

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, January 24, 2019, 2:02 p.m.

*The Majority Leader (Council Member Cumbo)
presiding as the Acting President Pro Tempore*

Council Members

Corey D. Johnson, *Speaker*

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

Absent: Council Members Constantinides and Perkins.

Medical Leave: Council Member Van Bramer.

There is a vacancy in the office of Public Advocate pending the swearing-in of the certified winner of the scheduled Tuesday, February 26, 2019 citywide nonpartisan Special Election. Pursuant to the City Charter, the Speaker (Council Member Johnson) assumes the role of Acting Public Advocate until the new Public Advocate is officially certified to take office.

The Majority Leader (Council Member Cumbo) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings.

After consulting with the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the Majority Leader and Acting President Pro Tempore (Council Member Cumbo).

There were 48 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Reverend Dr. Allen Pinckney, Jr., of Butler Memorial United Methodist Church, 3920 Paulding Avenue, Bronx, N.Y. 10466.

Let us pray.

God of love and life,

we gather together in this new season to give you thanks

for your bountiful blessings

and acknowledge you as the guide of our pathway.

We thank you for enable this August body to navigate

the political, economic and social landscape of our city this past year

with energy, enthusiasm effort and integrity.

As we enter this new year 2019,

we pray that in the midst of their individual concerns, agendas and objectives,

there would be the opportunity for unity and community in the midst of diversity.

We pray that love, mercy, justice and peace

will be the motivating factors that direct each member

realizing that for such a time as this

what is crucial is courageous, committed, creative and compassionate leadership.

We pray that each member will remain humble

as he or she conducts the sacred task

of representing the people of New York City

who come from all stations of life.

You have raised up these persons

from various backgrounds to be servant leaders

in the hallow halls of this chamber

to speak truth authentically

to advocate for the needs of the least,

the lost and the marginalized

and to make a difference in the lives of all New Yorkers.

Touch the hearts of all who have been called

and given the privilege of being in this leadership responsibility.

We pray for wisdom not foolishness, real representation not rhetoric,

compassion not corruption, generosity not complacency,

humility and not haughtiness, integrity and not dishonesty,

truthfulness and not trickery and justice for all God's people, not cruelty or tyranny.

But most of all we trust

that despite all of our faults, flaws and frailties,

your will shall be done to the glory of God,

and now may your spirit guide, reside and preside

over the work of this body.

In the name of God, we love and serve,

Amen.

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

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

NYPD Police Officer Brian Kessler, 28, was killed in a car crash on January 16, 2019 on his way home from One Police Plaza. Officer Kessler had recently graduated from the Police Academy and was also newly engaged. The Speaker (Council Member Johnson) extended his condolences on behalf of the entire Council to Officer Kessler's fiancée Denise, his family, and his friends.

The Speaker (Council Member Johnson) asked everyone assembled to remember the victims of a racist attack on Chinese workers that took place on January 15, 2019 at Seaport Buffet in Brooklyn. The three individuals who were tragically killed were Fufai Pun, Kheng Ng-Thang, and Tsz Mat Pung.

The Speaker (Council Member Johnson) acknowledged that the Council was scheduled to vote on a resolution during this meeting in honor of international Holocaust Remembrance Day. On Sunday, January 27, 2019, the day of the commemoration, the world remembers the six million Jews who lost their lives during the years of the Holocaust. He noted that the scale of destruction and decimation during those years included the murder of one third of the global Jewish population of which 1.5 million were children. He spoke of the loss of great rabbis and brilliant scholars as well as the loss of beloved synagogues and Yeshivas. He also asked that everyone remember the millions of others who were also murdered, including people of different ethnicities, religions, and sexual orientations. The Speaker (Council Member Johnson) reiterated that the Holocaust must never be forgotten and that our children should be taught of these events so that history does not repeat itself.

At this point, a Moment of Silence was observed in the Chambers.

* * *

ADOPTION OF MINUTES

Council Member Grodenchik moved that the Minutes of the Stated Meeting of December 11, 2018 be adopted as printed.

LAND USE CALL-UPS

M-127

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

Pursuant to Rule 11.20(b) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application No. C 180458 ZSK (570 Fulton Street Rezoning) shall be subject to Council review. This application is related to Application Nos. N 180457 ZRK and C 180459 ZMK.

Coupled on Call-Up Vote.

M-128

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

Pursuant to Rule 11.20(b) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application Nos. C 180389 ZSK and C 180387 ZSK (12 Franklin Street) shall be subject to Council review. These applications are related to Application No. N 180388 ZRK.

Coupled on Call-Up Vote.

M-129

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

Pursuant to Rule 11.20(b) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application Nos. C 190037 ZSK (461 Alabama Avenue) shall be subject to Council review. This application is related to Application Nos. C 190038 HAK and C 190039 HUK.

Coupled on Call-Up Vote.

The Majority Leader and Acting President Pro Tempore (Council Member Cumbo) put the question whether the Council would agree with and adopt such motions which were decided in the **affirmative** by the following vote:

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

At this point, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Finance

Report for Int. No. 1038-A

Report of the Committee on Finance 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 amending the requirement that a statement of income and expense certified by a certified public accountant be provided in order for an income-producing property to be granted a reduction in real property assessment by the tax commission

The Committee on Finance, to which the annexed proposed amended local law was referred on July 18, 2018 (Minutes, page 2886), respectfully

REPORTS:

I. Introduction

On January 24, 2019, the Committee on Finance (Committee), chaired by Council Member Daniel Dromm, will hold a second hearing on Proposed Introduction (Int.) Number (No.) 1038-A, introduced by the Council Member Barry Grodenchik, titled *A Local Law to amend the administrative code of the city of New York, in relation to amending the requirement that a statement of income and expense certified by a certified public accountant be provided in order for an income-producing property to be granted a reduction in real property assessment by the Tax Commission*. This is the second hearing on this bill, which was amended after introduction. At the first hearing on this bill, the Committee heard testimony from representatives from the New York City Tax Commission (Commission), and other interested parties.

II. Background

a. Real Property Tax Assessment Procedure

The New York State Real Property Tax Law (“RPTL”) provides that all real property in New York City be divided into four classes:¹

- class one, which generally includes one-, two- and three- family homes;
- class two, which generally includes residential property with more than three units and cooperatives and condominiums;
- class three, which includes utility and special franchise property; and
- class four, which includes all other property, such as commercial property like office buildings, factories, stores, and hotels.

Each year, the Department of Finance (DOF) determines the value of every taxable property in the City.² The determination of value assigned to a property is termed an “assessment.” No later than January 15 of each year, DOF produces a tentative assessment roll setting forth the tentative assessment of each property for the ensuing tax year.³ DOF also mails a Notice of Property Value to each property owner informing them of their

¹ N.Y. RPTL §1802.

² New York City Charter §1506. However, that the values of most class 3 utility and special franchise properties are determined by the Office of Real Property Tax Services within the New York State Department of Taxation and Finance which then transmits those values to DOF for purposes of administering the property tax. See <https://www.tax.ny.gov/about/orpts/albany.htm> (last visited September 30, 2018).

³ New York City Charter §1510.

property's tentative assessment. The tentative assessment roll is subject to modifications until the final assessment roll is closed on May 25.⁴

Depending on the class of property, DOF uses a different method of assessment to determine the value of each property. For class one properties, DOF uses the comparable sales method which utilizes sales data of comparable properties.⁵ Class two properties and class four properties are valued as income-producing properties, either based on income and expense statements filed by the property owners, income and expenses of similar buildings, or a gross income multiplier.⁶ Class 3 properties are valued by the State Office of Real Property Tax Services and DOF using a replacement cost method.⁷

b. Tax Commission

In 2007, the Council passed legislation creating the Office of Administrative Tax Appeals (OATA) consisting of the Tax Commission and the Tax Appeals Tribunal (Tribunal).⁸ The Tribunal is the forum to resolve disputes between taxpayers and DOF with respect to non-property tax related protests (i.e. general corporation tax, commercial rent tax, real property transfer tax, hotel occupancy tax, etc.), while the Commission is the City's forum for independent administrative review of real property tax assessments set by DOF.⁹

The Commission consists of a President and six commissioners appointed by the Mayor, with advice and consent of the Council, each for a term of six years.¹⁰ Each commissioner must have at least three years business experience in real estate or real estate law and there must be at least one resident of each borough included among the commissioners.¹¹ The President of the Commission serves full-time and the six commissioners serve on a part-time basis.¹²

c. Assessment Appeal Procedures

A property owner may challenge the assessment determined by DOF on one of four bases: 1) misclassification, i.e., the property is assessed in the wrong tax class for its type and use under the four-class system; 2) excessiveness, including claims that the property did not receive all or a portion of a tax exemption; 3) inequality, i.e., the property's assessed value is set at a higher proportion of market value than that applied to all other properties in the same tax class; and 4) unlawfulness, including claims that the property did not receive a full exemption or the property otherwise was not subject to assessment by DOF.¹³ Applicants may be self-represented or represented by a representative.¹⁴

The Commission is authorized to act upon applications between January 15 and May 25 each year.¹⁵ For class one properties, the application deadline is March 15 and the deadline for all other classes of property is March 1.¹⁶ Applications must be submitted on forms prescribed by the Commission,¹⁷ and a fee of \$175 is imposed on applications for properties having an assessed value of \$2 million or more.¹⁸ According to the

⁴ New York City Charter §§163(b) and 1514.

⁵ See Tax Revenue Forecasting Documentation for Financial Plan Fiscal Years 2015-2019, at pg. 19.

⁶ See *id.*; see also DOF Class 2 Property Tax Guide, available at:

https://www1.nyc.gov/assets/finance/downloads/pdf/brochures/class_2_guide.pdf (last visited September 26, 2018). It should be noted that for purposes of valuing cooperatives and condominiums, State law requires that DOF value those properties as if they were rental properties. See N.Y. RPTL §581.

⁷ See Tax Revenue Forecasting Documentation, *supra* note 5.

⁸ Local Law 59 of 2007.

⁹ New York City Charter §153(b).

¹⁰ New York City Charter §§31 and 153(a).

¹¹ See *id.*

¹² See Tax Commission 2017 Annual Report, at pg. 2, available at:

https://www1.nyc.gov/assets/taxcommission/downloads/pdf/annual_report17.pdf (last visited September 26, 2018).

¹³ New York City Charter §163(c).

¹⁴ New York City Rules and Regulations, Title 21 §2-01(a).

¹⁵ New York City Charter §164(a).

¹⁶ New York City Charter §§163(f) and 164-b(b).

¹⁷ New York City Charter §163(d). The Tax Commission prescribes forms for applications, supplemental applications, income and expense schedules, amendment of applications, supplements to applications, certifications by accountants, and submission of supplemental information. See New York City Rules and Regulations, Title 21 §3-01(a).

¹⁸ New York City Rules and Regulations, Title 21 §5-03 and 5-04.

