

# THE COUNCIL

STATED MEETING OF

**TUESDAY, SEPTEMBER 23, 2014**

## THE COUNCIL

*Minutes of the Proceedings for the  
STATED MEETING*

*of*

Tuesday, September 23, 2014, 2:16 p.m.

The Public Advocate (Ms. James)

*Acting President Pro Tempore and Presiding Officer*

### Council Members

Melissa Mark-Viverito, Speaker

Maria del Carmen Arroyo	Vanessa L. Gibson	Rosie Mendez
Inez D. Barron	David G. Greenfield	I. Daneek Miller
Margaret S. Chin	Vincent M. Ignizio	Annabel Palma
Andrew Cohen	Corey D. Johnson	Antonio Reynoso
Costa G. Constantinides	Ben Kallos	Donovan J. Richards
Robert E. Cornegy, Jr.	Andy L. King	Ydanis A. Rodriguez
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	Darlene Mealy	Jumaane D. Williams
Vincent J. Gentile	Carlos Menchaca	Ruben Wills

Absent: Council Member Cabrera.

Absent due to Medical Leave: Council Member Rose.

The Public Advocate (Ms. James) 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 Public Advocate (Ms. James).

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

### INVOCATION

The Invocation was delivered by Rabbi Andy Bachman, Senior Rabbi at Congregation Beth Elohim, 274 Garfield Place, Brooklyn N.Y. 11215.

Dear friends and neighbors  
and fellow citizens of this great city.  
In a little more than 24 hours' time

the Jewish people here in New York and around the world  
welcome in the new year,

a year that we hope for all people  
to be a year of well-being and good health  
and a shalom of peace.

The call to the Shofar, the ancient ram's horn  
is meant to awaken in all of our souls  
the essential humility that we embrace in life,  
the awe of humanity and gods wonder,  
and the call to build a world of justice  
and peace for all people.

The Jewish tradition teaches us [speaking foreign language]  
that [speaking foreign language] it is the birthday of the world.  
And we're reminded of the ancient biblical tradition  
that in the Garden of Eden the first human beings  
were made in the divine image.

All colors, all races, all sizes, all genders,  
each of us share the essential traces of the divine.  
There are great and vast differences in this city,  
in this city but we are united by them,  
united together as one humanity  
to build a world of justice and kindness and peace.  
So may this body in its work in this great city  
be inspired to work in the spirit  
of unity and love and kindness  
to build a greater New York of justice  
and of Shalom of peace. Amen

Council Member Lander 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 Police Officer Michael Williams, 25, who was killed in the line of duty on September 21, 2014 after the NYPD van he was riding in collided with a highway divider in the Bronx.

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### ADOPTION OF MINUTES

Council Member Matteo moved that the Minutes of the Stated Meeting of August 21, 2014 be adopted as printed.

### MESSAGES & PAPERS FROM THE MAYOR

M-147

**Communication from the Mayor – Submitting the Mayor's Management Report, Fiscal 2014, dated September 2014, pursuant to Section 12 of the New York City Charter.**

Dear New Yorkers:

The annual Mayor's Management Report (MMR) has long served as a public account of the performance of city agencies, measuring whether they are delivering vital services efficiently, effectively, and expeditiously. This is a civic duty grounded in the democratic principles of accountability and transparency.

A good MMR provides all New Yorkers with an appraisal of how each aspect of their government is performing, from the delivery of basic day-to-day services to the most urgent emergency care; from citywide initiatives to neighborhood-based

programs; from services that affect every New Yorker to those that help the most vulnerable among us.

We have set a course to build one city based on the values we believe in — equity, opportunity, and equality. These, like any values, can only have meaning if they are expressed in actions that make them real in the lives of our city's residents.

The MMR is part of this mandate to ask questions, collect data, track our progress and hold ourselves accountable in accordance with our values.

The data contained in this report spans two administrations. While we have only begun to implement our agenda, we have set a clear path forward to build the New York City in which we all aspire to live.

Sincerely,

Bill de Blasio  
Mayor

Received, Ordered, Printed and Filed.

#### COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-148

**Communication from the Office of Management & Budget – Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2015 to implement changes to the City's expense budget (MN -2).**

September 18, 2014

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2015 to implement changes in the city's expense budget.

As requested by the City Council, this modification (MN-2) reallocates appropriations that were reflected in the FY 2015 Adopted Budget to fund City Council local initiatives as well as other discretionary programs.

Your approval of modification (MN-2) is respectfully requested.

Sincerely,

Dean Fuleihan

**(For text of the MN-2 numbers and Appendix A, please see the attachment to the resolution following the Report of the Committee on Finance for M-148 & Res No. 423 printed in these Minutes)**

Referred to the Committee on Finance.

M-149

**Communication from the Human Resources Administration – Submitting HIV/AIDS Services Administration Quarterly Performance Report FY 14.3 (January-March 2014), pursuant to Section 21-128 (j) of the Administrative Code of the City of New York.**

September 15, 2014

Honorable Bill de Blasio  
Mayor of the City of New York  
City Hall  
New York, NY 10007

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

Re: HIV/AIDS Services Administration  
Quarterly Performance Report FY 14.3 (January-March 2014)

Dear Mayor de Blasio and Speaker Mark-Viverito:

I am pleased to submit to you the HIV/AIDS Services Administration Quarterly Performance Report, as required by Section 21-128 (j) of Chapter I of Title 21 of the Administrative Code of the City of New York.

The report includes data for January through March 2014. We welcome any questions.

Sincerely,

Steven Banks

Received, Ordered, Printed and Filed.

#### LAND USE CALL UPS

M-150

By Council Member Johnson:

**Pursuant to Rule 11.20.b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 370 West 58<sup>th</sup> Street, Borough of Manhattan, Community Board No. 4, Application No. 20145392 TCM shall be subject to review by the Council.**

Coupled on Call – Up Vote

M-151

By Council Member Mendez:

**Pursuant to Rule 11.20.b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 403 East 12<sup>th</sup> Street, Borough of Manhattan, Community Board No. 3, Application No. 20145691 TCM shall be subject to review by the Council.**

Coupled on Call – Up Vote

#### LAND USE CALL UP VOTE

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

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

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

#### REPORTS OF THE STANDING COMMITTEES

##### 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 Res. No. 415

**Report of the Committee on Finance in favor of approving a Resolution concerning authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx, the extension of the Fordham Road Business Improvement District, and amendments to the District Plan of the Fordham Road Business Improvement District to change the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Fordham Road Business Improvement District.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on September 23, 2014, respectfully

**REPORTS:**

**BACKGROUND**

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

The existing Fordham Road BID (hereinafter the “District”) was established in 2005 and is located in the borough of the Bronx. It is generally comprised of the regional commercial center of the West Bronx, which runs from Jerome Avenue on the west to Third Avenue on the east and spans Community Boards 5, 6, and 7. The District includes the third busiest retail corridor in New York City and serves over 80,000 visitors a day. It includes over 300 businesses with annual sales revenue of over \$500 million. The retail tenancy is characterized by both small, independent merchants, as well as large, national and regional chain stores.

The existing District includes 74 tax lots owned by 55 individuals or corporations. The majority of the properties are wholly commercial, but there is one mixed-use property containing approximately 50 housing units and several not-for-profit and educational institutions, such as Fordham University, Monroe College, CUNY on the Concourse, a health care workers’ union, several healthcare facilities, and the Bronx Public Library.

The District is seeking Council approval to do three things: 1) extend its boundaries; 2) increase the amount of its annual expenditure; and 3) amend the district plan to change the method of assessment upon which the district charge is based to include a maximum cap.

The proposed expansion of the District would redraw the District’s boundary lines to include 2 additional tax lots within Community Board 6. The 2 additional tax lots consist of 1 Fordham Plaza, a 14-story office building with numerous retail tenants on the ground floor, and Fordham Plaza, a public plaza that also serves as a major transportation hub.

The proposed increase in the District’s budget would be from \$625,000 annually to \$670,000 annually. The proposed budget would include the following amounts for various services to be provided:

Sanitation and Maintenance	\$245,000
Marketing, Promotion and Holiday Lighting	\$75,000
Economic Development/New Initiatives	\$8,000
Security	\$20,000
General Administration	\$309,000
Contingency	\$13,000

The proposed amendment to the District Plan to change the method of assessment upon which the district charge is based consists of a proposal that a cap be placed on all assessments so that the maximum annual assessment to be paid by any individual property shall not exceed \$45,000. Government and not-for-profit owned property devoted to public or not-for-profit use, including the newly included Fordham Plaza, would remain exempt from assessment.

Under these proposed terms, the lowest assessment payment is projected to be approximately \$700 while the highest payment will be \$45,000. The average and median assessments are projected to be approximately \$9,500 and \$6,200, respectively.

**PRECONSIDERED RESOLUTION**

This Preconsidered Resolution is required by the existing law, Chapter 4 of Title 25 of the New York City Administrative Code, (the “BID Law”), which authorizes the City Council to establish and extend BIDs, amend existing district plans, and increase the amount expended annually by a BID.

The main purpose of this Resolution is to set the public hearing date, time and place for the review of the local law which would amend the district plan of the Fordham Road BID, increase the amount it expends annually, and extend the BID’s boundaries. The hearing on the local law and the Fordham Road BID plan, as amended, will be held on October 7, 2014, in the City Council Committee Room, 2nd Floor, City Hall at 10:00 a.m. before the Committee on Finance.

Because the proposal involves an extension of the District’s boundaries seeks, an increase in the amount to be expended annually, and an amendment to the District Plan that would change the method of assessment, this Resolution also directs the Fordham Road District Management Association to, not less than ten nor more than thirty days before the date of the public hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed extended

District at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed District, and to the tenants of each building within the proposed District. The Resolution also directs Small Business Services (hereinafter “SBS”) to arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the public hearing. The resolution further directs the Fordham Road District Management Association to publish in a newspaper having general circulation in the District, not less than ten days prior to the public hearing, a notice stating the time and place of the public hearing and stating the increase in the amount to be expended annually in the District.

**(For text of the BID Plan, please refer to the Office of the City Clerk at 141 Worth Street, Executive Offices, First Floor, New York, N.Y. 10013)**

*Accordingly, this Committee recommends its adoption.*

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

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, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, September 23, 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. 416

**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 preconsidered resolution was referred on September 23, 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 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”). 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 September 23, 2014, approves new designations and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, and approves changes in the designation of certain organizations receiving local and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2014 Expense Budget, and approves new designations and changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2013 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local, aging and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, local discretionary funding in accordance with the Fiscal 2014 Expense Budget, and local discretionary funding in accordance with the 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 and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, local and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2014 Expense Budget, as well as local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2013 Expense Budget.

This resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 1; sets forth the new designation and changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 2; sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of funding pursuant to certain initiatives in the Fiscal 2015 Expense Budget, as described in Charts 4-27; sets forth the new designation and changes in the designation of a certain organizations receiving local discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 28; sets for the change in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 29; sets forth the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2013 Expense Budget, as described in Chart 30; sets forth the change in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2014 Expense Budget, as described in Chart 31; sets forth the change in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2013 Expense Budget, as described in Chart 32; amends the description for the Description/Scope of Services for certain organizations receiving local, aging and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, as described in Chart 33; amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as described in Chart 34; and amends the description for the Description/Scope of Services for a certain organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as described in Chart 35.

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 2015 Expense Budget, dated June 26, 2014, 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 2015 Expense Budget. Some of these new designations and changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 3 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 4 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget. Some of these new designations and changes will be effectuated upon a budget modification.

Chart 5 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 6 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2015 Expense Budget. Some of these new designations and changes will be effectuated upon a budget modification.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 8 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 9 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 10 sets forth the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the Initiative to Address Sexual Assault in accordance with the Fiscal 2015 Expense Budget.

Chart 11 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Service Enhancements Initiative in accordance with the Fiscal 2015 Expense Budget. The changes in designation will be effectuated upon a budget modification.

Chart 12 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 2015 Expense Budget.

Chart 13 sets forth the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the SCO Family of Services/Center for Family Life Worker Cooperatives Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 14 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative - Job Readiness Programs in accordance with the Fiscal 2015 Expense Budget. Some of the new designations will be effectuated upon a budget modification.

Chart 15 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative - Violence Prevention, Conflict Mediation, and Youth Development in accordance with the Fiscal 2015 Expense Budget. The new designations and changes will be effectuated upon a budget modification.

Chart 16 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative - Mental Health/Therapeutic Services in accordance with the Fiscal 2015 Expense Budget. One of the changes will be effectuated upon a budget modification.

Chart 17 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the HIV/AIDS Communities of Color Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 18 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Reduction Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 19 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 20 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Community Consultants Contracts Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 21 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Industrial Business Solutions Providers Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 22 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Small Business/Job Development/Financial Literacy Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 23 sets forth the new designation and changes in the designation of certain organizations, specifically a name change, receiving funding pursuant to the Anti-Gun Violence Initiative - Community-Based Programs in accordance with the Fiscal 2015 Expense Budget. Some of the changes will be effectuated upon budget modification.

Chart 24 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2015 Expense Budget. Some of the new designations and changes will be effectuated upon budget modification.

Chart 25 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Unaccompanied Minor Children Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 26 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Neighborhood Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 27 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Elder Abuse Programs Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 28 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 29 sets forth the change in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 30 sets forth the change in the designation of a certain organization, specifically a name change, receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 31 sets forth the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 32 sets forth the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 33 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget.

Chart 34 amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2014 Expense Budget.

Chart 35 amends the description for the Description/Scope of Services for a certain organization receiving local 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 2013, Fiscal 2014, and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 416):**

Res. No. 416

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

By Council Member Ferreras.

**Whereas**, On June 26, 2014 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2015 with various programs and initiatives (the "Fiscal 2015 Expense Budget"); and

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

**Whereas**, On June 28, 2012, the 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, Fiscal 2014, and 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013, Fiscal 2014, and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; 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 2015 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 2015 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the Initiative to Address Sexual Assault in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Service Enhancements Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 12; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the SCO Family of Services/Center for Family Life Worker Cooperatives Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 13; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Job Readiness Programs Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 14; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Violence Prevention, Conflict Mediation, and Youth Development Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 15; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 16; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the HIV/AIDS Communities of Color Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 17; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Reduction Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 18; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 19; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Community Consultants Contracts Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 20; and be it further







Koslowitz	New York Hall of Science	11-2104059	DCLA	\$20,000.00	126	003
Koslowitz	Queens College Foundation for Kupferberg Center Performances	11-6089521	DCLA	\$20,000.00	126	003
Koslowitz	Queens Museum of Art	11-2278998	DCLA	\$20,000.00	126	003
Koslowitz	New York Hall of Science	11-2104059	DCLA	\$20,000.00	126	003
Koslowitz	Research Foundation of CUNY - Creative Arts Team	13-1988190	DCLA	\$20,000.00	126	003
Koslowitz	Dancing Classrooms	13-3638436	DCLA	\$20,000.00	126	003
Koslowitz	DIVAS for Social Justice	13-3062419	DCLA	\$20,000.00	126	003
Lanzman	Intrepid Museum Foundation, Inc.	13-3042206	DCLA	\$20,000.00	126	003
Lanzman	Marquis Studios, Ltd.	13-3042206	DCLA	\$20,000.00	126	003
Lanzman	Midtown Management Group, Inc.	13-3192793	DCLA	\$20,000.00	126	003
Lanzman	Research Foundation of CUNY	13-1987754	DCLA	\$20,000.00	126	003
Lanzman	Young Audiences New York, Inc.	13-1987754	DCLA	\$20,000.00	126	003
Lander	Kupferberg Center Performances	13-1987754	DCLA	\$20,000.00	126	003
Lander	BRIC Arts Media Bklyn	11-2547268	DCLA	\$20,000.00	126	003
Lander	Groundswell Community Mural Project	11-2427213	DCLA	\$20,000.00	126	003
Lander	Big Apple Circus, Ltd	13-3062419	DCLA	\$20,000.00	126	003
Lander	Arts Connection, Inc.	13-3062419	DCLA	\$20,000.00	126	003
Lander	Brooklyn Academy of Music	11-2201344	DCLA	\$20,000.00	126	003
Lander	Groundswell Community Mural Project	11-2427213	DCLA	\$20,000.00	126	003
Lander	BCI Brooklyn Children's Theatre, Inc.	45-2006989	DCLA	\$20,000.00	126	003
Levin	Brooklyn Ballet, Inc.	13-3682472	DCLA	\$20,000.00	126	003
Levin	Brooklyn Ballet, Inc.	13-3682472	DCLA	\$20,000.00	126	003
Levin	Brooklyn Conservatory of Music	02-0569320	DCLA	\$20,000.00	126	003
Levin	Neel Painter Foundation, Inc.	11-4534246	DCLA	\$20,000.00	126	003
Levin	Neel Painter Foundation, Inc.	11-3271472	DCLA	\$20,000.00	126	003
Levin	Center for Arts Education	13-3938890	DCLA	\$20,000.00	126	003
Levin	Dancewave, Inc.	11-2726598	DCLA	\$20,000.00	126	003
Levin	Gar Be Heard Institute	27-1848709	DCLA	\$20,000.00	126	003
Levine	Midor Foundation, Inc.	13-3682472	DCLA	\$20,000.00	126	003
Levine	Midor Foundation, Inc.	13-3682472	DCLA	\$20,000.00	126	003
Levine	TADA Theater and Dance Alliance, Inc.	13-3511294	DCLA	\$20,000.00	126	003
Levine	Hericultural Society of New York	13-0854930	DCLA	\$20,000.00	126	003
Levine	Jewish Museum	13-4146554	DCLA	\$20,000.00	126	003
Levine	Society of the Educational Arts, Inc.	11-3210503	DCLA	\$20,000.00	126	003
Levine	Project Girl Performance Collective Institute	27-1848709	DCLA	\$20,000.00	126	003

Johnson	Project Girl Performance Collective Institute	27-1848709	DCLA	\$20,000.00	126	003
Johnson	Rubin Museum of Art	22-0799507	DCLA	\$20,000.00	126	003
Johnson	TADA Theater and Dance Alliance, Inc.	13-3178194	DCLA	\$20,000.00	126	003
Johnson	Friends of the High Line	13-3178194	DCLA	\$20,000.00	126	003
Johnson	Groundswell Community Mural Project	13-1929246	DCLA	\$20,000.00	126	003
Johnson	Neighborhood Theatre Company, Inc.	13-1929246	DCLA	\$20,000.00	126	003
Kalish	PS 003 Cherokee School	13-3192793	DCLA	\$20,000.00	126	003
Kalish	PS 168 Bayard Taylor	13-3520970	DCLA	\$20,000.00	126	003
Kalish	East Side Middle School	13-4277895	DCLA	\$20,000.00	126	003
Kalish	PS 183 Robert L. Stevenson	13-2869779	DCLA	\$20,000.00	126	003
Kalish	Turtle Bay Music School	13-1775772	DCLA	\$20,000.00	126	003
Kalish	Yorkville Community School	13-1624229	DCLA	\$20,000.00	126	003
Kalish	Steinway Young Story Pirates, Inc.	13-1624229	DCLA	\$20,000.00	126	003
Kalish	Crabtree Arts Team	13-3216314	DCLA	\$20,000.00	126	003
Kalish	The Forward School	13-4404344	DCLA	\$20,000.00	126	003
King	Bx HS for Writing and Communication Arts	62-2009461	DCLA	\$20,000.00	126	003
King	PS41	13-3192793	DCLA	\$20,000.00	126	003
King	Midtown Management Group	13-3192793	DCLA	\$20,000.00	126	003
King	Midtown Management Group	13-3192793	DCLA	\$20,000.00	126	003
King	Brooklyn Arts Center	13-3261146	DCLA	\$20,000.00	126	003
King	Brooklyn Arts Center	13-3261146	DCLA	\$20,000.00	126	003
King	Academy for Scholarship and Learning	13-4124438	DCLA	\$20,000.00	126	003
King	PS 189Q	11-2652182	DCLA	\$20,000.00	126	003
Koo	Queens College Foundation for Kupferberg Center Performances	11-6089521	DCLA	\$20,000.00	126	003
Koo	PS 200	13-4201577	DCLA	\$20,000.00	126	003
Koo	Making Books Sing, Inc.	13-4201577	DCLA	\$20,000.00	126	003
Koo	Queens Botanical Garden Society, Inc.	11-6030863	DCLA	\$20,000.00	126	003
Koo	Queens College Foundation for Gowanus Tribeca Museum	11-6089521	DCLA	\$20,000.00	126	003
Koo	PS 242Q	13-3192793	DCLA	\$20,000.00	126	003
Koo	Midtown Management Group, Inc.	13-3192793	DCLA	\$20,000.00	126	003
Koo	Flushing Council on Culture and the Arts	11-2652182	DCLA	\$20,000.00	126	003

Masell	Brooklyn Historical Society	11-1630826	DCLA	\$20,000.00	126	003
Masell	Brooklyn Ballet, Inc.	02-0569320	DCLA	\$20,000.00	126	003
Masell	Public School 276	13-3682472	DCLA	\$20,000.00	126	003
Masell	Midori Foundation, Inc.	13-3682472	DCLA	\$20,000.00	126	003
Masell	Brooklyn Arts Council	23-7072915	DCLA	\$20,000.00	126	003
Masell	J.H.S. 978 Roy H. Mann	13-3047208	DCLA	\$20,000.00	126	003
Masell	Marquis Studios, Ltd	02-0569320	DCLA	\$20,000.00	126	003
Masell	Community Works	13-3192793	DCLA	\$20,000.00	126	003
Mark-Viverto	Society of the Educational Arts, Inc.	11-3210503	DCLA	\$20,000.00	126	003
Mark-Viverto	Big Apple Circus, Ltd	11-3210503	DCLA	\$20,000.00	126	003
Mark-Viverto	PS 43 Jonas Bronck	13-2960037	DCLA	\$20,000.00	126	003
Mark-Viverto	Young Leaders Elementary School	13-2960037	DCLA	\$20,000.00	126	003
Mark-Viverto	Musica Da Camera, Ltd	26-0578140	DCLA	\$20,000.00	126	003
Mark-Viverto	Young Audiences New York, Inc.	13-197754	DCLA	\$20,000.00	126	003
Mark-Viverto	Brno Arts Ensemble	9-10186989	DCLA	\$20,000.00	126	003
Mark-Viverto	PS 206 Jose Ceiso Barbosa	45-0478443	DCLA	\$20,000.00	126	003
Mark-Viverto	Sunday Theatre, Inc.	23-7378928	DCLA	\$20,000.00	126	003
Matteo	Staten Island Children's Museum	13-1985814	DCLA	\$20,000.00	126	003
Matteo	Staten Island Institute of Arts and Sciences	13-1985814	DCLA	\$20,000.00	126	003
Matteo	Staten Island Zoological Society, Inc.	13-3556427	DCLA	\$20,000.00	126	003
Matteo	NIA Community Services Network, Inc.	13-5806891	DCLA	\$20,000.00	126	003
Mealy	Brooklyn Arts Council, Inc.	11-2697931	DCLA	\$20,000.00	126	003
Mealy	Brooklyn Arts Council, Inc.	MS 588	DCLA	\$20,000.00	126	003
Mealy	Brooklyn Arts Council, Inc.	PS 150	DCLA	\$20,000.00	126	003
Mealy	Brooklyn Arts Council, Inc.	PS 40	DCLA	\$20,000.00	126	003
Mealy	Paradise: An Evolution in Dance	13-3235864	DCLA	\$20,000.00	126	003
Mealy	Paradise: An Evolution in Dance	PS 135	DCLA	\$20,000.00	126	003
Mealy	BRIC Arts Media Bklyn, Inc.	11-2547268	DCLA	\$20,000.00	126	003

Menchaca	National Dance Institute, Inc.	13-2980779	DCLA	\$20,000.00	126	003
Menchaca	Dance Theatre Etcetera, Inc.	13-3015965	DCLA	\$20,000.00	126	003
Menchaca	Brooklyn Arts Council, Inc.	23-7072915	DCLA	\$20,000.00	126	003
Menchaca	Brooklyn Arts Council, Inc.	23-7072915	DCLA	\$20,000.00	126	003
Menchaca	Groundswell Community Mural Project	11-2427213	DCLA	\$20,000.00	126	003
Menchaca	Brooklyn Arts Council, Inc.	23-7072915	DCLA	\$20,000.00	126	003
Mendez	CUNY Creative Arts Team	13-1988190	DCLA	\$20,000.00	126	003
Mendez	Stude in a School Association	13-3008112	DCLA	\$20,000.00	126	003
Mendez	Henry Shredgrip Arts Center	13-1982242	DCLA	\$20,000.00	126	003
Mendez	New York Music Center	32-0005633	DCLA	\$20,000.00	126	003
Mendez	The STAR Academy - P.S. 63	13-5662210	DCLA	\$20,000.00	126	003
Mendez	PS 188 The Island School	11-3210503	DCLA	\$20,000.00	126	003
Mendez	The Spectrum School at M4	13-3000000	DCLA	\$20,000.00	126	003
Miller	Jamaica Center for Arts & Learning, Inc.	11-2478709	DCLA	\$20,000.00	126	003
Miller	PS/IS 116 William C. Highley	11-2104059	DCLA	\$20,000.00	126	003
Miller	New York Hall of Science	13-1988190	DCLA	\$20,000.00	126	003
Miller	Research Foundation of CUNY	13-3235864	DCLA	\$20,000.00	126	003
Miller	Marquis Studios, Ltd	13-3235864	DCLA	\$20,000.00	126	003
Miller	PS 140 Edward K. Ellington	13-3558013	DCLA	\$20,000.00	126	003
Miller	American Museum of the Moving Image	11-2072441	DCLA	\$20,000.00	126	003
Miller	Community Works at Prospect 7 Theatre, Inc.	13-2996528	DCLA	\$20,000.00	126	003
Palma	Brooklyn Arts Council, Inc.	PS 036 Unionsport	DCLA	\$20,000.00	126	003
Palma	Brooklyn Arts Council, Inc.	13-2996528	DCLA	\$20,000.00	126	003
Palma	PS 069 Journey Prep School	13-3192793	DCLA	\$20,000.00	126	003
Palma	Public School 100K Isaac Chason	13-3192793	DCLA	\$20,000.00	126	003
Palma	Public School 182X	13-3192793	DCLA	\$20,000.00	126	003
Palma	Public School 138X	11-3210503	DCLA	\$20,000.00	126	003
Palma	Public School 100X	13-1624228	DCLA	\$20,000.00	126	003
Palma	Public School 590X	13-3682472	DCLA	\$20,000.00	126	003
Palma	Public School 239	13-2932440	DCLA	\$20,000.00	126	003
Reynoso	ArtsConnection, Inc. The					

