. 1. Any social adult day care as defined in chapter seventeen of title seventeen of this code shall post in a conspicuous location on the premises of such social adult day care a sign indicating how to contact the ombudsman established pursuant to paragraph one 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 social adult day care.

2. The department shall make available on its website information regarding how to contact the ombudsman established pursuant to paragraph one 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 any social adult day care.

c. Not later than April first, two thousand fifteen and not later than April first of each year thereafter, the ombudsman shall provide a written report to the council regarding social adult day cares documenting information from the immediately preceding calendar year. Each such report shall include, but not be limited to: (i) the total number of social adult day cares and the name and street address of each such social adult day care; (ii) the total number of complaints received by the ombudsman during each reporting period; (iii) a general description of the reason for each such complaint; (iv) the total number of investigations conducted by the ombudsman, a general description of the reason for each such investigation, and the outcome of each such investigation; and (v) recommendations regarding the operation of social adult day cares. Nothing herein shall require the department to share information that identifies the subject of or the individuals who made such complaints.

§ 3. This local law shall take effect one hundred eighty days after its enactment into law, except that the department shall take all necessary action, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Health.

Res. No. 251

Resolution calling on the Borough of Engelwood Cliffs, New Jersey, to withdraw the variance it issued to the LG Corporation that would allow LG to build its new headquarters to exceed the 35 foot height limit established in the Borough's zoning law and reverse the zoning law change that would allow structures to be built over 35 feet without a variance, and calling on the LG Corporation to respect the integrity of the Palisades by voluntarily redesigning its proposal to comply with the current zoning law.

By Council Members Cohen, Levine, Rodriguez and Rosenthal.

Whereas, The Palisades, cliffs that line the Hudson River from just across the Hudson from New York City, in New Jersey, to the Tappen Zee Bridge, have long been renowned for and protected because of their natural beauty and geologic significance; and

Whereas, The Palisades were designated as a National Historic Landmark in 1965, as a National Natural Landmark in 1983 for being "the best example of a thick diabase sill in the United States," and as a National Treasure by the National Trust for Historic Preservation in 2014; and

Whereas, Conservation efforts to protect the Palisades from degradation started in the 1890s and represents one of the earliest such conservation efforts in the United States, resulting in the Interstate Park Commission established by New York and New Jersey governors, Theodore Roosevelt and Foster Voorhees, respectively, and the purchase and donation of the current park land by John D. Rockefeller in the early 1930s; and

Whereas, Until recently, the town of Englewood Cliffs' zoning laws prevented building structures over 35 feet without a variance; and

Whereas, Englewood Cliffs, in February of 2012, issued a variance to the LG Corporation to build an eight-story tower that would be 143 feet high and would represent the first breach of the viewscape of the Palisades north of the George Washington Bridge in over 100 years; and

Whereass, The town of Englewood Cliffs amended their zoning law in October of 2012 so that no variance would be needed to build structures over 35 feet tall; and

Whereas, This tower, and other potential future developments, would mar the viewscape of thousands of New Yorkers and significantly harm a long-cherished natural area in close proximity to large urban areas; and

Whereas, the LG Corporation could develop their headquarters without causing harm to this natural area; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Borough of Engelwood Cliffs, New Jersey, to withdraw the variance it issued to the LG Corporation that would allow LG to build its new headquarters to exceed the 35 foot height limit established in the Borough's zoning law and reverse the zoning law change that would allow structures to be built over 35 feet without a variance, and calling on the LG Corporation to respect the integrity of the Palisades by voluntarily redesigning its proposal to comply with the current zoning law.

Referred to the Committee on Environmental Protection.

Int. No. 359

By Council Members Constantinides, Cornegy, Koo, Rose, Wills, Cumbo, Rodriguez, Mendez and Koslowitz.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring a study of potential environmental justice communities in New York city and the publication of the results of such study on the city's website.

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 11 to read as follows:

CHAPTER 11

ENVIRONMENTAL JUSTICE

§ 24-1101 Definitions.

§ 24-1102 Study of potential environmental justice communities required.

§ 24-1101 Definitions. For purposes of this section, the following terms have the following meanings:

"Adverse environmental impact" means a negative impact on water quality, air quality, soil quality or noise levels, or levels of hazardous materials that are dangerous to human health and safety, resulting from industrial, municipal or commercial operations or the execution of a federal, state or local program or policy.

"Environmental justice" means the fair treatment and meaningful involvement of all persons, regardless of race, color or income, with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

"Low-income community" means a census block group, or a contiguous area comprising multiple census block groups, in which 23.59 percent or more of the population has an annual household income that is at or below the poverty level set by the United States department of health and human services.

"Minority community" means a census block group, or a contiguous area comprising multiple census block groups, in which 51.1 percent or more of the population is non-white or Hispanic.

"Potential environmental justice community" means a minority or low-income community located within the city.

§ 24-1102 Study of potential environmental justice communities required. a. The department of environmental protection, in conjunction with the department of health and mental hygiene, shall conduct a study of potential environmental justice communities. Such study shall evaluate data available from the most recent United States census, the United States environmental protection agency, the New York department of environmental conservation and any other reliable data source in order to report the following:

1. The locations and boundaries of potential environmental justice communities.

2. A list of sSubstantial sources of pollution that are located in each potential environmental justice community.

3. A list and description of the adverse environmental impacts affecting each potential environmental justice community, including the cumulative impacts of activity for which permits must be obtained.

4. Any significant negative health consequences that have been scientifically linked to such adverse environmental impacts.

5. The current utilization and the capacity for future utilization of renewable energy sources in each potential environmental justice community.

65. A list of persons who have received permits from the United States environmental protection agency or the New York department of environmental conservation for activities carried out in the city and who are not in compliance with such permits.

76. A description of barriers to meaningful participation in environmental decision-making faced by each potential environmental justice community.

87. Recommendations for legislation, policy, budget initiatives and other measures the city can take, either acting alone or in collaboration with other organizations or governmental agencies, to mitigate or eliminate the adverse environmental impacts identified in the study required by this section, to increase the use of renewable energy sources, to increase meaningful community participation in environmental decision-making, and to otherwise assist potential environmental justice communities.

b. The department shall submit its findings to the mayor and the council no later than one year after the effective date of the local law that added this chapter, and the departments of environmental protection and health and mental hygiene shall collaborate with the department of information technology and telecommunications to present the findings of this study on an interactive map on the city's website.

§ 2. Section 1072 of the New York city charter is amended by amending subdivisions q and r and by adding a new subdivision s to read as follows:

q. to provide to the public at no charge on the city's website an interactive map, updated as often as practicable and necessary but not less than once per week, displaying the following:

1. Permitted and approved street closures that do not allow for the passage of vehicular traffic on that street, including but not limited to closures for special events, crane operations and other construction work, film shoots and paving operations; and

2. Parking regulations. the information related to paragraph (1) of this subdivision shall be searchable and sortable by time, date and borough, except that street closures for crane operations, construction work and paving operations shall have the notation "subject to closure" during times where closure has been permitted and approved but where such closure may or may not occur on a particular day. All information required by this subdivision shall be available on the city's website as soon as practicable but in no case less than one week prior to any such closure or change, except closures which were applied for or planned less than one week prior to any such closure or change, which shall be available on such interactive map within seventy-two hours of the permit and approval of such closure. Where a permitted and approved street closure is due to a special event, the sponsor of the event with appropriate contact information shall be provided as part of such interactive map. For the purposes of this subdivision, special event shall mean any street fair, block party or festival on a public street(s) where such activity may interfere with or obstruct the normal use by vehicular traffic of such street(s); [and]

r. to provide to the public, at no charge on the city's website, an interactive crime map that, for each segment of a street bounded by one or more intersections and/or a terminus, shall visually display the aggregate monthly, yearly and year-to-date totals for the current and the most recent prior calendar years for each class of crime that is reported to the New York city police department, or for which an arrest was made, including crimes that occurred in parks and subway stations. Such map shall be searchable by address, zip code, and patrol precinct. All information required by this subdivision shall be available on the city's website as soon as practicable but in no case more than one month after a crime complaint has been filed. The mayor shall ensure that all agencies provide the department with such assistance and information as the department requires to compile and update the interactive crime map[.] *; and*

s. to provide to the public, at no charge on the city's website, an interactive environmental justice map. Such map shall identify the sites of substantial adverse environmental impacts, as defined in section 24-1101 of the administrative code of the city of New York, and allow users to filter potential environmental justice communities based on the predominant adverse environmental impact or impacts faced by each such community. Such map shall be searchable by address, zip code, city council district, community board district and type of adverse environmental impact. The mayor shall ensure that all agencies provide the department with such assistance and information as the department requires to compile and update the interactive environmental justice map.

§ 3. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Res. No. 252

Resolution calling upon New York City's public library systems and not-for-profit organizations that receive city funding to have a workforce representative on the respective Boards of Trustees and Board of Directors.

By Council Members Crowley, Gentile, Rose and Rodriguez.

Whereas, Library services in the City are provided through three independent systems: the Brooklyn Public Library, The New York Public Library, which serves the boroughs of Manhattan, Staten Island and the Bronx, and the Queens Borough Public Library; and

Whereas, The library systems are not-for-profit corporations that provide a public service though their operations and programs are substantially funded by the City; and

Whereas, Although City officials are included among the ex-officio members of each library board, each library is governed by its own board of trustees and is not subject to the jurisdiction of any city agency; and

Whereas, While many not-for-profit corporations receive city funding, State law dictates that such corporations shall be managed by its board of directors; and

Whereas, The addition of a workforce representative on each of the separate and respective boards would help ensure just compensation for certain services rendered to the libraries or not-for-profit corporations; and

Whereas, In cases where the workforce is unionized, such representative can be the president of the union or some other union representative; and

Whereas, In workplaces where the employer recognizes trade unions and trade unions are recognized for collective bargaining purposes the workforce representative could be a point of contact between board and union; and

Whereas, A workforce representative could take measures to promote workforce development and other workforce initiatives, including best practices and emerging approaches in workforce development; and

Whereas, Ideally, the workforce representative would have expertise with labor issues that may not otherwise be present on a board of trustees or board of directors; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York City's public library systems and not-for-profit organizations that receive city funding to have a workforce representative on the respective Boards of Trustees and Board of Directors.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 253

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation to amend the Education Law to require more than one school staff person to be trained to administer CPR at all schools during regular school hours.