Commission, to the extent resources allow, an in-person hearing is granted if requested.¹⁹ When an in-person hearing is not requested, or when resource allocations require it, an application may be determined on the papers (i.e. documented information) submitted.²⁰

As part of the application for review, income-producing properties, with the exclusion of multiple or other dwellings which are occupied by fewer than seven families, must report all income received or accrued and all expenses paid or incurred in the operation of the property.²¹ For income-producing properties with an assessed value of \$1 million or more, the income and expense statements must be certified by a certified public accountant in order to obtain a reduction in assessment by the Commission.²² This threshold was first set in 1973 and has not been adjusted since.²³ According to the New York City Bar, the cost of obtaining a certification by a certified public accountant can frequently be \$10,000 or more.²⁴

The Commission makes the final administrative determination as to the property's classification or assessment.²⁵ The Commission may determine a claim in one of four ways: 1) dismissal for jurisdictional defect; 2) confirmation of the assessment based on a denial of review for a substantive or procedural defect; 3) confirmation of the assessment following review; or 4) an offer or a determination to correct the assessment.²⁶ In no case may the Commission increase a property's assessment after review of an application.²⁷ A judicial review of the Commission's final determination may be sought by bringing a proceeding pursuant to Article 7 of the RPTL.²⁸

If the Commission concludes that there is adequate proof of an error, it offers relief in the form of an assessment reduction, class change or exemption, as appropriate.²⁹ Acceptance of any offer is subject to specified terms and conditions, which include the discontinuance of all judicial proceedings pending with respect to assessments for prior years and an agreement not to file an Article 7 proceeding for the current year covered by the offer.³⁰

d. 2017 Commission Data

The Commission is required to issue an annual report to the Council and Mayor by March 1 of each year containing certain data from the previous calendar year.³¹ In 2018, the Commission released a report containing data from the 2017 tax appeal season.³²

According to the report, in 2017, the Commission received 54,730 applications, covering 211,034 tax lots having an aggregate assessed value of \$223,161,504,033.³³ The vast majority of these applications, specifically 52,826 applications, came from class 2 and class 4 properties (which are valued as income-producing properties).³⁴ The Commission provided substantive hearings on 29,165 applications, including 26,975 in-person hearings, and took remedial actions that granted \$5,113,834,755 in assessment reductions for the tax year, thereby providing approximately \$577,025,000 in tax relief.³⁵

¹⁹ See Tax Commission 2017 Annual Report, at pg. 6, supra note 12.

²⁰ See id.

²¹ New York City Charter §163(e).

²² New York City Administrative Code §11-216(b).

²³ Local Law 27 of 1973. The value of \$1 million in 1973 is approximately \$5.7 million in today's dollars.

²⁴ See Report of the Committee on Condemnation & Tax Certiorari Proposing an Amendment to Section 11-216 of the New York City Administrative Code, at pg. 1, on file with the Committee on Finance.

²⁵ New York City Charter §164(b).

²⁶ New York City Rules and Regulations, Title 21 §4-01(a).

²⁷ New York City Rules and Regulations, Title 21 §4-01(b).

²⁸ See generally N.Y. RPTL Article 7.

²⁹ See Tax Commission 2017 Annual Report, at pg. 9, supra note 12.

³⁰ See id. at pg. 10.

³¹ New York City Charter §155.

³² See Tax Commission 2017 Annual Report, supra note 12.

³³ See id. at pg. 11.

³⁴ See id. at pg. A2.

³⁵ See id. at pgs. 11 and A7.

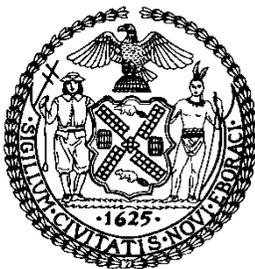
III. Analysis of Proposed Int. No. 1038-A

Section 1 of Proposed Int. No. 1038-A would amend Section 11-216(b) of the Administrative Code to increase the assessed value threshold at which income-producing properties would have to provide a statement of income and expense prepared by a CPA in order to receive an assessment reduction by the Commission, from an assessed value of \$1 million to an assessed value of \$5 million.

Whereas Section 1 of Int. No. 1038 would have required the Commission to index the assessed value threshold to inflation, Section 1 of Proposed Int. No. 1038-A would require the Commission to index the assessed value threshold to changes in aggregate assessed value of all properties in tax classes two and four as reported by the DOF on the final assessment roll, starting in Fiscal 2025.

Section 2 would establish that this local law takes effect immediately and is retroactive to and deemed to have been in effect as of January 1, 2019.

(The following is the text of the Fiscal Impact Statement for Int. No. 1038-A:)



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

PROPOSED INTRO. NO: 1038-A

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to relation to amending the requirement that a statement of income and expense certified by a certified public accountant be provided in order for an income-producing property to be granted a reduction in real property assessment by the tax commission.

SPONSOR(S): Council Members Grodenchik, Dromm and Yeger

SUMMARY OF LEGISLATION: Proposed Intro. No. 1038-A would increase the assessed value threshold at which an income-producing property would have to provide a certified statement of income and expense in order to receive an assessment reduction by the Tax Commission, from an assessed value of \$1 million to an assessed value of \$5 million. The local law would also index the assessed value threshold to changes in aggregate assessed value of all properties in tax classes two and four as reported by the Department of Finance on the final assessment roll, starting in Fiscal 2025.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020.

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: Cost savings from this bill will be borne by the property owners filing appeals, and so will have no fiscal impact on the City’s review process. City agencies would be able to use existing resources to comply with the indexing requirements of this legislation. Therefore, it is estimated that there would not be an impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Masis Sarkissian, Financial Analyst

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head, NYC Council Finance Division
 Emre Edev, Assistant Director, NYC Council Finance Division
 Ray Majewski, Deputy Director / Chief Economist, NYC Council Finance Division
 Noah Brick, Assistant Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on July 18, 2018 as Intro. 1038, and was referred to the Committee on Finance (the “Committee”). The Committee considered the legislation at a hearing held on October 4, 2018, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. 1038-A, will be considered by the Committee on January 24, 2019. Upon a successful vote by the Committee, Proposed Intro. 1038-A will be submitted to the full Council will for a vote on January 24, 2019.

DATE PREPARED: December 17, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1038-A:)

Int. No. 1038-A

By Council Members Grodenchik, Dromm, Yeger, Holden and Levin.

A Local Law to amend the administrative code of the city of New York, in relation to amending the requirement that a statement of income and expense certified by a certified public accountant be provided in order for an income-producing property to be granted a reduction in real property assessment by the tax commission

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 11-216 of the administrative code of the city of New York is amended to read as follows:

b. 1. No reduction shall be granted for an income-producing property unless there is submitted to the tax commission a statement of income and expenses in the form prescribed by the tax commission and which shall be, in the case of property [valued at one million dollars] *with an assessed value of \$5,000,000 or more*, certified by a certified public accountant. The commissioner granting such reduction in assessment shall state in a short memorandum the basis upon which the reduction is granted.

2. (a) *Definitions. For purposes of this paragraph, the term "adjustment year" means the fiscal year beginning July 1, 2019 and the fiscal year beginning July 1 of every fifth year thereafter.*

(b) *In the adjustment year beginning July 1, 2024, and in every adjustment year thereafter, the tax commission shall calculate, in accordance with subparagraph (c) of this paragraph, the assessed value threshold for purposes of paragraph 1 of this subdivision. An increase or decrease in such assessed value threshold, if any, shall apply beginning with the fiscal year immediately following the adjustment year.*

(c) *The assessed value threshold for purposes of paragraph 1 of this subdivision shall be an amount equal to the assessed value threshold in effect for the current adjustment year increased or decreased by the aggregate percentage change in the assessed value of all properties in tax classes two and four as reported by the department of finance on the final assessment roll applicable to the current adjustment year when compared to the assessed value of all properties in tax classes two and four as reported by the department of finance on the final assessment roll applicable to the immediately preceding adjustment year, rounded to the nearest one hundred thousand dollars.*

(d) *In the adjustment year beginning July 1, 2024, and in every adjustment year thereafter, the tax commission shall provide notice of the assessed value threshold for purposes of paragraph 1 of this subdivision by submitting notice of such assessed value threshold for publication in the City Record and posting written notice of the assessed value threshold on the tax commission's website and on any relevant forms for the fiscal year immediately following the adjustment year issued by the tax commission that an owner of an income-producing property must submit to be granted a reduction in assessment.*

§ 2. This local law takes effect January 1, 2019, except that if this local law becomes law after January 1, 2019, then this local law takes effect immediately and is retroactive to and deemed to have been in effect as of January 1, 2019.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, January 24, 2018.

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

Report for Int. No. 1143-A

Report of the Committee on Finance 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 installment agreements for the payment of real property taxes, assessments and other charges

The Committee on Finance, to which the annexed proposed amended local law was referred on October 17 2018 (Minutes, page 3864), respectfully

REPORTS:

I. Introduction

On January 24, 2019, the Committee on Finance, chaired by Council Member Daniel Dromm, will hold a second hearing on Proposed Introduction (Int.) Number (No.) 1143-A, introduced by Council Members Dromm and Yeger (by the request of the Mayor), a Local Law to amend the administrative code of the city of New York, in relation to installment agreements for the payment of real property taxes, assessments and other charges. This legislation was first introduced to the Council on October 17, 2018 as Int. No. 1143, and was referred to the Committee of Finance (“Committee”). The Committee considered the legislation at a hearing held on November 20, 2018 in which it heard testimony from representatives from the New York City Department of Finance (“DOF”) and members of the public. The legislation was laid over, and subsequently amended. The amended version, Proposed Int. No. 1143-A, will now be considered by the Committee for vote. Upon successful vote by the Committee, Proposed Int. No. 1143-A will be submitted to the full Council for a vote on January 24, 2019.

II. Property Tax Lien Sale

A lien is a legal claim against real property for unpaid property taxes, water, sewer or other property charges, as well as the interest due on these taxes and charges.¹ When outstanding amounts have been delinquent for a legally specified period of time, and the City has mailed notice to the property owner, the City of New York is allowed to sell the lien(s) to an authorized third party, who becomes the tax lien purchaser.² The new tax lien purchaser then has the authority to collect the money that was previously owed to the City, plus other fees and interest.³

The tax lien sale was created in 1996, when the Council adopted Local Law No. 26 of 1996, which provided that “a tax lien or tax liens on a property or any component of the amount thereof may be sold by the city when [certain specified thresholds are met]....” The Council reauthorized the City’s ability to sell liens in 1997, 2001, 2006, 2007, 2011, 2015 and 2017.⁴

Currently, all unpaid real property taxes, water and sewer charges, and other City charges on property become liens on the day they become due and payable.⁵ However, they can be sold through the lien sale only when a certain dollar amount and time threshold is met.⁶ As of 2007, the sale of certain tax liens is prohibited for residential properties owned by certain senior citizen, disabled, or low-income homeowners, and water and sewer liens on any single-family Class 1 property or residential properties owned by certain senior citizen, disabled, or low-income homeowners as long as they receive one of a number of exemptions.⁷

III. Installment Agreements

Currently, when a property owner owes property tax arrears, he or she is able to enter into an installment agreement with DOF in order to pay back the amount owed over time.⁸ Such an installment agreement can be entered into for a period of up to ten years with as little as zero dollars in down payment.⁹ If a property has a lien or liens noticed for the lien sale, execution of an installment agreement will result in the lien not being sold in the lien sale.¹⁰ However, if a property owner defaults on the installment agreement, defined as failing to make payments for a period of six months, he or she will be barred from entering into a new payment agreement for a period of five years, unless the property owner can 1) demonstrate extenuating circumstances (such as loss of income due to unemployment, death, treatment of an illness, military service, or involuntary absence), 2) cures

¹ See generally, NYC Administrative Code, Title 11, Chapter 3.

² See NYC Administrative Code § 11-319.

³ See *id.*

⁴ See Local Law 98 of 1997, Local Law 26 of 2001, Local Law 2 of 2006, Local Law 68 of 2007, Local Law 15 of 2011, Local Law 14 of 2015, and Local Law 4 of 2017.

⁵ The Report of the Tax Lien Task Force, September 2016, available at: http://www.nyc.gov/html/dep/pdf/water_sewer/report-of-the-lien-sale-task-force.pdf (last accessed November 19, 2018).

⁶ See *id.*

⁷ See *id.*

⁸ See Administrative Code §11-322.

⁹ See *id.*

¹⁰ See *id.*

the default by paying all missed payments plus accrued interest, or 3) makes a down payment of 20 percent or more of all applicable delinquent taxes and charges including any outstanding interest and fees on a new installment agreement.¹¹ The consequence of being barred from entering into another installment agreement for five years is that if the property owner continues to owe tax arrears and the property is noticed for a subsequent lien sale within that five years they will have no recourse to remove the property from the lien sale.