Reynoso	Bushwick Start Inc. The	P.S. 075 Myrtle Cemetery	26-4546315	DCLA	\$20,000.00	126	003
Reynoso	Marques Studios, Ltd	P.S. 257 John F. Ryan	13-3047206	DCLA	\$20,000.00	126	003
Reynoso	City, Love, Inc	P.S. 147 Blair Remond	11-3216529	DCLA	\$20,000.00	126	003
Reynoso	Society of the Educational Arts, Inc	P.S. 260 George H. Lindsay	13-3684222	DCLA	\$20,000.00	126	003
Reynoso	Center for Urban Pedagogy	Lyons Community School	11-3625306	DCLA	\$20,000.00	126	003
Richards	Queens Theatre in the Park, Inc	Queens Preparatory HS	11-3348126	DCLA	\$20,000.00	126	003
Richards	Dramasongs Productions	Public School 12	06-1550489	DCLA	\$20,000.00	126	003
Richards	Queens Botanical Garden Society, Inc.	Public School 108	11-1659083	DCLA	\$20,000.00	126	003
Richards	Creative Arts Team	Public School 92	26-4072627	DCLA	\$20,000.00	126	003
Richards	DIVAS for Social Justice	Public School 93	11-1659083	DCLA	\$20,000.00	126	003
Rodriguez	Queens Educational Society, Inc	Collaborative Arts MS	11-2418709	DCLA	\$20,000.00	126	003
Rodriguez	People's Theatre Project, Inc	The College Academy	26-4705999	DCLA	\$20,000.00	126	003
Rodriguez	Children's Arts & Science Workshops, Inc.	MS 052 Inwood	26-4705999	DCLA	\$20,000.00	126	003
Rodriguez	Midtown Foundation, Inc	Washington Heights Academy	13-2752494	DCLA	\$20,000.00	126	003
Rodriguez	Society of Educational Arts	Murculla	13-3684272	DCLA	\$20,000.00	126	003
Rodriguez	Part, Terrace & Leader's Tomorrow	Public School 129	13-2424273	DCLA	\$20,000.00	126	003
Rodriguez	Alvin Ailey Dance Foundation, Inc	John Pablo Duarte	13-1981100	DCLA	\$20,000.00	126	003
Rodriguez	Francis of Assisi Assisi House, Inc.	P.S. 019 The Curtis School	13-3248928	DCLA	\$20,000.00	126	003
Rose	Noble Maritime Collection	P.S. S1 073	13-3351673	DCLA	\$20,000.00	126	003
Rose	Richmond County Orchestra	Curtis High School	13-4063615	DCLA	\$20,000.00	126	003
Rose	Sundog Theatre, Inc.	P.S. 057 The Academy of Innovative Learning	45-0478945	DCLA	\$20,000.00	126	003

Roze	St. George Theatre Restoration, Inc	P.S. 044 Thomas C. Brown	20-0986537	DCLA	\$20,000.00	126	003
Roze	Universal Temple of the Arts, Inc.	P.S. 045 John Tyler	13-3352986	DCLA	\$20,000.00	126	003
Roze	Roundabout Theatre Company, Inc	Peter Richmond High School	13-4192940	DCLA	\$20,000.00	126	003
Rosenthal	Kids Creative 404, Inc	PS 191	13-3031132	DCLA	\$20,000.00	126	003
Rosenthal	Studio in a School Association, Inc	PS 14	13-1624124	DCLA	\$20,000.00	126	003
Rosenthal	On Mission for Social Change	Mekay Marie School	13-2791376	DCLA	\$20,000.00	126	003
Rosenthal	American Museum of Natural History	Manhattan Hunter Science HS	13-6162659	DCLA	\$20,000.00	126	003
Rosenthal	Midtown Management Group, Inc	West Side Collaborative Middle School	13-1189898	DCLA	\$20,000.00	126	003
Rosenthal	Wingspan Arts, Inc	Wings Academy	13-3201148	DCLA	\$20,000.00	126	003
Torres	Berry River Art Center & Gallery, Inc	Theatre Art Production Company	13-1624239	DCLA	\$20,000.00	126	003
Torres	Midtown Management Group, Inc	PS 57 Crescent	13-3047206	DCLA	\$20,000.00	126	003
Torres	Marques Studios	PS 146 Howard Beach	13-3062419	DCLA	\$20,000.00	126	003
Torres	Little Orchestra Society/Orpheon, Inc	PS 66 Raymond York	13-3062419	DCLA	\$20,000.00	126	003
Torres	Alvin Ailey Dance Foundation, Inc	PS 114 Belle Harbor	13-3062419	DCLA	\$20,000.00	126	003
Torres	Brooklyn Arts Council, Inc	PS 99 Jacqueline Kennedy Onassis	13-3062419	DCLA	\$20,000.00	126	003
Treyger	Brighton Ballet Theater Company, Inc	P.S. 095 The Gravesend	23-7072915	DCLA	\$20,000.00	126	003
Treyger	Arts House Schools Inc	P.S. 215 Morris H. Wees	11-1319599	DCLA	\$20,000.00	126	003
Treyger	Marques Studios, Ltd	P.S. 188	87-0780139	DCLA	\$20,000.00	126	003
Treyger	Hospital Audiences, Inc	Mark Wein S. 238 for the Gifted & Talented	13-3947206	DCLA	\$20,000.00	126	003
Treyger	Brighton Ballet Theater Company, Inc	I.S. 228 David A. Booby	11-1319599	DCLA	\$20,000.00	126	003
Ulrich	Interpreid Museum Foundation, Inc	PS 146 Howard Beach	13-3062419	DCLA	\$20,000.00	126	003
Ulrich	Interpreid Museum Foundation, Inc	PS 66 Raymond York	13-3062419	DCLA	\$20,000.00	126	003
Ulrich	Interpreid Museum Foundation, Inc	PS 114 Belle Harbor	13-3062419	DCLA	\$20,000.00	126	003
Ulrich	Young People's Chorus of New York, City, Inc	PS 99 Jacqueline Kennedy Onassis	13-3062419	DCLA	\$20,000.00	126	003
Ulrich	Young People's Chorus of New York, City, Inc	PS 54 Joseph P. Addabbo	11-3372480	DCLA	\$20,000.00	126	003

Ulrich	Queens Botanical Garden Society, Inc.	PS 254 Rosa Parks	11-1659083	DCLA	\$20,000.00	126	003
Ulrich	Queens Symphony Orchestra	Scholars' Academy	11-2106191	DCLA	\$20,000.00	126	003
Vacca	Bronx Arts Ensemble	Public School 83	51-0186869	DCLA	\$20,000.00	126	003
Vacca	Bronx Arts Ensemble	Public School 175	13-2995298	DCLA	\$20,000.00	126	003
Vacca	Bronx Dance Theatre	Public School 105	13-2995298	DCLA	\$20,000.00	126	003
Vacca	Midtown Management Group, Inc	Public School 72	13-3192793	DCLA	\$20,000.00	126	003
Vacca	Midtown Management Group, Inc	Public School 108	13-3192793	DCLA	\$20,000.00	126	003
Vacca	Marques Studios, Ltd	Public School 14	13-3442266	DCLA	\$20,000.00	126	003
Vacca	Bronx Historical Society	Public School 294	13-3955240	DCLA	\$20,000.00	126	003
Vallone	Flushing Council on Culture and the Arts	Middle School 184	11-6044457	DCLA	\$20,000.00	126	003
Vallone	Kuglerberg Center Performances	Public School 184	11-2655182	DCLA	\$20,000.00	126	003
Vallone	Queens Theatre in the Park, Inc	Public School 129	13-0000004	DCLA	\$20,000.00	126	003
Vallone	Conrad Popperhusen Association	Public School 130	11-3381629	DCLA	\$20,000.00	126	003
Vallone	Magic Box Productions, Inc	Public School 79 Francis Lewis	11-1633524	DCLA	\$20,000.00	126	003
Vallone	Midtown Management Group, Inc	Junior High School 194	20-2929291	DCLA	\$20,000.00	126	003
Vallone	Museum of the Moving Image	Public School 96	11-2327414	DCLA	\$20,000.00	126	003
Van Brimmer	Queens Museum of Art	PS 190Q	11-3381629	DCLA	\$20,000.00	126	003
Van Brimmer	Queens Museum of Art	PS 190Q	13-3062419	DCLA	\$20,000.00	126	003
Van Brimmer	Queens Museum of Art	IS 250Q	11-2275999	DCLA	\$20,000.00	126	003
Van Brimmer	Avim Ailey Dance Foundation, Inc	PS 111Q	13-2584273	DCLA	\$20,000.00	126	003
Van Brimmer	Metropolitan Museum of Art	PS S.I. S. 79Q	13-1624086	DCLA	\$20,000.00	126	003
Van Brimmer	NATIONAL SEPTEMBER 11 MEMORIAL & MUSEUM	PS 11Q	38-8674458	DCLA	\$20,000.00	126	003
Weprin	Queens Botanical Garden Society, Inc.	PS S. 221 The North Hills School	11-1639083	DCLA	\$20,000.00	126	003
Weprin	The Jewish Museum	PS S.I.S. 175 Holliswood	13-4146854	DCLA	\$20,000.00	126	003
Weprin	Queens Theatre in the Park, Inc	IS109 Jean Nuzzi Intermediate School	11-3381629	DCLA	\$20,000.00	126	003
Weprin	American Museum of the Moving Image	IS 74 Nathaniel Hawthorne	11-2730714	DCLA	\$20,000.00	126	003
Weprin	Ballet Theatre Foundation, Inc	PS S.18 Winchester	13-1882109	DCLA	\$20,000.00	126	003
Weprin	Queens Museum of Art	PS S.135 The Bellaire School	11-2275999	DCLA	\$20,000.00	126	003
Williams	Midtown Management Group	PS S. 024	13-3192793	DCLA	\$20,000.00	126	003
Williams	Brooklyn Arts Council	Public School 109	11-3427213	DCLA	\$20,000.00	126	003
Williams	CUNY Creative Arts Team	Public School 118	13-3681149	DCLA	\$20,000.00	126	003
Williams	Queens Botanical Garden Society, Inc.	Public School 268	11-2658488	DCLA	\$20,000.00	126	003
Williams	Brooklyn Arts Council	Public School 188	83-0508237	DCLA	\$20,000.00	126	003
Williams	Project Girl Performance Collective aka Girls Be Heard	Public School 181	23-7072915	DCLA	\$20,000.00	126	003
Williams	Project Girl Performance Collective aka Girls Be Heard	Public School 361	27-1848709	DCLA	\$20,000.00	126	003

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

CHART 6: NYC Cleanup Initiative - Fiscal 2015

Member	Agency	Amount	Agry #	UA #
Arroyo	DoE Fund, Inc. The	\$68,627.45	260	005
Arroyo	DoE Fund, Inc. The	\$68,627.45	260	005
Gentile	DoE Fund, Inc. The	\$68,627.45	260	005
Gentile	DoE Fund, Inc. The	\$68,627.45	260	005
Kallos	DoE Fund, Inc. The	\$68,627.45	260	005
Kallos	DoE Fund, Inc. The	\$68,627.45	260	005
Lancman	DoE Fund, Inc. The	\$68,627.45	260	005
Lancman	DoE Fund, Inc. The	\$68,627.45	260	005
Levine	DoE Fund, Inc. The	\$68,627.45	260	005
Levine	DoE Fund, Inc. The	\$68,627.45	260	005
Mark-Viverto	DoE Fund, Inc. The	\$68,627.45	260	005
Mark-Viverto	DoE Fund, Inc. The	\$68,627.45	260	005
Rosenthal	DoE Fund, Inc. The	\$68,627.45	260	005
Rosenthal	DoE Fund, Inc. The	\$68,627.45	260	005
Torres	DoE Fund, Inc. The	\$68,627.45	260	005
Torres	DoE Fund, Inc. The	\$68,627.45	260	005
Vacca	DoE Fund, Inc. The	\$68,627.45	260	005
Vacca	DoE Fund, Inc. The	\$68,627.45	260	005
Weprin	DoE Fund, Inc. The	\$68,627.45	260	005
Weprin	DoE Fund, Inc. The	\$68,627.45	260	005
Williams	DoE Fund, Inc. The	\$68,627.45	260	005
Williams	DoE Fund, Inc. The	\$68,627.45	260	005
Crowley	DoE Fund, Inc. The	\$68,627.45	260	005
Crowley	DoE Fund, Inc. The	\$68,627.45	260	005



CHART 11: Senior Centers, Programs, and Service Enhancements - Fiscal 2015

Department for the Aging -	Organization	EN Number	Agency	Amount	Agg #	UA	*
Capital Construction/ Youth Center, Inc.		13-5400434	DF TA	\$170,000.00	125	002	
		11-2597936	DF TA	\$50,000.00	125	002	

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

CHART 10: Initiative to Address Sexual Assault - Fiscal 2015

Organization	EN Number	Agency	Amount	Agg #	UA	*
U.S. Sexual Assault & Violence Intervention Program (Quinn)	13-2171197	MO-CJ	\$75,000.00	008	002	
U.S. School of Medicine & Health Care	13-2171191	MO-CJ	\$75,000.00	008	002	

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

CHART 13: SCO Family of Services/Center for Family Life Worker Cooperatives - Fiscal 2015

Organization	EN Number	Agency	Amount	Agg #	UA	*
SCO Center for Family Life Support Park	11-2777966	DSSES	\$148,000.00	801	002	
SCO Family of Services-Center For Family Life/Support Park	11-2777966	DSSES	\$148,000.00	801	002	

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

CHART 12: Discretionary Child Care - Fiscal 2015

Organization	EN Number	Agency	Amount	Agg #	UA	*
Democratic Women's Development Center	13-3003089	AJCS	\$45,000.00	009	004	
Urbana Early Childhood Development Center	11-2768037	AJCS	\$35,000.00	009	004	

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





CHART 23: Small Business/Job Development/Financial Literacy - Fiscal 2015

Organization	EN Number	Agency	Amount	App #	LUA	**
St. Mark's Alliance Corporation	51-0182170	DHSB	\$85,000.00	801	002	
United Synagogue Federation Corporation	11-2692151	DHSB	\$52,500.00	801	002	

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

CHART 22: Industrial Business Solutions Providers (IBSP) - Fiscal 2015

Organization	EN Number	Agency	Amount	App #	LUA	**
Department of Small Business Services	13-600434	DHSB	\$148,300.00	801	002	
Small Business Development Corporation	11-2691177	DHSB	\$10,843.00	801	002	
Business Outreach Center Network, Inc.	11-2691171	DHSB	\$20,357.00	801	002	

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

CHART 25: Unaccompanied Minor Children Initiative (formerly Immigrant Opportunities Initiative) - Fiscal 2015

Organization	EN Number	Agency	Amount	App #	LUA	Fiscal Constraint EN
Department of Social Services/Human Resources Administration	13-600434	DSSA	\$1,200,000.00	009	103	
Caroline, Christine, Community Services, Anteboulevard of New York	13-5662188	DSSA	\$250,000.00	009	103	
Center for NYC Law at New York Law School - Safe Passage Project	13-5662262	DSSA	\$250,000.00	009	103	13-5662262*
Central American Legal Assistance	11-2691151	DSSA	\$90,000.00	009	103	
The Door	13-6173948	DSSA	\$250,000.00	009	103	

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

CHART 24: Worker Cooperative Business Development Initiative - Fiscal 2015

Organization	EN Number	Agency	Amount	App #	LUA	Fiscal Constraint EN
Green Cooperative Development Initiative (GCDI)	45-2201901	DHSB	\$3,200.00	001	002	
SCD Family of Services Center for Family Life-Saved Park	11-2777666	DHSB	\$7,250.00	001	002	
Democracy at Work Institute (DAWI)	27-2857128	DHSB	\$5,500.00	001	002	
NYC Worker Cooperative Development Initiative (NYCWC)	11-2344309	DHSB	\$5,500.00	001	002	
Federation of Protestant Welfare Agencies (FPWA)	20-2246526	DHSB	\$5,500.00	001	002	
ICA Group	04-2626368	DHSB	\$5,000.00	001	002	
Main the Road New York	11-2344309	DHSB	\$3,500.00	001	002	
NYC Network of Worker Cooperatives (NYCOWC)	20-2246526	DHSB	\$11,500.00	001	002	
Urban Justice Center	13-3442022	DHSB	\$5,500.00	001	002	
Department of Small Business Services	13-600434	DHSB	\$52,750.00	001	002	
CUNY Law School	11-2691171	CUNY	\$20,000.00	048	001	
Brook Cooperative Development Initiative (BCDI)	45-2201901	DHSB	\$60,000.00	001	002	
Democracy at Work Institute (DAWI)	27-2857128	DHSB	\$14,500.00	001	002	
NYC Worker Cooperative Development Initiative (NYCWC)	11-2344309	DHSB	\$14,500.00	001	002	
Brook Cooperative Development Initiative (BCDI)	45-2201901	DHSB	\$60,000.00	001	002	
Democracy at Work Institute (DAWI)	27-2857128	DHSB	\$14,500.00	001	002	
NYC Worker Cooperative Development Initiative (NYCWC)	11-2344309	DHSB	\$14,500.00	001	002	
ICA Group	04-2626368	DHSB	\$50,000.00	001	002	
NYC Network of Worker Cooperatives (NYCOWC)	20-2246526	DHSB	\$100,000.00	001	002	
Working World, The (TWW)	20-2246526	DHSB	\$218,500.00	001	002	

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



CHART 30: Local Initiatives - Fiscal 2013

Member	Organization	EN Number	Agency	Amount	Age of U/A	Fiscal Conduct/Sponsoring Organization	Fiscal Conduct EN
Bookin	St. Patrick's Vincent de Paul Society	11-1631818	DYCD	\$2,000.00	200		
Bookin	R.C. Church of St. Patrick of Fort Hamilton	11-1631818	DYCD	\$2,000.00	200		

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

CHART 31: DYCD Food Pantries - Fiscal 2014

Member	Organization	EN Number	Agency	Amount	Age of U/A
Bookin	St. Patrick's Vincent de Paul Society	11-1631818	DYCD	\$5,000.00	200
Bookin	R.C. Church of St. Patrick of Fort Hamilton	11-1631818	DYCD	\$5,000.00	200

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

CHART 32: DYCD Food Pantries - Fiscal 2013

Member	Organization	EN Number	Agency	Amount	Age of U/A
Bookin	St. Patrick's Vincent de Paul Society	11-1631818	DYCD	\$5,000.00	200
Bookin	R.C. Church of St. Patrick of Fort Hamilton	11-1631818	DYCD	\$5,000.00	200

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

CHART 33: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EN Number	Agency	Amount	New Purpose of Funds
LOCAL	County	Forest Park Thrift, Inc.	31-1556645	DSSES	\$5,000.00	To provide support for Forest Park Thrift, Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
LOCAL	County	Veterans Veterans of America, Inc. - Queens Chapter #32	11-2676294	DYCD	\$5,000.00	To provide support for Veterans Veterans of America, Inc. - Queens Chapter #32 to provide support for the elderly, disabled, and low-income individuals in the community.
LOCAL	County	Shannon Gaelic Celtic Football Club	27-2347596	DYCD	\$5,000.00	To provide support for Shannon Gaelic Celtic Football Club to provide support for the elderly, disabled, and low-income individuals in the community.
LOCAL	County	Shannon Gaelic Celtic Football Club	27-2347596	DYCD	\$5,000.00	To provide support for Shannon Gaelic Celtic Football Club to provide support for the elderly, disabled, and low-income individuals in the community.
LOCAL	Levin	Dumbo District Management Association Inc.	20-0214837	DSSES	\$4,000.00	To provide support for Dumbo District Management Association Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
LOCAL	Levin	Dumbo District Management Association Inc.	20-0214837	DSSES	\$4,000.00	To provide support for Dumbo District Management Association Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
POVERTY	Eugene	CAMBA, Inc.	11-2480339	DYCD	\$4,000.00	To provide support for CAMBA, Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
POVERTY	Eugene	CAMBA, Inc.	11-2480339	DYCD	\$4,000.00	To provide support for CAMBA, Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
POVERTY	Greenfield	Jewish Community Council of Greater Queens, Inc.	11-2665616	DYCD	\$30,000.00	To provide support for Jewish Community Council of Greater Queens, Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
POVERTY	Greenfield	Jewish Community Council of Greater Queens, Inc.	11-2665616	DYCD	\$30,000.00	To provide support for Jewish Community Council of Greater Queens, Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
AGING	Levin	Ridgewood Business Senior Citizens Council, Inc.	11-2433855	DFTA	\$7,000.00	To provide support for Ridgewood Business Senior Citizens Council, Inc. to provide support for the elderly, disabled, and low-income individuals in the community.
AGING	Levin	Ridgewood Business Senior Citizens Council, Inc.	11-2433855	DFTA	\$7,000.00	To provide support for Ridgewood Business Senior Citizens Council, Inc. to provide support for the elderly, disabled, and low-income individuals in the community.

\* Indicates pending completion of pre-qualification review





CHART 35: Purpose of Funds Changes - Fiscal 2013

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Greenfield	BNA Ezra Cholim, Inc.	56-2395556	DOHMH	(\$7,500.00)	Funds will provide BNA's Vocational Services Program for Brain Injury Survivors with a special awareness of the needs of brain injury survivors in NYC's Orthodox Jewish population, consists of an initial intake, a vocational assessment, individual coaching in job search, resume writing, and interview preparation. Funding will be used for salary, supervision salary, and marketing to attract new clients.
Local	Greenfield	BNA Ezra Cholim, Inc.	56-2395556	DOHMH	\$7,500.00	BNA Ezra Cholim, Inc. is seeking funding for its flagstar referral program, services include referrals to rehab, case management, and support services. Funds will be used for office and program expenses including office supplies, printing of organizational materials, and direct mail expenses such as printing, mailing and postage.

\* Indicates pending completion of pre-qualification review.

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, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, September 23, 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-148

**Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget – Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2015 to implement changes to the City’s expense budget (MN - 2).**

The Committee on Finance, to which the annexed preconsidered communication was referred on September 23, 2014, respectfully

**REPORTS:**

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on September 23, 2014, the Committee on Finance received a communication, dated September 18, 2014, from the Office of Management and Budget of the Mayor of The City of New York (the “Mayor”), of a proposed request, attached hereto (the “Modification”), to modify units of appropriation and transfer city funds between various agencies in the amount of \$3,416,230 in the Fiscal Year 2015 expense budget as adopted by the Council on June 26, 2014, pursuant to Section 107(b) of the New York City Charter (the “Charter”).

Analysis. The Council annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 26, 2014, the Council adopted the expense budget for Fiscal Year 2015 (the “Fiscal 2015 Expense Budget”). This Modification reallocates appropriations that were reflected in the Fiscal 2015 Expense Budget to fund City

Council initiatives.

This Modification will effect allocations within the following agencies:

1. New York Public Library
2. Brooklyn Public Library
3. Queens Borough Public Library
4. Department of Education
5. City University
6. Department of Social Services
7. City Council
8. Department of Cultural Affairs
9. Youth and Community Development
10. Manhattan Community Board #9
11. Department of Probation
12. Department of Small Business Services
13. Department of Health and Mental Hygiene
14. Health and Hospitals Corporation
15. Department of Sanitation
16. Department of Transportation
17. Department of Parks and Recreation
18. Department of Homeless Services
19. Department for the Aging
20. Housing Preservation and Development
21. Miscellaneous – New York City Housing Authority (“NYCHA”), various NYCHA tenants’ associations, the Fund for the City of New York, East River Development Alliance

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

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

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

TO: Honorable Melissa Mark-Viverito  
Speaker

Honorable Julissa Ferreras  
Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division  
Jeffrey Rodus, Deputy Chief of Staff, Speaker’s Office  
Tanisha Edwards, Chief Counsel, Finance Division  
Rebecca Chasan, Assistant Counsel, Finance Division

DATE: September 23, 2014

SUBJECT: A budget modification (MN-2) for Fiscal Year 2015 to implement changes in the City’s expense budget.

INITIATION: By letter dated September 18, 2014, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds between various agencies in the amount of \$3,416,230 to implement changes in the City’s expense budget.

BACKGROUND: MN-2 reallocates appropriations that were reflected in the FY 2015 Adopted Budget to fund City Council local initiatives as well as other

discretionary programs.