By Council Members Eugene, Chin, Constantinides, Gentile, King, Koo, Rose, Wills, Rodriguez, Mendez, Crowley, and Rosenthal.

Whereas, The Mayo Clinic states that cardiopulmonary resuscitation (CPR) is a lifesaving technique for someone whose heart or breathing has stopped; and

Whereas, The treatment for cardiac arrest is CPR, followed by the use of an Automated External Defibrillator (AED); and

Whereas, Whereas, The United States National Library of Medicine describes CPR as an emergency technique that combines rescue breathing and chest compressions to manually keep blood and oxygen flowing through the body until further advanced measures can be taken; and

Whereas, Cardiac arrest can occur because of heart disease, heart attacks, respiratory arrest, drowning or choking; and

Whereas, According to the New York State Department of Health, choking is the fourth leading cause of unintentional death in children under the age of 5; and

Whereas, An average of 12,400 children ages 0 to 14 years of age were treated in emergency departments for nonfatal food-related choking annually, which equals 34 children per day, according to a study by the American Academy of Pediatrics; and

Whereas, Without medical attention, a person in cardiac arrest will die within a few minutes; and

Whereas, According to the American Heart Association, a bystander who performs CPR immediately after a sudden cardiac arrest can double or triple a victim's chance of survival; and

Whereas, On December 5, 2011, a fourth grade student at Public School 47 in the Bronx choked on a meatball, which resulted in cardiac arrest; and

Whereas, Various media accounts of the incident raise concerns that school staff did not respond appropriately or in a timely fashion; and

Whereas, Ultimately, the child was unable to be resuscitated and died; and

Whereas, Currently, section 917 of the New York State Education Law requires that at least one staff person who is trained in using an AED be in each public school during school-sponsored curricular or extra-curricular events; and

Whereas, However, the law should be amended to require staff members to be certified not only in using an AED, but also in CPR, and to require more than one staff member to be certified in CPR; and

Whereas, The American Heart Association and the American Red Cross offer combination courses in CPR/ First Aid/ AED training; and

Whereas, The State of New York should take precautionary measures to avoid delays in emergency treatment to ensure the health and well-being of students in public schools; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation to amend the Education Law to require more than one school staff person to be trained to administer CPR at all schools during regular school hours.

Referred to the Committee on Health.

Res. No. 254

Resolution declaring the fourth Wednesday in May as "Stroke Awareness Day" in the City of New York.

By Council Members Eugene, Koo, Rose, Rodriguez and Rosenthal.

Whereas, The National Institute of Neurological Disorders and Stroke (NINDS) defines stroke, also known as a cerebrovascular accident, as an event that occurs when the blood supply to part of the brain is suddenly interrupted or when a blood vessel in the brain bursts, spilling blood into the spaces surrounding brain cells; and

Whereas, NINDS indicates that brain cells die when they no longer receive oxygen and nutrients from the blood or there is sudden bleeding into or around the brain; and

Whereas, Two million brain cells die every minute during a stroke, increasing the risk of permanent brain damage, disability or death; and

Whereas, Stroke is the fourth leading cause of death nationwide, killing 137,000 people each year, and the leading cause of adult disability, according to the American Stroke Association (ASA); and

Whereas, Every forty seconds in the United States, a person experiences a stroke; and

Whereas, According to the National Stroke Association (NSA), approximately 795,000 strokes occur annually, averaging one every forty seconds; and

Whereas, Up to 80 percent of strokes can be prevented; and

Whereas, Recognizing stroke symptoms and acting fast to get medical attention can save a life and limit any potential disabilities; and

Whereas, ASA states the chance of having a stroke approximately doubles for each decade of life after age 55; and

Whereas, Persons over age 55, females, African-Americans, persons with diabetes, and those with a family history of stroke are at a greater risk of having a stroke; and

Whereas, Few Americans know the symptoms of a stroke, however learning to recognize such symptoms and knowing what to do when they occur could save lives; and

Whereas, Prevention includes learning about lifestyle and medical risk factors that may contribute to stroke such as smoking, being overweight, drinking too much alcohol, high cholesterol, high blood pressure, heart disease, and carotid artery disease; and

Whereas, The month of May is National Stroke Awareness Month; now, therefore, be it

Resolved, That the Council of the City of New York declares the fourth Wednesday in May as "Stroke Awareness Day" in the City of New York.

Referred to the Committee on Health.

Res. No. 255

Resolution calling upon the Metropolitan Transportation Authority to equip its buses with partitions designed to protect the bus operator.

By Council Members Eugene, Crowley, Chin, Constantinides, Dickens, King, Koo, Lancman, Rose, Cumbo, Mendez and Richards.

Whereas, The State of New York recognizes the particular risks mass transit employees face during the course of performing their duties by considering the assault of such workers a Class D felony; and

Whereas, The Metropolitan Transportation Authority (MTA) and transit worker union representatives have testified and raised concerns regarding the extent of the safety issues faced by transit workers as well as various measures that could be designed to address such issues; and

Whereas, It has become readily apparent that bus operators are at particular risk of assault and personal injury as a result of direct interactions with bus riders; and

Whereas, Between January and mid-November 2013, 79 New York City Transit bus drivers were physically assaulted; and

Whereas, Particularly heinous attacks on bus operators in recent years include the 2008 murder of bus driver Edwin Thomas in Brooklyn, as well as the assault of bus driver Nelson Diaz in the Bronx in September 2012 by a passenger who refused to pay his fare; and

Whereas, State-of-the-art enclosures designed to protect bus operators from random acts of violence are in use on several mass transit systems including New Jersey Transit and Miami-Dade Transit; and

Whereas, As of November 2013, only 1,505 of the MTA's 4,560 local buses were outfitted with driver safety partitions; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to equip its buses with partitions designed to protect the bus operator.

Referred to the Committee on Transportation.

Preconsidered Res. No. 256

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

By Council Members Ferreras, King and Koo.

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 and aging 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 2013 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving aging discretionary funding; 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 and youth discretionary funding; and

; 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 aging 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 changes in the designation, specifically a name change, 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Immigrant Opportunities 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 certain organizations receiving Discretionary Child Care Initiative funding 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the DYCD Food Pantries 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 changes in the designation, specifically a name change, of a certain organization receiving funding pursuant to the Infant Mortality Reduction 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 and changes in the designation of certain organizations receiving Adult Literacy Services Initiative funding 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Information and Referral Contracts 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 and changes in the designation of certain organizations receiving Mental Hygiene Contracts – FY13 PEG Restoration Initiative funding 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 changes in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Out of School Time Restoration 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 changes in the designation, specifically an amount change, of a certain organization receiving funding pursuant to the Child Care Vouchers 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 changes in the designation, specifically an EIN change, of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new Description/Scope of Services for a certain organization receiving discretionary funding 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 Description/Scope of Services for a certain organization receiving discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 15.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 256).

Preconsidered Int. No. 360

By Council Members Ignizio, Ferreras, Matteo, Treyger, Rose, Richards, Maisel, Deutsch, Menchaca, Chin, Vacca, Ulrich, Dickens, Dromm, Eugene, Gentile, Greenfield, Koo and Vallone (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to a partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-243.1 to read as follows:

§ 11-243.1. Partial abatement for certain rebuilt real property seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more.

1. Generally. Notwithstanding any provision of any general, special or local law to the contrary, for the fiscal year beginning on the first of July, two thousand fourteen, the commissioner of finance shall grant a partial abatement of real property taxes in the amount provided in this section to eligible real property as defined in subdivision three of this section on the first of July, two thousand fourteen. If legal title to eligible real property is held by one or more trustees, the beneficial owner or owners shall be deemed to own the property for purposes of this section. Notwithstanding any provision of article four of the real property tax law to the contrary, a property that is receiving benefits pursuant to any other section of article four of the real property tax law shall not be prohibited from receiving a partial abatement pursuant to this section if such property is otherwise eligible to receive such abatement.

2. Definitions. As used in this section:

a. "Actual assessed valuation" means the assessed valuation of real property prior to the calculation of any transitional assessed valuation pursuant to subdivision three of section eighteen hundred five of the real property tax law, and which is not reduced by any exemption from real property taxes.

b. "Annual tax" means the amount of real property tax that is imposed on a property for a fiscal year, determined after reduction for any amount from which the property is exempt, or which is abated, pursuant to applicable law.

c. "Annual tax attributable to improvements" means the amount of real property tax that is imposed on a property for a fiscal year, determined after reduction for any amount from which the property is exempt, or which is abated, pursuant to applicable law, multiplied by a fraction, the numerator of which is equal to the assessed valuation of the property for such fiscal year that is attributable to the improvements on the property, and the denominator of which is the total assessed valuation of the property for such fiscal year.

d. "Assessed valuation" means the assessed valuation of real property that was used to determine the annual tax as defined in paragraph b of this subdivision, and which is not reduced by any exemption from real property taxes. For real property classified as class two or class four real property as defined in subdivision one of section eighteen hundred two of the real property tax law to which subdivision three of section eighteen hundred five of the real property tax law applies, unless otherwise provided, the assessed valuation is the lower of the actual assessed valuation as defined in paragraph a of this subdivision and transitional assessed valuation as defined in paragraph j of this subdivision.

e. "Assessed valuation attributable to improvements" means that portion of the assessed valuation of real property that was used to determine the annual tax attributable to improvements as defined in paragraph c of this subdivision, and which is not reduced by any exemption from real property taxes.

f. "Commissioner of finance" means the commissioner of finance of the city of New York, or his or her designee.

g. "Department of finance" means the department of finance of the city of New York.

h. "Improvements" means buildings and other articles and structures, substructures and superstructures erected upon, under or above the land, or affixed thereto, including bridges and wharves and piers and the value of the right to collect wharfage, cranage or dockage thereon.

i. "Total square footage of the improvements on the property" means, with respect to a fiscal year, the square footage used by the department of finance in determining the assessed valuation attributable to improvements on the property for such fiscal year.

j. "Transitional assessed valuation" is the assessed valuation calculated pursuant to subdivision three of section eighteen hundred five of the real property tax law, and which is not reduced by any exemption from real property taxes.