Under the existing installment agreement plan, installment amounts are calculated based on the amount owed, interest rates, and pay-off period, but without regard for income or ability to pay. Moreover, as a term of the installment agreement, property owners must agree to pay all current property taxes as they accrue and interest continues to accrue on the unpaid taxes until they are paid through the installment agreement plan at the same rate of interest as they did prior to the execution of the agreement.¹² As a result, the default rate on DOF’s installment agreements is quite high. According to DOF, the default rate in Fiscal 2018 was 46.5%. The following table provides a breakdown of the total number of defaults and payments plans from Fiscal 2012 through 2018, as provided by DOF:

	2012	2013	2014	2015	2016	2017	2018
Number of Payment Plans	1,512	1,489	1,183	953	929	1,168	1,172
Number of Defaults	455	438	391	297	360	624	545
Default Rate (%)	30.1%	29.4%	33.1%	31.2%	38.8%	53.4%	46.5%

IV. Lien Sale Task Force

When the Council reauthorized the lien sale in 2015, among various consumer protections included in the law, Local Law 14 established a temporary lien sale task force (the “Task Force”) comprised of ten members (representatives of the Mayor, Mayor’s Office of Management and Budget (“OMB”), DOF, the Department of Housing Preservation and Development (“HPD”), the Department of Environmental Protection (“DEP”), four Council members, and one Council staff member) to review and evaluate the lien sale program in an effort to ensure that it is “fair, efficient and effective” and to present the findings of the Task Force in a report issued to the Mayor and the Speaker.¹³

The Task Force held meetings on October 1, 2015, November 23, 2015, and January 28, 2016.¹⁴ At those meetings, the Task Force discussed areas in which the lien sale program could be modified to address various issues and concerns, heard presentations from outside groups and advocates, and exchanged ideas and proposals.¹⁵ In addition, the Administration and Council staff met on numerous occasions outside of the official Task Force meetings to review data and research questions proposed by the Task Force members.¹⁶ One of the proposals put forth by the Council during the course of the Task Force was that the Administration create income-based installment agreements to increase the likelihood that a property owner in a payment plan is able to stay current with the installment agreement based on individual circumstances.

In September 2016, the Task Force released a report with its findings and recommendations.¹⁷ As part of its recommendations, the Task Force included four guiding principles in the report for the administration and legislative reauthorization of the tax lien sale:¹⁸

1. Minimize the Number of Properties with Liens Sold in the Tax Lien Sale
2. Create Clear and User-friendly Bills and Notification

¹¹ See *id.*

¹² See *id.*

¹³ See Local Law 14 of 2015.

¹⁴ See *supra* fn. 5.

¹⁵ See *id.*

¹⁶ See *id.*

¹⁷ See *id.*

¹⁸ See *id.*

3. Better Understand the Lien Sale Impact
4. Assess Whether the Resolution of Outstanding Debt Could Be an Opportunity to Advance Other City Priorities

For purposes of today's hearing, the first guiding principle and its accompanying recommendations is the most relevant. The Task Force found that in general, properties are included in the lien sale only when they meet a certain threshold of delinquency and do not qualify for, or have in place, an exemption that would make them ineligible for the sale. Therefore, the fewer properties that have liens sold it means either 1) that delinquency rates are low or delinquent property owners pay their debts or enter into installment agreements to pay their debts in order to avoid the lien sale, demonstrating the efficacy of the Program as an enforcement tool, or 2) that more eligible properties have been granted exemptions, demonstrating the efficiency and fairness of the City's outreach and administration of its exemption programs.¹⁹

As provided in the report, the number of properties with liens sold in the lien sale as compared to the number of properties noticed for sale 90 days prior to the sale has generally been on the decline since a series of reforms were implemented as part of the 2011 legislative renewal of the City's authority to hold the lien sale.²⁰ Therefore, the Task Force recommended that further efforts be made to minimize the number of properties with liens sold in the lien sale by offering improved options for payment, increased access to information about available exemptions and abatements, and assistance to property owners to help them resolve their payment problems and avoid a stressful and financially overwhelming process.²¹

Specifically, the Task Force first recommended that installment agreements be modified to ensure that they are feasible and affordable.²² Given the high default rate referenced above, the Task Force determined that reasonable adjustments to the installment agreement process that provide relief and information to struggling property owners, while still incentivizing timely payments, should be pursued.

Second, the Task Force recommended that interest rates be set at a fair and effective level that does not effectively prohibit property owners from overcoming their debt but also serves as a deterrent to would-be delinquent payers.²³

Third, the Task Force recommended that the City should provide flexibility to owners who make good faith efforts.²⁴ While the goal of the lien sale program is largely focused on resolving outstanding municipal debt, the City has historically recognized that external shocks may make it temporarily difficult for property owners to pay their debts.²⁵ The Task Force advocated that the City continue and, where feasible, strengthen its commitment to providing some flexibility to owners who show a demonstrated effort to resolving their debt.²⁶

The legislation being considered by the Committee today is a product of the recommendations of the joint Task Force of the Council and the Administration and were guided by the principles set forth in the report.

V. Amendments to Proposed Int. No. 1143-A

Section 1 of Proposed Intro. No. 1143-A would establish three new installment agreements available to property owners with a combined income of \$58,399 or less who own one- to three- family homes or condominiums where such property is the owner's primary residence. A property owner who satisfies the requirements can enter into an installment agreement with DOF for the payment of real property taxes, assessments, or other charges subject to a lien (except for sewer rents, sewer surcharges or water rents). The execution of any installment agreement will not suspend the accrual of applicable liens, interest or other charges against the property, but it will prevent inclusion of the property in the lien sale.

¹⁹ *See id.*

²⁰ *See id.*

²¹ *See id.*

²² *See id.*

²³ *See id.*

²⁴ *See id.*

²⁵ *See id.*

²⁶ *See id.*

Eligible property owners would have the option to choose from the following installment agreements: 1) the senior low-income installment agreement; 2) the fixed length income-based installment agreement; and 3) the extenuating circumstances income-based installment agreement. In order for property owners to be eligible to enter into any installment agreement they would be required to demonstrate the following:

1. the applicant is a property owner;
2. the property has been the primary residence of the property owner(s) for an uninterrupted period of no less than one year immediately preceding the application submission date and continues to be the property owner(s) primary place of residence through the date in which the agreement is entered into with DOF; and
3. the combined adjusted gross income of the applicant and all additional property owners may not exceed \$58,399 for the tax year immediately before the application submission date.

In addition to meeting the above-stated criteria, property owners would also need to meet additional requirements based on the installment plan type. The senior low-income installment agreement would require that applicants be 65 years or older on the date the application is submitted. For the extenuating circumstances income-based installment agreement, DOF would be required to make a finding of extenuating circumstances (such as loss of income due to unemployment, death, treatment of an illness, military service, or involuntary absence) for an applicant to qualify for the agreement.

To apply for any installment plan, property owners would be required to submit an initial application to DOF. To the extent that the installment agreement will include the deferral of future property taxes, the initial application must include a title search identifying all mortgages and other property liens, and signatures of all property owners consenting to the application process. The cost of such title search could be rolled into the terms of the installment agreement.

A summary of each installment plan is as follows:

- Senior low-income installment agreement: Property owners would have the option to make payments either for a fixed period of time or for a non-fixed period of time, and have the ability to switch between the two at any point in time. The installment agreement would include both the payment of percentages of taxes and charges that have accrued and that will accrue after the date of the agreement. Property owners would have the option to pay an installment amount based on 0%, 25%, 50%, or 75% of the annual taxes and charges that have accrued and that will accrue, while having the option to adjust the payment percentage once within any six-month period. For the senior low-income installment agreement, property owners would be able to defer payment of a percentage of their tax arrears and prospective tax liability until the termination of the installment agreement upon expiration, death, or transfer.
- Fixed length income-based installment agreement: For the fixed length income-based installment agreement, property owners would have the ability to make payments on those taxes and charges that have accrued, and that will accrue over the next fiscal year. The annual payment amount would be based on a percentage of the combined income of all property owners for the tax year immediately preceding the initial application of the installment agreement. Property owners would have the option to select a payment percentage of either 2%, 4%, 6%, or 8% of the combined income, and the installment payment will be determined by dividing the annual payment amount by 12 or four (depending on whether the property owner selects a monthly or quarterly payment schedule).
- Extenuating circumstances income-based installment agreement: The extenuating circumstances income-based installment agreement would allow property owners to pay the percentage of taxes and charges that have accrued on the property during the agreement, and the percentage of taxes and charges that will accrue after the agreement becomes effective. Similar to the income-based installment agreement, the annual payment amount required on the installment agreement will be based on a

percentage of the combined income of all property owners for the tax year immediately preceding the initial application of the installment agreement. Property owners will have the option to select a payment percentage of either 2%, 4%, 6%, or 8% of the combined income, and the installment payment will be determined by dividing the annual payment amount by 12 or four (depending on whether the property owner selects a monthly or quarterly payment schedule). The installment agreement would be for a one-year term, but may be extended annually under extenuating circumstances, if determined by DOF. Property owners would also have the option to adjust the payment percentage at any point during the installment agreement but may only do so once during any six-month period.

These installment agreements may be terminated based on the following reasons:

1. the property subject of the installment agreement is no longer the primary residence of the applicant;
2. the fixed term of the installment agreement expired;
3. the applicant is deceased;
4. the applicant opts out of an installment agreement without a fixed term agreement;
5. the applicant failed to timely file renewal application as required;
6. the applicant is in default and has not cured such default as required; or
7. the applicant defaulted on the installment agreement and has cured such default by entering into a new installment agreement.

If an installment agreement is terminated, all taxes and charges that accrued before it being terminated would need to be paid by the property owner. If the property owner fails to pay such taxes and charges within six months of the termination, the tax lien or tax liens on such property may be sold.

In order to cure a defect a property owner could do so by either bringing all outstanding installment payments and charges, due at the time of the default, to a current status prior to the tax lien sale; entering into a new installment agreement with a down payment of 20 percent, or more, of all delinquent real property taxes, assessments, sewer rents, sewer surcharges, water rents and other charges subject to the lien, prior to the date of the tax lien sale; or entering into a new installment agreement if DOF made a finding of extenuating circumstances.

To renew any installment agreement, the property owner would be required to submit a renewal application one year from the effective date of the underlying installment agreement, and submit a renewal application each year thereafter. In the renewal application, property owners would need to demonstrate that the property continues to be the primary residence of the property owners and has continued to be the primary residence since the date that the initial installment agreement was entered into, and that the combined income of all property owners do not exceed \$58,399 for the income tax year immediately preceding the date of the renewal of the installment agreement (except for property owners seeking to renew the income-based installment agreement who would not be required to submit income information in the renewal application). If a property owner defaults on an installment agreement and is unable cure the default prior to the date of the tax lien sale, the applicant will not be eligible to enter into an installment agreement for the subject property for five years, unless a finding of extenuating circumstances is made by DOF. A property owner would have a six month grace period after the renewal deadline in order to submit the renewal paperwork before the installment agreement would be terminated.

In addition, DOF would be required to submit annual reports to the Council about the usage of the new installment agreements and conduct an outreach campaign to publicize awareness of the agreements.

Section 2 of Proposed Intro. No. 1143-A would update a reporting requirement to the Council to include these types of installment agreements.

Section 3 of Proposed Intro. No. 1143-A would require that information about the new types of installment agreement be available at the mandated lien sale outreach sessions.

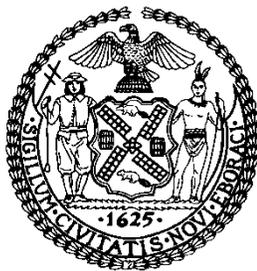
Section 4 of Proposed Intro. No. 1143-A would update a notice requirement for the lien sale to include these types of installment agreements.