FISCAL IMPACT: MN-2 represents the reallocation of appropriations. The net effect of this modification is zero.

Accordingly, this Committee recommends its adoption.

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

Res. No. 423

**RESOLUTION APPROVING THE MODIFICATION (MN-2) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.**

By Council Member Ferreras.

Whereas, at a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on September 23, 2014, the Committee on Finance received a communication, dated September 18, 2014 from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit A (the "Modification"), to modify units of appropriation and transfer city funds between various agencies in the amount of \$3,416,230 in the Fiscal Year 2015 expense budget as adopted by the Council on June 26, 2014, pursuant to Section 107(b) of the Charter of the City of New York (the "Charter"); and

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

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

1. **Approval of Modification.** The City Council hereby approves, pursuant to Section 107(b) of the Charter, the actions proposed by the Mayor as set forth in the Modification.

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

**ATTACHMENT:**



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

September 18, 2014

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2015 to implement changes in the city's expense budget.

As requested by the City Council, this modification (MN-2) reallocates appropriations that were reflected in the FY 2015 Adopted Budget to fund City Council local initiatives as well as other discretionary programs.

Your approval of modification (MN-2) is respectfully requested.

Sincerely,

*Dean Fuleihan*  
 Dean Fuleihan

*Appendix A*

*From*

040	Department of Education	
402	GE Instr. & School Leadership	
	Public School 126 - Jacob August Riis	875
	Public School 033 Timothy Dwight	1,000
	Public School 315 - Lab School	1,000
	School of Environmental Citizenship	1,000
	Intermediate School 206 - Ann Mersereau	1,000
	Public School 236 - Langston Hughes	3,000
	Pride Not Prejudice, Inc.	5,000
	Public School 329 - The Surfside School	3,000
	Public School 33 - Chelsea Prep	10,000
	Public School 001 - Alfred E. Smith	1,140
	Public School 002 - Meyer London	2,565
	Intermediate School 117 - Joseph H. Wade	1,000
	Public School 124 - Yung Wing	1,710
	Public School 107 - John W. Kimball	660

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*Appendix A*

*From*

040	Department of Education	
402	GE Instr. & School Leadership	
	Public School 124 - Silas B. Dutcher	2,000
	Public School 10	1,140
	Public School 295	720
	Department of Education	30,000
	Department of Education	700,000
	Department of Education	-605,000
	Department of Education	441,202
	Department of Education	-175,000
	Department of Education	-636,600
	Department of Education	-93,400

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*Appendix A*

*From*

040 Department of Education	
402 GE Instr. & School Leadership	
Public School 042 - Benjamin Altman	1,710
Public School 091 - Bronx	1,000
Anti-gun violence	-40,000
Middle School 390	1,000
Public School 039 - Henry Bristow	480
Pride Not Prejudice, Inc.	3,500
East Fordham Academy for the Arts	1,000
Public School 236 - Langston Hughes	1,000
Mount Eden Children's Academy	1,000
Young Women's Leadership School of the Bronx	1,000
Public School 226	1,000
Public School 279 - Captain Manuel Rivera, Jr.	1,000

*Appendix A*

*From*

040 Department of Education	
402 GE Instr. & School Leadership	
Luisa Pineiro Fuentes School of Science and Discovery	1,000
Public School 360	1,000
Public School 246 - Poe Center	1,000
Creston Academy	1,000
Unit of Appropriation Total	-324,298
071 Dept. of Homeless Services	
200 Other Than Personal Service	
Doe Fund, Inc., The	21,000
Doe Fund, Inc., The	-50,000
Doe Fund, Inc., The	-4,000
Doe Fund, Inc., The	-14,665
Doe Fund, Inc., The	-36,500

*Appendix A*

*From*

071 Dept. of Homeless Services	
200 Other Than Personal Service	
Unit of Appropriation Total	-84,165
098 Miscellaneous	
002 General Reserve	
General Reserve	-375,000
Unit of Appropriation Total	-375,000
125 Department for the Aging	
003 Community Programs - OTPS	
Older Adults Technology Services (OATS), Inc.	-4,000
Department for the Aging	-95,000
Jewish Association for Services for the Aged (JASA)	-10,000
Department for the Aging	-50,000
Just-Us, Inc.	-5,000
Jewish Community Council of Greater Coney Island, Inc.	5,000
Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	-5,000

*Appendix A*

*From*

125 Department for the Aging	
003 Community Programs - OTPS	
Unit of Appropriation Total	-164,000
260 Youth & Community Development	
005 Community Development - OTPS	
East River Development Alliance, Inc.	22,000
Staten Island NFP Association, Inc.	3,500
Staten Island NFP Association, Inc.	1,500
Birch Family Services, Inc.	10,000
First Presbyterian Church in Jamaica	10,000
Bedford Stuyvesant Residents Association, Inc.	1,500
Caribbean Research Center at Medgar Evers College, The	-8,000
Catholic Migration Services, Inc.	5,000
Margert Community Corporation	-24,000
Council on the Environment, Inc.	-3,500
East Harlem Council for Community Improvement, Inc.	-100,000

*Appendix A*

*From*

260 Youth & Community Development	
005 Community Development - OTPS	
East River Development Alliance, Inc.	-175,000
Department of Youth and Community Development	-306,324
Coney Island Beautification Project, Inc.	-10,287
Alliance for Coney Island, Inc.	-15,000
Horticultural Society of New York, The	-10,000
Association of Community Employment Programs for the Homeless (ACE)	-627
Horticultural Society of New York, The	-19,817
Turtle Bay Association Inc., The	-9,500
Greater Ridgewood Restoration Corporation	-10,000
Queens Jewish Community Council, Inc.	-5,000
Nia Theatrical Production Company, Inc.	120,000
American Performing Arts Collaborative, Inc.	3,500
School Sisters of Notre Dame Educational Center	10,000
Department of Youth and Community Development	-14,705

*Appendix A*

*From*

260 Youth & Community Development	
005 Community Development - OTPS	
Department of Youth and Community Development	-976,251
Queens Public Library (QPL)	-175,000
New York Public Library (NYPL)	-175,000
Brooklyn Public Library	-175,000
Horticultural Society of New York, The	-15,500
Unit of Appropriation Total	-2,041,511
806 Housing Preservation & Dev.	
009 Office of Development-OTPS	
Bedford Stuyvesant Residents Association, Inc.	2,000
Neighborhood Initiatives Development Corporation (NIDC)	20,000
Neighborhood Housing Services of Northern Queens, Inc.	-3,500
Goddard Riverside Community Center	-10,556
Goddard Riverside Community Center	-5,000
Goddard Riverside Community Center	-6,000

*Appendix A*

*From*

806 Housing Preservation & Dev.	
009 Office of Development-OTPS	
Goddard Riverside Community Center	-8,500
Goddard Riverside Community Center	-7,000
Catholic Migration Services, Inc.	-5,000
Bridge Street Development Corporation	-4,500
Parodneck Foundation for Self-Help Housing and Community Development, Inc., The	-25,000
Unit of Appropriation Total	-53,056
816 Dept Health & Mental Hygiene	
114 OTPS - Environmental Hlth Svcs	
Department of Health and Mental Hygiene	-935,800
Department of Health and Mental Hygiene	175,000
Department of Health and Mental Hygiene	636,600
Unit of Appropriation Total	-124,200
120 Mental Health	
Anti-Gun Violence Initiative - Mental Health/Therapeutic Services	-145,000
Department of Health and Mental Hygiene	-700,000

*Appendix A*

*From*

816 Dept Health & Mental Hygiene	
120 Mental Health	
Department of Health and Mental Hygiene	93,400
Department of Health and Mental Hygiene	506,600
Unit of Appropriation Total	-245,000
841 Department of Transportation	
014 OTPS-Traffic Operations	
Department of Transportation	-5,000
Unit of Appropriation Total	-5,000
Unit of Appropriation Total	-3,416,230

*Appendix A*

To

037	New York Public Library		
006	Systemwide Services		
	New York Public Library	175,000	
	Unit of Appropriation Total		175,000
038	Brooklyn Public Library		
001	Lump Sum		
	Brooklyn Public Library	175,000	
	Brooklyn Public Library - Paerdegat Branch Library	14,705	
	Unit of Appropriation Total		189,705
039	Queens Borough Public Library		
001	Lump Sum		
	Queens Borough Public Library	5,000	
	Queens Borough Public Library	175,000	
	Unit of Appropriation Total		180,000
040	Department of Education		
401	GE Instr. & School Leadership		
	Department of Education	8,250	

*Appendix A*

To

040	Department of Education		
401	GE Instr. & School Leadership		
	Department of Education	136,169	
	Unit of Appropriation Total		144,419
461	Fringe Benefits - PS		
	Department of Education	-8,250	
	Department of Education	27,629	
	Unit of Appropriation Total		19,379
042	City University		
001	Community College-OTPS		
	Queensborough Community College Auxiliary Enterprise Association, Inc. - Kupferberg Holocaust Center	20,000	
	Queensborough Community College Auxiliary Enterprise Association, Inc.	5,000	
	CUNY Law School	35,000	
	Queensborough Community College Auxiliary Enterprise Association, Inc.	3,500	
	Unit of Appropriation Total		63,500

*Appendix A*

To

069	Department of Social Services		
103	Public Assistance - OTPS		
	Goddard Riverside Community Center		10,556
	Goddard Riverside Community Center		7,000
	Goddard Riverside Community Center		8,500
	Goddard Riverside Community Center		6,000
	Goddard Riverside Community Center		5,000
	Unit of Appropriation Total		37,056
098	Miscellaneous		
002	OTPS		
	New York City Housing Authority		1,000
	The Fund for the City of New York		200,000
	New York City Housing Authority		1,000
	New York City Housing Authority		1,000
	New York City Housing Authority		31,699
	New York City Housing Authority		1,000

*Appendix A*

To

098	Miscellaneous		
002	OTPS		
	New York Housing Authority		-10,556
	East River Development Alliance, Inc.		175,000
	Mayor's Office of Criminal Justice		-250,000
	New York City Housing Authority		1,000
	Bayview Houses Resident's Association		3,500
	New York City Housing Authority		1,000
	Unit of Appropriation Total		155,643
102	City Council		
200	OTPS Central Staff		
	Legal Services		175,000
	Unit of Appropriation Total		175,000
126	Department of Cultural Affairs		
003	Cultural Programs		
	Department of Cultural Affairs		40,000
	Community-Word Project, Inc.		4,000

*Appendix A*

To

126 Department of Cultural Affairs	
003 Cultural Programs	
Folksbiene Yiddish Theatre, Inc.	10,000
Fractured Atlas Productions, Inc.	3,500
Belmont District Management Association, Inc.	20,000
Nia Theatrical Production Company, Inc.	-120,000
Black Spectrum Theatre Company, Inc.	44,000
Unit of Appropriation Total	1,500
006 Amer Museum Natural History	
American Museum of Natural History	10,556
Unit of Appropriation Total	10,556
260 Youth & Community Development	
312 Other Than Personal Service	
Department of Youth and Community Development	145,000
Bayview Houses Resident's Association	-3,500
Department of Youth and Community Development	-15,000
Pride Not Prejudice, Inc.	-3,500

*Appendix A*

To

260 Youth & Community Development	
312 Other Than Personal Service	
Federation of Italian American Organizations of Brooklyn, Ltd.	25,000
Young Men's Christian Association of Greater New York	-5,000
Young Men's Christian Association of Greater New York	-8,000
Young Men's Christian Association of Greater New York	-10,000
Lower East Side Conservancy, Inc.	4,000
Boy Scouts of America - Greater New York Council	5,000
Federation of Italian American Organizations of Brooklyn, Ltd.	50,000
Young Dancers in Repertory, Inc.	-5,000
Anti-gun violence	40,000
Bank Street College of Education	-5,000
Community Association of Progressive Dominicans	-1,500
Alpha Upsilon Uplift, Inc.	-2,000
Birch Family Services, Inc.	-3,500

*Appendix A*

To

260 Youth & Community Development	
312 Other Than Personal Service	
Young Men's Christian Association of Greater New York	-3,000
Unit of Appropriation Total	204,000
349 Manhattan Community Board # 9	
002 Other Than Personal Service	
Manhattan Community Board #9	1,500
Unit of Appropriation Total	1,500
781 Department of Probation	
001 Executive Management	
Department of Probation	70,000
Department of Probation	250,000
Unit of Appropriation Total	320,000
003 Probation Services - OTPS	
Department of Probation	-506,600
Department of Probation	905,800

*Appendix A*

To

781 Department of Probation	
003 Probation Services - OTPS	
Department of Probation	-70,000
Unit of Appropriation Total	329,200
801 Dept. Small Business Services	
002 Dept of Business Serv. - OTPS	
Horticultural Society of New York, The	30,627
Horticultural Society of New York, The	15,500
Horticultural Society of New York, The	19,817
Horticultural Society of New York, The	817
Horticultural Society of New York, The	10,000
Alliance for Coney Island, Inc.	15,000
Coney Island Beautification Project, Inc.	10,287
Sunset Park Business Improvement District	9,000
Greater Ridgewood Restoration Corporation	10,000
Horticultural Society of New York, The	38,000

*Appendix A*

To

801 Dept. Small Business Services	
002 Dept of Business Serv. - OTPS	
Moshulu Preservation Corporation	15,000
Neighborhood Initiatives Development Corporation (NIDC)	10,000
Capitol District Management Association - 161st BID	34,314
East Harlem Council for Community Improvement, Inc.	100,000
Union Settlement Association, Inc.	30,000
South Brooklyn Industrial Development Corporation	16,000
SoHo Broadway District Management Association Inc	12,627
Belmont District Management Association, Inc.	-20,000
CUNY Law School	-35,000
Neighborhood Initiatives Development Corporation (NIDC)	-20,000
NOHO NY Business Improvement District	5,000
Lower East Side Business Improvement District	23,000
Chinatown District Management Association Inc	23,000

*Appendix A*

To

801 Dept. Small Business Services	
002 Dept of Business Serv. - OTPS	
Central Astoria Local Development Corporation, Inc	5,201
New Harlem East Merchants Association, Inc.	26,314
Downtown Flushing Transit Hub District Management Association, Inc.	30,000
South Brooklyn Local Development Corporation	10,000
Atlantic Avenue District Management Association, Inc.	10,000
Ridgewood Local Development Corporation	29,000
Staten Island NFP Association, Inc.	-3,500
Asian Americans for Equality	4,665
Staten Island NFP Association, Inc.	-1,500
American Performing Arts Collaborative, Inc.	-3,500
125th Street Business Improvement District	42,313
Alliance for Downtown New York	5,000
Unit of Appropriation Total	506,982

*Appendix A*

To

816 Dept Health & Mental Hygiene	
112 Disease Control - OTPS	
Queens Sickle Cell Advocacy Network, Inc.	3,500
Emergency Medical Rescue of New York City, Inc.	3,500
Unit of Appropriation Total	7,000
122 Alcoholism Services	
Samaritan Village, Inc.	5,000
Unit of Appropriation Total	5,000
819 Health and Hospitals Corp.	
001 Lump Sum	
Harlem Hospital Center	5,000
Unit of Appropriation Total	5,000
827 Department of Sanitation	
102 Cleaning & Collection	
Department of Sanitation	25,627
Department of Sanitation	36,928
Department of Sanitation	13,000

*Appendix A*

To

827 Department of Sanitation	
102 Cleaning & Collection	
Department of Sanitation	34,314
Department of Sanitation	22,876
Department of Sanitation	28,800
Department of Sanitation	22,876
Department of Sanitation	68,627
Department of Sanitation	16,411
Department of Sanitation	34,000
Department of Sanitation	38,627
Department of Sanitation	34,314
Department of Sanitation	34,314

*Appendix A*

To

827 Department of Sanitation	
102 Cleaning & Collection	
Department of Sanitation	68,627
Department of Sanitation	68,627
Department of Sanitation	12,310
Department of Sanitation	24,727
Unit of Appropriation Total	585,005
109 Cleaning & Collection - OTPS	
Department of Sanitation	10,900
Department of Sanitation	22,876
Department of Sanitation	6,540
Department of Sanitation	68,627
Department of Sanitation	-190

*Appendix A*

To

827 Department of Sanitation	
109 Cleaning & Collection - OTPS	
Department of Sanitation	10,000
Department of Sanitation	52,216
Department of Sanitation	18,127
Department of Sanitation	9,900
Department of Sanitation	34,314
Department of Sanitation	2,725
Department of Sanitation	10,000
Department of Sanitation	8,500
Department of Sanitation	-51,000
Department of Sanitation	5,000

*Appendix A*

To

827 Department of Sanitation	
109 Cleaning & Collection - OTPS	
Department of Sanitation	5,450
Department of Sanitation	21,800
Unit of Appropriation Total	235,785
841 Department of Transportation	
004 Traffic Operations	
Department of Transportation - Helmet Fitting and Distribution	3,000
Department of Transportation	3,500
Unit of Appropriation Total	6,500

*Appendix A*

To

846 Dept of Parks and Recreation	
006 Maintenance & Operations-OTPS	
Department of Parks and Recreation	13,000
Turtle Bay Association Inc., The	9,500
Department of Parks and Recreation	18,000
Department of Parks and Recreation - Ann Loftus Playground - Park Associate	3,500
Unit of Appropriation Total	58,500
	3,416,230
	0

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, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, September 23, 2014.

415 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. 113

**Report of the Committee on Finance in favor of approving Stamtisch HDFC, 279 Wyckoff Avenue, Brooklyn 11237, Block 3320, Lot 1, Council District No. 37.**

The Committee on Finance, to which the annexed resolution was referred on September 10, 2014 (Minutes, page 3292) and which was subsequently coupled with the resolution shown below, respectfully

**REPORTS:**

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

September 23, 2014

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

FROM: Rebecca Chasan, Assistant Counsel, Finance Division

RE: Finance Committee Agenda of September 23, 2014 - Resolution approving tax exemption for one Land Use Item (Council District 37)

Stamtisch Housing Development Fund Company, Inc. ("HDFC") is currently rehabilitating the property located at 279 Wyckoff Avenue (Block 3320, Lot 1) in Council District 37. The property, which is being rehabilitated as part of a larger eleven building project, consists of 1 multi-family residential building with 2 units of rental housing for low-income families.

Stamtisch HDFC is rehabilitating the property with loans from the Department of Housing and Preservation Development ("HPD"). Stamtisch HDFC and HPD have entered into a regulatory agreement requiring that the housing units be rented to families whose incomes do not exceed 50% of the area median income ("AMI"), which in 2013 was \$42,950 for a family of four, \$38,700 for a family of three, \$34,400 for a family of two, and \$30,100 for an individual.

In order to facilitate the project, HPD is requesting that the Council approve, pursuant to Section 577 of the Private Housing Finance Law, a full 40-year exemption from real property taxation which will be coterminous with the period of the regulatory agreement.

This item has the approval of Council Member Espinal.

Summary:

- Council District – 37
- Council Member – Espinal
- Council Member approval – Yes
- Borough – Brooklyn
- Block/Lot – 3320/1
- Number of Buildings – 1
- Number of Units – 2
- Type of Exemption – Article XI, full 40 years
- Population Served – Rentals for low-income families
- Sponsor/Developer – Stamtisch Housing Development Fund Company
- Open Violations or Outstanding Debt to the City – None

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 424

**Resolution approving a full exemption from real property taxes for property located at (Block 3320, Lot 1) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 113).**

By Council Member Ferreras.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated June 23, 2014 that the Council take the following action regarding a housing project located at (Block 3320, Lot 1) Brooklyn ("Exemption Area"):

Approve a full exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption");

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

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

**RESOLVED:**

The Council hereby grants a full 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 December 20, 2013.

(b) "Exemption" shall mean the exemption from real property taxation provided hereunder.

(c) "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 3320, Lot 1 on the Tax Map of the City of New York.

(d) "Expiration Date" shall mean the earlier to occur of (i) December 20, 2053, (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 of an entity wholly controlled by a housing development fund company.

(e) "HDFC" shall mean Stamtisch Housing Development Fund Company, Inc.

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

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

(h) "Regulatory Agreement" shall mean the regulatory agreement between HPD and the HDFC establishing certain controls upon the operation of the Exemption Area during the term of the Exemption entered into on December 20, 2013.

2. 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.

3. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of the City of New York, (iv) 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 the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

4. In consideration of the Exemption, the owner of the Exemption Area shall (i) execute and record the Regulatory Agreement, and (ii) for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

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, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, September 23, 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 Housing and Buildings**

Report for Int. No. 129-A

**Report of the Committee on Housing and Buildings 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 remedies for breach of the duty of an owner to refrain from harassment of tenants.**

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 622), respectfully

**REPORTS:**

**Introduction**

On September 23, 2014, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, will hold a hearing to consider Proposed Int. No. 129-A, Proposed Int. No. 472-A, and Int. No. 474.

The Committee previously considered Proposed Int. No. 129-A at a hearing on April 30, 2014 and Proposed Int. No. 472-A and Int. No. 472 at a hearing on September 22, 2014. The Committee received testimony from representatives of the Department of Housing Preservation and Development (HPD), Department of Buildings (DOB), members of the real estate industry, legal services providers, tenant advocacy organizations, and other interested members of the public.

**Proposed Int. No. 129-A**

As housing vacancies in New York City continue to remain at extremely low levels, some of those living in rent controlled and rent stabilized units face undue pressure to leave apartments they have called home for decades. Landlords and building owners often have a strong financial incentive to remove their buildings or individual apartments from rent-regulation so that the units can be leased or sold at market rates.<sup>1</sup> State and local laws provide mechanisms for the deregulation of units, yet some landlords turn to harassment to speed this process. Proposed Int. No. 129-A would address such harassment by increasing the maximum fine for harassment, creating additional penalties for repeat offenders, and requiring HPD to post information about findings of harassment online.

Section one of Proposed Int. No. 129 would increase the maximum civil penalty (from \$5,000 to \$10,000) that may be imposed for harassment of a tenant. This section would also provide that, where an owner is found to have committed harassment more than once in a five year period, the civil penalty for the second (and subsequent) findings of harassment in that period shall be between \$2,000 and \$10,000 (rather than between \$1,000 and \$10,000 as for a first violation).

Section two of Proposed Int. No. 129 would require HPD to post on its website any finding by a court of tenant harassment, including the address of the building containing the dwelling unit where the harassment occurred, the property owner's name, the civil penalty imposed, the date such penalty was imposed, and whether the court issued an order restraining the owner from further harassment. HPD would be required to post such information within 90 days of having received notice of such a finding.

Section three of Proposed Int. No. 129-A would require that HPD post the same information required by bill section two for findings of harassment issued in the year prior to this local law taking effect.

Section four of this legislation contains the enactment clause and provides that this local law take effect ninety days after its enactment, except that section one of this local law shall take effect 180 days after enactment, and except that HPD may take measures necessary for its implementation (e.g. promulgate rules) before the effective date.

**Changes to Int. No. 129**

In addition to various technical edits, Int. No. 129 has been substantively amended in the following manner:

- The bill no longer changes the minimum penalty for harassment, but heightened maximum and minimum civil penalties for repeat offenders have been added.
- HPD's timeframe for posting information about findings of tenant harassment has been changed, and HPD would now also be required to post information about findings of harassment issued for the year before this local law takes effect.

**Proposed Int. No. 472-A**

Local Law 99 of 2005 requires that, every three years, DOB submit to the Council recommendations for updating the Plumbing Code, the Building Code, the Mechanical Code and the Fuel Gas Code to reflect changes in the International Plumbing, Building, Mechanical and Fuel Gas Codes. In response to this requirement, the City Council passed, and the Mayor signed, Local Law 141 of 2013. This bill would make various technical changes to Local Law 141.

**Int. No. 474**

Int. No. 474 would push back the effective date of the 2014 revisions to the Construction Codes from October 1, 2014 to December 31, 2014.

**Update**

On Tuesday, September 23, 2014, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

for the Lower Ma\_\_\_\_\_

<sup>1</sup> Gretchen Morgenson, *Questions of Rent Tactics by Private Equity*, N.Y. TIMES, May 9, 2008, available at <http://www.nytimes.com/2008/05/09/business/09rent.html?ei=5124&en=f55cac7cda506ab6&ex=1368072000&partner=permalink&expprod=permalink&pagewanted=all>.

(The following is the text of the Fiscal Impact Statement for Int. No. 129-A:)



THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT  
PROPOSED INTRO. NO: 129-A

COMMITTEE:  
Housing and Buildings

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to remedies for breach of the duty of an owner to refrain from harassment of tenants.  
**SPONSOR(S):** Council Members Chin, Williams, Barron, Johnson, Palma, Reynoso, Rose, Rosenthal, Mendez, Levine and Cornegy

**SUMMARY OF LEGISLATION:** This legislation would amend the administrative code of the City of New York to double the existing maximum penalty for tenant harassment violations, from \$5,000 to \$10,000. The existing minimum penalty of \$1,000 would remain the same. In addition, this legislation creates additional penalties for repeat offenders. If a landlord is found to have committed tenant harassment more than once in a 5-year period, this legislation would impose an additional penalty between \$2,000 and \$10,000.

The legislation also requires the Department of Housing Preservation and Development (HPD) to post information about findings of tenant harassment online. HPD would post information that includes the address of the building and unit where the violation occurred, the name of the property owner, the civil penalty imposed, the date of the violation and penalty imposed, and whether an order restraining the landlord from engaging in further tenant harassment was issued.