3. Eligible real property. For purposes of this section, "eligible real property" means any tax lot that contained, on the applicable taxable status date, class one, class two or class four real property as such class of real property is defined in subdivision one of section eighteen hundred two of the real property tax law, as to which:

a. the department of finance reduced the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand thirteen from the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand twelve as a result of damage caused by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve;

b. the department of finance increased the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen from the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand thirteen; and

c. the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen exceeds the assessed valuation attributable to improvements on the property for the fiscal year beginning on the first of July, two thousand twelve.

4. Amount of partial abatement. a. Except as provided in paragraph c of this subdivision, eligible real property shall receive a partial abatement of the real property taxes due on such property equal to the amount by which (1) the annual tax on the property for the fiscal year beginning on the first of July, two thousand fourteen exceeds (2) the annual tax on the property for the fiscal year beginning on the first of July, two thousand twelve.

b. Notwithstanding paragraph a of this subdivision and except as provided in paragraph c of this subdivision, the amount of the partial abatement of the real property taxes due on eligible real property classified as class two or class four real property as defined in subdivision one of section eighteen hundred two of this chapter to which subdivision three of section eighteen hundred five of this chapter applies shall be equal to the amount of (1) the increase in the actual assessed valuation attributable to an addition to or improvement of the property as provided in subdivision five of section eighteen hundred five of the real property tax law for the fiscal year beginning on the first of July, two thousand fourteen, (2) reduced by the increase in the actual assessed valuation attributable to an addition to or improvement of the property as provided in subdivision five of section eighteen hundred five of the real property tax law for the fiscal year beginning on the first of July, two thousand fourteen, multiplied by a fraction, the numerator of which is the transitional assessed valuation for the fiscal year beginning on the first of July, two thousand thirteen, and the denominator of which is the actual assessed valuation for the fiscal year beginning on the first of July, two thousand thirteen, (3) multiplied by the real property tax rate that is applicable to the property for the fiscal year beginning on the first of July, two thousand fourteen. Eligible real property shall not be eligible for an abatement under this section if the fraction calculated in subparagraph two of this paragraph is equal to or greater than one.

c. In the event that the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen exceeds the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand twelve, the amount of the partial abatement shall be the amount computed by multiplying the amount calculated under paragraph a or b of this subdivision by a fraction, the numerator of which is equal to the amount of the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand twelve, and the denominator of which is equal to the amount of the total square footage of the improvements on the property for the fiscal year beginning on the first of July, two thousand fourteen.

d. For property held in the cooperative form of ownership, the abatement shall be credited to each unit therein in an amount equal to that proportion of the amount calculated under this subdivision that is attributable to such unit, as determined by the proportional relationship of the owner's share or shares of stock in the cooperative corporation that owns such real property to the total outstanding stock of the cooperative corporation.

e. Eligible real property shall not be eligible for an abatement under this section if the amount of the abatement calculated pursuant to this subdivision exceeds the annual tax on the property for the fiscal year beginning on the first of July, two thousand fourteen.

5. Recovery of erroneous abatement.

a. For purposes of this section, an "erroneous abatement" means that:

(1) an abatement was granted to a property that was not entitled to an abatement under this section, or

(2) an abatement was applied or calculated in error under this section. In such event, the amount of the erroneous abatement shall be equal to the difference between the amount of the abatement originally received and the amount to which the property was entitled.

b. If the commissioner of finance determines that a property received an erroneous abatement, he or she shall recover such erroneous abatement by deducting the amount of the erroneous abatement from any refund or rebate otherwise payable to the owner, and any balance of the amount of the erroneous abatement remaining unpaid shall constitute a tax lien on the real property, as of the due and payable date provided on the next tax bill mailed by the commissioner of finance containing such amount. If such amount is not paid by such due and payable date, interest at the rate applicable to delinquent real property taxes on such property shall be charged and collected on such amount from the due and payable date provided on such notice to the date of payment. Such tax lien shall be enforceable in accordance with the provisions of law relating to the enforcement of tax liens in any such city.

6. Reduction of assessed value. If the taxable assessed value of a property for the fiscal year beginning on the first of July, two thousand fourteen is reduced after the assessment roll applicable to such fiscal year becomes final, any abatement already granted pursuant to this section shall be adjusted accordingly. The difference between the original abatement and the adjusted abatement shall be deducted from any credit otherwise due.

7. Rulemaking. The commissioner of finance shall be authorized to promulgate rules necessary to effectuate the purposes of this section.

§ 2. This local law shall take effect on the same date as a chapter of the laws of 2014 amending the real property tax law relating to establishing a partial abatement of real property taxes on real property that was rebuilt after being seriously damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more, as proposed in legislative bill number S.7257, takes effect.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Int. No. 361

By Council Members Johnson, Levin, Chin, Dickens, Eugene, Koo, Levine, Rose, Rodriguez, Mendez, Richards and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to grant a presumption of eligibility for applicants to the shelter system who are exiting human resources administration domestic violence shelters or department of youth and community development runaway homeless youth shelters.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-316 to read as follows:

§ 21-316 Presumption of eligibility. a. Definitions. For purposes of this section, the following terms shall have the following meanings:

1. "DYCD RHY shelter" shall mean any crisis shelter or transitional independent living facility providing emergency shelter and services to runaway homeless youth from the ages of sixteen to twenty-one and operated by the department of youth and community development or a provider under contract or similar agreement with the department of youth and community development.

2. "HRA domestic violence shelter" shall mean any residential care facility providing emergency shelter and services to victims of domestic violence and their minor children and operated by the department of social services/ human resources administration or a provider under contract or similar agreement with the department of social services/ human resources administration.

b. The department shall deem any applicant for temporary shelter placement eligible for shelter if such applicant was formerly residing in a HRA domestic violence shelter or a DYCD RHY shelter immediately prior to applying for such temporary shelter placement and is no longer eligible for such HRA or DYCD shelter because such applicant exhausted the maximum length of stay at such HRA or DYCD shelter or has attained the maximum age to be eligible for such DYCD shelter. Such applicants shall not have to undergo an eligibility determination process at a department intake facility prior to being admitted to shelter.

§2. This local law shall take effect immediately.

Referred to the Committee on General Welfare.

Int. No. 362

By Council Members Kallos, Koo, Lancman and Rodriguez.

A Local Law to amend the New York city charter, in relation to adding violations to the interactive crime map.

Be it enacted by the Council as follows:

Section 1. Subdivision r of section 1072 of the New York city charter is amended to read as follows:

r. to provide to the public, at no charge on the city's website, an interactive crime *and violation* map that[, for each segment of a street bounded by one or more intersections and/or a terminus,] shall visually display, *and provide in a machine readable format*, the aggregate monthly, yearly and year-to-date totals for the current and the most recent prior calendar years for *every non-criminal summons, violation, or ticket given out by a city governmental entity, as well as* each class of crime that is reported to the New York city police department, or for which an arrest was made, including crimes that occurred in parks and subway stations. *Such map shall display the location of each summons, violation, ticket, crime, and arrest with as much specificity as possible, including latitude and longitude if possible, but in all cases at least as specific as the nearest intersection, as well as date and time information.* Such map shall be searchable by address, zip code, and patrol precinct. All information required by this subdivision shall be available on the city's website as soon as [practicable] *possible* but in no case more than one month after a *summons, violation, or ticket has been issued, arrest has been made, or* crime complaint has been filed. The mayor shall ensure that all agencies provide the department with such assistance and information as the department requires to compile and update the interactive crime *and violation* map.

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

Referred to the Committee on Technology.

Int. No. 363

By Council Members Kallos, Chin, Constantinides, Cornegy, Gentile, Koo, Lancman, Rose, Vacca, Rodriguez, Mendez, Rosenthal, Koslowitz and Lander.

A Local Law to amend the New York city charter, in relation to publishing the city record online.

Be it enacted by the Council as follows:

Section 1. Section 1066 of the New York city charter is amended by adding a new subdivision g to read as follows:

g. All information published in the City Record after the effective date of this subdivision shall be available at no charge on a website maintained by or on behalf of the city of New York. Such information shall be available in both a non-proprietary, machine-readable format and a human-readable format. Such information shall be searchable by, at minimum, date of publication, relevant agency, keyword, and category, such as public hearings, procurement notices, and changes in personnel. A public beta version of the website required by this subdivision shall be online upon the effective date of this subdivision. A fully functioning version of the website required by this subdivision shall be online within ninety days of the effective date of this subdivision.

§2. Section 1066 of the New York city charter is amended to read as follows:

a. There shall be published *online* daily, except Saturdays, Sundays and legal holidays, under contract or by the department of citywide administrative services, a [paper] *collection of information* to be known *collectively* as the City Record. *The City Record shall be available at no charge on a website maintained by or on behalf of the city of New York. All such information in the City Record shall be available in both a non-proprietary, machine-readable format and a human-readable format. Such information shall be searchable by, at minimum, date of publication, relevant agency, keyword, and category, such as public hearings, procurement notices, and changes in personnel.*

b. There shall be [inserted] *included* in the City Record nothing aside from such official matters as are expressly authorized.

c. All advertising required to be done for the city, except as otherwise provided by law, shall be [inserted] *included* at the public expense in the City Record and a publication therein shall be sufficient compliance with any law requiring publication of such matters or notices.

d. Nothing herein contained shall prevent the publication elsewhere of any advertisement required by law to be so published.

e. The commissioner of citywide administrative services shall cause a continuous series of the City Record to be [bound] *sent* as completed quarterly and to be [deposited] *e-mailed* with his or her certificate [thereon] *included* [in] *to* the office of the city register, [in] the county clerk's office of each county and [in] the office of the city clerk; and copies of the contents of any part of the same, certified by such register, county clerk or city clerk, shall be received in judicial proceedings as prima facie evidence of the truth of the contents thereof.

f. [The commissioner of citywide administrative services shall provide copies of each issue of the City Record to the municipal reference and research center where they shall be available without charge to any member of the public requesting a copy on the publication date or within a reasonable period of time thereafter, to be determined by the commissioner of records and information services.] The commissioner shall [also provide free subscriptions to] *e-mail copies of* the City Record to each borough president, council member, *and* community board[, and branch of the public library and to the news media as defined in paragraph three of subdivision b of section one thousand forty-three of the charter. The commissioner of citywide administrative services, each borough president, council member and community board shall, upon receipt, make copies of each issue of the City Record available in their respective offices for reasonable public inspection without charge].