Section 5 of Proposed Intro. No. 1143-A would provide that the local law takes effect on March 1, 2019 except that the department of finance may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

In sum, the changes that were made to Proposed Intro. No. 1143-A from the original version are the following:

- The income eligibility threshold would be increased from \$50,000 to \$58,399;
- A six-month grace period on renewals was implemented before installment agreements would be terminated;
- DOF would be required to promulgate rules to provide an exception in cases of hardship to the requirement that income information from all additional homeowners be provided;
- A less onerous signature requirement for initial application submissions would be imposed;
- DOF would be required to mail property owners with an installment agreement a renewal application 60 days before renewal;
- The installment agreements would be required to state the date by which the agreement must be renewed each year;
- The amount of time in which a homeowner has to pay off the amount owed when an installment agreement would be terminated would be increased to nine months, and 18 months for a surviving spouse, up from six and 12 months, respectively;
- DOF would be required to mail an at-risk of default letter to property owners that miss one payment;
- The length of hospitalization stay exception for primary residence would be increased from two years to three years;
- The requirement that a title search be required if installment agreements do not include the deferral of future taxes would be removed;
- DOF would be required to provide an annual report to the Council;
- DOF would be mandated to conduct outreach campaign on installment agreements;
- The information on the new installment agreements would be required to be made available at the mandated lien sale outreach sessions; and
- The sunset provision that would have expired the authority to offer these installment agreements on December 31, 2020 would be removed.

(The following is the text of the Fiscal Impact Statement for Int. No. 1143-A:)



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

PROPOSED INTRO. NO: 1143-A

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to installment agreements for the payment of real property taxes, assessments and other charges

SPONSOR(S): Council Members Dromm, Yeger, Powers, Chin, King and Holden

SUMMARY OF LEGISLATION: Currently, when property owner owes property tax arrears they may enter into an installment agreement with the Department of Finance (DOF) to pay off the debt over a period of up to ten years with a zero dollar down payment. The installment amounts are then calculated based on the amount owed,

interest rates, and pay-off period, but without regard for income or ability to pay. Proposed Intro. 1143-A would create three income-based installment agreements for eligible one- to three- family and condominium property owners where such property is the primary residence. All three installment agreements would be available only to property owners with combined incomes of \$58,399 or less. The senior low-income installment agreement would allow property owners who are at least 65 years old to defer payment of all or a percentage of their tax arrears and prospective tax liability until the termination of the installment agreement, or upon expiration, death, or transfer of the property. The fixed-length income-based installment agreement would allow property owners to pay off tax arrears and one year of prospective tax liability by paying installments based on a percentage of income until the debt is repaid. Finally, the extenuating circumstances income-based installment agreement would allow property owners with extenuating circumstances (such as loss of income due to unemployment, death, treatment of an illness, military service, or involuntary absence) to enter into a one-year installment agreement to pay off tax arrears and property taxes that accrue during that year by paying installments based on a percentage of income. Under these new agreements, an owner would only be able to defer taxes up to a certain threshold: for a Class 1 home the threshold would be 25 percent of their net equity in the property, and for condos the threshold would be 50 percent of net equity. A property that is the subject of one of the installment agreements would be exempt from the tax lien sale. The current ten-year, zero down payment plan would continue to exist alongside these new payment plan options. Lastly, the bill would require DOF to issue an annual report to the Council on the usage of the payment plans and conduct an outreach campaign to publicize the new agreements.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	TBD	TBD	TBD
Expenditures	\$45,000	\$45,000	\$45,000
Net	TBD	TBD	TBD

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues in the long-term resulting from the enactment of this legislation because this bill would not impact the amount of property taxes that a homeowner would be liable to pay. However, there would likely be an impact on revenues in any given year because the installment agreements would impact the timing of those payments. The year-by-year impact on revenue is not easily forecasted at this time because there are a multitude of unknown variables, including the participation rate in the program, the term lengths chosen, and the deferral and income percentages selected... In the first few years of the program, the City would not collect some revenue it otherwise would have, but as payments begin to be deferred through the plans, over time the amount deferred would be offset by the maturing of older plans, balancing out collections from the plans as some current year revenues are deferred and some prior year deferrals become due. In addition, limits on the amount a taxpayer can defer ensure that the City will be able to recoup the deferred taxes should the taxpayer default on the payment plan.

In a general sense however, the City will not lose revenue because of the payment plans, as the plans only adjust the timing of the tax payments. This adjustment in timing may affect collections in any one given year, resulting in some years with slightly higher or lower collections. So it may be that the program is revenue positive or negative at certain points, but the fluctuations are expected to smooth out when viewed over time.

The payment plans can also be seen as revenue neutral for the City insofar as the interest rate charged on the plans is equal to or greater than the present value of those future collections. Should the interest rate be higher or lower than this cost, then the payment plans would become revenue positive or negative, respectively. However, since interest rates are set annually and are subject to change, a revenue neutral interest rate is assumed for the purposes of this fiscal impact statement.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have an impact on expenditures in the amount of \$45,000 per year resulting from the enactment of this legislation. This amount would be to contract for the title search services referenced in the bill. In addition, DOF anticipates hiring five new staff to implement the new program. However, the Council Finance Division estimates that this will not have a fiscal impact on expenditures because DOF already has 302 budgeted, vacated positions in the financial plan and hiring for the new program can be achieved through the existing budget.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Department of Finance

ESTIMATE PREPARED BY: Masis Sarkissian, Financial Analyst
Davis Winslow, Senior Economist

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head, NYC Council Finance Division
Emre Edev, Assistant Director, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on October 17, 2018 as Intro. 1143, and was referred to the Committee on Finance (the “Committee”). The Committee considered the legislation at a hearing held on November 20, 2018, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. 1038-A, will be considered by the Committee on January 24, 2019. Upon a successful vote by the Committee, Proposed Intro. 1038-A will be submitted to the full Council will for a vote on January 24, 2019.

DATE PREPARED: January 23, 2019.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1143-A:)

Int. No. 1143-A

By Council Members Dromm, Yeger, Powers, Chin, King, Holden, Levin, Barron and Miller (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to installment agreements for the payment of real property taxes, assessments and other charges

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-322.1 to read as follows:

§ 11-322.1 Hardship installment agreements. a. Definitions. For purposes of this section, the following terms have the following meanings:

Applicant. The term “applicant” means a property owner who files an application for an installment agreement under this section. Such term includes a property owner who has entered into an installment agreement after filing such an application.

Default. The term “default” means that an installment payment required under the installment agreement entered into under this section remains unpaid in whole or in part for six months from the date payment is required to be made, or any other tax or charge that becomes due on the property during the term of such agreement remains unpaid in whole or in part for six months.

Department. The term “department” means the department of finance.

Dwelling unit. The term “dwelling unit” means a unit in a condominium used primarily for residential purposes.

Fair market value. The term “fair market value” means the fair market value of property as determined by the department or the fair market value as determined by an appraisal obtained by the applicant pursuant to paragraph 4 of subdivision g of this section, provided that such appraisal shall be subject to review, and may be rejected, by the department.

Income. The term “income” means the adjusted gross income for federal income tax purposes as reported on an applicant’s federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions; provided that if no such return was filed for the applicable income tax year, “income” means the adjusted gross income that would have been so reported if such a return had been filed.

Income tax year. The term “income tax year” means the most recent calendar year or fiscal year for which an applicant filed a federal or state income tax return.

Net equity. The term “net equity” means the fair market value of property minus any liabilities outstanding against such property, such as mortgages, outstanding property taxes, water and sewer charges, and any other liens on such property.

Property. The term “property” means real property classified as class one pursuant to section 1802 of the real property tax law or a dwelling unit in a condominium.

Property owner. The term “property owner” means an owner of real property classified as class one pursuant to section 1802 of the real property tax law or of a dwelling unit in a condominium, or other eligible person, as defined in subdivision (i) of section 40-03 of title 19 of the rules of the city of New York, acting on behalf of such owner.

b. A property owner who satisfies the requirements described in subdivision c and d, e or f of this section may enter into an agreement with the department pursuant to this section for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of this chapter, except for sewer rents, sewer surcharges or water rents. The entry into an installment agreement pursuant to this section shall not suspend the accrual of interest charged against the property pursuant to section 11-301. A property owner may only have one installment agreement with the department in effect at any one time.

c. Eligibility requirements for an installment agreement under this section. To be eligible to enter into an installment agreement pursuant to this section, an applicant must demonstrate that the following requirements are met:

1. The applicant is a property owner.

2. The property shall have been the primary residence of the applicant for an uninterrupted period of not less than one year immediately preceding the date the application for the installment agreement is submitted and continues to be the primary residence of the applicant through the date the installment agreement is entered into. Hospitalization or a temporary stay in a nursing home or rehabilitation facility for a period of not more than three years shall not be considered a change in primary residence.

3. The combined income of the applicant and of all the additional property owners may not exceed \$58,399 for the income tax year immediately preceding the date of the application for the installment agreement. The department shall promulgate rules that establish a process for an applicant to seek an exception from the requirement that income information from all additional property owners be provided in cases of hardship.

d. Eligibility requirement for senior low-income installment agreement. In addition to the requirements set forth in subdivision c of this section, to be eligible to enter into a senior low-income installment agreement pursuant to subdivision l, an applicant must be 65 years of age or older when the application is submitted.

e. Eligibility requirement for fixed length income-based installment agreement. To be eligible to enter into a fixed length income-based installment agreement pursuant to subdivision m, an applicant must satisfy the requirements set forth in subdivision c of this section.

f. Eligibility requirements for extenuating circumstances income-based installment agreement. In addition to the requirements set forth in subdivision c of this section, for an applicant to be eligible to enter into an

extenuating circumstances income-based installment agreement pursuant to subdivision n of this section, the department must make a finding of extenuating circumstances pursuant to the process described in paragraph (4) of subdivision (e) of section 40-03 of title 19 of the rules of the city of New York.

g. Initial application procedure. 1. An initial application for an installment agreement under this section shall include:

(a) for installment agreements that provide for the payment of taxes and charges that will accrue after the date of the installment agreement, a title search identifying all mortgages and other liens on the property; and

(b) the signature of a primary resident of the property, and if such primary resident does not hold an ownership interest of at least 50 percent in the subject property, the signature of any other owner of the property who, in combination with such primary resident, holds an ownership interest of at least 50 percent in such property, consenting to the application for an installment agreement.

2. A complete application must be submitted to, and approved by, the department.

3. An applicant may select a monthly or quarterly payment schedule and may also select the amount that is required to be paid under the applicable installment agreement pursuant to the options available pursuant to subdivision l, m or n.

4. An applicant who is the property owner of a dwelling unit in a condominium may submit an appraisal obtained by such applicant of the fair market value of such dwelling unit provided that:

(a) the valuation date of such appraisal is a date within, and such appraisal shall have been prepared no more than, twelve months prior to submission of an application;

(b) the cost of such appraisal shall be borne by such applicant; and

(c) the cost of such appraisal may not be included in the amount subject to the installment agreement.

h. Renewal. 1. An installment agreement under this section shall terminate unless an applicant files a renewal application each year. At least 60 days before one year from the date such installment agreement was entered into or renewed, the department shall mail each applicant a renewal application, provided, however, that upon any such renewal application being made by the applicant, any installment agreement then in effect with respect to such applicant shall be deemed renewed until such time as the department shall have found such applicant to be either eligible or ineligible for the renewal of the installment agreement but in no event for more than six additional months.

2. To renew an installment agreement under this section, an applicant must submit a renewal application to the department on or before one year from the date such installment agreement was entered into and each year thereafter for which renewal is sought. To be eligible to renew such agreement, an applicant must demonstrate that:

(a) the property continues to be the primary residence of such applicant and such residence has been uninterrupted since the date the initial installment agreement was entered into; and

(b) the combined income of such applicant and of all the additional property owners does not exceed \$58,399 for the income tax year immediately preceding the date of the renewal of such installment agreement, except that an applicant for the renewal of a fixed length income-based installment agreement pursuant to subdivision m of this section is not required to submit income information.

i. Effects of installment agreement on tax lien and tax lien sale. 1. The execution of an installment agreement pursuant to this section shall not suspend the accrual of liens, interest and other charges against the property, which continue to accrue in accordance with applicable law.