**EFFECTIVE DATE:** This local law would take effect 90 days after enactment, except that the imposition of new penalties for repeat offenders would take effect 180 days after enactment and that the Commissioner of HPD may promulgate rules prior to the effective date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 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 will be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation because HPD will use existing resources to implement this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** New York City Department of Housing Preservation and Development

**SOURCE OF INFORMATION:** New York City Council, Finance Division

**ESTIMATE PREPARED BY:** Sarah Gastelum, Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Assistant Finance Counsel  
Nathan Toth, Deputy Director, New York City Council, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full council on March 12, 2014 as Intro. No. 129 and was referred to the Committee on Housing and Buildings. On April 30, 2014, the Committee on Housing and Buildings, jointly with the Committee on Aging, held a hearing to consider the legislation. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 129-A

will be considered by the Committee on Housing and Buildings on September 23, 2014. Following a successful vote by the Committee, Proposed Intro. No. 129-A will be submitted to the full Council for a vote on September 23, 2014.

**DATE PREPARED:** September 22, 2014

**(For text of the Fiscal Impact Statement and bills for Int Nos. 472-A and 474, please see, respectively, the Reports of the Committee on Housing and Buildings for Int No. 472-A and 474 printed below in these Minutes)**

*Accordingly, this Committee recommends the adoption of Int Nos. 129-A, 472-A, and 474.*

**(The following is the text of Int. No. 129-A:)**

Int. No. 129-A

By Council Members Chin, Williams, Barron, Johnson, Palma, Reynoso, Rose, Rosenthal, Mendez, Levine, Cornegy, Levin, Arroyo, Kallos, Garodnick, Menchaca, Dromm, Lander, Mealy and Van Bramer.

**A Local Law to amend the administrative code of the city of New York, in relation to remedies for breach of the duty of an owner to refrain from harassment of tenants.**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 2 of subdivision m of section 27-2115 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

(2) If a court of competent jurisdiction finds that conduct in violation of subdivision d of section 27-2005 of this chapter has occurred, it may determine that a class c violation existed at the time that such conduct occurred. Notwithstanding the foregoing, such court may also issue an order restraining the owner of the property from violating such subdivision and direct the owner to ensure that no further violation occurs, in accordance with section 27-2121 of this chapter. Such court shall impose a civil penalty in an amount not less than one thousand dollars and not more than [five] ten thousand dollars for each dwelling unit in which a tenant or any person lawfully entitled to occupancy of such unit has been the subject of such violation, and such other relief as the court deems appropriate, *provided that where a petitioner establishes that there was a previous finding of a violation of subdivision d of section 27-2005 against such owner and such finding was made (i) within the preceding five year period and (ii) on or after the effective date of the local law that added this clause, such court shall impose a civil penalty in an amount not less than two thousand dollars and not more than ten thousand dollars.* It shall be an affirmative defense to an allegation by a tenant of the kind described in subparagraphs b, c and g of paragraph forty-eight of subdivision a of section 27-2004 of this chapter that (i) such condition or service interruption was not intended to cause any lawful occupant to vacate a dwelling unit or waive or surrender any rights in relation to such occupancy, and (ii) the owner acted in good faith in a reasonable manner to promptly correct such condition or service interruption, including providing notice to all affected lawful occupants of such efforts, where appropriate.

§ 2. Subdivision m of section 27-2115 of the administrative code of the city of New York is amended by adding a new paragraph 6 to read as follows:

(6) *After a court of competent jurisdiction has issued a finding that conduct in violation of subdivision d of section 27-2005 of this chapter has occurred, the department, if it receives notice of such finding, shall post on its website, no later than ninety days after having received notice of such finding, the following information for each such finding: (i) the address of the building containing the dwelling unit that was the subject of such violation; (ii) the name of the property owner; (iii) the civil penalty imposed for such violation; (iv) the date such penalty was imposed; and (v) whether an order restraining the owner of such unit from violating subdivision d of section 27-2005 of this chapter was issued.*

§ 3. Before the ninetieth day after this local law shall have taken effect, the department shall post on its website the information required by paragraph six of subdivision m of section 27-2115 of the administrative code of the city of New York, as added by section two of this local law, for findings issued by a court of competent jurisdiction within the one year preceding the effective date of this local law, to the extent that the department received notice of such findings.

§ 4. This local law shall take effect 90 days after enactment, except that section 1 of this local law shall take effect 180 days after enactment, and except that the commissioner of housing preservation and development may take all necessary action, including the promulgation of rules, prior to such effective date.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES; Committee on Housing and Buildings, September 23, 2014. *Other Council Members Attending: Chin.*

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. 472-A

**Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code, the New York city fuel gas code and local law number 71 for the year 2011, in relation to technical corrections and clarification of provisions of the New York city construction codes and, in relation thereto, repealing section 1107.5.6 of the New York city building code and section 7 of local law number 71 for the year 2011 and repealing and replacing section 301.6 of the New York city plumbing code, item 4 of section 314.2.3 of the New York city plumbing code, section 907.2.2 of the New York city building code, item 3 of section 1109.2 of the New York city building code, section 1609.7.3 of the New York city building code, section 1613.5.3 of the New York city building code, sections 1613.5.4 and 1613.5.5 of the New York city building code, table 1704.3 of the New York city building code, table 401.5 of the New York city mechanical code, Section 304.4.1 of the New York city fuel gas code and section 504.3.20 of the New York city fuel gas code.**

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on September 10, 2014 (Minutes, page 3267), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 129-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 472-A:*



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT  
PROPOSED INTRO. NO: 472-A**

**COMMITTEE:  
Housing and Buildings**

**TITLE:** A Local Law to amend the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code and local law number 71 for the year 2011, in relation to technical corrections and clarification of provisions of the New York city construction codes and, in relation thereto, repealing section 1107.5.6 of the New York city building code and section 7 of local law number 71 for the year 2011 and repealing and replacing section 301.6 of the New York city plumbing code, item 4 of section 314.2.3 of the New York city plumbing code, section 907.2.2 of the New York city building code, item 3 of section 1109.2 of the New York city building code, section 1609.7.3 of the New York city building code, section 1613.5.3 of the New York city building code, sections 1613.5.4 and 1613.5.5 of the New York city building code, table 1704.3 of the New York city building code, table 401.5 of the New York city mechanical code, Section 304.4.1 of the New York city fuel gas code and section 504.3.20 of the New York city fuel gas code.

**SPONSOR(S):** Council Members Williams, Koo and Richards (by request of the Mayor)

**SUMMARY OF LEGISLATION:** Proposed Intro. 472-A updates the City's construction codes. This includes the Building Code, the Plumbing Code, the Mechanical Code, and the Fuel Gas Code.

In 2013, the Council passed Local Law 141, a roughly 2,500 page law bringing the City's 40-year old Construction Codes up to date with International Construction

Codes. The Housing and Buildings Committee has been working closely with the Department of Buildings, the code revision committees, and other stakeholders to review the approximately 2,500-page bill in its entirety. This bill corrects a number of technical errors in Local Law 141 in order to improve standards for the construction of new buildings and the alteration of existing buildings.

**EFFECTIVE DATE:** This local law would take effect on December 31, 2014, except that it would not apply to construction work related to applications for construction document approval filed prior to such effective date, and except that the Commissioner of the Department of Buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2016

**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:** It is estimated that there will be no impact on revenues resulting from the enactment of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** Not applicable.

**SOURCE OF INFORMATION:** City Council Finance Division  
New York City Department of Buildings  
Mayor’s Office of Legislative Affairs

**ESTIMATE PREPARED BY:** Sarah Gastelum, Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Rebecca Chasan, Assistant Finance Counsel  
Nathan Toth, Deputy Director, New York City Council, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full council on September 10, 2014 as Intro. No. 472 and was referred to the Committee on Housing and Buildings. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 472-A, was considered by the Committee on Housing and Buildings on September 22, 2014 and laid over. The Committee on Housing and Buildings will vote on Proposed Intro. No. 427-A on September 23, 2014 and, upon successful vote by the Committee, the legislation will be submitted to the full Council for a vote on September 23, 2014.

**DATE PREPARED:** September 22, 2014

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 472-A:)**

Int. No. 472-A

By Council Members Williams, Koo, Richards, Arroyo, Barron and Kallos (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code, the New York city fuel gas code and local law number 71 for the year 2011, in relation to technical corrections and clarification of provisions of the New York city construction codes and, in relation thereto, repealing section 1107.5.6 of the New York city building code and section 7 of local law number 71 for the year 2011 and repealing and replacing section 301.6 of the New York city plumbing code, item 4 of section 314.2.3 of the New York city plumbing code, section 907.2.2 of the New York city building code, item 3 of section 1109.2 of the New York city building code, section 1609.7.3 of the New York city building code, section 1613.5.3 of the New York city building code, sections 1613.5.4 and 1613.5.5 of the New York city building code, table 1704.3 of the New York city building code, table 401.5 of the New York city mechanical code, Section 304.4.1 of the New York city fuel gas code and section 504.3.20 of the New York city fuel gas code.**

*Be it enacted by the Council as follows:*

Section 1. Sections 219.1, 219.2, 219.2.1 and 219.2.2 of article 219 of chapter 2 of title 28 of the administrative code of the city of New York, as renumbered and amended by local law number 141 for the year 2013, are renumbered to be, respectively, sections 28-219.1, 28-219.2, 28-219.2.1 and 28-219.2.2.

§2. Section 219.2.3 of article 219 of chapter 2 of title 28 of the administrative code of the city of New York, as renumbered by local law number 141 for the year 2013, is amended to read as follows:

**[§219.2.3] §28-219.3 False certifications of correction.** It shall be unlawful to prepare, file or offer for filing a certification of correction of an immediately hazardous condition, knowing that such certification contains a false statement or false information. Any person who prepares such a certificate shall be subject to prosecution under section 175.05 or 175.10 of the penal law. Any person who files such a certificate or offers such a certificate for filing shall be subject to prosecution under section 175.30 or 175.35 of the penal law. Nothing in this section shall be construed to limit, alter or affect the authority conferred by any other provision of this chapter or other law to bring criminal, civil or administrative actions or proceedings or other remedies for the preparation, filing or offering for filing of a certification of correction of an immediately hazardous condition containing a false statement or false information.

§3. Section 301.6 of the New York city plumbing code, as amended by local law number 41 for the year 2012, is REPEALED and a new section 301.6 is added to read as follows:

**301.6 Prohibited locations.** Plumbing systems shall not be located in an elevator shaft and plumbing systems not related to elevator machinery shall not be located in elevator equipment rooms.

**Exception:** Floor drains, sumps and sump pumps shall be permitted at the base of the shaft, provided they are indirectly connected to the plumbing system.

§4. Item 4 of Section 314.2.3 of the New York city plumbing code, as added by local law number 41 for the year 2012, is REPEALED and a new item 4 is added, to read as follows:

4. A water-level detection device shall be provided that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line, or in the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.

**Exception:** Fuel-fired appliances that automatically shut down operation in the event of a stoppage in the condensate drainage system.

§5. Occupancy A-5 in item No. 1 of Table 403.1 of the New York city plumbing code, as added by local law number 41 for the year 2012, is amended to read as follows:

**TABLE 403.1  
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES<sup>a</sup>  
(See Sections 403.2 and 403.3)**

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS URINALS (SEE SECTION 419.2)		LAVATORIES		BATHTUBS/SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410.1) <sup>a</sup>	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly	A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,520 and 1 per 60 for the remainder exceeding 1,520	1 per 200	1 per 150	—	1 per [100] / 1,000	1 service sink

§6. Section 403.4.8.2 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

**403.4.8.2 Emergency power loads in Group R-2 occupancies.** Group R-2 occupancies in buildings greater than 125 feet (38 100 mm) in height shall be required to provide an emergency power system to support the following loads:

1. Exit signs and means of egress illumination required by Chapter 10;
2. [At least one elevator serving all floors, or one elevator per bank where different banks serve different portions of the building;
- 3.] Emergency voice communications systems; and
- [4.] 3. Electrically powered fire pumps, unless electrical power to the motor is taken ahead of the main from the street side of the house service switch.

§7. Section 704.11 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

**704.11 Lintel protection.** Lintels over openings wider than 4 feet (1219 mm) in masonry walls, other than in walls of masonry veneer on wood frame structures, shall be fire protected as required by Section 704.3 when the full load over the opening is not relieved by a masonry arch of required strength.

**Exceptions:**

1. The members of an assembled metal lintel that support only outer face masonry that is securely bonded or anchored to backing need not be fire protected, provided that the inner members of the assembly support the full load imposed.
2. The use of stone lintels in spans exceeding 4 feet (1219 mm) shall not be permitted unless supplemented by fire-protected structural members or masonry arches of the required strength to support the superimposed loads.

§8. Section 708.12.1.3.2 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

**708.12.1.3.2 Smoke vents located in an exterior wall.** Where the exterior wall serves as part of a shaft enclosure or where a smoke vent duct penetrates the exterior wall of the building, [the vent shall be located at least 30 feet (9144 mm) above and 5 feet (1524 mm) to the side of any other openings in the exterior wall] *no openings shall be located in the wall within a distance of 30 feet (9144 mm) vertically above the vent opening, nor within 5 feet (1524 mm) on either side of the vent opening.*

§9. Section 708.13.3 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**708.13.3 Refuse and laundry chute access rooms.** Access openings for refuse and laundry chutes shall be located in dedicated rooms or compartments enclosed by not less than 2 hour fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 712, or both. Openings into the access rooms shall be protected by opening protectives having a fire protection rating of not less than 1½ hour. Doors shall be [self- or automatic-closing upon the detection of smoke in accordance with Section 715.4.8.3, provided that] *self closing except that where the storage of refuse, including recyclables, or laundry is not permitted in such access rooms doors may be automatic closing upon the detection of smoke in accordance with Section 715.4.8.3.*

**Exception:** Access openings for refuse or laundry chutes located within a dwelling unit need not be located within a separate room or compartment.

§10. Item 1 of Section 716.3.3.2 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

1. Where a smoke damper is installed within a duct, a smoke detector shall be installed in the duct within 5 feet (1524 mm) of the damper with no air outlets or inlets between the detector and the damper. The detector shall be listed for the air velocity, temperature and humidity anticipated at the point where it is installed. Other than in mechanical smoke control systems, dampers shall be closed upon fan shutdown where local smoke detectors require a minimum velocity to operate.

**Exceptions:**

1. Duct smoke detectors will not be required at each fire smoke damper where the supply fan shall shut down and all the fire smoke dampers associated with the supply system automatically close upon actuation of an automatic alarm initiating device on the floor(s).
2. Duct smoke detectors will be required within 5 feet (1524 mm) downstream of any electric duct reheat coil.
3. Non-ducted return air systems shall have a smoke detector located within 5 feet (1524 mm) upstream of each return air protected opening in a 2 hour fire rated barrier.
4. Ducted return air systems shall have a duct smoke detector located within 5 feet (1524 mm) of a smoke damper; additional smoke detectors will not be required at fire smoke dampers located downstream where there are no additional return air inlets.

§11. Section 907.2.2 of the New York city building code, as amended by local law number 141 for the year 2013 is REPEALED and a new section 907.2.2 is added, to read as follows:

**907.2.2 Group B.** A manual and automatic fire alarm system shall be installed in Group B occupancies that are protected by an automatic sprinkler system where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 500 or more.
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains a Group B ambulatory health care facility.

Where such occupancies meeting any one of the above conditions are not protected by an automatic sprinkler system, a partial coverage automatic smoke detection system or automatic heat detection system shall be installed in accordance with NFPA 72 in addition to the manual and automatic fire alarm system.

§12. Section 1009.4.2 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**1009.4.2 Riser height and tread depth.** Stair riser heights shall be 7 inches (178 mm) maximum and 4 inches (102 mm) minimum. The riser height shall be measured vertically between the leading edges of adjacent treads. Rectangular tread depths shall be 11 inches (279 mm) minimum measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than ¾ inch (9.5 mm). Winder treads shall have a minimum tread depth of 11 inches (279 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline and a minimum tread depth of 10 inches (254 mm) within the clear width of the stair.

**Exceptions:**

1. Alternating tread devices in accordance with Section 1009.10.

[3.] 2. Ship ladders in accordance with Section 1009.11.

[4.] 3. Spiral stairways in accordance with Section 1009.9.

[5.] 4. Aisle stairs in assembly seating areas where the stair pitch or slope is set, for sightline reasons, by the slope of the adjacent seating area in accordance with Section 1028.11.2.

[6.] 5. In Group R-2 occupancies:

[6.1.] 5.1. Sum of treads and risers. The sum of two risers plus one tread exclusive of nosing shall be not less than 24 inches (610 mm) nor more than 25½ inches (648 mm).

[6.2.] 5.2. Dimensions of treads and risers. The maximum riser height shall be 7¾ inches (197 mm) and the minimum tread depth shall be 9½ inches (241 mm) plus nosing. Treads may be undercut a distance equal to the nosing. A nosing not less than ¾ inch (19 mm) but not more than 1¼ inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

[6.3.] 5.3. Tolerances. The greatest riser height, tread depth, and nosing projection, within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

[7.] 6. In Group R-3 occupancies; within dwelling units in Group R-2 occupancies not subject to accessibility provisions in Section 1107.2.5, Exception 2; and in Group U occupancies that are accessory to Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies:

[7.1.] 6.1. Sum of treads and risers. The sum of two risers plus one tread exclusive of nosing shall be not less than 24 inches (610 mm) nor more than 25 ½ inches (648 mm).

[7.2.] 6.2. Dimensions of treads and risers. The maximum riser height shall be 8 ¼ inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm) plus nosing. Treads may be undercut a distance equal to the nosing. A 1 ¼ -inch (32 mm) nosing shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

[7.3.] 6.3. Tolerances. The greatest riser height, tread depth, and nosing projection, within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

[8.] 7. In Group R-3 occupancies; and within dwelling units in Group R-2 occupancies; winders shall have a minimum tread depth of 10 inches (254 mm) measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge, when measured at a point 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the greatest winder tread depth at the 12-inch (305 mm) walk line shall not exceed the smallest by more than 3/8 inch (9.5 mm).

[9.] 8. In Group I-3 facilities, stairways providing access to guard towers, observation stations and control rooms, not more than 250 square feet (23 m<sup>2</sup>) in area, shall be permitted to have a maximum riser height of 8 inches (203 mm) and a minimum tread depth of 9 inches (229 mm).

§13. Section 1107.5.6 of the New York city building code, as added by local law number 141 for the year 2013, is REPEALED.

§14. Item 3 of section 1109.2 of the New York city building code, as amended by local law number 141 for the year 2013, is REPEALED and a new item 3 is added, to read as follows:

3. Where multiple single-user toilet rooms or bathing rooms are clustered to be within sight of, or adjacent to one another at a single location, at least 50 percent, but not less than one room for each use at each cluster, shall be accessible.

§15. Section 1507.3.9 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**1507.3.9 Flashing.** At the juncture of the roof vertical surfaces, flashing and counterflashing shall be provided in accordance with the manufacturer's installation instructions, and where of metal, shall not be less than 0.019-inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal. The valley flashing shall extend at least 11 inches (279 mm) from the centerline each way and have a splash diverter rib not less than 1 inch (25 mm) high at the flow line formed as part of the flashing. Sections of flashing shall have an end lap of not less than 4 inches (102 mm). For roof slopes of three units vertical in 12 units horizontal (25-percent slope) and over, the valley flashing shall have a 36-inch-wide (914 mm) underlayment of either one layer of Type I underlayment running the full length of the valley, or a self-adhering polymer-modified bitumen sheet complying with ASTM D 1970, in addition to other required underlayment. For slopes under seven units vertical in 12 units horizontal (58-percent slope), the metal valley [flushing] flashing underlayment shall be solid cemented to the roofing underlayment or a self-adhering polymer modified bitumen [sheet(s)] sheet shall be installed.

§16. Section 1507.5.7 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**1507.5.7 Flashing.** Roof valley flashing shall be of corrosion-resistant metal of the same material as the roof covering or shall comply with the standards in Table 1507.4.3(1). The valley flashing shall extend at least 8 inches (203 mm) from the centerline each way and shall have a splash diverter rib not less than ¾ inch (19.1 mm) high at the flow line formed as part of the flashing. Sections of flashing shall have an end lap of not less than 4 inches (102 mm). The metal valley flashing shall

have a 36-inch-wide (914 mm) underlayment directly under it consisting of either one layer of underlayment running the full length of the valley or a self-adhering polymer-modified bitumen sheet complying with ASTM D 1970, in addition to underlayment required for metal roof shingles. [The] *For slopes under seven units vertical in 12 units horizontal (58-percent slope), the metal valley flashing underlayment shall be [solidly] solid cemented to the roofing underlayment [for roof slopes under seven units vertical in 12 units horizontal (58-percent slope)] or [of] a self-adhering polymer[-] modified bitumen sheet shall be installed.*

§17. Section 1507.8.8 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**1507.8.8 Flashing.** At the juncture of the roof and vertical surfaces, flashing and counterflashing shall be provided in accordance with the manufacturer's installation instructions, and where of metal, shall not be less than 0.019-inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal. The valley flashing shall extend at least 11 inches (279 mm) from the centerline each way and have a splash diverter rib not less than 1 inch (25 mm) high at the flow line formed as part of the flashing. Sections of flashing shall have an end lap of not less than 4 inches (102 mm). For roof slopes of three units vertical in 12 units horizontal (25-percent slope) and over, the valley flashing shall have a 36-inch-wide (914 mm) underlayment of either one layer of Type I underlayment running the full length of the valley or a self-adhering polymer-modified bitumen sheet complying with ASTM D 1970, in addition to other required underlayment. [The] *For slopes under seven units vertical in 12 units horizontal (58-percent slope), the metal valley flashing underlayment shall be [solidly] solid cemented to the roofing underlayment [for slopes under seven units vertical in 12 units horizontal (58-percent slope)] or a self-adhering polymer[-] modified bitumen sheet shall be installed.*

§18. Section 1507.9.9 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**1507.9.9 Flashing.** At the juncture of the roof and vertical surfaces, flashing and counterflashing shall be provided in accordance with the manufacturer's installation instructions, and where of metal, shall not be less than 0.019-inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal. The valley flashing shall extend at least 11 inches (279 mm) from the centerline each way and have a splash diverter rib not less than 1 inch (25 mm) high at the flow line formed as part of the flashing. Sections of flashing shall have an end lap of not less than 4 inches (102 mm). For roof slopes of three units vertical in 12 units horizontal (25-percent slope) and over, the valley flashing shall have a 36-inch-wide (914 mm) underlayment of either one layer of Type I underlayment running the full length of the valley or a self-adhering polymer-modified bitumen sheet complying with ASTM D 1970, in addition to other required underlayment. [The] *For slopes under seven units vertical in 12 units horizontal (58-percent slope) the metal valley flashing underlayment shall be solidly cemented to the roofing underlayment [for slopes under seven units vertical in 12 units horizontal (58-percent slope)] or a self-adhering polymer-modified bitumen sheet shall be installed.*

§19. Section 1609.7.3 of the New York city building code, as added by local law number 141 for the year 2013, is REPEALED and a new Section 1609.7.3 is added to read as follows:

**1609.7.3 Rigid tile.** *Wind loads on rigid tile roof coverings shall be determined in accordance with the following equation:*

$$M_a = q_h C_L b L L_a (1.0 - G C_p) \quad \text{(Equation 16-45)}$$

$$\text{For SI: } M_a = q_h C_L b L L_a (1.0 - G C_p) / 1,000$$

where:

$b =$  Exposed width, feet (mm) of the roof tile.

$C_L =$  Lift coefficient. The lift coefficient for concrete and clay tile shall be 0.2 or shall be determined by test in accordance with Section 1716.2.

$G C_p =$  Roof pressure coefficient for each applicable roof zone determined from Chapter 6 of ASCE 7. Roof coefficients shall not be adjusted for internal pressure.

$L =$  Length, feet (mm) of the roof tile.

$L_a =$  Moment arm, feet (mm) from the axis of rotation to the point of uplift on the roof tile. The point of uplift shall be taken at 0.76L from the head of the tile and the middle of the exposed width. For roof tiles with nails or screws (with or without a tail clip), the axis of rotation shall be taken as the head of the tile for direct deck application or as the top edge of the batten for battened applications. For roof tiles fastened only by a nail or screw along the side of the tile, the axis of rotation shall be determined by testing. For roof tiles installed with battens and fastened only by a clip near the tail of the tile, the moment arm shall be determined about the top edge of the batten with consideration given for the point of rotation of the tiles based on straight bond or broken bond and the tile profile.

$M_a =$  Aerodynamic uplift moment, feet-pounds (N-mm) acting to raise the tail of the tile.

$q_h =$  Wind velocity pressure, psf (kN/m<sup>2</sup>) determined from Section 6.5.10 of ASCE 7.

*Concrete and clay roof tiles complying with the following limitations shall be designed to withstand the aerodynamic uplift moment as determined by this section.*

1. The roof tiles shall be either loose laid on battens, mechanically fastened, mortar set or adhesive set.
2. The roof tiles shall be installed on solid sheathing which has been designed as components and cladding.
3. An underlayment shall be installed in accordance with Chapter 15.
4. The tile shall be single lapped interlocking with a minimum head lap of not less than 2 inches (51 mm).
5. The length of the tile shall be between 1.0 and 1.75 feet (305 and 533 mm).
6. The exposed width of the tile shall be between 0.67 and 1.25 feet (204 and 381 mm).
7. The maximum thickness of the tail of the tile shall not exceed 1.3 inches (33 mm).
8. Roof tiles using mortar set or adhesive set systems shall have at least two-thirds of the tile's area free of mortar or adhesive contact.