[g. All information published in the City Record after the effective date of this subdivision shall be available at no charge on a website maintained by or on behalf of the city of New York. Such information shall be available in both a non-proprietary, machine-readable format and a human-readable format. Such information shall be searchable by, at minimum, date of publication, relevant agency, keyword, and category, such as public hearings, procurement notices, and changes in personnel. A public beta version of the website required by this subdivision shall be online upon the effective date of this subdivision. A fully functioning version of the website required by this subdivision shall be online within ninety days of the effective date of this subdivision.]

§3. Section one of this local law shall take effect ninety days after its enactment, provided, however, that the department of citywide administrative services shall take such actions prior to such time as are necessary for timely implementation of this local law. Section two of this local law shall take effect one hundred eighty days after its enactment.

Referred to the Committee on Governmental Operations.

Int. No. 364

By Council Members Kallos, Chin, Koo, Vacca and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to geographic information system data on the open data portal.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 23-501 of the administrative code of the city of New York is amended as follows:

b. "Data" means final versions of statistical or factual information (1) in alphanumeric form reflected in a list, table, graph, chart or other non-narrative form, that can be digitally transmitted or processed; and (2) regularly created or maintained by or on behalf of and owned by an agency that records a measurement, transaction, or determination related to the mission of an agency. Such term shall not include information provided to an agency by other governmental entities, nor shall it include image files, such as designs, drawings, maps, photos, or scanned copies of original documents, provided that it shall include statistical or factual information about such image files and shall include geographic information system data, *such as information represented as a layer on an interactive map on a city website*. Nothing in this chapter shall be deemed to prohibit an agency from voluntarily disclosing information not otherwise defined as "data" in this subdivision, nor shall it be deemed to prohibit an agency from making such voluntarily disclosed information accessible through the single web portal established pursuant to section 23-502.

§2. Section 23-502 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. Such public data sets, where represented as a layer on an interactive map on a city web site, shall be made available on the web portal and such map shall conspicuously provide a link directly to the data set on the web portal.

§3. This local law shall take effect one hundred eighty days after enactment.

Referred to the Committee on Technology.

Int. No. 365

By Council Members Kallos, Constantinides, Cornegy and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to collaborative software purchasing.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. The Council hereby finds and declares that it is in the best interest of New York City that its agencies work with jurisdictions at all levels to deploy low-cost, reusable software, using open standards, open protocols, as well as free/libre and open source software code wherever possible to: pool resources in order to reduce costs and avoid duplicated effort; help make civic IT expertise more cumulative and portable across jurisdictions, for civil servants, for citizens, and for vendors; and permit the public to assist in identifying efficient solutions for government, promote innovative strategies for social progress, and create economic opportunities.

Section 1. Chapter 4 of title six of the administrative code of the city of New York is amended by adding new sections 6-403 and 6-404 to read as follows:

§6-403. Civic Commons Collaborative Software Purchasing.

a. The mayor shall designate an agency to develop and implement a plan to coordinate with jurisdictions outside of the city of new york regarding the procurement of software. Such plan shall include specific steps the agency shall take to maximize cost savings from the shared purchase and use of software,

b The agency that the mayor designates pursuant to subdivision a of this section shall publish such plan on the city's website.

c. Not later than October first of each year, the agency that the mayor designates pursuant to subdivision a of this section shall submit a report to the mayor and the speaker of the city council detailing the city's efforts to effectuate such plan. Such report shall include an analysis of estimated cost savings to the city resulting from the shared purchase and use of software.

§6-404. Civic Commons Portal.

a. Within one year of the effective date of this section and thereafter, the agency that the mayor designates pursuant to subdivision a of section 6-403 of this chapter shall make available on the internet accessible through a single web portal that is linked to nyc.gov or any successor website maintained by, or on behalf of, the city of New York:

(1) Notices of software purchase solicitations by the city of New York and its agencies upon which multiple agencies or jurisdictions outside the city of New York may seek to collaborate;

(2) Civic Commons software source code in a version control repository of software purchased and used by the city of New York and its agencies or by other jurisdictions with whom software was purchased collaboratively; and

(3) Source code in a version control repository of software not purchased or used by the city of New York or its agencies that the designated agency determines may be used or improved upon by the city of New York and its agencies.

b. If the designated agency cannot make all such Civic Commons software source code available on the single web portal pursuant to subdivision a of this section, the agency shall report to the council which Civic Commons software source code it is unable to make available, the reasons why it cannot do so and the date by which the agency expects that such Civic Commons software source code will be available on the single web portal.

c. Civic Commons software source code shall make use of appropriate technology to notify the public of all updates.

d. Civic Commons software source code shall be updated as often as is necessary to preserve the integrity and usefulness of the Civic Commons software source code to the extent that the designated agency regularly maintains or updates the Civic Commons software source code.

e. Civic Commons software source code shall be made available without any registration requirement, license requirement or restrictions on their use provided that the designated agency may require a third party providing to the public any Civic Commons software source code, or application utilizing the Civic Commons software source code, to explicitly identify the source and version of the Civic Commons software source code, and a description of any modifications made to the Civic Commons software source code. Registration requirements, license requirements or restrictions as used in this section shall not include measures required to ensure access to Civic Commons software source code, to protect the single web site housing public data sets from unlawful abuse or attempts to damage or impair use of the web site, or to analyze the types of data being used to improve service delivery.

f. Civic Commons software source code shall be accessible to external search capabilities.

§2. This local law shall take effect 90 days after its enactment into law, provided, however, that city agencies, officers and employees, including but not limited to the city chief procurement officer, shall take such actions as are necessary for its implementation prior to such effective date.

Referred to the Committee on Contracts.

Int. No. 366

By Council Members Kallos and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to free and open source software.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. The Council hereby finds and declares that it is in the best interest of New York City and its agencies to purchase software with a free and open source license. The cost of obtaining software for the city's computer systems has become a significant expense to the city of New York. The personnel costs of maintaining the software on city computers has also become a significant expense to the city of New York. It is necessary for the functioning of the city that computer data owned by the city be permanently available to the city throughout its useful life. To guarantee the succession and permanence of public data, it is necessary that the city's accessibility to that data be independent of the goodwill of the city's computer system suppliers and the conditions imposed by these suppliers. It is in the public interest to ensure interoperability of computer systems through the use of software and products that promote open, platform-neutral standards. It is also in the public interest that the city be free, to the greatest extent possible, of conditions imposed by parties outside the city's control on how, and for how long, the city may use the software it has acquired. Finally, it is not in the public interest and it is a violation of the fundamental right to privacy for the city to use software that, in addition to its stated function, also transmits data to, or allows control and modification of its systems by, parties outside of the city's control.

The acquisition and widespread deployment of free and open source software can significantly reduce the city's costs of obtaining and maintaining software: Free and open source software guarantees that the encoding of data is not tied to a single provider; free and open source software enables interoperability through adherence to open, platform-neutral standards; free and open source software contains no restrictions on how, or for how long, it may be used; and since free and open source software fully discloses its internal operations, it can be audited, at any time and by anyone of the city's choosing, for internal functions that are contrary to the public's interests and rights.

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

CHAPTER 4

SOFTWARE PURCHASING

§6-401. Definitions. As used in this chapter:

a. Definitions set forth in section 23-501 of the administrative code of the city of New York is incorporated by reference as if fully set forth herein.

b. The following terms shall have the following meanings:

"Agency" shall mean a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

"City chief procurement officer" shall mean the person to whom the mayor has delegated authority to coordinate and oversee the procurement activity of mayoral agency staff, including the agency chief contracting officers and any offices that have oversight responsibility for procurement.

"Civic Commons software" shall mean software purchased collaboratively with jurisdictions outside of the city of new york in accordance with section 403 and section 404 of this chapter.

"Free software" means software that provides access to the source code and guarantees users the freedom to run, copy, distribute, study, change and improve the software through the four essential freedoms:

(i) The freedom to run the program, for any purpose;

(ii) The freedom to study how the program works, and change it so it does your computing as you wish.

(iii) The freedom to redistribute copies to help your neighbor; and

(iv) The freedom to distribute copies of your modified versions to others

"Free and open source software" means software that satisfies all the criteria set forth in the definitions of "free software" and "open source software" under this chapter.

"Open source software" shall mean software that complies with the following criteria:

(1) Free redistribution. The license shall not restrict any party from selling or giving away the software as a component of an aggregate software distribution containing programs from several different sources. The license shall not require a royalty or other fee for such sale.

(2) Source code. The program must include source code, and must allow distribution in source code as well as compiled form. Where some form of a product is not distributed with source code, there must be a well-publicized means of obtaining the source code for no more than a reasonable reproduction cost preferably, downloading via the internet without charge. The source code must be the preferred form in which a programmer would modify the program. Deliberately obfuscated source code is not allowed. Intermediate forms such as the output of a preprocessor or translator are not allowed.

(3) Derived works. The license must allow modifications and derived works, and must allow them to be distributed under the same terms as the license of the original software.

(4) Integrity of the author's source code. The license may restrict source-code from being distributed in modified form only if the license allows the distribution of "patch files" with the source code for the purpose of modifying the program at build time. The license must explicitly permit distribution of software built from modified source code. The license may require derived works to carry a different name or version number from the original software.

(5) No discrimination against persons or groups. The license must not discriminate against any person or group of persons.