2. A property for which an application has been submitted that contains proof of income and, for a senior low-income installment agreement described in subdivision l, proof of age, and that is signed, but is otherwise incomplete, shall be withdrawn from the next tax lien sale. Such property, however, may be included in the tax lien sale subsequent to the next tax lien sale if a completed application is not submitted within 45 days from the date of the additional information request notice sent to the applicant by the department or if the completed application is denied.

j. Amount subject to installment agreement. 1. Each approved installment agreement shall set forth terms of repayment, including (i) the frequency of payments, (ii) the percentage of the taxes and charges that forms the basis of the required payment for the senior low-income installment agreement described in subdivision l, or the percentage of the combined income of the property owners for the income tax year immediately preceding the initial application that forms the basis of the required payment for the installment agreement for the fixed length

income-based and the extenuating circumstances income-based installment agreements described in subdivision m and n respectively, (iii) the payment schedule and (iv) the payment amount.

2. A lien sold in a tax lien sale before the date of an application for an installment agreement is not eligible to be included in an installment agreement under this section.

3. The applicant may choose to include the cost of the title search required to be submitted with an application pursuant to subparagraph (a) of paragraph 1 of subdivision g of this section in the amount subject to the installment agreement. If an applicant chooses to include such cost, the applicant may either select a title company to conduct the required search and present documentation to the department of the cost, or direct the department to use a title company selected by the department. The department shall pay the cost of the title search and be reimbursed by the applicant through the addition of the cost to the amount subject to the installment agreement. The applicant shall make such reimbursement in the first year of the installment agreement, in monthly or quarterly payments, consistent with the payment frequency selected for the installment agreement. The cost of the title search shall bear interest at the same rate as the interest on unpaid real property tax as provided in section 11-224.1 of the code.

4. (a) Any time the amount of the liens on a property subject to an installment agreement under this section exceeds 25 percent of the net equity in such property, the applicant shall pay all taxes and charges imposed against the property that exceed 25 percent of the net equity in the property as such taxes and charges become due, in addition to the payment amount set forth in the installment agreement.

(b) Notwithstanding subparagraph (a) of this paragraph and provided that section 581 of the real property tax law is in effect in the same form as such section was in effect as of the effective date of the local law that added this section, for property that is a dwelling unit in a condominium subject to an installment agreement under this section and for which an appraisal has not been obtained pursuant to paragraph 4 of subdivision g of this section, any time the amount of the liens subject to such agreement exceeds 50 percent of the net equity in such property, the applicant shall pay all taxes and charges imposed against such property that exceed 50 percent of the net equity in such property as such taxes and charges become due, in addition to the payment amount set forth in the installment agreement. For property that is a dwelling unit in a condominium and for which an appraisal has been obtained pursuant to paragraph 4 of subdivision g of this section, any time the amount of the liens subject to an installment agreement under this section exceeds the higher of (i) 50 percent of the net equity in such property based on the fair market value determined by the department; or (ii) 25 percent of the net equity in such property based on the fair market value determined by the appraisal obtained by the applicant, the applicant shall pay all taxes and charges imposed against such property that exceed the higher of the amounts described by clause (i) and (ii) of this subparagraph as such taxes and charges become due, in addition to the payment amount set forth in the installment agreement.

(c) The department shall provide each applicant with a written projection at the time the installment agreement is entered into as to when the 25 or 50 percent threshold, as determined pursuant to subparagraphs (a) and (b) of this paragraph, will be exceeded. The department shall also notify each property owner in writing when the amount of the liens exceeds such threshold. Failure by the department to provide an applicant with such projection or to notify a property owner when the amount of the liens exceeds the applicable threshold, however, shall not affect the validity of the installment agreement that has been entered into, nor shall any claim arise or exist against the commissioner of finance or any officer or agency of the city by reason of such failure to provide such projection or such notification.

5. If at any time the department determines that the fair market value of a property subject to an installment agreement under this section has increased, an applicant may request that the net equity in such property be recalculated and the net equity amount included in such installment agreement be adjusted to reflect the recalculated net equity in such property.

6. If the combined income of all of the property owners exceeds \$58,399 for the income tax year immediately preceding the date of making a renewal application pursuant to subdivision h of this section, the applicant shall pay all taxes and charges imposed against the property after the date of such renewal application as such taxes and charges become due, in addition to the payment amount set forth in such installment agreement.

k. Termination of installment agreement. 1. An installment agreement shall be terminated when any of the following occurs:

(a) *The property whose liens are the subject of such installment agreement is no longer the primary residence of the applicant. An applicant whose installment agreement has been terminated because of such reason may apply to enter into an installment agreement pursuant to section 11-322.*

(b) *The fixed term of the installment agreement expires. An applicant whose installment agreement has been terminated because of such expiration may apply to enter into an installment agreement pursuant to section 11-322 or to this section.*

(c) *The applicant is deceased.*

(d) *The applicant opts out of an installment agreement without a fixed term as described in paragraph 1 of subdivision l of this section. An applicant who opts out of such agreement may apply to enter into an installment agreement pursuant to section 11-322 or to this section.*

(e) *The applicant does not file a timely renewal application in accordance with the provisions of subdivision h of this section.*

(f) *The applicant is in default and has not cured such default as provided in subparagraph (a) of paragraph 3 of this subdivision prior to the next tax lien sale.*

(g) *The applicant has defaulted on the installment agreement and has cured such default by entering into a new installment agreement pursuant to clause (2) or (3) of subparagraph (a) of paragraph 3 of this subdivision.*

2. *If an installment agreement is terminated, all taxes and charges that accrued before such termination are required to be paid. If such taxes and charges are not paid within nine months of such termination, the tax lien or tax liens on such property may be sold. Notwithstanding the preceding sentence, if an agreement is terminated pursuant to subparagraph (c) of paragraph 1 of this subdivision, a surviving spouse has 18 months from the death of the applicant to pay all taxes and charges on such property before the tax lien or tax liens on such property may be sold. If such surviving spouse is a property owner he or she may enter into a separate installment agreement pursuant to section 11-322 or subdivision l, m or n of this section, as long as he or she meets the eligibility requirements for the respective installment agreement.*

3. *Cure of default. (a) An applicant may cure a default by:*

(1) *bringing all installment payments and all current charges, including but not limited to any interest and fees, that are outstanding at the time of the default to a current status prior to the date of the tax lien sale;*

(2) *entering into a new installment agreement with a down payment of 20 percent, or more, of all delinquent real property taxes, assessments, sewer rents, sewer surcharges, water rents and other charges that are made a lien subject to the provisions of this chapter, including any outstanding interest and fees, prior to the date of such sale; or*

(3) *entering into a new installment agreement under this section if the department has made a finding of extenuating circumstances pursuant to the process described in paragraph (4) of subdivision (e) of section 40-03 of title 19 of the rules of the city of New York.*

(b) *If a default is not cured prior to the date of the tax lien sale, such applicant shall not be eligible to enter into an installment agreement for the subject property for five years, unless the department has made a finding of extenuating circumstances pursuant to the process described in paragraph (4) of subdivision (e) of section 40-03 of title 19 of the rules of the city of New York.*

(c) *Notwithstanding the prohibition in subparagraph (b) of this paragraph against entering into an installment agreement for the subject property for five years, an applicant who has defaulted on an installment agreement and whose lien has been sold and, after the sale of the lien, whose property on which the lien was sold is subject to another tax lien that is eligible to be sold, may apply to enter into another installment agreement with respect to such other lien before the end of such five-year period, provided that such applicant makes a down payment of 20 percent, or more, of all delinquent real property taxes, assessments, sewer rents, sewer surcharges, water rents and other charges that are made a lien subject to the provisions of this chapter, including any outstanding interest and fees, prior to the date of the tax lien sale. An applicant shall not be eligible to enter an installment agreement with a down payment under this subparagraph more than once for the subject property.*

(d) *If a property owner who has entered into an installment agreement with the department pursuant to this section fails to make a payment pursuant to such agreement, the department shall, after the first missed payment, mail a letter or send an email, when such address is known, to the property owner stating that such owner is at risk of being in default of such agreement. The letter or email shall be sent after the first missed payment if the department has not received payment within two weeks of the due date. Failure by the department to mail such letter or send such email, however, shall not affect the validity of the installment agreement that has been entered*

into, nor shall any claim arise or exist against the commissioner of finance or any officer or agency of the city by reason of such failure to mail such letter or send such email.

l. *Senior low-income installment agreement.* 1. At the option of the applicant, a senior low-income installment agreement may provide for payments for a fixed period of time or for payments without a fixed period of time. If the applicant selects an installment agreement with a fixed time period, the applicant may select the term of the agreement. The applicant may switch from an installment agreement without a fixed time period to an installment agreement with a fixed time period, or from an installment agreement with a fixed time period to an installment agreement without a fixed time period, at any point.

2. A senior low-income installment agreement shall provide for the payment of both a percentage of taxes and charges that have accrued, if any, and a percentage of taxes and charges that will accrue after the date of the installment agreement. The applicant may elect to pay an installment amount based on zero percent, 25 percent, 50 percent or 75 percent of the annual taxes and charges that have accrued, if any, and that will accrue. If the applicant selects an agreement with a fixed time period, the required payment shall be based on the percentage selected and the term selected. If the applicant selects an agreement without a fixed time period, the required payment shall be based on the percentage selected for prospective taxes and charges and a partial or full payment of the percentage of taxes and charges that have accrued, if any. The applicant may adjust the payment percentage at any point during the installment agreement, but may not make more than one such adjustment during any six-month period.

m. *Fixed length income-based installment agreement.* 1. At the option of the applicant, a fixed length income-based installment agreement pursuant to this subdivision may provide for the payment of (i) only taxes and charges that have accrued or (ii) taxes and charges that have accrued and taxes and charges that will accrue over the next fiscal year. If option (i) is selected, the applicant shall pay all taxes and charges that become due on the property after the installment agreement is entered into in addition to the payment schedule provided in the installment agreement. If option (ii) is selected, the applicant shall pay all taxes and charges that will accrue on the property after the installment agreement has been in effect for one year in addition to the payment schedule provided in the installment agreement.

2. The annual payment amount required pursuant to an installment agreement described by this subdivision shall be based on a percentage of the combined income of all of the property owners for the income tax year immediately preceding the initial application for such installment agreement. The applicant may select a percentage of two percent, four percent, six percent or eight percent of such combined income. The installment payment shall be calculated by dividing the annual payment amount by 12 or four, depending on whether a monthly or quarterly payment schedule is selected. The term of the agreement shall be calculated by dividing the taxes and charges included in the agreement pursuant to paragraph 1 of this subdivision by the installment payment determined by the calculation described in this paragraph.

3. An applicant may adjust the payment percentage at any point during the installment agreement, but may not make more than one such adjustment during any six-month period.

n. *Extenuating circumstances income-based installment agreement.* 1. An extenuating circumstances income-based installment agreement shall provide for the payment, during the period of such agreement, of a percentage of taxes and charges that have accrued on the property and taxes and charges that accrue after the date of the installment agreement.

2. The annual payment amount required pursuant to an installment agreement described by this subdivision shall be based on a percentage of the combined income of all of the property owners for the income tax year immediately preceding the initial application for an installment agreement. The applicant may select a percentage of two percent, four percent, six percent, or eight percent of such combined income. Such installment payment shall be calculated by dividing the annual payment amount by 12 or four, depending on whether a monthly or quarterly payment schedule is selected. The installment agreement shall be for a term of one year but may be extended on a yearly basis if the department determines that the extenuating circumstances continue.