§20. Section 1613.5.3 of the New York city building code, as added by local law number 141 for the year 2013, is REPEALED and a new Section 1613.5.3 is added to read as follows:

**1613.5.3 Site coefficients and risk-targeted maximum considered earthquake (MCE<sub>R</sub>) spectral response acceleration parameters.** *The MCE<sub>R</sub> spectral response acceleration parameters for short periods, S<sub>MS</sub>, and at 1-second period, S<sub>M1</sub>, adjusted for site class effects shall be determined by Equations 16-47 and 16-48, respectively:*

$$S_{MS} = F_a S_S \quad \text{(Equation 16-47)}$$

$$S_{M1} = F_v S_I \quad \text{(Equation 16-48)}$$

where:

$F_a =$  Site coefficient defined in Table 1613.5.3(1).

$F_v =$  Site coefficient defined in Table 1613.5.3(2).

$S_S =$  The mapped MCE<sub>R</sub> spectral accelerations for short periods as determined in Section 1613.5.1.

$S_I =$  The mapped MCE<sub>R</sub> spectral accelerations for a 1-second period as determined in Section 1613.5.1.

§21. Sections 1613.5.4 and 1613.5.5 of the New York city building code, as added by local law number 141 for the year 2013, are REPEALED and new Sections 1613.5.4 and 1613.5.5 are added to read as follows:

**1613.5.4 Design spectral response acceleration parameters.** *Five-percent damped design spectral response acceleration at short periods, S<sub>DS</sub>, and at 1-second period, S<sub>DI</sub>, shall be determined from Equation 16-49 and 16-50, respectively:*

$$S_{DS} = 2/3 S_{MS} \quad \text{(Equation 16-49)}$$

$$S_{DI} = 2/3 S_{M1} \quad \text{(Equation 16-50)}$$

where:

$S_{MS} =$  The MCE<sub>R</sub> spectral response accelerations for short period as determined in Section 1613.5.3.

$S_{M1} =$  The MCE<sub>R</sub> spectral response accelerations for 1-second period as determined in Section 1613.5.3.

**1613.5.5 Site classification for seismic design.** *Site classification for Site Class C, D or E shall be determined from Table 1613.5.5. The notations presented below*

apply to only materials encountered above rock meeting Class 1a, 1b, or 1c as defined in Section 1804 or rock with shear wave velocity greater than 2500 feet per second (762 meters per second) to a maximum depth of 100 feet (30 480 mm). Profiles containing distinctly different soil and rock layers shall be subdivided into those layers designated by a number that ranges from 1 to n at the bottom where there is a total of n distinct layers in the upper 100 feet (30 480 mm). The symbol i then refers to any one of the layers between 1 and n.

where:

$v_{si}$  = The shear wave velocity in feet per second (m/s).

$d_i$  = The thickness of any layer between 0 and 100 feet (30 480 mm).

(Equation 16-51)

$$\bar{v}_s = \frac{\sum_{i=1}^n d_i}{\sum_{i=1}^n \frac{d_i}{v_{si}}}$$

$$\sum_{i=1}^n d_i = 100 \text{ feet (30 480 mm)}$$

where:

$N_i$  is the Standard Penetration Resistance (ASTM D1586) not to exceed 100 blows/foot (328 blows/m) as directly measured in the field without corrections. When refusal is met for a rock layer of Class 1d,  $N_i$  shall be less than or equal to 100 blows/foot (328 blows/m) provided that the extend of the Class 1d material is confirmed by a boring to a depth where Class 1c or better rock is determined, not to exceed 100 feet. Alternatively, if this boring is not performed, site classification should be based on all soil material that is above the Class 1d layer.

(Equation 16-52)

$$\bar{N} = \frac{\sum_{i=1}^n d_i}{\sum_{i=1}^n \frac{d_i}{N_i}}$$

(Equation 16-53)

$$\bar{N}_{ch} = \frac{d_s}{\sum_{i=1}^m \frac{d_i}{N_i}}$$

where:

$$\sum_{i=1}^m d_i = d_s$$

Use  $d_i$  and  $N_i$  for cohesionless soil layers only in Equation 16-42.

$d_s$  = The total thickness of cohesionless soil layers in the top 100 feet (30 480 mm).

$m$  = The number of cohesionless soil layers in the top 100 feet (30 480 mm).

$S_{ui}$  = The undrained shear strength in psf (kPa), not to exceed 5,000 psf (240 kPa), ASTM D 2166 or D 2850.

$$\bar{S}_{ui} = \frac{d_c}{\sum_{i=1}^k \frac{d_i}{S_{ui}}}$$

where:

$$\sum_{i=1}^k d_i = d_c$$

$d_c$  = The total thickness (100- $d_s$ ) (For SI: 30480- $d_s$ ) of cohesive soil layers in the top 100 feet (30 480 mm).

$k$  = The number of cohesive soil layers in the top 100 feet (30 480 mm).

$PI$  = The plasticity index, ASTM D 4318.

$w$  = The moisture content in percent, ASTM D 2216.

Where a site does not qualify under the criteria for Site Class F and there is a total thickness of soft clay greater than 10 feet (3048 mm) where a soft clay layer is defined by  $s_u < 500$  psf (24 kPa),  $w > 40$  percent, and  $PI > 20$ , it shall be classified as Site Class E. The shear wave velocity for rock, Site Class B, shall be either measured on site or estimated by a geotechnical engineer or engineering geologist/seismologist for competent rock with moderate fracturing and weathering. Softer and more highly fractured and weathered rock shall either be measured on site for shear wave velocity or classified as Site Class C. The hard rock category, Site Class A, shall be supported by shear wave velocity measurements either on site or on profiles of the same rock type in the same formation with an equal or greater degree of weathering and fracturing. Where hard rock conditions are known to be continuous to a depth of 100 feet (30 480 mm), surficial shear wave velocity measurements are permitted to be extrapolated to assess  $v_s$ . The rock categories, Site Classes A and B, shall not be used if there is more than 10 feet (3048 mm) of soil between the rock surface and the bottom of the spread footing or mat foundation.

§22. Table 1704.3 of the New York city building code, as amended by local law number 141 for the year 2013, is REPEALED and a new Table 1704.3 is added to read as follows:

**TABLE 1704.3  
REQUIRED VERIFICATION AND INSPECTION OF STEEL CONSTRUCTION**

VERIFICATION AND INSPECTION			REFERENCED STANDARD*	BC REFERENC E
	CONTINUOUS	PERIODIC		
1. Material verification of high-strength bolts, nuts and washers:				
a. Identification markings to conform to ASTM standards specified in the approved construction documents.	—	X	AISC 360, Section A3.3 and applicable ASTM material specifications	—
b. Manufacturer's certificate of compliance required.	—	X	—	—
2. Inspection of high-strength				
a. Snug-tight joints.	—	X Note b	AISC 360 Section M2.5	1704.3.3
b. Pre-tensioned and slip-critical joints using turn-of-nut with matchmarking, twist-off bolt or direct tension indicator methods of installation.	—	X		
c. Pre-tensioned and slip-critical joints using turn-of-nut without matchmarking or calibrated wrench methods of installation.	X	—		
3. Material verification of structural steel and cold formed steel deck:				
a. For structural steel, identification markings to conform to AISC 360.	—	X	AISC 360, Section M5.5	—

b. For other steel, identification markings to conform to ASTM standards specified in the approved construction documents.	—	—	Applicable ASTM Standards	
c. Manufacturers' certified mill test reports.	—	X	Applicable ASTM material standards	
4. Material verification of weld filler materials:				
a. Identification markings to conform to AWS specification in the approved construction documents.	—	—	AISC 360, Section A3.5 and applicable AWS A5 documents	—
b. Manufacturer's certificate of compliance required.	—	—	—	—
5. Inspection of welding: a. Structural steel, cold-formed steel and cold-formed steel deck:	—	—		
1) Complete and partial penetration groove welds.	X	—	AWS D1.1	1704.3.1
2) Multipass fillet welds.	X	—		
3) Single-pass fillet welds > 5/16".	X	—		
4) Plug and slot welds.	X	—		
5) Single-pass fillet welds ≤ 5/16".	—	X		
6) Floor and roof deck welds.	—	X	AWS D1.3	—
7) Cold-formed steel welds.	—	X	AWS D1.3	—
b. Reinforcing steel:	—	—		
1) Verification of weldability of reinforcing steel other than ASTM A 706.	—	X	AWS D1.4 ACI 318: 3.5.2	1903.5.2
2) Reinforcing steel-resisting flexural and axial forces in intermediate and special moment frames, and boundary elements of special reinforced concrete shear walls and shear reinforcement.	X	—		
3) Shear reinforcement.	X Note a	—		
4) Other reinforcing steel.	—	X		
6. Inspection of steel frame joint details for compliance with approved construction documents: a. Details such as bracing and stiffening. b. Member locations. c. Application of joint details at each connection.	— — —	X X X	—	1704.3.2

For SI: 1 inch = 25.4 mm.

a. A minimum of 10 percent of shear studs shall be verified for strength of welded connection. If failure is evident on one or more, then the strength of all shear studs shall be verified.

b. Turn of the nut bolting shall be continuously inspected. Exception: Periodic inspection shall be acceptable when the contractor's procedures have been established and verified for compliance by the special inspector.

§23. Section 2603.4.1.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**2603.4.1.1 Masonry or concrete construction.** A thermal barrier is not required for foam plastic insulation installed in a masonry or concrete wall, floor or roof system where the foam plastic insulation is covered on each face by a minimum of 1 inch (25 mm) thickness of masonry or concrete.

§24. Section 3002.4.1 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

**3002.4.1 Standby power required for elevators.** [Emergency] Standby power

shall be provided to elevators in the following categories:

1. Elevator(s) in high-rise buildings covered by Section 403.1, other than R-2 occupancies, as required by Section 403.4.8.1;
2. Elevator(s) in high-rise buildings in R-2 occupancies more than 125 feet (38 100 mm) in height, as required by Section 403.4.8.2;
3. Elevator(s) in underground buildings, as required by Section 405.4.3;
4. Elevator(s) in Groups B, E, and R-1 occupancies that are subject to Section 2702.2.20; and
5. Elevator(s) serving as accessible means of egress pursuant to Section 1007.4.

§25. Referenced standard D692 on the list of ASTM referenced standards in Section 3502 of the New York city building code is amended to read as follows:

**ASTM** ASTM International  
100 Barr Harbor Drive  
West Conshohocken, PA 19428-2959

Standard Reference Number	Referenced Title	Referenced in code section number
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D 692/D 692M—09 Standard Specification for Coarse Aggregate for Bituminous Paving Mixtures . . . . .1917.2

§26. Table 401.5 of the New York city mechanical code, as renumbered by local law number 141 for the year 2013, is REPEALED and a new Table 401.5 is added to read as follows:

**TABLE 401.5  
OPENING SIZES IN LOUVERS, GRILLES AND  
SCREENS PROTECTING OUTDOOR EXHAUST AND  
AIR INTAKE OPENINGS**

OUTDOOR OPENING TYPE	MINIMUM AND MAXIMUM OPENING SIZES IN LOUVERS, GRILLES AND SCREENS MEASURED IN ANY DIRECTION
Intake openings in residential occupancies	Not < ¼ inch and not > ½ inch
Intake openings in other than residential occupancies	Not < ¼ inch and not > 1 inch

For SI: 1 inch = 25.4 mm.

§27. Section 513.4.6 of the New York city mechanical code, as amended by local law number 141 for the year 2013, is amended to read as follows:

**513.4.6 Duration of operation.** All portions of active or passive smoke control systems shall be capable of continued operation after detection of the fire event for a period of not less than 20 minutes or 1.5 times the calculated egress time, whichever is [less] more.

§28. Sections 804.1 and 804.2 of the New York city mechanical code, as amended by local law 141 for the year 2013, are amended to read as follows:

**804.1 Direct-vent terminations.** Vent terminals for direct-vent appliances shall be installed in accordance with the manufacturer's installation instructions. [Horizontal venting shall be allowed only if approved by the commissioner and only if in a nonhazardous location and if the appliance has a sealed combustion chamber.] In addition, direct vent terminations shall comply with the following requirements:

1. Where located adjacent to walkways, the termination shall be not less than 7 feet (2134 mm) above the level of the walkway.
2. Vents shall terminate at least 3 feet (914 mm) above any forced air inlet, other than the forced air inlet for the subject direct vent appliance, located within 10 feet (3048 mm).
3. The vent system shall terminate at least 4 feet (1219 mm) below, 4 feet (1219 mm) horizontally from or 1 foot (305 mm) above any door, window or gravity air inlet into the building.

4. The vent termination point shall not be located closer than 3 feet (914 mm) to an interior corner formed by two walls perpendicular to each other.
5. The vent termination shall not be mounted directly above or within 3 feet (914 mm) horizontally from any gas or electric metering, regulating, venting relief equipment or other building opening.
6. The bottom of the vent termination shall be located at least 24 inches (610 mm) above finished grade.
7. The maximum heat input of an appliance served by single horizontal vent termination shall be 350,000 Btu/h (1025 kW), unless otherwise approved by the [Commissioner] *commissioner*.
8. The maximum heat input of all appliances served by horizontal vent terminations located within a 10 foot (3048 mm) radius shall be 350,000 Btu/h (1025 kW), unless otherwise approved by the [Commissioner] *commissioner*.
9. The vent termination shall be located a minimum of 4 feet from the lot line or from adjacent buildings. The termination shall be installed in accordance with the vent manufacturer's listing and installation instructions.

**804.2 Appliances with integral vents.** Appliances incorporating integral venting means shall be installed in accordance with their listings and the manufacturer's installation instructions. [Horizontal venting shall be allowed only if approved by the commissioner and only if in a nonhazardous location and if the appliance has a sealed combustion chamber.] In addition, integral vent terminals shall comply with the following requirements:

1. Where located adjacent to walkways, the vent terminal shall be not less than 7 feet (2134 mm) above the level of the walkway.
2. The vent terminal shall be at least 3 feet (914 mm) above any forced air inlet, other than the forced air inlet for the subject integral vent appliance, located within 10 feet (3048 mm).
3. The vent terminal shall be at least 4 feet (1219 mm) below, 4 feet (1219 mm) horizontally from or 1 foot (305 mm) above any door, window or gravity air inlet into the building.
4. The vent terminal shall not be located closer than 3 feet (914 mm) to an interior corner formed by two walls perpendicular to each other.
5. The vent terminal shall not be mounted directly above or within 3 feet (914 mm) horizontally from any gas or electric metering, regulating, venting relief equipment or other building opening.
6. The bottom of the vent terminal shall be located at least 24 inches (610 mm) above finished grade.
7. The maximum heat input of an appliance served by single horizontal vent terminal shall be 350,000 Btu/h (1025 kW), unless otherwise approved by the [Commissioner] *commissioner*.
8. The maximum heat input of all appliances served by horizontal vent terminals located within a 10 foot (3048 mm) radius shall be 350,000 Btu/h (1025 kW), unless otherwise approved by the [Commissioner] *commissioner*.
9. The vent terminal shall be located a minimum of 4 feet from the lot line or from adjacent buildings. The termination shall be installed in accordance with the vent manufacturer's listing and installation instructions.

§29. Section FGC 202 of the New York city fuel gas code, as amended by local law number 141 for the year 2013, is amended by adding a definition of "CONNECTOR, CHIMNEY OR VENT" following in alphabetical order the definition of "CONNECTOR, APPLIANCE (Fuel)" to read as follows:

**CONNECTOR, CHIMNEY OR VENT.** *The pipe that connects an appliance to a chimney or vent.*

§30. Section 304.4.1 of the New York city fuel gas code, as added by local law number 141 for the year 2013, is REPEALED and a new section 304.4.1 is added to read as follows:

**304.4.1 Makeup air for fuel burning devices.** *Where exhaust fans are installed, makeup air shall be provided to replace the exhausted air. Calculations shall be provided on the construction documents to validate the use of the exhaust fan(s) and compliance with this Chapter.*

§31. Section 504.3.20 of the New York city fuel gas code, as amended by local law number 141 for the year 2013, is REPEALED and a new section 504.3.20 is added, to read as follows:

**504.3.20 Chimney and vent location.** *Tables 504.3(1), 504.3(2), 504.3(3), 504.3(4), and 504.3(5) shall be used only for chimneys and vents not exposed to the outdoors below the roof line. A Type B vent or listed chimney lining system passing through an unused masonry chimney flue shall not be considered to be exposed to the outdoors. A Type B vent shall not be considered to be exposed to the outdoors where it passes through an unventilated enclosure or chase insulated to a value of not less than R8. Tables 504.3(6) and 504.3(7) shall be used for clay-tile-lined exterior masonry chimneys, provided all of the following conditions are met:*

1. *The vent connector is Type B double-wall.*
2. *At least one appliance is draft hood equipped.*
3. *The combined appliance input rating is less than the maximum capacity given by Table 504.3(6a) for NAT+NAT or Table 504.3(7a) for FAN+NAT.*
4. *The input rating of each space-heating appliance is greater than the minimum input rating given by Table 504.3(6b) for NAT+NAT or Table 504.3(7b) for FAN+NAT.*
5. *The vent connector sizing is in accordance with Table 504.3(3).*

§32. Section 7 of local law number 71 for the year 2011 is REPEALED.

§33. Section 8 of local law number 71 for the year 2011 is amended to read as follows:

§8. This local law shall take effect on January 1, 2015, except that *sections 5 and 6 of this local law shall take effect on the same date that section 1 of subpart 19 of part C of local law number 141 for the year 2013 takes effect, and except that* the commissioner of transportation and the commissioner of buildings shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to [such effective date] *January 1, 2015.*

§34. Notwithstanding any other law or rule, tables, figures or equations in PDF or other electronic format to be added to the New York city construction codes or amended pursuant to this local law need not be underlined to denote new matter being added. The absence of underlining to denote new matter being added shall not affect the validity of new tables, figures or equations in PDF or other electronic format to be added to the New York city construction codes or amended pursuant to this local law.

§35. This local law shall take effect on December 31, 2014, except that this local law shall not apply to construction work related to applications for construction document approval filed prior to such effective date, and except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES; Committee on Housing and Buildings, September 23, 2014. *Other Council Members Attending: Chin.*

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. 474

**Report of the Committee on Housing and Buildings in favor of approving and adopting, a Local Law to amend local law number 41 for the year 2012, local law number 79 for the year 2013, local law number 108 for the year 2013, local law number 110 for the year 2013, local law number 100 for the year 2013, local law number 101 for the year 2013, local law number 130 for the year 2013, local law number 141 for the year 2013, local law number 10 for the year 2014, local law number 12 for the year 2014, local law number 13 for the year 2014, local law number 17 for the year 2014 and local law number 18 for the year 2014, in relation to extending the effective date for the 2014 revisions to the New York city construction codes.**

The Committee on Housing and Buildings, to which the annexed proposed local law was referred on September 10, 2014 (Minutes, page 3286), respectfully

#### REPORTS:

**(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 129-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 474:*



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

INTRO. NO: 474

COMMITTEE:  
Housing and Buildings

**TITLE:** A Local Law to amend local law number 41 for the year 2012, local law number 79 for the year 2013, local law number 108 for the year 2013, local law number 110 for the year 2013, local law number 100 for the year 2013, local law number 101 for the year 2013, local law number 130 for the year 2013, local law number 141 for the year 2013, local law number 10 for the year 2014, local law number 12 for the year 2014, local law number 13 for the year 2014, local law number 17 for the year 2014 and local law number 18 for the year 2014, in relation to extending the effective date for the 2014 revisions to the New York city construction codes.

**SPONSOR(S):** Council Members Williams and Koo (in conjunction with the Mayor)

**SUMMARY OF LEGISLATION:** Local Law 99 for the year 2005 required triennial updates of the New York City Construction Codes, including the Plumbing Code, the Building Code, the Mechanical Code and the Fuel Code to reflect changes in the International Plumbing, Building, Mechanical and Fuel Gas Codes. The newest update to the code is currently scheduled to take effect on October 1, 2014. This legislation would make various technical changes to a number of local laws in order to push back the effective date of the 2014 code revisions from October 1, 2014 to December 31, 2014. This will give building designers more time to prepare plans and specifications in compliance with new code provisions.

**EFFECTIVE DATE:** This local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2016

**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:** It is estimated that there will be no impact on revenues resulting from the enactment of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** Not applicable.

**SOURCE OF INFORMATION:** City Council Finance Division  
New York City Department of Buildings  
Mayor’s Office of Legislative Affairs

**ESTIMATE PREPARED BY:** Sarah Gastelum, Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Rebecca Chasan, Assistant Finance Counsel  
Nathan Toth, Deputy Director, New York City Council, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full council on September 10, 2014 as Intro. No. 474 and was referred to the Committee on Housing and Buildings. A hearing was held by the Committee on Housing and Buildings on September 22, 2014 and the legislation was laid over. The Committee will vote on the legislation on September 23, 2014 and, upon successful vote by the Committee, Intro. No. 474 will be submitted to the full Council for a vote on September 23, 2014.

**DATE PREPARED:** September 22, 2014

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Int. No. 474:)**

Int. No. 474

By Council Members Williams, Koo, Arroyo and Kallos (in conjunction with the Mayor).

**A Local Law to amend local law number 41 for the year 2012, local law number 79 for the year 2013, local law number 108 for the year 2013, local law number 110 for the year 2013, local law number 100 for the year 2013, local law number 101 for the year 2013, local law number 130 for the year 2013, local law number 141 for the year 2013, local law number 10 for the year 2014, local law number 12 for the year 2014, local law number 13 for the year 2014, local law number 17 for the year 2014 and local law number 18 for the year 2014, in relation to extending the effective date for the 2014 revisions to the New York city construction codes.**

*Be it enacted by the Council as follows:*

Section 1. Sections 3, 4, 5, 6, 7, 8 and 9 of local law number 141 for the year 2013 are hereby REPEALED.

Section 2. Section 3 of local law number 41 for the year 2012 is amended to read as follows:

§3. This local law shall take effect on [the same date as the effective date of a local law amending the administrative code of the city of New York in relation to bringing the New York city building code up to date with the 2009 edition of the International Building Code published by the International Code Council] *December 31, 2014, except that this local law shall not apply to plumbing work related to applications for construction document approval filed prior to such effective date.*

Section 3. Section 3 of local law number 79 for the year 2013 is amended to read as follows:

§3. This local law shall take effect on [the same date as a local law of the city of New York for the year 2013 amending the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056, takes effect] *December 31, 2014, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date.*

Section 4. Section 6 of local law number 108 for the year 2013 is amended to read as follows:

§6. This local law shall take effect on [the same date that a local law of the city of New York for the year 2013 amending the administrative code of the city of New York, the New York City plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in introduction number 1056, takes effect] *December 31, 2014, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date.*

Section 5. Section 4 of local law number 110 for the year 2013 is amended to read as follows:

§4. This local law shall take effect on [the same date as a local law of the city of New York for the year 2013 amending the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056, takes effect] *December 31, 2014, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date.*

Section 6. Section 16 of local law number 100 for the year 2013 is amended to read as follows:

§16. This local law shall take effect on [the same date that a local law of the city of New York for the year 2013 amending the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in introduction number 1056, takes effect] *December 31, 2014, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date.*

Section 7. Section 6 of local law number 101 for the year 2013 is amended to read as follows:

§6. This local law shall take effect on [the same date as a local law of the city of New York for the year 2013 amending the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes as proposed in Intro. 1056, takes effect] *December 31, 2014, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date.*

Section 8. Section 4 of local law number 130 for the year 2013 is amended to read as follows:

§4. This local law shall take effect on [the same date as a local law of the city of New York for the year 2013, amending the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056 takes effect] *December 31, 2014, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date.*

Section 9. Section 14 of local law number 141 for the year 2013 is amended to read as follows:

Section 14. This local law shall take effect on [October 1, 2014] *December 31, 2014, except (i) that this local law shall not apply to construction work related to applications for construction document approval filed prior to such effective date (ii) sections 28-304.6.4, 28-304.6.5 and 28-304.6.6 of the administrative code of the city of New York as amended by section 61 of part A of this local law and [sections] section 2 [through 9] of this local law shall take effect immediately and (iii) section 403.5.2 of the New York city building code as added by section 1 of subpart 4 of part C of this local law shall take effect the later of 18 months after the date of enactment of this local law or the date of an amendment of the definition of floor area in the New York city zoning resolution providing for the exclusion of the floor area of the additional exit stairway and additional exit stairway width from the calculation of floor area for purposes of the New York city zoning resolution. The commissioner of*

buildings may promulgate rules or take other actions for the implementation of this local law prior to such effective date.

Section 10. Section 3 of local law number 10 for the year 2014 is amended to read as follows:

§3. This local law shall take effect on [October 1, 2014] *December 31, 2014*, except that this local law shall not apply to work related to applications for construction document approval filed prior to such effective date, and except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Section 11. Section 2 of local law number 12 for the year 2014 is amended to read as follows:

§2. This local law shall take effect *on* [October 1, 2014] *December 31, 2014*, except that this local law shall not apply to construction work related to applications for construction document approval filed prior to such effective date, and except that the commissioner of buildings [may] *shall* take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Section 12. Section 6 of local law number 13 for the year 2014 is amended to read as follows:

§6. This local law shall take effect on [October 1, 2014] *December 31, 2014*, except that this local law shall not apply to construction work related to applications for construction document approval filed prior to such effective date, and except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Section 13. Section 11 of local law number 17 for the year 2014 is amended to read as follows:

§11. This local law shall take effect on [October 1, 2014] *December 31, 2014*, except that this local law shall not apply to construction work related to applications for construction document approval filed prior to such effective date, and except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Section 14. Section 2 of local law number 18 for the year 2014 is amended to read as follows:

§2. This local law shall take effect [October 1, 2014] *on December 31, 2014*, except that the commissioner of buildings shall take such measures as are necessary for its implementation *prior to such effective date*.