(6) No discrimination against fields of endeavor. The license must not restrict anyone from making use of the program in a specific field of endeavor.

(7) Distribution of license. The rights attached to the program must apply to all to whom the program is redistributed without the need for execution of an additional license by those parties.

(8) License must not be specific to a product. The rights attached to the program must not depend on the program's being part of a particular software distribution. If the program is extracted from that distribution and used or distributed within the terms of the program's license, all parties to whom the program is redistributed should have the same rights as those that are granted in conjunction with the original software distribution.

(9) License must not restrict other software. The license must not place restrictions on other software that is distributed along with the licensed software. For example, the license must not insist that all other programs distributed on the same medium must be open-source software.

(10) License must be technology-neutral. No provision of the license may be predicated on any individual technology or style of interface.

"Proprietary software" means software that does not fulfill all of the guarantees provided by open source software.

§6-402. Free and open source software.

a. Within one hundred eighty days of the effective date of the local law that added this section, the city chief procurement officer, in conjunction with the commissioner of the department of information technology and telecommunications, shall develop a plan to minimize the city's procurement of proprietary software. Such plan shall include a detailed schedule with annual goals for the planned reduction of the purchase of proprietary software and increase in the purchase of free and open source software. The city chief procurement officer shall publish such plan on the mayor's office of contract services website.

b. To advance the goals of such plan, the city chief procurement officer, in conjunction with the commissioner of the department of information technology and telecommunications, shall:

(1) establish guidelines for agencies that will assist in increasing the purchase of free and open source software;

(2) publish such guidelines on the mayor's office of contract services website;

(3) disseminate such guidelines to agencies and train agency contracting personnel on implementing such guidelines; and

(4) monitor agency implementation of such guidelines.

c. Not later than October first of each year, the city chief procurement officer shall submit to the mayor and the speaker of the city council, and publish on the mayor's office of contract services website, a report detailing the city's efforts during the preceding fiscal year to implement such plan. Such report shall include the total dollar value of software procured by agencies, disaggregated by open source software and proprietary software, and an analysis of estimated cost savings resulting from the purchase of open source software.

§3. This local law shall take effect 90 days after its enactment into law, provided, however, that city agencies, officers and employees, including but not limited to the city chief procurement officer, shall take such actions as are necessary for its implementation prior to such effective date.

Referred to the Committee on Contracts.

Int. No. 367

By Council Members Kallos, Chin, Constantinides, Cornegy, Gentile, Koo, Lancman, Vacca, Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring city government-provided public notices to be posted online.

Be it enacted by the Council as follows:

Section 1. Legislative intent. The intent of this legislation is to modernize the City's public notice requirements by moving them online where they can be easily accessed by interested New Yorkers.

§2. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 7 to read as follows:

CHAPTER 7

PUBLIC NOTICE

§ 23-701. Public Notice to be Posted Online. Notwithstanding any other provision of law, whenever the terms "public notice," "notify the public," or "public notification" are used in the charter or administrative code, and wherever any notice requirement exists in the charter or administrative code with respect to a public hearing, and wherever any provision of the charter or administrative code requires the publication of any notice in a newspaper or other periodical, including the city record, any notice provided by a city agency pursuant to any such notice requirement shall include, in addition to any other requirements of law, publication of all information included in such notice on the city's website, in an open format, and publication to the open data portal created pursuant to chapter five of this title, no later than such time as such notice is provided by any other means. For the purposes of this section, the term "open format" shall mean a format that is both human and machine-readable, and an open application programming interface that provides the general public with bulk downloads as well as specifications for routines, data structures, object classes, variables, remote calls and such other information as would be necessary to access information externally through an open standard that is available to the public without any registration requirement, license requirement, royalty, fee or any other restrictions on their use.

§3. This local law shall take effect 120 days after its enactment into law.

Referred to the Committee on Technology.

Int. No. 368

By Council Members Kallos, Chin, Constantinides, Cornegy, Gentile, Koo, Vacca, Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain city government-provided public information to be posted online.

Be it enacted by the Council as follows:

Section 1. Legislative intent. The intent of this legislation is to ease the process by which New Yorkers can receive information required to made available by agencies by moving such information online.

§2. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 7 to read as follows:

CHAPTER 7

PUBLIC INFORMATION

§ 23-701. Public Information to be Posted Online. Notwithstanding any other provision of law, whenever the terms "public information," "public inspection," or "inspection by the public" are used in the charter or administrative code with respect to the provision of a specific type of information to the public, the information provided by a city agency pursuant to any such requirement shall include, in addition to any other requirements of law, publication of all such information on the agency's website, in an open format, and publication to the open data portal created pursuant to chapter five of this title, no later than such time as such information is provided by any other means. For the purposes of this section, the term "open format" shall mean a format that is both human and machine-readable, and an open application programming interface that provides the general public with bulk downloads as well as specifications for routines, data structures, object classes, variables, remote calls and such other information as would be necessary to access information externally through an open standard that is available to the public without any registration requirement, license requirement, royalty, fee or any other restrictions on their use.

§3. This local law shall take effect 120 days after its enactment into law.

Referred to the Committee on Technology.

Int. No. 369

By Council Members Lancman, Gentile, Koo, Rose and Wills.

A Local Law to amend the New York city charter, in relation to the creation of an office of risk management within the mayor's office of operations.

Be it enacted by the Council as follows:

Section 1. Chapter one of the New York city charter is amended by adding a new section 20.1 to read as follows:

§ 20.1 ***Office of Risk Management.*** *a. The mayor shall establish an office of risk management in the executive office of the mayor or mayor's office of operations. Such office shall be headed by a director who shall be appointed by the mayor.*

b. The office of risk management shall have the power and duty to:

1. work with city agencies to improve workplace safety and overall public health and safety;

2. evaluate workplace accident, injury and illness data and make recommendations to agencies to help avoid recurring accidents; and

3. analyze and coordinate agency workplace safety plans that may be required by law.

§ 2. This local law shall take effect 180 days after its enactment into law.

Referred to the Committee on Governmental Operations.

Int. No. 370

By Council Members Matteo, Ignizio, Ulrich, Dickens, Eugene, Gentile, Johnson, King, Koo, Wills and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to post signs at intersections where speed cameras are located.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 19 of the administrative code of the city of New York section is amended by adding new section 19-216:

§19-216. Photo Speed Camera Signage. For purposes of this section, "photo speed violation monitoring system" shall mean a vehicle sensor installed to work in conjunction with a speed measuring device which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of any vehicle at the time it is used or operated in a school speed zone. At any location where one or more photo speed violation monitoring system is in effect, the department shall place one or more signs, visible to traffic approaching from all directions, to warn drivers that such a system is in operation at such location.

§2. This local law shall take effect sixty days after it is enacted into law.

Referred to the Committee on Transportation.

Res. No. 257

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.7119A/S.5120A, legislation that would amend the social services law, in relation to prohibiting work experience programs in New York.

By Council Members Mealy, Dickens, King, Rose, Chin, Johnson, Levine, Kallos, Palma, Levin, Torres, Rosenthal and Menchaca.

Whereas, The Temporary Assistance for Needy Families ("TANF") program provides public assistance including, but not limited to, cash assistance and work opportunities to families in need by granting states federal funds through the TANF block grant; and

Whereas, States that receive the TANF block grant funds are given the flexibility to design and implement their own programs to accomplish the goals of TANF; and

Whereas, The goals of the TANF program are to: 1) assist families in need so that children can be cared for in their own homes; 2) reduce the dependency of parents in need by promoting job preparation, work and marriage; 3) prevent out-of-wedlock pregnancies; and 4) encourage the formation and maintenance of two-parent families; and

Whereas, TANF places an emphasis on working for one's benefits and requires each state to meet a 50 percent work activity engagement rate for all families receiving public assistance in order for the state to receive the maximum TANF grant amount, the remaining 50 percent of a state's caseload is work-exempt and does not need to be engaged in a work activity; and

Whereas, The Work Experience Program ("WEP"), is a work program in New York City administered by the Human Resources Administration ("HRA"), designed to place public assistance recipients in work experience assignments in order to receive cash assistance and help meet the state's mandated work engagement requirement; and

Whereas, As of May 4, 2014 there were 11,450 people enrolled in WEP receiving public assistance in New York City; and

Whereas, WEP participants are not considered employees, do not receive a paycheck, are not eligible for the Earned Income Tax Credit, collective bargaining, unemployment or social security benefits; and

Whereas, Additionally, WEP participants do not receive education or training and rarely advance from their assigned position; and

Whereas, WEP provides New York City with a source of inexpensive labor because WEP participants are not paid by their employers and instead are subsidized by TANF; and

Whereas, According to the Center on Budget and Policy Priorities, TANF benefit levels are not high enough in any state to raise a family's income above 50 percent of the poverty line and TANF does much less to help families overcome deep poverty than it did prior to welfare reform, which required recipients to work in to order to receive public benefits; and

Whereas, Therefore, because WEP does not provide enough financial resources to help a family overcome poverty and also does not provide appropriate training or education so a recipient could become qualified for a higher wage job, its effectiveness is questionable; and

Whereas, State legislation A.7119A/S.5120A, by Assemblyman Keith Wright and Senator Diane Savino, respectively, aims to improve work activity options to public assistance recipients in New York by prohibiting counties within the state from using WEP to fulfill TANF work requirements; 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.7119A/S.5120A, legislation that would amend the social services law, in relation to prohibiting work experience programs in New York.

Referred to the Committee on General Welfare.

Res. No. 258

Resolution calling upon the United States Congress to provide the Highway Trust Fund with sufficient resources to continue vital transportation infrastructure construction.

By Council Members Miller, Chin, Dromm, Gentile, Johnson, Koo, Rose, Wills, Rodriguez, Mendez, Richards and Rosenthal.