3. An applicant may adjust the payment percentage at any point during the installment agreement, but may not make more than one such adjustment during any six-month period.

o. After an applicant has entered into an installment agreement with the department pursuant to this section, the department shall record the entry of such agreement on the automated city register information access system. Failure by the department to record such agreement, however, shall in no manner affect the validity of

such agreement, nor shall any claim arise or exist against the commissioner of finance or any officer or agency of the city by reason of such failure to record.

p. All installment agreements executed pursuant to this section on or after the effective date of the local law that added this subdivision shall include:

1. a statement that if payments required from an applicant pursuant to such an agreement are not made for a period of six months, such applicant shall be in default of such agreement, and the tax lien or tax liens on the subject property may be sold, provided, however, that such default may be cured upon such applicant's bringing all installment payments and all current charges that are outstanding at the time of the default to a current status, which shall include, but not be limited to, any outstanding interest and fees, prior to the date of the tax lien sale;

2. a notification that if such default is not cured prior to the date of the tax lien sale, such property owner shall not be eligible to enter into an installment agreement for the subject property for five years, unless a finding of extenuating circumstances has been made by the department pursuant to the process described in paragraph (4) of subdivision (e) of section 40-03 of title 19 of the rules of the city of New York;

3. the definition of extenuating circumstances pursuant to such paragraph;

4. a statement describing the conditions under which the property owner may be eligible, after default, to enter into another installment agreement in accordance with paragraph 3 of subdivision k of this section; and

5. the date by which the applicant must submit a renewal application each year.

q. No later than January 31, 2020 and every January 31 thereafter, the department shall submit to the speaker of the council a report on the usage of the installment agreements set forth in this section in the prior calendar year, including, but not limited to the following data, disaggregated by installment agreement type:

1. the number of new installment agreements executed;

2. the number of installment agreements in effect on December 31 of each year;

3. the number of applications for installment agreements received, the number of applications not approved, and the reasons for disapproval;

4. for the senior low-income installment agreements, the number of new installment agreements executed at zero percent, 25 percent, 50 percent and 75 percent;

5. for the fixed length and extenuating circumstances income-based installment agreements, the number of new installment agreements executed at two percent, four percent, six percent or eight percent;

6. the average amount of property taxes and charges addressed by the installment agreement;

7. the number of installment agreements that entered into default, the number of defaults that were cured and the method by which they were cured;

8. the number of installment agreements that were terminated, by reason of termination;

9. the number of installment agreements that were renewed, including whether such renewal occurred before or during the six-month period described in paragraph 1 of subdivision h of this section; and

10. the number of installment agreements where the amount of liens on the subject property exceeded the applicable percent of the net equity in such property.

r. The department shall publicize the availability of the installment agreements set forth in this section so as to maximize public awareness of such agreements.

§ 2. Subdivision g of section 11-320 of the administrative code of the city of New York, as added by local law number 15 for the year 2011, is amended to read as follows:

g. No later than one hundred twenty days after the tax lien sale, the commissioner of finance shall submit to the council a list of all properties, identified by block and lot, noticed for sale pursuant to subdivision b of this section. Such list shall also include a description of the disposition of such properties that shall include, but not be limited to, whether an owner entered into a payment plan with the city pursuant to section 11-322 or 11-322.1 of this chapter, whether an owner satisfied the tax lien or liens, whether ownership of the property was transferred, provided that such information is available to the city, or whether the property was distressed, as defined in subdivision four of section 11-401 of this title, or removed from the sale pursuant to the discretion of the commissioner of the department of housing preservation and development.

§ 3. Paragraph iii of subdivision j of section 11-320 of the administrative code of the city of New York, as added by local law 14 for the year 2015, is amended to read as follows:

(iii) installment agreement information, including informing attendees in such outreach sessions of their option to enter into an installment agreement for exclusion from the tax lien sale with no down payment, [and

their option to enter such agreement for a term not more than ten years] *with options for income-based installment agreements or installment agreements with a term of up to ten years;*

§ 4. Section 11-321 of the administrative code of the city of New York, as amended by local law number 26 for the year 1996, is amended to read as follows:

§ 11-321 Continuation of sale; notice required. A sale of a tax lien or tax liens may be continued from time to time, if necessary, until all the tax liens on the property so advertised and noticed shall be sold unless such sale is canceled or postponed in accordance with section 11-322 *or 11-322.1* of this chapter. If a sale of a tax lien or tax liens is continued, the commissioner of finance, or his or her designee, shall give such notice as is practicable of such continuation.

§ 5. This local law takes effect March 1, 2019, except that the department of finance may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, January 24, 2018.

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

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

Report for Res. No. 722

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 January 24, 2019, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 14, 2018, the Council adopted the expense budget for fiscal year 2019 with various programs and initiatives (the “Fiscal 2019 Expense Budget”). On June 6, 2017, the Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”). On June 14, 2016, the Council adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”).

Analysis. 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 funding in accordance with the Fiscal 2019 Expense Budget, the new designation and the changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2018 Expense Budget, the new designation and the changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2017 Expense Budget, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2019 and Fiscal 2017 Expense Budgets.

This Resolution, dated January 24, 2019, approves the new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in

accordance with the Fiscal 2019 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, and amends the description for the Description/Scope of Services of a certain organization receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2019 and Fiscal 2018 Expense Budgets.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2019 Expense Budget, as described in Chart 1; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2019 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2019 Expense Budget, as described in Charts 3-15; sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2018 Expense Budget, as described in Chart 16; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2018 Expense Budget, as described in Charts 17 and 18; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 19; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as described in Chart 20; amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2019 Expense Budget, as described in Chart 21; amends the description for the Description/Scope of Services of a certain organization receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as described in Chart 22; and sets forth the designation of a certain organization receiving funding pursuant to the Beating Hearts Initiative in accordance with the Fiscal 2019 Expense Budget as described in Chart 23.

Specifically, Chart 1 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2019 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2019 Expense Budget.

Chart 3 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 2019 Expense Budget.

Chart 4 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 5 sets forth the new designation and the change in the designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2019 Expense Budget. Such change will be effectuated upon a budget modification.

Chart 6 sets forth the change in the designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 8 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2019 Expense Budget. One of these changes will be effectuated upon a budget modification

Chart 9 sets forth the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 10 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 2019 Expense Budget.

Chart 11 sets forth the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 12 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 13 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 2019 Expense Budget. All of these changes will be effectuated upon a budget modification.

Chart 14 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 15 sets forth the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2019 Expense Budget.

Chart 16 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget.

Chart 17 sets forth the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 18 sets forth the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 19 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 20 sets forth the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 21 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2019 Expense Budget.

Chart 22 amends the description for the Description/Scope of Services of a certain organization receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

Chart 23 sets forth an organization that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2019.

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

It should further be noted that that funding for organizations in the attached Charts with a triple asterisk (***) indicates that there has been a technical adjustment to the designation than provided in a prior Resolution.

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 2019, Fiscal 2018, and Fiscal 2017 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. 722:)

Preconsidered Res. No. 722

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

By Council Member Dromm.

Whereas, On June 14, 2018 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2019 with various programs and initiatives (the “Fiscal 2019 Expense Budget”); and

Whereas, On June 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”); and

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2019, Fiscal 2018, and Fiscal 2017 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local 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 2019 and Fiscal 2017 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

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 2019 Expense Budget, as set forth in Chart 1; 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 2019 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 funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2019 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 Cultural Immigrant Initiative in accordance with the Fiscal 2019 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 Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 9; 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 2019 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 12; 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 2019 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 Parks Equity Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services of a certain organization receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council sets forth an organization that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2019, as set forth in Chart 23.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agv #	U/A	*
Torres	Committee for Hispanic Children and Families, Inc., The - Public School 59X ***	11-2622003	DYCD	(\$10,000)	260	312	
Torres	Bronx River Art Center, Inc. - Public School 003X ***	13-3261148	DCLA	\$10,000	126	003	
Ayala	BioBus, Inc. - "Discover" Mobile Lab Programs	26-2092282	DOE	(\$5,000)	040	402	
Ayala	BioBus, Inc. - Community School Districts 4 and 7	26-2092282	DOE	\$5,000	040	402	
Diaz	FAN4Kids	26-0092086	DOE	(\$12,000)	040	402	
Diaz	FAN4Kids - Public School 69X	26-0092086	DOE	\$12,000	040	402	
Koslowitz	Department of Education	13-6400434	DOE	(\$7,000)	040	402	
Koslowitz	Department of Education - Public School 139 Q	13-6400434	DOE	\$7,000	040	402	
Ayala	FAN4Kids - FAN4Kids Expansion	26-0092086	DOE	(\$5,000)	040	402	
Ayala	FAN4Kids - Public School 161X	26-0092086	DOE	\$5,000	040	402	
Gibson	FAN4Kids	26-0092086	DOE	(\$10,000)	040	402	
Gibson	FAN4Kids - Public School 73X	26-0092086	DOE	\$10,000	040	402	
Koo	FAN4Kids	26-0092086	DOE	(\$9,000)	040	402	
Koo	FAN4Kids - Public School 244Q and other Council District 20	26-0092086	DOE	\$9,000	040	402	
Rosenthal	BioBus, Inc.	26-2092282	DOE	(\$5,000)	040	402	
Rosenthal	BioBus, Inc. - Public School 87M	26-2092282	DOE	\$5,000	040	402	
Levine	BioBus, Inc. - BioBus "Discover" Mobile Lab Programs in District 7	26-2092282	DOE	(\$5,000)	040	402	
Levine	BioBus, Inc. - Public School 125 M, West Prep Academy, and Public School 36M	26-2092282	DOE	\$5,000	040	402	
Levine	Harlem Grown, Inc. - In-School Educational Programming	27-4250636	DOE	(\$5,000)	040	402	
Levine	Harlem Grown, Inc. - Public School 125M	27-4250636	DOE	\$5,000	040	402	
Rose	Department of Education - District 31, Region 7, Federation of PTAs	13-6400434	DOE	(\$2,500)	040	402	
Rose	Department of Education - Staten Island Field Support Center	13-6400434	DOE	\$2,500	040	402	
Levin	Greenpoint Monitor Museum, The	11-3332514	DOE	(\$5,000)	040	402	
Levin	Greenpoint Monitor Museum, The - Middle School 126K, The John Ericsson School	11-3332514	DOE	\$5,000	040	402	
Levin	Make: STEAM, Inc.	47-2123500	DOE	(\$3,000)	040	402	
Levin	Make: STEAM, Inc. - Automotive High School	47-2123500	DOE	\$3,000	040	402	

Rodriguez	BioBus, Inc.	26-2092282	DOE	(\$3,500)	040	402	
Rodriguez	BioBus, Inc. - Public School 8M Luis Belliard	26-2092282	DOE	\$3,500	040	402	
Gjonaj	Department of Education - Lehman Educational Campus (Bronx)	13-6400434	DOE	(\$5,000)	040	402	
Gjonaj	Department of Education - Lehman High School X	13-6400434	DOE	\$5,000	040	402	
Gjonaj	Department of Education - Christopher Columbus Educational Campus (Bronx)	13-6400434	DOE	(\$5,000)	040	402	
Gjonaj	Department of Education - Collegiate Institute for Math and Science	13-6400434	DOE	\$5,000	040	402	

* Indicates pending completion of pre-qualification review.

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

*** Technical adjustment to designation made in a previous Transparency Resolution

CHART 1: Local Initiatives - Fiscal 2019 (continued)

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Yeger	Make Music New York, Inc. **	20-5751217	DYCD	(\$5,000)	260	005	
Yeger	Make Music New York, Inc. **	20-5751217	DCLA	\$5,000	126	003	
Reynoso	Churches United for Fair Housing, Inc. **	26-4698161	HPD	(\$5,000)	806	009	
Reynoso	Churches United for Fair Housing, Inc. **	26-4698161	DYCD	\$5,000	260	312	
Adams	100 Suits for 100 Men, Inc.	46-2971279	DYCD	(\$5,000)	260	005	*
Adams	Indo-Caribbean Alliance, Inc.	27-2848254	DYCD	\$5,000	260	005	
Holden	Middle Village Volunteer Ambulance Corporation **	11-2330754	FDNY	(\$5,000)	057	005	
Holden	Department of Education - Grover Cleveland High School 485Q **	13-6400434	DOE	\$5,000	040	402	
Powers	West 54-55 Street Block Association	06-1779681	DYCD	(\$5,000)	260	005	
Powers	God's Love We Deliver, Inc.	13-3366846	DYCD	\$5,000	260	005	
Reynoso	Ridgewood Local Development Corporation	11-2483351	SBS	(\$20,000)	801	002	
Reynoso	Myrtle Avenue District Management Association	11-2912570	SBS	\$20,000	801	002	
Holden	Ridgewood Local Development Corporation	11-2483351	SBS	(\$15,000)	801	002	
Holden	Myrtle Avenue District Management Association	11-2912570	SBS	\$15,000	801	002	
Rodriguez	Carnegie Hall Corporation, The	13-1923626	DCLA	(\$5,000)	126	022	
Rodriguez	Carnegie Hall Corporation, The - The Lullaby Project	13-1923626	DCLA	\$5,000	126	022	
Dromm	Students for Service, Inc.	45-3591508	DYCD	(\$5,000)	260	005	
Dromm	Teens For Food Justice, Inc.	45-3591508	DYCD	\$5,000	260	005	
Williams	Grace Family Services, Inc. **	20-2765775	DCLA	(\$4,500)	126	003	*
Williams	Grace Family Services, Inc. **	20-2765775	DYCD	\$4,500	260	005	*
Cumbo	Borough President-Brooklyn **	13-6400434	BKBP	(\$5,000)	012	001	*
Cumbo	Jewish Community Council of Greater Coney Island, Inc. **	11-2665181	DYCD	\$4,000	260	005	
Cumbo	Adult Community Learning Center for Empowerment, Inc. **	46-1085925	DYCD	\$1,000	260	005	
Chin	Washington Square Park Conservancy, Inc.	46-1406128	DPR	(\$10,000)	846	006	
Chin	Department of Parks and Recreation - Washington Square Park	13-6400434	DPR	\$10,000	846	006	

* Indicates pending completion of pre-qualification review.