Section 15. This local law shall take effect immediately.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES; Committee on Housing and Buildings, September 23, 2014. *Other Council Members Attending: Chin.*

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

#### Report of the Committee on Land Use

Report for L.U. No. 110

**Report of the Committee on Land Use in favor of approving Application no. 20145612 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 24 5th Avenue LLC, d/b/a/ Claudette for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 24 Fifth Avenue, Borough of Manhattan, Community District 2, Council District 3. 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 Land Use item was referred on August 21, 2014 (Minutes, page 3159) and which was subsequently coupled with the resolution shown below, respectfully

#### REPORTS:

#### SUBJECT

MANHATTAN CB - 2

20145612 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 24 5th Ave LLC, d/b/a Claudette, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 24 Fifth Avenue.

#### INTENT

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

#### PUBLIC HEARING

**DATE:** September 3, 2014

**Witnesses in Favor:** One

**Witnesses Against:** Four

#### SUBCOMMITTEE RECOMMENDATION

**DATE:** September 16, 2014

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

**In Favor:** Weprin, Garodnick, Williams, Wills, Richards, Reynoso

**Against:** *None*

**Abstain:** Gentile

#### COMMITTEE ACTION

**DATE:** September 18, 2014

The Committee recommends that the Council approve the attached resolution.

**In Favor:** Greenfield, Arroyo, Dickens, Garodnick, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger

**Against:** Mendez

**Abstain:** Gentile

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

Res. No. 425

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 24 Fifth Avenue, Borough of Manhattan (20145612 TCM; L.U. No. 110).**

By Council Members Greenfield and Weprin.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on August 14, 2014 its approval dated August 12, 2014 of the petition of 24 5th Ave LLC, d/b/a Claudette, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 24 Fifth Avenue, Community District 2, 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(g) of the Administrative Code;

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 3, 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*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 18, 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 of the Committee on Transportation

Report for Int. No. 371-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 civil penalties for leaving the scene of an incident without reporting.

The Committee on Transportation, to which the annexed amended proposed local law was referred on May 29, 2014 (Minutes, page 1934), respectfully

#### REPORTS:

##### INTRODUCTION

On September 22, 2014, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, held a hearing on Int. No. 371-A, which would provide for civil penalties for leaving the scene of an incident without reporting. This was the second hearing on this legislation. The first hearing was held on September 3, 2014 at which time the Committee heard testimony from representatives of the New York City Police Department (“NYPD”), advocates and stakeholders. Amendments to the bill were made after the first hearing, most notably raising the penalty amounts that would be imposed.

Int. No. 371-A would be known as “The Justice for Hit and Run Victims Act.”

##### BACKGROUND

Drivers leaving the scene of a motor vehicle incident, also referred to as “hit-and-runs,” pose a significant danger to the City’s pedestrians, cyclists, and fellow motorists. Despite efforts to reduce traffic fatalities, hit-and-run collisions continue to kill and injure New Yorkers. Nationally, nearly one in five pedestrians killed in 2012 were victims of a hit-and-run.<sup>1</sup> According to the most recent statistics provided by NYPD, the Collision Investigation Squad, which investigates traffic crashes involving critical injury or death, investigated 58 “hit and run” cases in 2012, of which 15 resulted in an arrest.<sup>2</sup> So far this year, at least seven individuals have been killed in hit-and-run incidents in the City.<sup>3</sup>

Int. No. 371-A is the second bill along with one resolution directly addressing hit-and-run incidents the Council has addressed this legislative session. In January 2014, the Council overrode the veto of former Mayor Michael Bloomberg to require that the NYPD report quarterly on hit-and-runs beginning in the fall of 2015.<sup>4</sup> Each report must contain the number of hit-and-run incidents resulting in critical injury, the number of such cases closed, and the number of incidents closed without an arrest being made.<sup>5</sup> Additionally, the NYPD will be required to provide the Speaker of the City Council with a brief summary of steps taken to investigate hit-and-runs. In May 2014, the Council adopted a resolution calling on the State Legislature to remedy several deficiencies in the law regarding leaving the scene of an incident.<sup>6</sup>

Under New York State law, any driver who knows or should know that they have caused property damage or physical injury with their vehicle is required to remain on the scene in order to provide the property’s owner or the injured party with their insurance and personal contact information.<sup>7</sup> In the case of property damage, if the owner is not present at the time of the incident, the driver must go to the nearest police station or officer as soon as they are physically able to report the incident and provide them with all required information.<sup>8</sup> If a person was injured, a driver must also report the incident to law enforcement and provide such information to a police officer.<sup>9</sup>

Failure to remain on the scene and report in the event of property damage is deemed a traffic infraction under State law, punishable by a fine of up to \$250 and 15 days imprisonment.<sup>10</sup> Hit-and-runs causing physical injury can result in criminal charges ranging from a class A misdemeanor and a fine of up to \$1,000, to a class E felony and a fine of up to \$2,500.<sup>11</sup> However, if the incident causes death, a driver leaving the scene can be charged with a class D felony, which is punishable by up to seven years imprisonment and a fine of up to \$5,000.<sup>12</sup> Drivers convicted of leaving the scene of an incident where a personal injury occurred will have their license revoked.<sup>13</sup> The fines that may be imposed under State law are lower than those a driver could be subject to under Int. No. 371-A. Additionally, as the burden of proof required in an administrative proceeding to impose a civil penalty—generally a preponderance of evidence—is a lesser standard than is required in a criminal matter, it will arguably be less difficult to impose warranted penalties under the proposed local law than to successfully bring charges under State law.

Moreover, as the criminal penalties for leaving the scene of an incident are lower than that of penalties for driving while intoxicated or impaired, they may provide an incentive for some drivers to flee following an incident.<sup>14</sup> For example, a driver who leaves the scene after causing physical injury likely only faces a class A misdemeanor with a maximum penalty of one year imprisonment, but if they remained on the scene and were found to be intoxicated or impaired, could be charged with a class E felony and face four years imprisonment.<sup>15</sup> Additionally, a driver convicted of vehicular manslaughter faces a class D or C felony, while the maximum penalty for leaving the scene of an incident resulting in a death is only a class D felony.<sup>16</sup>

The State Legislature attempted to remedy some of these concerns in 2005 by making it a class D felony for a person to leave the scene of an incident resulting in a death and increasing the penalty for those who leave the scene when personal injury

results from a B misdemeanor to an A misdemeanor, but did not amend the burden of proof required in prosecuting such cases.<sup>17</sup> During its last session, the State Legislature considered numerous bills that would further equalize the penalties for driving while intoxicated or impaired and leaving the scene of an accident, though none were enacted into law.<sup>18</sup>

##### ANALYSIS

Section one of Int. No. 371-A would amend subchapter 3 of chapter one of title 19 of the Administrative Code by adding a new section 19-191. Subdivision a of the new section would state that, except as provided in New York State Vehicle and Traffic Law, any driver leaving the scene of an incident where they know or have cause to cause that damage was caused to another’s property without complying with State law—which requires that a driver stop, present his or her license, insurance information, name, and address to the party sustaining damage or report such information to nearest police station or officer as soon as physically able—would be liable for a civil penalty of no more than \$500.<sup>19</sup>

Subdivision b of new section 19-191 would state that where a driver knows or has cause to know that a physical injury<sup>20</sup> occurred and fails to comply with State law—which requires that a driver stop, present his or her license, insurance information, name, and address to the injured party and, if practical, to a police officer or if no officer is in the vicinity, to report such information to the nearest police station or officer as soon as physically able—would be liable for a civil penalty of \$1,000 to \$2,000.<sup>21</sup>

Subdivision b of new section 19-191 would go on to state that in the event of a serious physical injury,<sup>22</sup> a driver would be liable for a civil penalty of \$2,000 to \$10,000.<sup>23</sup> In the event of death, a driver would be liable for a civil penalty of between \$5,000 and \$10,000. All civil penalties set forth in subdivisions a and b of new section 19-191 would be in addition to or as an alternative to any criminal penalties assessed. Subdivisions a and b also provides that such civil penalties would be recoverable at the City Environmental Control Board. Subdivision c would state that the terms “physical injury” and “serious physical injury” would have the same meaning as set forth in State Penal Law.

Section two of Int. No. 371 would state that the local law take effect ninety days after it is enacted into law.

##### UPDATE

On September 22, 2014, the Committee on Transportation passed Int. No. 371-A by a vote of eleven in the affirmative and zero in the negative with no abstentions.

<sup>1</sup> National Highway Traffic Safety Administration, *Traffic Safety Facts* (Apr. 2014), available at <http://www.nrd.nhtsa.dot.gov/Pubs/811888.pdf>.

<sup>2</sup> N.Y.C. Council Committees on Public Safety and Transportation, Testimony of Inspector Paul Ciorra, Sept. 30, 2013, available at <http://legistar.council.nyc.gov>.

<sup>3</sup> Brad Aaron, *Hit-and-Run Drivers Killed Two People in NYC This Weekend*, Streetsblog, May 12, 2014, available at <http://www.streetsblog.org/2014/05/12/hit-and-run-drivers-killed-two-people-in-nyc-this-weekend/>; Denis Slattery, et al, *Man killed by hit-and-run driver in Brooklyn*, N.Y. DAILY NEWS, Jun. 28, 2014, available at <http://www.nydailynews.com/new-york/man-killed-hit-and-run-driver-brooklyn-article-1.1847474>; Joseph Matos and Thomas Tracy, *Man killed in hit-and-run on Queens street*, N.Y. DAILY NEWS, Aug. 18, 2014, available at <http://www.nydailynews.com/new-york/nyc-crime/man-killed-hit-and-run-queens-street-article-1.1907061>.

<sup>4</sup> Int. No. 1055-2013, L.L. 2014/055.

<sup>5</sup> *Id.*

<sup>6</sup> Res. No. 51-2014.

<sup>7</sup> N.Y. Vehicle and Traffic Law §§ 600(1) and (2).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at § 600(1)(b).

<sup>11</sup> *Id.* at § 600(2)(c).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* at § 510.

<sup>14</sup> N.Y. Vehicle and Traffic Law § 1192; John M. Annese, *11 days later, driver remains at large in Staten Island hit-run tragedy*, Feb. 23, 2012, STATEN ISLAND ADVANCE, available at [http://www.silive.com/news/index.ssf/2012/02/11\\_days\\_later\\_driver\\_remains\\_a.html](http://www.silive.com/news/index.ssf/2012/02/11_days_later_driver_remains_a.html).

<sup>15</sup> N.Y. Vehicle and Traffic Law § 1193.

<sup>16</sup> N.Y. Penal Law §§ 125.12 and 125.13.

<sup>17</sup> L.2005, c. 49, § 1, eff. May 24, 2005.

<sup>18</sup> See A.1533-2013, S.2503-2013, A.6388-2013, S.4060-2013, A.9818-2013, and S.1698-2013.

<sup>19</sup> See N.Y. Vehicle and Traffic Law § 600(1)(a).

<sup>20</sup> Physical injury has the same meaning as in Section 10.00 of N.Y. Penal Law - “impairment of physical condition or substantial pain.”

<sup>21</sup> See N.Y. Vehicle and Traffic Law § 600(2)(a).

<sup>22</sup> Serious physical injury has the same meaning as in Section 10.00 of N.Y. Penal Law - “physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.”

<sup>23</sup> See N.Y. Penal Law § 10.00.

(The following is the text of the Fiscal Impact Statement for Int. No. 371-A:)



THE COUNCIL OF THE CITY OF  
NEW YORK  
FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO.: 371-A  
COMMITTEE: Transportation

**TITLE:** 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 incident without reporting.

**Sponsor:** By Council Members Van Bramer, Rodriguez, Chin, Deutsch, King, Koo, Levine, Rose, Vallone, Mendez, Richards, Dickens, Menchaca, Garodnick, Gentile, Crowley, Levin, Ferreras, Kallos, Ulrich, Greenfield, Constantinides, and Miller

**SUMMARY OF LEGISLATION:** This legislation would amend the Administrative Code of the City of New York by adding a new section imposing civil penalties for leaving the scene of a motor vehicle incident without complying with the reporting requirements set forth in the State Vehicle and Traffic Law.

The legislation would impose a civil penalty of up to five hundred dollars for drivers who leave the scene of a motor vehicle incident involving damage to the real or personal property of another person without complying with the appropriate reporting requirements. With respect to motor vehicle incidents involving physical injury to another person, the legislation would impose a civil penalty between one thousand and two thousand dollars, and if the physical injury is a serious physical injury the penalty would be between two thousand and ten thousand dollars. With respect to motor vehicle incidents involving death, a driver who leaves the scene without complying with the appropriate reporting requirements would be subject to a penalty between five thousand and ten thousand dollars. All fines imposed under this legislation would be recoverable by the Environmental Control Board.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** FY2016

**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:** Because this legislation is intended as a deterrent to would be violators of the vehicle and traffic law, it is estimated 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

**ESTIMATED REVIEWED BY:** Nathan Toth, Deputy Director, Finance Division  
Rebecca Chasan, Assistant Counsel, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced as Intro. No. 371 by the Council on May 29, 2014 and referred to the Committee on Transportation. A hearing was held by the Committee on September 3, 2014 and the legislation was laid over. Intro. 371 was subsequently amended, and the amended version, Proposed Intro. No. 371-A will be considered by the Committee on Transportation on September 22, 2014. Upon a successful vote by the Committee, Proposed Intro. 371-A will be submitted to the full Council for a vote on September 23, 2014.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 371-A:)**

Int. No. 371-A

By Council Members Van Bramer, Rodriguez, Chin, Deutsch, King, Koo, Levine, Rose, Vallone, Mendez, Richards, Dickens, Menchaca, Garodnick, Gentile, Crowley, Levin, Ferreras, Kallos, Greenfield, Constantinides, Miller, Dromm, Lander and Ulrich.

**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 incident 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 19-191 to read as follows:

§ 19-191 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 penalties assessed thereunder, any driver who, knowing or having cause to know that damage has been caused to the real property or the personal property of another due to an incident involving the driver's motor vehicle, 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 five hundred dollars.

b. Except as provided in the vehicle and traffic law, in addition to or as an alternative to any penalties assessed thereunder, any driver who, knowing or having cause to know that physical injury has been caused to another person due to an incident involving the driver's motor vehicle, leaves the scene of an incident without complying with all of the provisions of paragraph a of subdivision two 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 less than one thousand dollars nor more than two thousand dollars, except where such injury is a serious physical injury, such driver shall be liable for a civil penalty, recoverable at the environmental control board, of not less than two thousand dollars nor more than ten thousand dollars, and where such injury results in death, such driver shall be liable for a civil penalty, recoverable at the environmental control board, of not less than five thousand dollars nor more than ten thousand dollars.

c. 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.

YDANIS A. RODRIGUEZ, *Chairperson*; DANIEL R. GARODNICK, MARGARET S. CHIN, STEPHEN T. LEVIN, JAMES G. VAN BRAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO; Committee on Transportation, September 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).

**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*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Rachel Fu	16 Eldridge Street #11 New York, N.Y. 10002	1
Dioni Dominguez	91 Ft. Washington Avenue #1A New York, N.Y. 10032	7
Sonia Polanco	1969 Amsterdam Avenue New York, N.Y. 10032	7
Vanessa I. Rivera	520 Concord Avenue #4F Bronx, N.Y. 10455	8
Rafael Martinez	2705 Bainbridge Avenue #1F Bronx, N.Y. 10458	15
Margaret McCrae	2245 Barker Avenue #B Bronx, N.Y. 10467	15
Dorothy McMoore	850 Rev. James A. Polite Avenue #6O Bronx, N.Y. 10459	17
Pamela Sage	131-06 178th Place Queens, N.Y. 11434	27
Paul Timothy Thomas	216-09 Hollis Avenue LL Queens, N.Y. 11429	27
Rose A. Williams	120-41 132nd Street Queens, N.Y. 11420	28
Diana I. Morales	78-51 80th Street	30

Rachel Buhner	Glendale, N.Y. 11385 116 South 1st Street #11 Brooklyn, N.Y. 11249	34
Sharon Joseph	869 Eastern Parkway #3B Brooklyn, N.Y. 11213	36
Deborah Rozier	1371 Linden Blvd #8C Brooklyn, N.Y. 11212	42
Zakiya Maharaj	3420 Newkirk Avenue #4D Brooklyn, N.Y. 11203	45
Jason F. Justin	1316 East 59th Street Brooklyn, N.Y. 11234	46
Erin Monahan	37 Journey Street Staten Island, N.Y. 10303	49
Virginia Doyle	415 Ellsworth Avenue Staten Island, N.Y. 10312	51
Joseph M. Noberini	1947 North Railroad Avenue Staten Island, N.Y. 10306	51

*Approved New Applicants and Reapplicants*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Karen M. Mack	500 East Houston Street New York, N.Y. 10002	2
Margaret L. Paige	331 East 29th Street #10E New York, N.Y. 10016	2
Eugene R. Daniels 3rd	JD 408 West 14th Street New York, N.Y. 10031	3
Josue Mendez Goetz	350 West 24th Street #11C New York, N.Y. 10011	3
Andrea M. Santos	57 East 97th Street #3 New York, N.Y. 10029	4
Jeffrey Hunter	521 East 82nd Street #2A New York, N.Y. 10028	5
Jeanette Rivera-Soto	345 East 94th Street #8C New York, N.Y. 10128	5
Joseph J. Velardi	60 West 75th Street #2C New York, N.Y. 10023	6
Michael S. Lopez	1809 3rd Avenue #11B New York, N.Y. 10029	8
Rosana Martinez	533 Tinton Avenue #34 Bronx, N.Y. 10455	8
Mia Phipps	420 East 105th Street #5B New York, N.Y. 10029	8
Towana Banks	2680 8th Avenue #7F New York, N.Y. 10030	9
Ralph C. Johnson	2070 A.C. Powell Blvd #11G New York, N.Y. 10027	9
Tina Johnson	159-70 Harlem River Drive #13D New York, N.Y. 10039	9
Mary R. Sailerno	20 West 115th Street #1J New York, N.Y. 10020	9
David D. Lois	3410 Paul Avenue #13A Bronx, N.Y. 10468	11
Mary Jane McNulty	3006 Middletown Road Bronx, N.Y. 10461	13
Patrick McNulty	3006 Middletown Road Bronx, N.Y. 10461	13
Carol Piecela	900 Lydig Avenue #6J Bronx, N.Y. 10462	13
Marilyn Pino	1544 Ohm Avenue Bronx, N.Y. 10465	13
Rosita Fred	2175 Morris Avenue #3D Bronx, N.Y. 10453	14
Lynn Sanchez	1505 Walton Avenue #3J Bronx, N.Y. 10452	14
Michael Bruno	590 East 166th Street #5M Bronx, N.Y. 10456	16
Michelle Florence Green	1133 Ogden Avenue #22R Bronx, N.Y. 10452	16
Richard Ortega	1420 Washington Avenue #6F Bronx, N.Y. 10456	16
Angel Quinones	3970 3rd Avenue #N1007	16

Melissa Ricks	Bronx, N.Y. 10457 1889 Sedgwick Avenue #3A Bronx, N.Y. 10453	16
Kenneth Z. Velez	1096 Jackson Avenue Bronx, N.Y. 10456	16
Mercedes Alcivar	729 Prospect Avenue #1B Bronx, N.Y. 10455	17
Janette Camacho	419 East 157th Street #24 Bronx, N.Y. 10451	17
Divina Dunlap	942 Avenue St. John #4D Bronx, N.Y. 10455	17
Simone Cherry	1439 East Avenue #7E Bronx, N.Y. 10462	18
Jacqueline Hernandez	2072 Virgil Place Bronx, N.Y. 10473	18
May Johnson	788 Metcalf Avenue #B Bronx, N.Y. 10473	18
Jose M. Jorge	2248 Story Avenue Bronx, N.Y. 10473	18
Carmela Kaatz	1240 Commonwealth Avenue Bronx, N.Y. 10472	18
Sursattie Ketwaroo	1432 Glover Street Bronx, N.Y. 10462	18
Cassandra Wilson	1651 Metropolitan Avenue #2D Bronx, N.Y. 10462	18
Maureen Coppola	15-42 208th Place Bayside, N.Y. 11360	19
John Curly	22-08 201st Street Queens, N.Y. 11360	19
Susanne Marchetti	36-40 171st Street Auburndale, N.Y. 11358	19
Debra Ann Perrone	12-20 152nd Street Queens, N.Y. 11357	19
Efrain Quintero	2820 Bell Blvd Bayside, N.Y. 11360	19
Sheila A. Cocchi	20-08 45th Street Queens, N.Y. 11105	22
Martha Kiamos	30-60 Crescent Street #2N Astoria, N.Y. 11102	22
Nelson Ness Matos	31-45 Crescent Street #5A Astoria, N.Y. 11106	22
Bruce Tifeld	224-01 Hillside Avenue Queens, N.Y. 11427	23
Kimberly Felder	166-05 Highland Avenue Queens, N.Y. 11432	24
Shakina Griffith	141-10 82nd Drive #735 Queens, N.Y. 11435	24
Edward M. Olszewski	54-67 82nd Street Queens, N.Y. 11373	25
Aida DeScartes	41-15 51st Street #B25 Queens, N.Y. 11317	26
Joseph R. Paulus	34-55 12th Street Queens, N.Y. 11106	26
Esther Joy Edwards	120-27 178th Street Queens, N.Y. 11434	27
Carolyn Stevens	112-50 205th Street St. Albans, N.Y. 11412	27
Marcelie Fortune-Murray	118-21 153rd Street Queens, N.Y. 11434	28
Shaneza Shinath	127-02 Sutter Avenue South Ozone Park, N.Y. 11420	28
Thomas Lane	111-20 76th Road 29 Forest Hills, N.Y. 1129375	29
Alexandra Schepis	72-61 113th Street #7G Queens, N.Y. 11375	29
Roman Solonyy	85-04 63rd Drive #5J Queens, N.Y. 11374	29
Judith L. Caldwell	78-44 87th Street Queens, N.Y. 11385	30
Domenico Mistretta	59-20 59th Road Maspeth, N.Y. 11378	30
Bibi Sataur-DeLuna	178 Beach 61st Street #2 Queens, N.Y. 11692	31

Flavio Colella	217-17 Rockaway Point Blvd Breezy Point, N.Y. 11697	32	Teresa Ann Rehill	Brooklyn, N.Y. 11236 1927 Batchelder Street	46
Eddey Fernandez	86-05 89th Avenue 3 Woodhaven, N.Y. 11421	32	Shirley Swift	Brooklyn, N.Y. 11229 980 East 94th Street	46
John D. Givens	86-50 Woodhaven Blvd Queens, N.Y. 11421	32	Inga Toell	Brooklyn, N.Y. 11236 202 Quenton Road #7A	46
Rosemary Espinal	202 Green Street #4 Brooklyn, N.Y. 11222	33	Xiao J. Deng	Brooklyn, N.Y. 11223 2925 West 27th Street #1630C	47
Jacob Friedman	169 Skillman Street Brooklyn, N.Y. 11205	33	Yekaterina Zaprudskiy	Brooklyn, N.Y. 11224 815 Gravesend Neck Road #4B	47
Stephanie Mleczkowski	87 Newel Street Brooklyn, N.Y. 11222	33	Abby E. Adler	Brooklyn, N.Y. 11224 501-B Surf Avenue	48
Raymond Baez	689 Seneca Avenue #10 Ridgewood, N.Y. 11385	34	Irina Dayen	Brooklyn, N.Y. 11224 501 Surf Avenue #15F	48
Valentin Lopez	3 Seigal Court Brooklyn, N.Y. 11206	34	David E. Elmaleh	Brooklyn, N.Y. 11230 1801 Ocean Avenue #7J	48
Damaris Olivieri	390 Bushwick Avenue #11H Brooklyn, N.Y. 11206	34	Eugene Huebner	Brooklyn, N.Y. 11235 2642 Brown Street	48
Francine Kenley	73 Gates Avenue #6 Brooklyn, N.Y. 11238	35	Luis S. Valentin II	Brooklyn, N.Y. 11235 302 Oceanview Avenue	48
Miriam Azeurdia	44 Marcus Garvey Blvd #2B Brooklyn, N.Y. 11206	36	Harold Weinberg	Brooklyn, N.Y. 11235 723 Hampton Avenue	48
Karen Hamilton	174 Hancock Street #1 Brooklyn, N.Y. 11216	36	Paul Bogdanov	Brooklyn, N.Y. 11235 172 Maryland Avenue	49
Ainsley Harris Jr.	469 Quincy Street Brooklyn, N.Y. 11221	36	Jacqueline Campbell	Staten Island, N.Y. 10305 301A Andros Avenue	49
Nicole Kennedy	306 Macon Street Brooklyn, N.Y. 11216	36	Billie L. Rawls	Staten Island, N.Y. 10303 247 Westwood Avenue #6A	49
Luz Rodriguez	360 Stone Avenue #5D Brooklyn, N.Y. 11212	37	Marc E. Scollar	Staten Island, N.Y. 10314 1031 Victory Blvd	49
Caitlin Schwartz	4 Fuller Place Brooklyn, N.Y. 11215	39	Allyson Wiackley	Staten Island, N.Y. 10301 563 Henderson Avenue	49
Charles W. Davis	60 Turner Place #1T Brooklyn, N.Y. 11218	40	Mary Teresa Dipaoli	Staten Island, N.Y. 10310 315 Fairbanks Avenue	50
Frank R. Dukes Jr.	358 Webster Avenue Brooklyn, N.Y. 11230	40	Irina Patka	Staten Island, N.Y. 10306 66 Adams Avenue	50
Blenda P. Emptage-Smith	50 Lefferts Avenue 42L Brooklyn, N.Y. 11225	40	Donald Pellach	Staten Island, N.Y. 10306 424 Klondike Avenue	50
Dolores Henry	125 Lenox Road #1B Brooklyn, N.Y. 11226	40	Denise A. Virga	Staten Island, N.Y. 10314 82 East Broadway	50
Janie M. Ford	180 Powell Street #1411 Brooklyn, N.Y. 11212	41	Stuart Brenker	Staten Island, N.Y. 10306 767 Klondike Avenue	51
Martha A. Harris	340 Dumont Avenue #8A Brooklyn, N.Y. 11212	41	Marie L. Ciprianno	Staten Island, N.Y. 10314 931 Carlton Blvd	51
Mary Jemison Head	546 Decatur Street Brooklyn, N.Y. 11233	41	Gideon Davis	Staten Island, N.Y. 10312 19 Kathy Place #1A	51
Shie Morozow	565 Maple Street #2 Brooklyn, N.Y. 11203	41	Paul V. DiStefano	Staten Island, N.Y. 10314 139 Hereford Street	51
Sentrail M. Joy	594-1 Louisiana Avenue Brooklyn, N.Y. 11239	42	Sophia Froncilo	Staten Island, N.Y. 10308 142 Kelvin Avenue	51
Evelyn McLeod	502 Bradford Street Brooklyn, N.Y. 11207	42	Rita Mahler	Staten Island, N.Y. 10306 596 Annadale Road	51
Nettie Morgan	735 Pennsylvania Avenue Brooklyn, N.Y. 11207	42	Aurora Russo	Staten Island, N.Y. 10312 30 Crown Place	51
Lucille L. Flood	75 73rd Street Brooklyn, N.Y. 11209	43	Gail M. Temborski	Staten Island, N.Y. 10312 63 Ashton Drive	51
Maria Paulucci-Shammas	933 80th Street Brooklyn, N.Y. 11228	43		Staten Island, N.Y. 10312	
Lizzette Sierra	1260 Bayridge Pkwy Brooklyn, N.Y. 11228	43			
Erika Stafford	365 87th Street Brooklyn, N.Y. 11209	43			
Batya Levy	1628 East 7th Street Brooklyn, N.Y. 11230	44			
Madelyn Morales	1535 West 2nd Street Brooklyn, N.Y. 11204	44			
Aleksandra Volina	618 Ocean Pkwy #C1 Brooklyn, N.Y. 11218	44			
Yves David	2603 Avenue D Brooklyn, N.Y. 11226	45			
Charles Febbraio	2465 Stuart Street #1 Brooklyn, N.Y. 11229	46			
Helen Holloway	028 East 103rd Street	46			

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 148 & Res 423 -** Transfer City funds between various agencies in fiscal year 2015 to implement changes to the City's expense budget (MN -2).
- (2) **Int 129-A --** Remedies for breach of the duty of an owner to refrain from harassment of tenants.
- (3) **Int 371-A --** Civil penalties for leaving the scene of an incident without reporting.