Whereas, Established in 1956, the Highway Trust Fund (HTF) receives revenue from federal gasoline, diesel, and related taxes and is the federal government's primary means of funding transportation projects across the country; and

Whereas, The HTF provides $46 billion in surface transportation funding each year, with New York State receiving over $3 billion in total funding in federal fiscal year 2014; and

Whereas, The federal gas tax has not been raised since 1993; and

Whereas, The effects of inflation, increased vehicle fuel efficiency, and the slowing growth of driving in the country have led to HTF revenues being unable to keep pace with investment needs; and

Whereas, The federal government has periodically made up for these shortfalls with transfers from the general fund to the HTF; and

Whereas, The current law, known as Moving Ahead for Progress in the 21st Century, that authorizes federal surface transportation programs, including the most recent transfers from the general fund, expires on September 30, 2014; and

Whereas, The HTF's Highway Account is expected to run out of money as early as July 2014; and

Whereas, This depletion would potentially paralyze vital road, bridge, bicycle, and pedestrian construction projects integral to providing reliable and safe transportation infrastructure throughout the country and puts as many as 700,000 jobs in jeopardy; and

Whereas, While not quite as dire as the outlook of the Highway Account, the HTF's Mass Transit Account, the primary source of federal funding for public transit programs, faces a similarly precarious situation without action by Congress; and

Whereas, Efficient and environmentally-friendly mass transit is the lifeblood of New York City and mass transit funding must be made a priority when Congress moves to shore up transportation funding; and

Whereas, In particular, Congress should heed the recommendations of advocacy alliance groups like Transportation for America to provide an additional $30 billion per year to support all modes of surface transportation and to encourage local initiative and innovation through competition and incentives, providing greater local access to federal funding; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to provide the Highway Trust Fund with sufficient resources to continue vital transportation infrastructure construction.

Referred to the Committee on Transportation.

Res. No. 259

Resolution calling upon the Mayor of the City of New York to acquire, by direct purchase or through eminent domain, the property at 211 Ainslie Street, Brooklyn, which is home to the Swinging Sixties Senior Center and the Small World Daycare, in order to maintain the property's public purpose.

By Council Members Reynoso and Mendez.

Whereas, For nearly four decades, the property at 211 Ainslie Street, Brooklyn, has been home to the Swinging Sixties Senior Center and the Small World Daycare, both operated by the Conselyea Street Block Association (CSBA); and

Whereas, Until recently, the senior center and daycare were funded by the New York City Department for the Aging (DFTA) and the New York City Administration for Children's Services (ACS), respectively; and

Whereas, On a daily basis, at least 100 seniors, 90 preschoolers and 70 after-school students visit the centers; and

Whereas, The Swinging Sixties Senior Center is also home to monthly Community Board 1 meetings; and

Whereas, Additionally, the senior center and daycare have at least 40 employees, many of whom reside in the surrounding community; and

Whereas, The Small World Daycare has recently expressed interest in providing Full-Day Universal Pre-Kindergarten Services, which if implemented, would prepare children in the surrounding community for success; and

Whereas, While CSBA operates the senior center and daycare, it does not own the property; and

Whereas, After new owners acquired the building in 2013, CSBA has had their rent increased by $7,000 to approximately $40,000 a month; and

Whereas, As a result of having its bids rejected due to competition in the district and losing its funding from DFTA and ACS and having their rent dramatically increased, the CSBA is at risk of having to close the senior center and daycare; and

Whereas, The City Council has secured the necessary funding to keep the senior center and daycare open for the remainder of 2014; and

Whereas, If the Swinging Sixties Senior Center closes its doors after that time, seniors who have been frequenting the center for many years may be unable or unwilling to travel to a center that is farther away; and

Whereas, The City may acquire real property by purchase or eminent domain, for any public or municipal use or purpose or for the promotion of public utility, comfort, health, enjoyment or adornment; and

Whereas, Ensuring that the community can continue to avail itself of the programs and services offered at the senior center and daycare is a public purpose and the property was constructed using public funds so it is appropriate that it be used to benefit the community; and

Whereas, In order to ensure that the Swinging Sixties Senior Center and the Small World Daycare continue to provide services to its surrounding community and some of its most vulnerable residents, including seniors and children, the City should acquire the property at 211 Ainslie Street, Brooklyn, and lease it to CSBA at reasonable terms; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor of the City of New York to acquire, by direct purchase or through eminent domain, the property at 211 Ainslie Street, Brooklyn, which is home to the Swinging Sixties Senior Center and the Small World Daycare, in order to maintain the property's public purpose.

Referred to the Committee on Land Use.

Res. No. 260

Resolution calling upon Congress to pass and the President to sign H.R. 357 and S. 257, which would expand higher educational opportunities for veterans.

By Council Members Ulrich, Chin, Dickens, Eugene, Gentile, Koo, Rose, Wills, Rodriguez, Mendez and Rosenthal.

Whereas, Legislation known as the G.I. Bill Tuition Fairness Act of 2014, H.R. 357 and S. 257, would allow expanded educational opportunities for veterans, by allowing them to attend the state-run higher-education institution of their choice at the in-state rate; and

Whereas, H.R. 357 and S. 257, were introduced by House Representative Jeffrey Miller and Senator John Boozman, respectively; and

Whereas, Under current law, the Post 9/11 G.I. Bill covers tuition and fees only at the in-state rate of public colleges and universities; and

Whereas, According to the Veterans of Foreign Wars (VFW), due to the wide variance in state residency laws, veterans often have a difficult task in establishing legal residency where they live; and

Whereas, The legislation would require public colleges and universities to charge in-state tuition rates to all veterans in order for the school to be eligible to receive G.I. Bill educational payments; and

Whereas, According to a College Board study of the 2012-2013 academic year, the average non-resident rate at public 4-year schools is $21,706, while resident rates average $8,655; and

Whereas, H.R. 357 and S. 257 would ensure that veterans can attend an institution of higher learning that meets their specific needs without the burden of worrying about the significantly higher costs out-of-state residents must pay; and

Whereas, The Act would provide a simple solution to the difficulties veterans often face in establishing permanent residency; and

Whereas, According to the VFW, "[o]ver the last couple of years, the VFW has heard from countless veterans driven into more expensive college programs because public schools offered no flexibility in residency requirements, prohibiting veterans from attending at the in-state rate"; and

Whereas, The Student Veterans of America has said that the proposed legislation "addresses the issue of inequality within the Post 9/11 G.I. Bill and will do a great deal to support veterans' success in higher education"; and

Whereas, According to the bill's sponsor and House Veterans Committee Chairperson Miller, "[t]he men and women who served this nation did not just defend the citizens of their home states, but the citizens of all 50 states"; now, therefore, be it

Resolved, That the City of New York calls upon Congress to pass and the President to sign HR 357 and S 257, which legislation would expand educational opportunities for veterans.

Referred to the Committee on Veterans.

Res. No. 261

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.1702, an Act to amend the public housing law, in relation to veterans' eligibility for public housing.

By Council Members Ulrich, Chin, Constantinides, Dickens, Eugene, Koo, Wills, Rodriguez, Koslowitz and Rosenthal.

Whereas, According to the United States Department of Veterans Affairs (VA), New York City is home to roughly 200,000 veterans; and

Whereas, As the United States (U.S.) decreases its involvement in overseas conflicts and reduces the size of the military, greater numbers of service members will transition back to civilian life; and

Whereas, According to the United War Veterans Council, 44,000 service members are expected to return home from active duty to the New York City metropolitan area in the subsequent months and years; and

Whereas, One of the biggest challenges facing veterans and returning service members is locating safe and affordable housing for themselves and their families; and

Whereas, However, New York City has one of the lowest residential vacancy rates in the nation and a widespread affordable housing shortage; and

Whereas, The New York City Housing Authority (NYCHA) is a public housing agency that provides affordable housing options for low and moderate income residents throughout the five boroughs of New York City; and

Whereas, NYCHA has a significant backlog of applicants seeking affordable housing accommodations; and

Whereas, Current New York State law grants priority admission preferences to public housing for those veterans who were honorably discharged and served in the military between February 2, 1961 and May 1, 1975; and

Whereas, Conversely, there are currently no public housing preferences afforded to veterans of the Iraq and Afghanistan conflicts, or to service-connected disabled veterans and their families under any existing public housing laws; and

Whereas, In 2013, Senator Anthony Avella introduced S.1702, an Act to amend the public housing law, in relation to veterans' eligibility for public housing; and

Whereas, This Act would expand public housing opportunities and grant priority access to veterans of the Iraq and Afghanistan conflicts provided some portion of the service period was between September 14, 2001 to December 31, 2014; and

Whereas, This legislation would also allow a preference to veterans or families of veterans who have a military service-connected disability as designated by the VA; and

Whereas, New York State has a commitment to honor the service of all veterans regardless of era or conflict, and to honor those veterans who sustained injuries in battle defending their country; and

Whereas, To ease the transition into civilian life, it is more crucial than ever that affordable housing assistance be provided to all veterans and their families; 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.1702, an Act to amend the public housing law, in relation to veterans' eligibility for public housing.

Referred to the Committee on Veterans.

Res. No. 262

Resolution calling upon the Department for the Aging to ensure that halal meals are available as part of the home delivered meals program.

By Council Members Ulrich, Espinal, Chin, Constantinides, Dromm, Eugene, Gentile, Koo, Lancman, Levine, Vallone, Williams, Rodriguez, Mendez, Richards, Miller and Rosenthal.

Whereas, The federal government provides local agencies on aging with funding for nutritional programs for seniors through the Older Americans Act; and

Whereas, The New York City Department for the Aging (DFTA) contracts with non-profit organizations to operate nutrition programs offering seniors home delivered meals; and

Whereas, In 2013, DFTA contractors delivered 4.25 million meals to seniors throughout the City, serving approximately 17,000 each day; and

Whereas, According to DFTA, a number of home delivered meal providers offer specialized meals such as kosher meals and culturally relevant meals to those identifying as Chinese, Polish, and Korean; and

Whereas, It is estimated that between 600,000 and one million Muslims live in New York City; and

Whereas, Observant Muslims adhere to a halal diet, consuming only approved foods that have been prepared in accordance with Islamic law; and

Whereas, Currently, none of the 16 contractors currently participating in DFTA's home delivered meal program offer halal meals; and

Whereas, Free home delivered meals can help prevent disease, reduce the effects of chronic illnesses, promote socialization, and keep low-income seniors from going hungry; and

Whereas, Offering culturally and religiously appropriate meals allows more seniors in the City's increasingly diverse aging population to benefit from the home delivered meals program; and

Whereas, Many Muslim seniors would go hungry rather than go against their religious beliefs by eating non-halal meals; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Department for the Aging to ensure that halal meals are available as part of the home delivered meals program.