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

CHART 2: Youth Discretionary - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Vallone	Friends of Fort Totten Parks, Inc.	32-0176967	DYCD	(\$5,000)	260	312	
Vallone	Waterfront Alliance, Inc.	13-4355067	DYCD	\$5,000	260	312	
Adams	Brooks Memorial United Methodist Church - Youth Program	11-1832868	DYCD	(\$5,000)	260	312	
Adams	A Better Jamaica, Inc.	11-3804421	DYCD	\$5,000	260	312	

* Indicates pending completion of pre-qualification review.

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

CHART 3: Anti-Poverty Initiative - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Torres	Committee for Hispanic Children and Families, Inc., The - Public School 59X	11-2622003	DYCD	(\$5,000)	260	312	
Torres	Bronx River Art Center, Inc. - Public School 003X	13-3261148	DCLA	\$10,000	126	003	
Kallos	Church of the Epiphany	13-1623859	DYCD	(\$10,000)	260	005	
Kallos	Rector Church Wardens & Vestrymen of Church of Epiphany of Cty of NY	13-1623859	DYCD	\$10,000	260	005	
Maisel	Floyd Bennett Composite Squadron	75-6037853	DYCD	(\$1,500)	260	312	
Maisel	Yeshiva Ohr Yisrael	11-3618826	DYCD	\$1,500	260	312	
Maisel	Redemption, Inc.	56-2550383	DYCD	(\$1,000)	260	312	*
Maisel	Newton Foundation, Inc.	47-5247240	DYCD	\$1,000	260	312	

* Indicates pending completion of pre-qualification review.

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

CHART 4: Boroughwide Needs Initiative - Fiscal 2019

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Bronx Delegation	BioBus, Inc.	26-2092282	DOE	(\$10,000)	040	402	
Bronx Delegation	BioBus, Inc. - Middle School 244 New School for Leadership and Journalism, Middle School 390, Public School/Middle School 279	26-2092282	DOE	\$10,000	040	402	
Brooklyn Delegation	Apna Brooklyn Community Center, Inc.	47-4798926	DYCD	(\$15,000)	260	005	
Brooklyn Delegation	Apna Brooklyn Community Center, Inc.	82-0706930	DYCD	\$15,000	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 5: Speaker's Initiative to Address Citywide Needs - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Speaker	Harlem United Community AIDS Center, Inc. **	13-3461695	DHMH	(\$75,000)	816	122	*
Speaker	Muslim Community Network **	75-3163555	DYCD	\$75,000	260	312	

* Indicates pending completion of pre-qualification review.

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

CHART 6: A Greener NYC - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Perkins	Harlem Grown, Inc. - PS 318, PS 154, PS 197, & St HOPE Leadership Academy	27-4250636	DOE	(\$20,000)	040	402	
Perkins	Harlem Grown, Inc. - Public School 318M, Public School 154M, Public School 197M	27-4250636	DOE	\$20,000	040	402	

* Indicates pending completion of pre-qualification review.

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

CHART 7: Cultural Immigrant Initiative - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Powers	Midtown Management Group, Inc.	13-3192793	DCLA	(\$20,000)	126	003	
Powers	Midtown Management Group, Inc. - Public School 40M Augustus Saint-Gaudens	13-3192793	DCLA	\$20,000	126	003	
Rodriguez	Morris-Jumel Mansion, Inc.	13-2800646	DCLA	(\$15,000)	126	003	
Rodriguez	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DCLA	\$15,000	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 8: Cultural After-School Adventure (CASA) - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Torres	Bronx River Art Center, Inc. - Public School 003X ***	13-3261148	DCLA	(\$20,000)	126	003	
Torres	Committee for Hispanic Children and Families, Inc., The - Public School 59X ***	11-2622003	DCLA	\$15,000	126	003	
King	Department of Cultural Affairs ***	13-6400434	DCLA	(\$20,000)	126	003	
King	New York Botanical Garden - Edible Academy School Partnership Program ***	13-1693134	DCLA	\$20,000	126	003	
King	Epic Theatre Center, Inc.	52-2303451	DCLA	(\$20,000)	126	003	
King	Epic Theatre Center, Inc. - Bronx High School for Writing and Communication Arts	52-2303451	DCLA	\$20,000	126	003	
Rose	NYC Arts Cypher - Public School 65R **	57-1229930	DCLA	(\$20,000)	126	003	
Rose	NYC Arts Cypher - Public School 65R **	57-1229930	DYCD	\$20,000	260	312	
Menchaca	Brooklyn Book Festival, Inc. - PS 24	46-5328190	DCLA	(\$20,000)	126	003	
Menchaca	Brooklyn Queens Conservatory of Music - Public School 24K	11-1532426	DCLA	\$20,000	126	003	
Williams	Dancewave, Inc. - PS 31K	11-2726558	DCLA	(\$20,000)	126	003	
Williams	Dancewave, Inc. - PS 152K	11-2726558	DCLA	\$20,000	126	003	
Williams	Museum of Contemporary African Diasporian Arts, Inc. - PS 152k	11-3526774	DCLA	(\$20,000)	126	003	
Williams	Museum of Contemporary African Diasporian Arts, Inc. - PS 315K	11-3526774	DCLA	\$20,000	126	003	
Cabrera	Dancing Classrooms, Inc. - CASA - PS 109 Sedgwick	22-2542960	DCLA	(\$20,000)	126	003	
Cabrera	Marquis Studios, Ltd. - PS 109X Sedgwick	13-3047206	DCLA	\$20,000	126	003	
Gjonaj	Bronx Arts Ensemble, Inc. - Public School 97	51-0186869	DCLA	(\$20,000)	126	003	
Gjonaj	Bronx Arts Ensemble, Inc. - Urban Institute of Mathematics	51-0186869	DCLA	\$20,000	126	003	
Levine	Department of Cultural Affairs - MS369M	13-6400434	DCLA	(\$20,000)	126	003	
Levine	Dancewave, Inc. - PS 368M Hamilton Heights School	11-2726558	DCLA	\$20,000	126	003	
Richards	Department of Cultural Affairs - Collaborative Arts Middle School	13-6400434	DCLA	(\$20,000)	126	003	
Richards	Alvin Ailey Dance Foundation, Inc. - Collaborative Arts Middle School	13-2584273	DCLA	\$20,000	126	003	
Chin	Society of the Educational Arts, Inc. - Essex Street Academy in Lower Manhattan	11-3210593	DCLA	(\$20,000)	126	003	
Chin	Society of the Educational Arts, Inc. - Public School 140M	11-3210593	DCLA	\$20,000	126	003	

* Indicates pending completion of pre-qualification review.

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

*** Technical adjustment to designation made in a previous Transparency Resolution

CHART 9: Digital Inclusion and Literacy Initiative - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Miller	PowerMyLearning, Inc. - Public School 134Q Public School/Intermediate School 268Q	13-3935309	DYCD	(\$20,000)	260	005	
Miller	PowerMyLearning, Inc. - Public School 134Q	13-3935309	DYCD	\$20,000	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 10: Domestic Violence and Empowerment (DoVE) Initiative - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Holden	CUNY Creative Arts Team - Anti-Violence	13-3893536	MOCJ	(\$10,000)	098	002	
Holden	Research Foundation of the City University of New York - Anti-Violence Programming	13-1988190	MOCJ	\$10,000	098	002	

* Indicates pending completion of pre-qualification review.

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

CHART 11: Food Pantries - Fiscal 2019

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Manhattan Delegation	Church of the Epiphany	13-1623859	DYCD	(\$10,000)	260	005	
Manhattan Delegation	Rector Church Wardens & Vestrymen of Church of Epiphany of Cty of NY	13-1623859	DYCD	\$10,000	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 12: Neighborhood Development Grant Initiative - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Ulrich	Beach 116th Street Partnership, The	46-3640322	SBS	(\$18,000)	801	002	
Ulrich	Rockaway Business Alliance, Inc.	46-3640322	SBS	\$18,000	801	002	
Deutsch	Apna Brooklyn Community Center, Inc.	47-4798926	SBS	(\$18,000)	801	002	
Deutsch	Apna Brooklyn Community Center, Inc.	82-0706930	SBS	\$18,000	801	002	

* Indicates pending completion of pre-qualification review.

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

CHART 13: NYC Cleanup Initiative - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Menchaca	Sunset Park District Management Association, Inc. **	11-3251860	DYCD	(\$50,000)	260	005	
Menchaca	Department of Sanitation **	13-6400434	DSNY	\$50,000	827	102	
Maisel	Department of Sanitation **	13-6400434	DSNY	(\$10,422)	827	102	
Maisel	Department of Sanitation **	13-6400434	DSNY	\$10,422	827	109	
Cornegy	Department of Sanitation **	13-6400434	DSNY	(\$10,422)	827	102	
Cornegy	Department of Sanitation **	13-6400434	DSNY	\$10,422	827	109	
Salamanca	Department of Sanitation **	13-6400434	DSNY	(\$20,000)	827	109	
Salamanca	Department of Sanitation **	13-6400434	DSNY	\$20,000	827	102	
Adams	Department of Sanitation **	13-6400434	DSNY	(\$7,417)	827	102	
Adams	Department of Sanitation **	13-6400434	DSNY	\$7,417	827	109	

* Indicates pending completion of pre-qualification review.

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

CHART 14: Parks Equity Initiative - Fiscal 2019

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Menchaca	City Parks Foundation - Harold Ickes Playground	13-3561657	DPR	(\$38,500)	846	006	
Menchaca	Red Hook Conservancy, Inc.	81-4992928	DPR	(\$10,000)	846	006	
Menchaca	Department of Parks and Recreation	13-6400434	DPR	\$48,500	846	006	
Constantinides	City Parks Foundation - Partnership for Parks	13-3561657	DPR	(\$5,000)	846	006	
Constantinides	Department of Parks and Recreation	13-6400434	DPR	\$5,000	846	006	
Adams	Citizens Committee for New York City, Inc. - Police Officer Edward Byrne Park and Maurice A Fitzgerald PLGD	51-0171818	DPR	(\$10,000)	846	006	
Adams	Citizens Committee for New York City, Inc. - Council District 28 Clean Up	51-0171818	DPR	\$10,000	846	006	

* Indicates pending completion of pre-qualification review.