- (4) **Int 472-A --** In relation to technical corrections and clarification of provisions of the New York City construction codes.
- (5) **Int 474 --** Extending the effective date for the 2014 revisions to the New York city construction codes.
- (6) **Res 415 --** Authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx.
- (7) **Res 416 --** Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).
- (8) **L.U. 110 & Res 425 -** App. **20145612 TCM**, unenclosed sidewalk café 24 Fifth Avenue, Borough of Manhattan, Community District 2, Council District 3.
- (9) **Resolution approving various persons Commissioners of Deeds.**

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

**Affirmative** – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, 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 **LU No. 110 & Res No. 425**:

**Affirmative** – Arroyo, Barron, 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, Mealy, Menchaca, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

**Negative** – Mendez – **1**.

**Abstention** – Gentile – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 129-A, 371-A, 472-A, and 474.*

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. 380-A

**Report of the Committee on Health in favor of approving, as amended, a Resolution recognizing September as Ovarian Cancer Awareness Month in New York City.**

The Committee on Health, to which the annexed amended resolution was referred on August 21, 2014 (Minutes, page 3110), respectfully

**REPORTS:**

**I. INTRODUCTION**

On September 22, 2014, the Committee on Health, chaired by Council Member Corey Johnson, will hold a vote on Proposed Res. No. 380-A, which would recognize September as Ovarian Cancer Awareness Month in New York City. The Health Committee held a hearing on this resolution on September 18, 2014.

**II. PROPOSED RES. NO. 380-A**

The proposed resolution would state that almost 22,000 women will receive a new diagnosis of ovarian cancer and over 14,000 women will die from ovarian cancer in the United States in 2014, according to estimates by the American Cancer Society (ACS). The proposed resolution would note that ovarian cancer ranks fifth in cancer deaths among women, accounting for more deaths than any other cancer of the female reproductive system. The proposed resolution would state that a woman's risk of getting ovarian cancer during her lifetime is about 1 in 73 and her lifetime chance of dying from ovarian cancer is about 1 in 100. The proposed resolution would state that there are currently no reliable screening tests for ovarian cancer and researchers are continuing to look for new tests to help diagnose ovarian cancer early. The proposed resolution would state that the National Ovarian Cancer Coalition has found that ovarian cancer often goes undetected until advanced stages and only 20% of ovarian cancers are found at an early stage. The proposed resolution would also state that about 94% of patients live longer than 5 years after diagnosis when ovarian cancer is found early at a localized stage, according to ACS. The proposed resolution would state that awareness of symptoms is key to early detection and increased chances of survival. The proposed resolution would note that President Barack Obama, as well as former President George W. Bush, has proclaimed September National Ovarian Cancer Awareness Month every year of his presidency. Finally, the proposed resolution would recognize September as Ovarian Cancer Awareness Month in New York City.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Res. No. 380-A:)**

Res. No. 380-A

**Resolution recognizing September as Ovarian Cancer Awareness Month in New York City.**

By Council Member Espinal, Arroyo, Chin, Constantinides, Deutsch, Eugene, Gentile, Gibson, Johnson, Koo, Levin, Mendez, Richards, Koslowitz, Williams, Rose, Maisel, Cohen, Barron, Dromm, Kallos, Lander, Mealy, Van Bramer and Rodriguez.

**Whereas**, The American Cancer Society (ACS) estimates that almost 22,000 women will receive a new diagnosis of ovarian cancer and over 14,000 women will die from ovarian cancer in the United States in 2014; and

**Whereas**, Ovarian cancer ranks fifth in cancer deaths among women, accounting for more deaths than any other cancer of the female reproductive system; and

**Whereas**, According to ACS, a woman's risk of getting ovarian cancer during her lifetime is about 1 in 73 and her lifetime chance of dying from ovarian cancer is about 1 in 100; and

**Whereas**, Currently there are no reliable screening tests for ovarian cancer and researchers are continuing to look for new tests to help diagnose ovarian cancer early; and

**Whereas**, The National Ovarian Cancer Coalition has found that ovarian cancer often goes undetected until advanced stages and only 20% of ovarian cancers are found at an early stage; and

**Whereas**, When ovarian cancer is found early at a localized stage, about 94% of patients live longer than 5 years after diagnosis, according to ACS; and

**Whereas**, Awareness of symptoms is key to early detection and increased chances of survival; and

**Whereas**, President Barack Obama, as well as former President George W. Bush, has proclaimed September National Ovarian Cancer Awareness Month every year of his presidency; now, therefore, be it

**Resolved**, That the New York City Council recognizes September as Ovarian Cancer Awareness Month in New York City.

COREY D. JOHNSON, *Chairperson*; MARIA del CARMEN ARROYO, ROSIE MENDEZ, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, INEZ D. BARRON, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr.; Committee on Health, September 22, 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. 477

By Council Members Barron, Dromm, Arroyo, Chin, Constantinides, Dickens, Gentile, Johnson, Koo, Levine, Mendez and Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to evictions of elderly tenants.**

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

§ 2. This local law shall take effect ninety days after its enactment into law, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 478

By Council Members Constantinides and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring photovoltaic systems for city-owned buildings.**

Section 1. The title of section 4-207 of the administrative code of the city of New York, as added by local law number 1 for the year 2007, is amended to read as follows:

§ 4-207 Assessment of certain clean on-site power generation technologies.

§2. Section 4-207 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

§3. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings

Int. No. 479

By Council Members Crowley, Chin and Gentile.

**A Local Law to amend the New York city charter in relation to increasing the eligibility of projects for a waiver of the art commission's approval.**

Section 1. Subdivision f of section 854 of the New York city charter is amended to read as follows:

f. In the case of any building or other structure that is part of a construction or other project, where the total estimated cost of such project shall not exceed [one] million dollars, the approval of the commission pursuant to this section shall not be required if the mayor or the council shall in writing request the commission not to act. Nothing in this section shall be construed as intended to impair the concurrent power of the commissioner of parks and recreation to refuse his or her consent to the erection or acceptance of any public monument or memorial or other work of any sort within any park, square or other public place under his jurisdiction.

§2. This local law shall take effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 480

By Council Members Ferreras and Torres (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Fordham Road business improvement district, extension of the Fordham Road business improvement district, and amending the district plan of the Fordham Road business improvement district to change the method of assessment upon which the district charge is based.**

§ 1. Subdivision a of section 25-464.1 of the administrative code of the city of New York, as added by local law number 9 for the year 2012, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Fordham Road business improvement district beginning on July 1, [2011] , and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [six hundred twenty-five thousand dollars (\$625,000)] .

§ 2. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-464.2 to read as follows:

§ 3. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-464.3 to read as follows:

§ 4. This local law shall take effect immediately and shall be retroactive to and deemed to have been in full force and effect as of July 1, 2014; provided that section two of this local law shall take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York and shall be retroactive to and deemed to have been in full force and effect as of July 1, 2014.

Referred to the Committee on Finance.

Preconsidered Res. No. 415

**Resolution concerning authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx, the extension of the Fordham Road Business Improvement District, and amendments to the District Plan of the Fordham Road Business Improvement District to change the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Fordham Road Business Improvement District.**

By Council Member Ferreras and Torres.

**Whereas**, Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated February 3, 2004, provided for the preparation of a district plan (“the Original Plan”) for the Fordham Road Business Improvement District (“the District”) in the Borough of the Bronx; and

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

**Whereas**, Pursuant to authority granted by the Law, the District was established by Local Law No. 61 for the year 2004; and

**Whereas**, Pursuant to Section 25-410(b) of the Law, an amendment to the District Plan that provides for any change in the method of assessment upon which the district charge is based or an increase in the amount to be expended annually may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such changes and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such changes; and

**Whereas**, The District wishes to increase the amount to be expended annually in the District to \$670,000 beginning on July 1, 2014, to extend the District, and to amend the District Plan in order to change the method of assessment upon which the district charge is based; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted an amended District Plan (“the Amended Plan”) for the District to the City Planning Commission (“the CPC”) on April 22, 2014; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the City Council on April 23, 2014; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Council Member representing the council district in which the proposed extended district is located on April 23, 2014; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the community boards for the community districts in which the proposed extended district is located (Bronx Community Boards 5, 6, and 7, hereinafter “the Community Boards”) on April 23, 2014 (to Bronx Community Boards 5 and 6) and April 24, 2014 (to Bronx Community Board 7); and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Bronx Borough President on April 23, 2014; and

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

**Whereas**, Pursuant to section 25-405(c) of the Law, Bronx Community Boards 5 and 7, not containing any portion of the proposed extension, elected not to hold a public meeting and in the alternative submitted letters in support of the proposed extension of the District; and

**Whereas**, Pursuant to section 25-405(c) of the Law, Bronx Community Board 6 (containing the proposed extension of the District) conducted a public hearing on May 14, 2014; and

**Whereas**, On May 14, 2014, Community Board 6 voted to approve the extension of the District; and

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

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

**Whereas**, Pursuant to section 25-405(c) of the Law, a copy of the CPC’s report, the Original Plan, and the Amended Plan were transmitted for filing with the City Clerk on July 15, 2014; and

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

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

**Whereas**, Pursuant to Section 25-406(b) of the Law, any owner of real property, deemed benefited and therefore within the proposed extended district, objecting to the Amended Plan must file an objection at the Office of the City Clerk within thirty

days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

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

**Resolved**, That the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that October 7, 2014 is the date and 10:00 a.m. is the time and the City Council Committee Meeting Room, 2nd Floor, City Hall is the place for a public hearing (“the Public Hearing”) to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually in the District, extension of the District, and a change in the method of assessment upon which the district charge in the District is based; and be it further

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

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

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

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

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 416

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

By Council Member Ferreras.

**Whereas**, On June 26, 2014 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

**Whereas**, On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the “Fiscal 2014 Expense Budget”); and

**Whereas**, On June 28, 2012, the 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, Fiscal 2014, and 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013, Fiscal 2014, and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; 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 2015 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 2015 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

**Resolved**, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the Initiative to Address Sexual Assault in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Service Enhancements Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 12; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the SCO Family of Services/Center for Family Life Worker Cooperatives Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 13; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Job Readiness Programs Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 14; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Violence Prevention, Conflict Mediation, and Youth Development Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 15; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 16; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the HIV/AIDS Communities of Color Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 17; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Reduction Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 18; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 19; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Community Consultants Contracts Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 20; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Industrial Business Solutions Providers Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 21; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Small Business/Job Development/Financial Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 22; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Community-Based Programs in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 23; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 24; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Unaccompanied Minor Child Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 25; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Neighborhood Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 26; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Elder Abuse Programs Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 27; and be it further;

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 28; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 29; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 30; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 31; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 32; and be it further

**Resolved**, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 33; and be it further

**Resolved**, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local funding and funding for certain initiatives in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 34; and be it further

**Resolved**, That the City Council approves the new description for the Description/Scope of Services for a certain organization receiving local funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 35.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 416 printed in these Minutes).

Int. No. 481

By Council Members Greenfield, Arroyo, Barron, Gentile, Koo, Rodriguez and Mendez.

**A Local Law to amend the administrative code of the City of New York, in relation to food allergy awareness in food service establishments.**

Section 1. Section 17-195 of title seventeen of the administrative code of the city of New York is amended to read as follows:

§ 17-195[.] Food allergy posters. a. Definitions. 1. "Covered languages" shall mean Chinese, English, Korean, Russian and Spanish, and any other language determined by the department.

2. "Food service establishment" shall have the meaning as such term is defined in section 81.03 of the health code of the city of New York, except that it shall apply exclusively to restaurants where food is sold and space is designated specifically as an eating area.

b. The department shall create a poster containing information on food allergy to be posted in food service establishments. Such poster shall be printed in the covered languages and shall be made available by the department to food service establishments.

c. Every food service establishment shall post, in accordance with the rules of the department, the poster containing information on food allergy created by the department pursuant to subdivision b of this section in a conspicuous location accessible to all employees involved in the preparation of food and the service of food.

d. The department may charge a fee to cover printing, postage and handling expenses in connection with making the poster available to food service establishments.

e. Any food service establishment that violates subdivision c of this section or any of the rules promulgated thereunder shall be liable for a civil penalty not to exceed one hundred dollars for each violation.

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

Referred to the Committee on Health.

Res. No. 417

**Resolution recognizing and commemorating January 13th as Korean American Day in the City of New York.**

By Council Members Koo, Arroyo, Barron, Chin, Dickens, Gentile, Gibson, Johnson, Mendez, Richards, Vallone and Cohen.

**Whereas**, In December 1902, 56 men, 21 women and 25 children left Korea and traveled across the Pacific Ocean on the SS Gaelic, landing in Honolulu, Hawaii on January 13, 1903; and

**Whereas**, The early Korean American community was united around the common goal of obtaining independence for their colonized mother country; and

**Whereas**, Furthermore, in the early 1950's, thousands of Koreans, fleeing from war, poverty and political repression, came to the United States seeking opportunities; and

**Whereas**, Korean Americans, like waves of immigrants that came to the United States before them, have taken root and thrived in the United States through strong family ties, community support and hard work; and

**Whereas**, According to the 2010 United States Census, there are over 1.4 million Korean Americans living in the United States; and

**Whereas**, According to the latest United States Census data, Korean Americans own and operate 192,465 business in the country, with an estimated revenue of \$78.6 billion annually; and

**Whereas**, Furthermore, there are 23,948 Korean-owned businesses in New York State, which has the second largest number of Korean-owned businesses in the United States with an estimated revenue of \$7.7 billion annually; and

**Whereas**, Korean Americans have made tremendous contributions to all sectors of our society, such as law, government, the visual and performing arts, business, academia, medicine and science, including the development of the first beating heart operation for coronary artery disease; and

**Whereas**, Additionally, members of the Korean American community have served with distinction in the Armed Forces of the United States; and

**Whereas**, New York City, in particular, has been culturally and socially enriched as a result of the many contributions of its vibrant Korean American community; and

**Whereas**, According to the 2010 United States Census, there are an estimated 96,741 New York City residents of Korean descent; and

**Whereas**, On January 13, 2014, the Congressional Asian Pacific American Caucus (CAPAC), including Congresswoman Grace Meng and Congressman Charles Rangel, celebrated Korean American Day in recognition of the 111th anniversary since Korean immigrants first arrived to the United States; and

**Whereas**, The triumphs and unwavering efforts of dedicated individuals have advanced the Korean American community and the community-at-large through outstanding advocacy, sterling achievement and an unfaltering dedication to societal well-being; now, therefore, be it

**Resolved**, That the Council of the City of New York recognizes and commemorates January 13th as Korean American Day in the City of New York.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 418

**Resolution calling upon the New York State Legislature and the Governor to expand the Compassionate Care Act, which legalized the medicinal use of marijuana.**

By Council Members Levine, Arroyo, Barron, Chin, Johnson, Mendez, Richards, Rodriguez and Cohen.

**Whereas**, On July 7, 2014, New York Governor Andrew Cuomo signed into law the Compassionate Care Act (CCA), making New York the 23<sup>rd</sup> state to legalize medicinal marijuana; and

**Whereas**, This law recognizes and affirms progress in the medical community concerning the therapeutic value of medicinal marijuana; and

**Whereas**, The CCA is a historic step forward in providing vital medical assistance to New Yorkers suffering from debilitating and life-threatening medical conditions, such as cancer, HIV/AIDS, amyotrophic lateral sclerosis (ALS), Parkinson's Disease, multiple sclerosis, spinal cord damage, inflammatory bowel disease (Crohn's Disease), neuropathies, and Huntington's Disease; and

**Whereas**, However, the CCA has several restrictions that unnecessarily burden those in the most need from obtaining and using medicinal marijuana in an effective and timely way; and

**Whereas**, The CCA prohibits patients from choosing to administer their medicinal marijuana through smoking, leaving options such as edibles, oils, and vaporization up to the discretion of the New York State Department of Health (DOH); and

**Whereas**, Administering medicinal marijuana through vapor requires the purchase of a vaporizer unit, which can cost hundreds of dollars, and thus be prohibitively expensive for patients desperately in need; and

**Whereas**, Smoking medicinal marijuana provides rapid and efficient delivery, according to a 2012 report authored by researchers at the Center for Medicinal Cannabis Research, University of California, San Diego, published in The Open Neurological Journal; and

**Whereas**, Smoking medicinal marijuana has not been proven to impair lung function, according to the Coronary Artery Risk Development in Young Adults

(CARDIA) report, a twenty-year longitudinal study published in the Journal of the American Medical Association in January 2012; and

**Whereas**, Of the 22 other states that have legalized medicinal marijuana, Minnesota is the only other state to have banned smoking; and

**Whereas**, Based on evidence of its effectiveness and cost considerations, the CCA should be amended to allow physicians the ability to choose the method of administering medicinal marijuana, including the option of smoking it; and

**Whereas**, The CCA does not include debilitating and severe medical conditions such as Alzheimer's Disease, muscular dystrophy, dystonia, post-traumatic stress disorder, and rheumatoid arthritis, that are among the top medical conditions for which medicinal marijuana is prescribed; and

**Whereas**, The CCA gives DOH an 18-month period of consideration for the admission of these diseases; and

**Whereas**, Therefore, the Compassionate Care Act should be expanded immediately to include Alzheimer's Disease, muscular dystrophy, dystonia, post-traumatic stress disorder, and rheumatoid arthritis; and

**Whereas**, An interim emergency access program should be implemented that would expedite medicinal marijuana approval and delivery mechanisms to bring faster relief to patients in urgent need and under dire threat of serious medical consequences; and

**Whereas**, The CCA permits only five organizations a total of 20 dispensaries (four each) to produce and dispense medicinal marijuana to the entire geographic region of New York State, which is among the nation's largest, most densely populated state; and

**Whereas**, Acknowledging New York State's geographic size and population, the CCA should be amended to allow for a greater number of authorized medicinal marijuana suppliers and also increase the corresponding dispensary limit; and

**Whereas**, According to New York Physicians for Compassionate Care, a coalition of over 600 New York physicians, medicinal marijuana is more tightly regulated than any other medication, including more dangerous medications that are routinely prescribed; and

**Whereas**, Expanding the CCA will ensure patients find the relief they need by removing hurdles to obtaining a necessary medicine prescribed by their doctor; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature and the Governor to expand the Compassionate Care Act, which legalized the medicinal use of marijuana.

Referred to the Committee on Health.

Int. No. 482

By Council Members Maisel, Chin and Mendez.

**A Local Law to amend the administrative code of the city of New York, in relation to banning the sale of products advertised or labeled as bluefin tuna.**

Section 1. Section 20-698 of the administrative code of the city of New York, as added by local law number 55 for the year 2004, is amended to read as follows:

§ 20-698 Definitions. Whenever used in this subchapter: a. "Endangered or threatened species" [shall mean] any fish or wildlife family, genus, species, subspecies or population that is designated by or pursuant to New York law as endangered or threatened.

b. "Fish or wildlife" [shall mean] any member of the animal kingdom, including without limitation any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod or other invertebrate, and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof.

c. "Population" [shall mean] a group of fish or wildlife of the same species or subspecies inhabiting a defined geographical area.

§2. Section 20-699 of the city of New York, as added by local law number 55 for the year 2004, is amended to read as follows:

§ 20-699 Prohibition. a. Except with a federal or state permit or license or under any exception under federal or state law, it shall be unlawful to buy or sell, offer or attempt to buy or sell, or cause any person to buy or sell:

(1) any product, item, or substance described in an offer for sale, labeled, or advertised as derived from any endangered or threatened species, or described in an offer for sale, labeled, or advertised as containing any substance derived from any endangered or threatened species; or

(2) any product, item, or substance that is intended for human consumption or application and is described in an offer for sale, labeled, or advertised as derived from any [species of] rhinoceros [or] tiger, or described in an offer for sale, labeled, or advertised as containing any substance derived from any [species of] rhinoceros [or] tiger ; or

(3) any species described in an offer for sale, labeled, or advertised as any endangered or threatened species.

b. It shall be unlawful to include false or misleading information in any offer for sale, label, or advertisement for any endangered or threatened species or any product, item, or substance derived from or containing any substance derived from any endangered or threatened species. For the purposes of this subchapter, any omission of or failure to state a material fact shall be considered inclusion of false or misleading information.

c. The prohibitions of this subchapter shall apply to any offer for sale, label or advertisement that refers to any endangered or threatened species by its common

name or by its scientific name.

§3. This local law shall take effect one hundred twenty days after its enactment, except that the commissioner of consumer affairs shall take all actions necessary to implement this local law, including the promulgation of rules, on or before the dates upon which the provisions of this local law shall take effect.

Referred to the Committee on Consumer Affairs.

Res. No. 419

**Resolution declaring May 25<sup>th</sup> as Missing Persons Day in New York City.**

By Council Members Miller, Arroyo, Barron, Chin, Gentile, Gibson, Johnson, Koo, Mendez, Richards, Rodriguez, Vallone and Cohen.

**Whereas**, In 1983, President Ronald Reagan declared May 25th as National Missing Children's Day; a day honoring the valiant efforts of the various organizations and individuals committed to protecting children; and

**Whereas**, According to the U.S. Department of Justice, approximately 800,000 children under the age of 18 are reported missing in the United States each year; and

**Whereas**, While children account for the vast majority of missing person reports, according to the Federal Bureau of Investigation (FBI), approximately 164,300 adults were reported missing in 2012; and

**Whereas**, Although there are times where adults simply choose to leave without telling anyone, adults suffering from mental illness, Alzheimer's disease and senility are particularly susceptible to becoming lost or disoriented; and

**Whereas**, According to the FBI, the number of missing persons has increased dramatically since 1980 when approximately 150,000 people were reported missing; and

**Whereas**, As the nation focuses on missing children New York City should join that effort but also recognize the significant number of adults who are also reported missing; and

**Whereas**, This broader recognition would highlight the fact that a significant number of adults in New York City and across the nation are reported missing each year, honor the efforts of those who work to ensure they are returned home safely and make sure policies are in place that maximize the effort to search for those who are lost; and

**Whereas**, Out of respect for the families in New York City and beyond whose adult loved ones are missing in conjunction with Missing Children's Day, New York City should declare May 25<sup>th</sup> Missing Persons Day; now, therefore, be it

**Resolved**, That the Council of the City of New York declares May 25<sup>th</sup> as Missing Persons Day in New York City.