Referred to the Committee on Aging.

Int. No. 371

By Council Members Van Bramer, Rodriguez, Chin, Deutsch, King, Koo, Levine, Rose, Vallone, Mendez and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for leaving the scene of an accident without reporting.

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 by adding a new section 19-190 to read as follows:

§19-190 Civil penalties for leaving the scene of an incident without reporting. a. Except as provided in the vehicle and traffic law, in addition to or as an alternative to any criminal penalties assessed, any driver who leaves the scene of an incident without complying with all of the provisions of paragraph a of subdivision one of section six hundred of the vehicle and traffic law, shall be liable for a civil penalty, recoverable at the environmental control board, of not more than two hundred fifty dollars. Where the driver knows or has cause to know that physical injury has occurred and does not abide by all of the provisions of paragraph a of subdivision two of section six hundred of the vehicle and traffic law, such civil penalty shall be not less than five hundred dollars nor more than one thousand dollars, where such injury is serious physical injury, of not less than one thousand dollars nor more than five thousand dollars, and where such injury results in death, of not less than two thousand dollars nor more than five thousand dollars. For purposes of this section, "physical injury" and "serious physical injury" shall have the same meaning as in section 10.00 of the penal law.

§2. This local law shall take effect ninety days after enactment.

Referred to the Committee on Transportation.

Res. No. 263

Resolution calling upon the New York State Legislature to pass the "corporate political activity accountability to shareholders act," requiring that corporate political spending be approved by a majority of shareholders in advance, and for detailed spending reports to be made available to shareholders and the general public.

By Council Members Van Bramer, Chin, Johnson, Rodriguez, Mendez and Rosenthal.

Whereas, In 2010 the United States Supreme Court issued its decision in Citizens United v. Federal Election Commission, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and

Whereas, A major implication of this decision is corporate freedom to spend unlimited amounts on political advertising without a requirement that the recipient of the funding disclose the sources of their funding; and

Whereas, According to US PIRG, as a result of this decision, 30 percent of outside group spending in the 2012 elections was anonymous; and

Whereas, High levels of anonymous election spending by corporations and other groups significantly hinders transparency and accountability in the political process; and

Whereas, Reduced transparency in campaign finance increases the risk of political corruption and undue influence by special interest groups over the political process; and

Whereas, A corporation's shareholders have an interest in overseeing the use of corporate funds; and

Whereas, The New York State Legislature is currently considering the "corporate political activity accountability to shareholders act" (S.177 and A.7287), introduced by State Senator Daniel Squadron and Assemblyman Nily Rozic respectively, which would amend the business corporation law by requiring corporations to obtain shareholder approval prior to making any political contributions or independent expenditures in New York State; and

Whereas, The Act would also require these entities to submit a report to shareholders, as well as to the New York Secretary of State who would be required to publish the report online, detailing these expenditures, including the business rationale for them; and

Whereas, If enacted this bill would increase the transparency of political spending and help ensure that shareholders, as well as the general public, are aware of how entity resources are spent, and whether this spending is consistent with their interests; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass the "corporate political activity accountability to shareholders act," requiring that corporate political spending be approved by a majority of shareholders in advance, and for detailed spending reports to be made available to shareholders and the general public.

Referred to the Committee on Governmental Operations.

Int. No. 372

By Council Members Van Bramer, Chin, Koo, Wills, Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to notification of responsible parties and inspection of construction sites by the department of environmental protection where noise complaints are received for emergency work.

Be it enacted by the Council as follows:

Section 1. Section 24-207 of the administrative code of the city of New York is amended by re-lettering existing subdivisions c and d as subdivisions d and e, respectively, and adding a new subdivision c to read as follows:

c. (1) Where the department receives two or more complaints for unreasonable noise within any twenty-four hour period regarding emergency work performed at the construction site during such period of time, the department shall notify the responsible party at a construction site. Such notice shall occur on the business day immediately following the day upon which the second of such complaints is received.

(2) The department shall inspect any construction site for which the department receives four or more complaints for unreasonable noise within a forty-eight hour period regarding emergency work performed at that construction site during such period. Such inspection shall occur on the business day immediately following the day upon which the fourth of such reports is received.

§ 2. Subdivisions b and c of section 24-220 of the administrative code of the city of New York are amended to read as follows:

(b) Such plan shall be adopted prior to the commencement of construction at the site or, with respect to emergency work, as defined in the department's rules, within [three days] *one day* thereafter, and shall apply to all work at the site throughout the construction process. The plan shall provide in detail the noise mitigation strategies, methods, procedures and technology, as prescribed in the rules of the department or specifically approved by the commissioner in accordance with section 24-221 of this code, for each device or activity employed or performed at the site. Each permit holder or other person in charge of such construction site will be accountable for compliance with such rules and shall ensure that each person performing construction work at the site shall be aware of the plan and shall be responsible for complying with those provisions that affect his or her work.

(c) A copy of the plan shall be kept at the construction site and shall be made available for inspection upon the request of persons authorized to enforce the provisions of this code. *Where emergency work is performed, a notice to residents shall be posted which shall provide information regarding how to report unreasonable noise and to serve a citizen's complaint pursuant to section 24-261 of this chapter relating to emergency work performed at any such construction site.*

§ 3. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 373

By Council Members Williams, Chin, King, Koo, Rose, Wills, Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to provide community notification.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-316 to read as follows:

§ 21-316 Community notification. a. Definitions. For the purposes of this section the following terms shall have the following meanings:

1. "Community board" shall mean the group of persons that represent the interests of a community district as defined by section 2800 of the New York city charter.

2. "Transitional housing" shall mean temporary emergency housing provided to homeless adults, adult families, and families with children by the department or a provider under contract or similar agreement with the department.

b. When the department enters into a contract for the development of transitional housing and any change to the contracted capacity or use of such transitional housing is sought through a contract modification, including, but not limited to, an increase of capacity or a change in the intended population to be housed in the transitional housing facility, the department shall provide written notice of such change to all parties who originally received notice of the transitional housing, including, but not limited to, the affected community board and council member within ten days of the comptroller's registration of such contract modification.

§2. This local law shall take effect immediately.

Referred to the Committee on General Welfare.

Res. No. 264

Resolution in support of A.2736/S.1379, which would amend state law by prohibiting using possession of a condom as evidence in prostitution and prostitution related trials, hearings or proceedings.

By Council Members Williams, Menchaca, Weprin, Chin, Dickens, Dromm, Johnson, Levine, Rose, Wills, Rodriguez, Palma, Reynoso, Kallos, Lander, Torres and Rosenthal.

Whereas, New York City is arguably the epicenter of the HIV/AIDS epidemic, and according to the New York City Department of Health and Mental Hygiene ("DOHMH"), in 2012, there were 114,926 New Yorkers living with HIV/AIDS and thousands more are unaware of their status; and

Whereas, According to DOHMH, of those who are newly infected by HIV in New York City, 77 percent are black and Hispanic men; and

Whereas, According to the to the Centers for Disease Control and Prevention ("CDC"), latex condoms, when used consistently and correctly, are a highly effective method of preventing the sexual transmission of HIV and reducing the risk of other sexually-transmitted diseases; and

Whereas, Since 1971, New York City has distributed free condoms to the public in order to combat the transmission of sexually-transmitted infections and diseases as well as to promote safer sex practices; and

Whereas, DOHMH distributes more than 38 million condoms per year at approximately 3,500 locations throughout New York City including, but not limited to: bars, nightclubs, restaurants, hospitals, clinics and community based organizations; and

Whereas, A 2006 study conducted by experienced HIV care providers found that each case of HIV prevented could save $303,100 in lifetime medical costs; and

Whereas, Condom distribution is a recognized public health intervention which protects individuals from HIV/AIDS and other sexually-transmitted diseases and the CDC has cited barriers to condom access as one of the contributing factors to continuing HIV infections; and

Whereas, Nevertheless, under existing law, the possession of condoms may be introduced as evidence of prostitution and prostitution related offenses; and

Whereas, Despite the noted public health benefit of condom use, according to research conducted by DOHMH and the PROS Network, a coalition of public health organizations and service providers, the admissibility of condoms as evidence of prostitution leads to frequent confiscation of condoms by New York City Police (NYPD) officers, which discourages certain groups from possessing and thereby using condoms, all of which deeply undermines public health efforts to encourage safe sex; and

Whereas, On May 12, 2014, NYPD Commissioner Bratton announced a policy change, which would limit the NYPD's practice of confiscating condoms in three prostitution-related offenses: prostitution, prostitution in a school zone, and loitering for the purposes of prostitution; and

Whereas, However, condoms will still be invoiced as evidence for arrests made for promoting prostitution and sex trafficking cases; and

Whereas, The policy of using possession of a condom as evidence in more serious prostitution-related offenses detrimentally affects vulnerable sex workers and individuals who have been profiled by police as being sex workers, as they will remain reluctant of carrying any form of contraception or sexually-transmitted infection prevention tool because they will still fear the legal ramifications of doing so; and

Whereas, Current state law, notwithstanding NYPD's updated policy, puts any person who carries, possesses, or has condoms on a premises at risk of being suspected of criminal activity and endangers the public health of all New Yorkers; and

Whereas, Although the NYPD's recent policy change should be praised, New York State needs to further restrict the possession of a condom from being used in evidence in all prostitution related offenses; and

Whereas, A.2736, introduced by Assembly Member Barbara Clark and pending in the New York State Assembly, and S.1379 introduced by Senator Velmanette Montgomery and pending in the New York State Senate, seek to take the NYPD's new policy a step further by prohibiting possession of a condom from being received in evidence in any trial, hearing or proceeding as evidence of prostitution-related offenses; and

Whereas, Over 70 public health, anti-trafficking, reproductive justice, women's, LGBT, sex workers', civil and human rights advocates and organizations have expressed support for passage of legislation that would prohibit the citation of condoms as evidence of intent to engage in prostitution-related offenses; and

Whereas, The passage of A.2736/S.1379 would ensure that all New Yorkers are not deterred from continuing to use condoms to protect against the threat of sexually transmitted diseases; now, therefore, be it

Resolved, That the Council of the City of New York supports A.2736/S.1379, which would amend state law by prohibiting using possession of a condom as evidence in prostitution and prostitution related trials, hearings or proceedings.