Referred to the Committee on Public Safety.

Res. No. 420

**Resolution calling on the New York State Legislature to pass S.7404/A.8961 and the Governor to sign such legislation into law, which would amend the New York State Executive Law in order to strengthen the State's efforts to find missing people, which includes both children and adults.**

By Council Members Miller, Arroyo, Barron, Chin, Dickens, Gentile, Gibson, Johnson, Koo, Levine, Mendez, Richards, Rodriguez, Cohen and Ulrich.

**Whereas**, Every year many aggrieved family members seek the assistance of the police to locate a loved one by filing a missing person report; and

**Whereas**, In New York City, the New York City Police Department's current procedure requires an immediate investigation of a person reported missing who fits certain criteria, among them, someone who is: (i) under 18 years of age or above 65 years old, (ii) mentally or physically impaired, (iii) disabled, (iv) absent in a "unique/unusual" case; or (v) absent under circumstances indicating unaccountable or involuntary disappearance; and

**Whereas**, If a person does not fit into one of the enumerated categories, an immediate investigation is not required; and

**Whereas**, According to the Federal Bureau of Investigation ("FBI"), approximately 661,593 persons went missing in 2012; and

**Whereas**, Although the majority of missing cases are children, according to the FBI, 164,266 out of the 661,593 persons who went missing in 2012 were adults; and

**Whereas**, There are many examples of missing adults for which a rapid and collective response when they first went missing was warranted, and may have helped return the missing person home safely; and

**Whereas**, In one such case, Lamont Dottin went missing on October 18th, 1995 in Queens, New York; and

**Whereas**, Lamont's mother, Dr. Arnita Fowler, searched for her son and sought assistance from the police shortly after he went missing; and

**Whereas**, According to radio station WFUV, the police would not file a missing person report when his mother first reported him missing because Mr. Dottin was 21 years old, ; and

**Whereas**, By the time police filed a missing person report, Lamont's unidentified body had been found and transported to Potter's field cemetery where the poor and unknown are buried; leaving his mother to search for him for five more years until she found out that his body was found shortly after she first reported him missing; and

**Whereas**, In an effort to strengthen New York's procedures and protocols regarding missing people, Senator James Sanders and Assembly Member William Scarborough introduced S.7404 and A.8961, respectively, also known as Lamont Dottin's Law; and

**Whereas**, S.7404/A.8961 would require the Division of Criminal Justice Services to confer with the Division of State Police and other relevant agencies to create and implement a uniform plan for searching for missing persons; and

**Whereas**, The plan would require that once a police officer, peace officer or police agency verifies a report of a missing person vital information needed to search for the missing person such as their name and their description and would be transmitted over the police communication system to local, state, and federal agencies; and

**Whereas**, However, the plan would provide an exemption making it optional to transmit such information if doing so might put the person or the investigation in danger; and

**Whereas**, Under Lamont Dottin's law, there will no longer be a presumption that persons between the ages of 19 and 64 are not missing; and

**Whereas**, The law would expand the missing and exploited clearinghouse database to include adults; and

**Whereas**, The law would also require morgues in the state and pauper cemeteries to establish and maintain computerized data on all identified and non-identified persons; and

**Whereas**, Furthermore, the law would require police departments to create a new position for a missing person specialist who would be responsible for meeting with the missing person's family, provide training to officers and work closely with the police department's missing person unit; and

**Whereas**, New York State should ensure that all missing people, regardless of age, are searched for expeditiously and reunited with their loved ones; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the New York State Legislature to pass S.7404/A.8961 and the Governor to sign such legislation into law, which would amend the New York State Executive Law in order to strengthen the State's efforts to find missing people, which includes both children and adults.

Referred to the Committee on Public Safety.

Int. No. 483

By Council Members Rosenthal, Barron, Chin, Gentile, Koo, Levine, Mendez, Rodriguez, Vallone and Ulrich.

**A Local Law to amend the administrative code of the city of New York, in relation to the provision of e-mail notifications for construction project status updates.**

Section 1. Article 103 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-103.24 to read as follows:

§ 2. This local law shall take effect ninety days after it is enacted.

Referred to the Committee on Housing and Buildings.

Res. No. 421

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would require the Metropolitan Transportation Authority to notify the public of bed bug infestations in the subway and bus systems.**

By Council Members Treyger, Ulrich, Barron, Constantinides, Gibson, Johnson, Kallos, King, Koo, Mendez, Richards and Rodriguez.

**Whereas**, Numerous reports of bed bugs being found in the New York City subway system were published in August and September 2014; and

**Whereas**, On September 20, 2014, the *Daily News* reported that there were 21 bed bug sightings during the month of August 2014, affecting the A, L, N, Q, 3, 4, 5, and 6 subway lines; and

**Whereas**, The same report indicated that at least 4 trains had been taken out of service due to bed bug sightings during a one-week period in early September 2014; and

**Whereas**, The Metropolitan Transportation Authority (MTA) confirmed that 16 trains were fumigated in August 2014 after bed bugs were found on board; and

**Whereas**, On September 1, 2014 a B44 bus was taken out of service after customers fled the bus due to an alleged bed bug sighting; and

**Whereas**, Bed bugs feed on blood and can cause significant itchiness and discomfort; and

**Whereas**, Customers and employees can unknowingly carry bed bugs home, leading to disruptive infestations which are expensive to eliminate and a serious burden on working families; and

**Whereas**, The MTA should inform the public of bed bug infestations in a timely manner so that both its customers and its employees can make informed decisions and take appropriate precautions; 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 require the Metropolitan Transportation Authority to notify the public of bed bug infestations in the subway and bus systems.

Referred to the Committee on Transportation.

Int. No. 484

By Council Members Vacca, Barron, Constantinides, Gentile, Johnson, Kallos, Koo, Richards, Rodriguez, Vallone and Cohen.

**A Local Law to amend the administrative code of the city of New York, in relation to banning smoking in the common areas of all multiple dwellings.**

Section 1. Subdivisions m and p of section 17-502 of the administrative code of the city of New York are amended to read as follows:

m. "Place of employment" means any indoor area or portion thereof under the control of an employer which employees normally frequent during the course of employment and which is not generally accessible to the public, including, but not limited to, private offices, work areas, employee lounges and restrooms, conference and class rooms, employee cafeterias, employee gymnasiums, auditoriums, libraries, storage rooms, file rooms, mailrooms, employee medical facilities, rooms or areas containing photocopying or other office equipment used in common by employees, elevators, stairways and hallways. A private residence is not a "place of employment" within the meaning of this subdivision, except that areas in a private residence where a child day care center or health care facility is operated during the times when employees are working in such child day care center or health care facility areas and areas in a private residence which constitute common areas of a multiple dwelling [containing ten or more dwelling units,] are "places of employment" within the meaning of this subdivision.

p. "Public place" means any area to which individuals other than employees are invited or permitted, including, but not limited to, banks, educational facilities, health care facilities, child day care centers, children's institutions, shopping malls, property owned, occupied or operated by the city of New York or an agency thereof, public transportation facilities, reception areas, restaurants, catering halls, retail stores, theaters, sports arenas and recreational areas and waiting rooms. A private residence is not a "public place" within the meaning of this subdivision, except that areas in a private residence where a child day care center or health care facility is operated during the times of operation and areas in a private residence which constitute common areas of a multiple dwelling [containing ten or more dwelling units,] are "public places within the meaning of this subdivision.

§2. Paragraph 13 of section 17-503 of the administrative code of the city of New York is amended to read as follows:

13. Places of meeting or public assembly during such time as a meeting open to the public is being conducted for educational, religious, recreational, or political purposes, but not including meetings conducted in private residences, unless such meetings are conducted in an area in a private residence where a child day care center or health care facility is operated during the times of operation or in an area which constitutes a common area of a multiple dwelling [containing ten or more dwelling units].

§3. Subdivision b of section 17-505 of the administrative code of the city of New York is amended to read as follows:

b. Private residences, except any area of a private residence where a child day care center or health care facility is operated (i) during the times of operation or (ii) during the times when employees are working in such child day care center or health care facility areas; provided, however, that a common area of a multiple dwelling [containing ten or more dwelling units] shall be subject to smoking and electronic cigarette restrictions.

§4. Subdivision c of section 17-507 of the administrative code of the city of New York is amended to read as follows:

c. With respect to a public place or place of employment, the operator or employer shall inform, or shall designate an agent who shall be responsible for informing, individuals smoking, or using electronic cigarettes, in restricted areas that they are in violation of this local law; provided, however, that the obligations under this subdivision with respect to an operator of a multiple dwelling [containing ten or more dwelling units] shall be limited to (i) those multiple dwellings where an agent is on duty and (ii) designating such agent to be responsible for informing individuals smoking, or using electronic cigarettes, in restricted common indoor areas where such agent is on duty, during the times such agent is on duty, that such individuals are in violation of this local law.

§5. Subdivision a of section 17-508 of the administrative code of the city of New York is amended to read as follows:

a. It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of premises in which smoking, and using electronic cigarettes, are prohibited or restricted pursuant to this chapter, or the designated agent thereof, to (i) provide a room designated for smoking, or using electronic cigarettes, including, but not limited to, a separate smoking room, room for using electronic cigarettes or an enclosed room, which fails to comply with the provisions of this chapter; provided, however, that the obligations of an owner or building manager of a building (where such owner or building manager of a building in which a public place is located is not the operator or employer of such public place) with respect to such a room shall be limited to work authorized by any permits necessary to perform construction obtained by the owner or his or her agent; (ii) fail to post the signs required by section 17-506; (iii) fail to remove ashtrays as required by subdivision d of section 17-506; or (iv) fail

to make a good faith effort to comply with subdivisions c, d and e of section 17-507. In actions brought for violations of this subdivision, the following shall be affirmative defenses: (i) that during the relevant time period actual control of the premises was not exercised by the respondent or a person under the control of the respondent, but rather by a lessee, sublessee or any other person; provided, however, that after receiving the notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that he or she has not exercised actual control during the relevant time period; (ii) that a person smoking, or using an electronic cigarette, in any area where smoking, and using electronic cigarettes, are prohibited pursuant to section 17-503 was informed by a person who owns, manages, operates or otherwise controls the use of such premises, or the designated agent thereof, that such person smoking, or using an electronic cigarette, is in violation of this local law and that such person who owns, manages, operates or otherwise controls the use of such premises has complied with all applicable provisions of this chapter during the relevant time period; provided, however, that after receiving notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that respondent informed the person smoking, or using an electronic cigarette, in any area where smoking, and using electronic cigarettes, are prohibited pursuant to section 17-503 that such person was in violation of this local law and that respondent has complied with all applicable provisions of this chapter during the relevant time period; or (iii) that a person smoking, or using an electronic cigarette, in any restricted common indoor area where smoking, and using electronic cigarettes, are prohibited pursuant to section 17-503 was not informed by the owner or building manager of the premises (where such owner or building manager of a building in which a public place or a place of employment is located is not the operator or employer of such public place or place of employment) or by the operator of a multiple dwelling [containing ten or more dwelling units] that such person smoking, or using an electronic cigarette, is in violation of this local law because such owner, building manager or operator did not have a designated agent on duty when such person was smoking, or using an electronic cigarette, and that such owner or building manager has, where applicable, complied with the mailing of a notice required pursuant to subdivision e of section 17-507; provided, however, that after receiving notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that a person smoking, or using an electronic cigarette, in any restricted common indoor area where smoking, and using electronic cigarettes, are prohibited pursuant to section 17-503 was not informed by the respondent that such person smoking, or using an electronic cigarette, is in violation of this local law because the respondent did not have a designated agent on duty when such person was smoking, or using an electronic cigarette, and that the respondent has, where applicable, mailed the notice required pursuant to subdivision e of section 17-507.

§6. This local law shall take effect one hundred and eighty days after its enactment into law.

Referred to the Committee on Health.

Int. No. 485

By Council Members Vallone, Johnson, Arroyo, Chin, Constantinides, Koo, Lancman, Levine, Mendez, Rodriguez, Vacca, Ferreras, King, Cohen, Deutsch, Barron, Palma, Dromm, Koslowitz, Gentile, Dickens and Ulrich.

**A Local Law to amend the administrative code of the city of New York, in relation to animal shelters.**

Section 1. Section 17-803 of the administrative code of the city of New York, as added by local law number 26 for the year 2000 and last amended by local law number 59 for the year 2011, is amended to read as follows:

§ 17-803 Animal shelters.

a. A full-service shelter shall be maintained and operated in each [of three boroughs] of the city of New York. At least one of the full-service shelters shelter shall be open to the public for the purpose of receiving animals twenty-four hours per day, seven days per week.

b. [Facilities to receive lost, stray or homeless dogs and cats from the public shall be maintained seven days per week, twelve hours per day in those boroughs of the city in which there is not a full-service shelter.

c.] Field services having the capacity to pick up and bring to a shelter lost, stray, homeless or injured dogs and cats from all five boroughs shall be maintained and operated seven days per week, twelve hours per day. Where public health and safety is threatened, they shall have the capacity to pick up such animals twenty-four hours per day.

§2. This local law shall take effect 180 days after its enactment into law.

Referred to the Committee on Health.

Res. No. 422

**Resolution calling upon the Governor of New York State to sign legislation extending the compliance period during which to obtain a tax abatement for solar electric generating systems.**

By Council Members Williams, Barron, Chin, Constantinides, Dickens, Koo, Levine, Mendez, Richards, Rodriguez and Ulrich.

**Whereas**, The City of New York is committed to reducing greenhouse gas emissions and providing cleaner energy for all New Yorkers; and

**Whereas**, The use of solar electric generating systems assist in accomplishing that goal; and

**Whereas**, Installing solar electric generating systems in the City of New York costs approximately twenty-five percent more than doing so in other parts of the State, according to the New York State Energy Research and Development Authority; and

**Whereas**, A property tax abatement is necessary to offset the costs of installation in the City of New York and to promote clean energy investment; and

**Whereas**, Section 499-bbb of the State Real Property Tax law currently provides a property tax abatement to certain properties that install or have installed solar electric generating systems; and

**Whereas**, The law provides for a tax abatement at varying levels depending on the date of the system's installation; and

**Whereas**, Prior to January 1, 2011, the applicable tax abatement in each year was the lesser of: 1) eight and three-quarters percent of eligible installation expenditures; 2) the amount of taxes payable in that year; or 3) sixty-two thousand and five hundred dollars; and

**Whereas**, Between January 1, 2011, and December 31, 2012, the applicable tax abatement in each year was the lesser of: 1) five percent of eligible installation expenditures; 2) the amount of taxes payable in that year; or 3) sixty-two thousand and five hundred dollars; and

**Whereas**, Between January 1, 2013, and December 31, 2014, the applicable tax abatement in each year was the lesser of: 1) two and a half percent of eligible installation expenditures; 2) the amount of taxes payable in that year; or 3) sixty-two thousand and five hundred dollars; and

**Whereas**, Since the abatement was first made available in 2008, approximately one thousand two hundred and sixty solar electric generating systems have been installed in the City of New York; and

**Whereas**, The New York State Legislature has passed legislation, specifically Assembly bill A.9680-A and Senate bill S.7464-A, that would extend the availability of the abatement to solar electric generating systems installed between January 1, 2015, and December 31, 2016; and

**Whereas**, This legislation would provide a property tax abatement each year in the amount of the lesser of 1) five percent of eligible installation expenditures; 2) the amount of taxes payable in that year; or 3) sixty-two thousand and five hundred dollars; and

**Whereas**, The legislation has been delivered to the Governor, but it has not yet been signed by the Governor; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the Governor of New York State to sign legislation extending the compliance period during which to obtain a tax abatement for solar electric generating systems.

Referred to the Committee on Finance.

L.U. No. 120

By Council Members Ferreras:

**Phipps Plaza South/KB25, East 25<sup>th</sup> Street, Between 1<sup>st</sup> and 2<sup>nd</sup> Avenues, Manhattan, Block 931, Lot 17, Council District No. 2.**

Referred to the Committee on Finance.

L.U. No. 121

By Council Member Greenfield:

**Application No. 20145691 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hearth Restaurant Investors, LLC, d/b/a/ Hearth for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 403 East 12<sup>th</sup> Street, Borough of Manhattan, Community District 3, Council District 2. 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.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 122

By Council Member Greenfield:

**Application No. 20145392 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hot Bread of 58<sup>th</sup> Street, Inc., d/b/a/ European Bakery Café for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 370 West 58<sup>th</sup> Street, Borough of Manhattan, Community District 4, Council District 3. 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.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 123

By Council Member Greenfield:

**Application No. 20155063 HAM by the New York City Department of Housing Preservation and Development for approval of a tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the properties located at Block 1718/Lot 69, Block 1903/ Lot 29, Block 1904/Lots 33 and 59, Block 1906, Lot 64, Block 2026/Lots 20, 22, 23, 26, 27 and 29, Block 2031/Lot 18, Block 2032/Lot 43, Block 2036/Lot 61, Block 2045/Lots 96, 97 and 100, Block 2046/Lots 7 and 63; in the Borough of Manhattan, Community Council District 9. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

**ANNOUNCEMENTS:**

**Wednesday, September 24, 2014**

★ *Deferred*  
~~Committee on ECONOMIC DEVELOPMENT .....10:00 A.M.~~  
 Agenda to be announced  
 Committee Room— 250 Broadway, 14<sup>th</sup> Floor  
 ..... Daniel Garodnick, Chairperson

★ *Deferred*  
~~Committee on JUVENILE JUSTICE .....10:00 A.M.~~  
 Agenda to be announced  
 Committee Room— 250 Broadway, 16<sup>th</sup> Floor ..... Fernando Cabrera, Chairperson

★ *Deferred*  
~~Committee on HOUSING AND BUILDINGS .....10:00 A.M.~~  
 Agenda to be announced  
 Council Chambers— City Hall ..... Jumaane D. Williams, Chairperson

**Monday, September 29, 2014**

★ *Addition*  
 Committee on **CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS .....10:00 A.M.**  
 Int 419 - By Council Members Levin, Van Bramer, Chin, Cumbo, Johnson, Mendez, Reynoso, Torres, Rodriguez, Wills, Deutsch, Richards, Dickens, Vallone and Cohen - A Local Law to amend the New York city charter, in relation to a comprehensive cultural plan.  
 Council Chambers – City Hall ..... James Van Bramer, Chairperson

★ *Note Time and Location Change*  
 Committee on **EDUCATION ..... ★ 10:00 A.M.**  
 Oversight – Guidance Services for Students  
 Int 403 - By Council Members Reynoso, Dickens, Koo, Rose, Rodriguez, Menchaca, Mendez, Constantinides, Kallos, Gentile and Chin - A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information regarding guidance counselors in schools.  
 Res 166 - By Council Members Rose, Ferreras, Gibson, Levine, Mendez, Reynoso, Williams, Eugene and Deutsch - Department of Education to establish a comprehensive college preparation program, based on the college readiness model proposed by the Urban Youth Collaborative, to improve and expand college access for all students.  
 ★ Committee Room – 250 Broadway, 16<sup>th</sup> Floor  
 ..... Daniel Dromm, Chairperson

★ *Deferred*  
~~Committee on SANITATION AND SOLID WASTE MANAGEMENT ..... 10:00 A.M.~~  
 Agenda to be announced  
 Council Chambers— City Hall ..... Antonio Reynoso, Chairperson

★ *Deferred*  
~~Committee on WATERFRONTS .....10:00 A.M.~~

Agenda to be announced  
 Committee Room— 250 Broadway, 14<sup>th</sup> Floor .....Deborah Rose, Chairperson

Committee on **VETERANS ..... 1:00 P.M.**  
 Int 314 - By Council Members Ulrich, Vallone, Rosenthal and Rodriguez - A LOCAL LAW - To amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of a department of veterans' affairs, and repealing section 14 of chapter one of the New York city charter and subchapter 3 of chapter one of title 3 of the administrative code of the city of New York.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor .....Eric Ulrich, Chairperson

★ *Deferred*  
~~Committee on SMALL BUSINESS..... 1:00 P.M.~~  
 Agenda to be announced  
 Committee Room— 250 Broadway, 16<sup>th</sup> Floor ..... Robert Cornegy, Chairperson

★ *Deferred*  
~~Committee on GENERAL WELFARE .....1:00 P.M.~~  
 Agenda to be announced  
 Committee Room— City Hall ..... Stephen Levin, Chairperson

★ *Note Committee Addition*  
 Committee on **IMMIGRATION** jointly with the  
 ★ Committee on **COURTS AND LEGAL SERVICES..... 1:00 P.M.**  
 Oversight – Crisis of Unaccompanied Immigrant Children: What is New York City Doing?  
 Council Chambers – City Hall ..... Carlos Menchaca, Chairperson  
 ..... ★ Rory Lancman, Chairperson

**Tuesday, September 30, 2014**

Subcommittee on **ZONING & FRANCHISES.....9:30 A.M.**  
[See Land Use Calendar](#)  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Mark Weprin, Chairperson

★ *Deferred*  
~~Committee on FINANCE.....10:00 A.M.~~  
 Agenda to be announced  
 Committee Room— City Hall ..... Julissa Ferreras, Chairperson

Committee on **MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM, SUBSTANCE ABUSE AND DISABILITY SERVICES.10:00 A.M.**  
 Oversight – Medicaid Redesign  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Andrew Cohen, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES .....11:00 A.M.**  
[See Land Use Calendar](#)  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Peter Koo, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS..... 1:00 P.M.**  
[See Land Use Calendar](#)  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Inez Dickens, Chairperson

Committee on **HIGHER EDUCATION. ....1:00 P.M.**  
 Oversight – Reducing the Cost of College Textbooks  
 Committee Room – City Hall ..... Inez Barron, Chairperson

Committee on **JUVENILE JUSTICE ..... 1:00 P.M.**  
 Oversight – Examining DYFJ's Juvenile Justice Oversight Board  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor  
 ..... Fernando Cabrera, Chairperson

**Wednesday, October 1, 2014**

★ *Addition*  
 Committee on **HOUSING AND BUILDINGS .....10:00 A.M.**

Proposed Int 345-A - By Council Members Reynoso, Garodnick, Barron, Chin, Dromm, Espinal, Gentile, Gibson, Johnson, Kallos, King, Levin, Maisel, Mendez, Richards, Rodriguez, Rosenthal, Treyger and Van Bramer - A LOCAL LAW - To amend the administrative code of the city of New York, in relation to the alternative enforcement program.

Proposed Int 348-A - By Council Members Torres, Reynoso, Chin, Johnson, Levin, Levine, Mendez and Rosenthal - A LOCAL LAW to amend the administrative code of the city of New York, in relation to inspection fees for certain recurring violations of the housing maintenance code.

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

..... Jumaane D. Williams, Chairperson

Committee on **TRANSPORTATION**.....**10:00 A.M.**

Int 466 - By Council Members Greenfield, Rodriguez, Chin, Johnson, Koo, Levine, Reynoso, Richards and the Public Advocate (Ms. James) - A LOCAL LAW - To amend the administrative code of the city of New York, in relation to reducing the citywide speed limit to twenty-five miles per hour.

Committee Room – City Hall.....Ydanis Rodriguez, Chairperson

Committee on **TECHNOLOGY** .....**10:00 A.M.**

Int 471 - By Council Members Vacca and Koo - A Local Law to amend the administrative code of the city of New York, in relation to creating a website to produce and sign petitions seeking particular actions by city government.

Committee Room – 250 Broadway, 14<sup>th</sup> Floor .....James Vacca, Chairperson

[Committee on GENERAL WELFARE](#) jointly with the

Committee on **CIVIL SERVICE AND LABOR** .....**1:00 P.M.**

Oversight - Review of the Proposed Changes to HRA’s Employment Programs

Committee Room – City Hall ..... Stephen Levin, Chairperson

..... I. Daneek Miller, Chairperson

**Thursday, October 2, 2014**

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

Committee on **ECONOMIC DEVELOPMENT** ..... **1:00 P.M.**

Oversight - Evaluating the Effectiveness of Tax Benefits Offered by the New York City Economic Development Corporation

Committee Room – City Hall ..... Daniel Garodnick, Chairperson

**Monday, October 6, 2014**

★ *Addition*

Committee on **TRANSPORTATION**..... **1:00 P.M.**

Oversight – The MTA’s 2015-19 Capital Plan

Council Chambers – City Hall .....Ydanis Rodriguez, Chairperson

**Tuesday, October 7, 2014**

Committee on **FINANCE**.....**10:00 A.M.**

Int 480 - By Council Members Ferreras and Torres (by request of the Mayor) – A Local Law To amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Fordham Road business improvement district, extension of the Fordham Road business improvement district, and amending the district plan of the Fordham Road business improvement district to change the method of assessment upon which the district charge is based.

L.U. 120 - By Council Members Ferreras - Phipps Plaza South/KB25, East 25<sup>th</sup> Street, Between 1<sup>st</sup> and 2<sup>nd</sup> Avenues, Manhattan, Block 931, Lot 17, Council District No. 2.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall .....Julissa Ferreras, 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 Tuesday, October 7, 2014.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