Referred to the Committee on Public Safety.

Int. No. 374

By Council Member Wills, Lancman, Miller, Dickens, King, Koo, Rose, Vallone, Rodriguez, Koslowitz and Richards.

A Local Law in relation to renaming one thoroughfare in the Borough of Queens, Thomas White, Jr. Boulevard, and to amend the official map of the city of New York accordingly.

Be it enacted by the Council as follows:

Section 1. The following street name, in the Borough of Queens, is hereby renamed as hereafter indicated.

New Name	Present Name	Limits
Thomas White, Jr. Boulevard	Sutphin Boulevard	Between Hillside Avenue and Rockaway Boulevard

§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.

Preconsidered L.U. No. 77

By Council Member Ferreras:

St. Andrews – Section 202 Supportive Housing Program - 2155 VIRGIL PLACE, Bronx, Block 3612, Lot 13, Council District No. 18.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 78

By Council Member Ferreras:

Open Door Senior Citizens Apartments, 50 NORFOLK STREET, Manhattan, Block 346, Lots 1 and 75, Council District No. 1.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

L.U. No. 79

By Council Member Greenfield:

Application no. 20145428 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 1800 Broadway Bakery LLC, d/b/a Maison Kayser Bakery, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1800 Broadway, Borough of Manhattan, Community District 5, Council District 4.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 80

By Council Member Greenfield:

Application No. 20145598 HAM by the New York City Housing Department of Housing Preservation and Development for a modification to a previously approved project for a grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 4, 11, 18 and 22 East 125th Street; 1974 and 1988 Madison Avenue; 22 East 127 Street; 1986 Madison Avenue; 19 East 127 Street; 2071 Fifth Avenue; 49 East 130th Street; and 9 East 131 Street, in the Borough of the Manhattan, Community District 11, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Planning Disposition and Concessions.

L.U. No. 81

By Council Member Greenfield:

Application No. 20145604 HAM by the New York City Housing Department of Housing Preservation and Development for a grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 2394 Adam Clayton Powell Blvd. and 224-228 West 140th Street, Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Planning Disposition and Concessions.

L.U. No. 82

By Council Member Greenfield:

Application No. 20145590 HAM by the New York City Housing Department of Housing Preservation and Development for a grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 2150 Frederick Douglass Blvd; 201 West 144th Street; 234 Bradhurst Avenue; and 377 Edgecombe Avenue, in the Borough of Manhattan, Community Districts 9 and 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Planning Disposition and Concessions.

L.U. No. 83

By Council Member Greenfield:

Application No. 20145589 HAX by the New York City Housing Department of Housing Preservation and Development for a grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 2005, 2015 and 2027 Monterey Avenue; 1715, 1693, 1665, 1671 and 1687 Vyse Avenue; and 547 and 551 East 178th Street, in the Borough of the Bronx, Community Districts 3 and 6, Council Districts 15 and 17.

Referred to the Committee on Land Use and the Subcommittee on Planning Disposition and Concessions.

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

ANNOUNCEMENTS:

Friday, May 30, 2014

Committee on **FIRE AND CRIMINAL JUSTICE SERVICES** jointly with the
Committee on **PUBLIC SAFETY** and
Committee on **TECHNOLOGY** ..... **10:00 A.M.**
Oversight – Unified Call Taking and FDNY/EMS Emergency Response Protocols
Committee Room – City Hall..... Elizabeth Crowley, Chairperson
..... Vanessa L. Gibson, Chairperson
.....James Vacca, Chairperson

★ ***Note Agency Addition***

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 – 11:00	Citywide Administrative Services	Governmental Operations
11:00 – 12:00	Board of Elections	Governmental Operations
12:00 – 12:30	Office of Administrative Trials and Hearings	Governmental Operations
12:30 – 1:15	Law Department	Governmental Operations
1:15 – 1:45	Campaign Finance Board	Governmental Operations
★ 1:45 – 2:15	Financial Information Services Agency (FISA)	Governmental Operations

Monday, June 2, 2014

★ ***Note Agency and Committee Deferrals***

Time	Agency Testifying	Finance Committee jointly with Council Committee
★ ~~10:00 – 11:00~~	~~Probation~~	~~Fire & Criminal Justice Svcs.~~
11:00 – 1:00	Fire / Emergency Medical Service	Fire & Criminal Justice Svcs.
1:00 – 2:00	Correction	Fire & Criminal Justice Svcs.
★ ~~2:00 – 2:45~~	~~Emergency Management~~	~~Fire & Criminal Justice Svcs.~~
★ ~~2:45 – 3:30~~	~~Legal Aid (Indigent Defense Services)~~	~~Fire & Criminal Justice Svcs.~~
★ ~~3:30 – 4:00~~	~~Human Rights Commission~~	~~Civil Rights~~
★ ~~4:00 – 4:30~~	~~Equal Employment Practice Commission~~	~~Civil Rights~~

Tuesday, June 3, 2014

Subcommittee on **ZONING & FRANCHISES** ..... **9:30 A.M.**
See Land Use Calendar
Committee Room – 250 Broadway, 16th Floor ..... Mark Weprin, Chairperson

Time	Agency Testifying	Finance Committee jointly with Council Committee and Subcommittee
10:00 – 11:30	Libraries	Cultural Affairs, Libraries & International Intergroup Relations jointly with Subcommittee on Libraries
11:30 – 1:00	Cultural Affairs	Cultural Affairs, Libraries & International Intergroup Relations
1:00 – 3:00	Education and School Construction Authority (Capital)	Education
3:00 – 5:00	NYCHA	Public Housing

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

Friday, June 6, 2014

Time	Agency Testifying	Finance Committee
10:00 – 12:45	Office of Management & Budget – Overview of Budgets – Revenue, Expense, Capital & Miscellaneous Budgets, including Debt Service & Pension appropriations	Finance
12:45 – 1:15	OMB – Contracts Budget	Finance jointly with Contracts
1:15 – 2:30	Finance	Finance
2:30 – 3:00	Design & Construction	Finance
3:00 – 3:30	Comptroller	Finance
3:30 – 4:00	Independent Budget Office	Finance
4:00	Public	

Monday, June 9, 2014

Committee on **PUBLIC SAFETY** .....**10:00 A.M.**
Agenda to be announced
Committee Room – 250 Broadway, 14th Floor
..... Vanessa L. Gibson, Chairperson

Committee on **GOVERNMENTAL OPERATIONS** .....**10:00 A.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor ..... Ben Kallos, Chairperson

Committee on **LAND USE**.....**11:00 A.M.**
All items reported out of the subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – City Hall..... David G. Greenfield, Chairperson

✶ ***Addition***
Committee on **GOVERNMENTAL OPERATIONS** jointly with the
Committee on **TECHNOLOGY** ..... **1:00 P.M.**
Int 149 - By Council Members Lander, Kallos, Chin, Cohen, Constantinides, Koo, Lancman, Rose, Van Bramer and Koslowitz - **A Local Law** to amend the New York city charter, in relation to the online publication of city laws.
Int 328 - By Council Members Kallos, Vacca, Arroyo, Cabrera, Constantinides, Crowley, Gentile, Koo, Lancman and Mendez (at the request of the Manhattan Borough President) - **A Local Law** to amend the New York city charter, in relation to the creation of a centralized FOIL website.
Int 363 - By Council Member Kallos - **A LOCAL LAW** - To amend the New York city charter, in relation to publishing the city record online.
Committee Room– City Hall .....Ben Kallos, Chairperson
.....James Vacca, Chairperson

Committee on **CIVIL SERVICE AND LABOR** ..... **1:00 P.M.**
Agenda to be announced
Council Chambers – City Hall .....I. Daneek Miller, Chairperson

Committee on **TRANSPORTATION**..... **.1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 14th Floor
.....Ydanis Rodriguez, Chairperson

Tuesday, June 10, 2014

✶ ***Addition***
Committee on **PARKS AND RECREATION** jointly with the
Committee on **RECOVERY AND RESILIENCY** ..... **1:00 P.M.**
Oversight - Update on the Status of Parks and Beaches Affected by Hurricane Sandy
Int 74 - By Council Members King, Arroyo, Chin, Dickens, Koo, Levine, Palma, Rose, Williams and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to the removal of trees downed as a result of a severe weather event.
Council Chambers – City Hall .....Mark Levine, Chairperson
..... Mark Treyger, Chairperson

Wednesday, June 11, 2014

✶ ***Addition (Continuation of Recessed Meeting)***
Committee on **RULES, PRIVILEGES & ELECTIONS** .....**10:30 A.M.**
Preconsidered M 67 - Communication from the Mayor – Submitting the name of **Meenakshi Srinivasan** to the City Council for its advice and consent regarding her appointment as a member of the Landmarks Preservation Commission, pursuant to Sections 31 and 3020 of the New York city charter.
Council Chambers – City Hall ..... Brad Lander, Chairperson

Stated Council Meeting.....*Ceremonial Tributes – 1:00 p.m.*
..... *Agenda – 1:30 p.m.*

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, June 11, 2014.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: *Int Nos. 16-A, 93-A, 192, 193, 194, 203-A, and 263-A, all adopted by the Council at the April 29, 2014 Stated Meeting, were signed into law by the Mayor on May 19, 2014 as, respectively, Local Law Nos. 12, 13, 14, 15, 16, 17, and 18 of 2014. Int No. 243-A, adopted by the Council at the May 14, 2014 Stated Meeting, was signed into law by the Mayor on May 29, 2014 as Local Law No. 19 of 2014.*