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

CHART 15: SU-CASA Initiative - Fiscal 2019

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$2,160,000)	126	003	
Adams	Caribbean American Repertory Theatre, Inc. - India Home	11-2972441	DCLA	\$15,000	126	003	
Adams	Center for Traditional Music and Dance - Rochdale Village Senior Center - Rochdale Village Social Services, Inc.	23-7379877	DCLA	\$15,000	126	003	
Adams	Jamaica Center for Arts and Learning, Inc. - Jspoa Rockaway Blvd Senior Center - Jamaica Service Program For Older Adults	11-2478709	DCLA	\$15,000	126	003	
Ampry-Samuel	Conscientious Musical Revues - Saratoga Square NC	061278112	DCLA	\$15,000	126	003	*
Ampry-Samuel	Urbanglass New York Contemporary Glass Center, Inc. - Vandyke Neighborhood Senior Center	13-3098471	DCLA	\$15,000	126	003	
Ampry-Samuel	West Indian American Day Carnival Association, Inc. - Blenman Neighborhood Senior Center	23-7176396	DCLA	\$15,000	126	003	
Ayala	Amigos Del Museo Del Barrio, Inc. - Carver Neighborhood Senior Center - Institute For The Puerto Rican/Hispanic Elderly	23-7156720	DCLA	\$15,000	126	003	
Ayala	Bronx Documentary Center, The - Mitchel Neighborhood Senior Center - East Side House	45-2403312	DCLA	\$15,000	126	003	
Ayala	Horticultural Society of New York, The - E. Robert Moore Neighborhood Senior Center - Bronxworks, Inc.	13-0854930	DCLA	\$15,000	126	003	
Barron	Urbanglass New York Contemporary Glass Center, Inc. - Abe Stark Neighborhood Senior Center - Bergen Basin Comm Dev Corp/DBA Millennium Development	13-3098471	DCLA	\$15,000	126	003	
Barron	Drumsongs Productions, Inc. - Penn Wortman Neighborhood Senior Center - Bergen Basin Comm Dev Corp/DBA Millennium Development Corp	06-1550859	DCLA	\$15,000	126	003	
Borelli	IlluminArt Productions - JCC South Shore Neighborhood Senior Center	42-1727647	DCLA	\$15,000	126	003	
Borelli	Sundog Theatre, Inc. - Mt. Loretto Neighborhood Senior Center	45-0476945	DCLA	\$15,000	126	003	
Borelli	Sundog Theatre, Inc. - Great Kills Neighborhood Senior Center	45-0476945	DCLA	\$15,000	126	003	
Brannan	Franklin Furnace Archive, Inc. - Bay Ridge Neighborhood Senior Center - Bay Ridge Center, Inc.	13-2879766	DCLA	\$15,000	126	003	
Brannan	New York Chinese Cultural Center, Inc. - Homecrest Bensonhurst Neighborhood Sr Ct - Homecrest Community Services, Inc.	13-2928554	DCLA	\$15,000	126	003	
Brannan	New York Chinese Cultural Center, Inc. - Brooklyn Chinese-American Association, Inc. - Brooklyn Chinese-American Association, Inc.	13-2928554	DCLA	\$15,000	126	003	
Cabrera	Bronx Documentary Center, The - Heights Neighborhood Senior Center - Bronxworks, Inc.	45-2403312	DCLA	\$15,000	126	003	
Cabrera	Instituto Arte Teatral Internacional, Inc. - Tolentine Zeiser Community Life Center - Regional Aid For Interim Needs, Inc.	13-3111859	DCLA	\$15,000	126	003	

Cabrera	Pregones Touring Puerto Rican Theatre Collection, Inc. - Tolentine Zeiser Community Life Center - Regional Aid For Interim Needs, Inc.	13-3266893	DCLA	\$15,000	126	003	
Chin	Battery Dance Corporation - City Hall Neighborhood Senior Center	23-7418859	DCLA	\$15,000	126	003	
Chin	La Mama Experimental Theatre Club, Inc. - Weinberg Center For Balanced Living	13-2620861	DCLA	\$15,000	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 15: SU-CASA Initiative - Fiscal 2019 (continued)

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Chin	New York Chinese Cultural Center, Inc. - Mott Street Neighborhood Senior Center	13-2928554	DCLA	\$15,000	126	003	
Cohen	Bronx Opera Company, Inc. - Riverdale Y Senior Center	23-7170675	DCLA	\$15,000	126	003	
Cohen	Bronx Opera Company, Inc. - Mosholu Montefiore Neighborhood Sr Ctr	23-7170675	DCLA	\$15,000	126	003	
Cohen	Jack Arts, Inc. - CCNS St Louis Neighborhood Senior Center - Catholic Charities Neighborhood Services, Inc.	45-5346846	DCLA	\$15,000	126	003	*
Constantinides	Astoria Performing Arts Center, Inc. - HANAC Harmony JVL ISC - HANAC	65-1209580	DCLA	\$15,000	126	003	
Constantinides	Queens Theatre In The Park, Inc. - Selfhelp Queensview NORC - Selfhelp	11-3381629	DCLA	\$15,000	126	003	
Constantinides	Little Orchestra Society-Orpheon, Inc., The - CCNS Dellamonica-Steinway NSC - Catholic Charities	13-2638292	DCLA	\$15,000	126	003	
Corney	Brooklyn Music School - Stuyvesant Heights Neighborhood Senior Center - Fort Greene Council	11-6000202	DCLA	\$15,000	126	003	
Corney	Brooklyn Music School - Maria Lawton Neighborhood Senior Center - Fort Greene Council	11-6000202	DCLA	\$15,000	126	003	
Corney	Green Earth Poets Cafe, Inc. - Albany Neighborhood Senior Center - Fort Greene Council	46-4951821	DCLA	\$15,000	126	003	
Cumbo	Bronx Opera Company, Inc. - Van Cortlandt Neighborhood Senior Center	23-7170675	DCLA	\$15,000	126	003	
Cumbo	Cumbe: Center for African and Diaspora Dance, Inc. - Sage Brooklyn - Services And Advocacy For Gay, Lesbian, Bisexual And Transgender	47-5039336	DCLA	\$15,000	126	003	
Cumbo	Jack Arts, Inc. - Farragut Senior Center - The Spanish Speaking Elderly Council-Raices, Inc.	45-5346846	DCLA	\$15,000	126	003	*
Deutsch	Brighton Ballet Theater Company, Inc. - Trumps United Norc - Jewish Association For Services For The Aged	11-3195590	DCLA	\$15,000	126	003	
Deutsch	Brighton Ballet Theater Company, Inc. - Senior Alliance Senior Center - Jewish Association For Services For The Aged	11-3195590	DCLA	\$15,000	126	003	
Deutsch	Brighton Ballet Theater Company, Inc. - Luna Park Senior Center - Jewish Association For Services For The Aged	11-3195590	DCLA	\$15,000	126	003	
Diaz	Bronx Documentary Center, The - Kips Bay Castle Hill Neighborhood Sr Ctr - Kips Bay Boys and Girls Club	45-2403312	DCLA	\$15,000	126	003	
Diaz	Dance Parade, Inc. - Rain Parkchester Neighborhood Senior Ctr - Regional Aid For Interim Needs, Inc.	20-8576378	DCLA	\$15,000	126	003	*
Diaz	Loisaida, Inc. - Bronx YMCA Glebe Center - YMCA Of Greater New York	13-3023183	DCLA	\$15,000	126	003	
Dromm	An Claidheamh Soluis, Inc. - Selfhelp Northridge 11-Brulene	51-0244834	DCLA	\$15,000	126	003	
Dromm	Louis Armstrong House Museum - Elmhurst Jackson Heights Neighborhood SC	26-4178283	DCLA	\$15,000	126	003	
Dromm	Queens Historical Society - CCNS Catherine Sheridan NSC	23-7016007	DCLA	\$15,000	126	003	
Espinal	BRIC Arts Media Brooklyn, Inc. - Ridgewood Bushwick Senior Citizens Council, Inc. - Roundtable Neighborhood Senior Center	11-2547268	DCLA	\$15,000	126	003	

Espinal	Bushwick Starr, Inc. - Ridgewood Bushwick Senior Citizens Council, Inc. - Ridgewood Bushwick Neighborhood Senior Center	26-4546315	DCLA	\$15,000	126	003	
Espinal	Teachers & Writers Collaborative - Cypress Hills Fulton ST NBH SR CTZ CTR	13-2693372	DCLA	\$15,000	126	003	*

* Indicates pending completion of pre-qualification review.

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

CHART 15: SU-CASA Initiative - Fiscal 2019 (continued)

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Eugene	Brighton Ballet Theater Company, Inc. - Brookdale Neighborhood Senior Center	11-3195590	DCLA	\$15,000	126	003	
Eugene	Cultural Museum of African Art, Inc. - The Eric Edwards Collection - Fenimore Senior Center	90-0907203	DCLA	\$15,000	126	003	
Eugene	West Indian American Day Carnival Association, Inc. - Saint Gabriel's Neighborhood Senior Center	23-7176396	DCLA	\$15,000	126	003	
Gibson	Pregones Touring Puerto Rican Theatre Collection, Inc. - Morrisania Air Rights Social Club - Presbyterian Senior Services	13-3266893	DCLA	\$15,000	126	003	
Gibson	Pregones Touring Puerto Rican Theatre Collection, Inc. - Hope Of Israel Neighborhood Senior Center - Hope Of Israel Senior Citizen Center, Inc.	13-3266893	DCLA	\$15,000	126	003	
Gibson	Pregones Touring Puerto Rican Theatre Collection, Inc. - Concourse Plaza Wellness	13-3266893	DCLA	\$15,000	126	003	
Gjonaj	Bronx Opera Company, Inc. - Northeast Bronx Neighborhood Senior Ctr	23-7170675	DCLA	\$15,000	126	003	
Gjonaj	Bronx River Art Center, Inc. - HANAC I And R And Recreation - HANAC, Inc.	13-3261148	DCLA	\$15,000	126	003	
Gjonaj	Lehman College Art Gallery - Throgs Neck Neighborhood Senior Center	13-3391212	DCLA	\$15,000	126	003	
Grodenschik	Jamaica Center for Arts and Learning, Inc. - Selfhelp Fresh Meadows Norc - Selfhelp Community Services, Inc.	11-2478709	DCLA	\$15,000	126	003	
Grodenschik	Queens Theatre In The Park, Inc. - Snap Innovative Senior Center - Services Now For Adult Persons, Inc.	11-3381629	DCLA	\$15,000	126	003	
Grodenschik	Queens Theatre In The Park, Inc. - Bayside Neighborhood Senior Center - Catholic Charities Neighborhood Services, Inc.	11-3381629	DCLA	\$15,000	126	003	
Holden	American Museum of the Moving Image - Selfhelp Maspeth Neighborhood Senior Ctr - Selfhelp Community Services, Inc.	11-2730714	DCLA	\$15,000	126	003	
Holden	Queens Historical Society - Peter Cardella Neighborhood Senior Ctr - Peter Cardella Senior Citizen Center, Inc.	23-7016007	DCLA	\$15,000	126	003	
Holden	Queens Theatre In The Park, Inc. - Middle Village Neighborhood Senior CTR - Rabbi Israel Meyer Hacohen Rabbinical Seminary Of America	11-3381629	DCLA	\$15,000	126	003	
Johnson	Alvin Ailey Dance Foundation, Inc. - Penn South Norc - Penn South Social Services, Inc.	13-2584273	DCLA	\$15,000	126	003	
Johnson	Greenwich House, Inc. - Judith C White Neighborhood Senior Ctr - Greenwich House, Inc.	13-5562204	DCLA	\$15,000	126	003	
Johnson	Midtown Management Group, Inc. - Encore Neighborhood Senior Center - Encore Community Services	13-3192793	DCLA	\$15,000	126	003	
Kallos	Young Men's and Young Women's Hebrew Association - Stanley M Isaacs Neighborhood Center - Stanley M Isaacs Neighborhood Center	13-1624229	DCLA	\$15,000	126	003	
Kallos	Young Men's and Young Women's Hebrew Association - Roosevelt Island Senior Center - Carter Burden Network	13-1624229	DCLA	\$15,000	126	003	

King	Bronx River Art Center, Inc. - Bay Eden Neighborhood Senior Center - Jewish Association For Services For The Aged	13-3261148	DCLA	\$15,000	126	003	
King	Jazzmobile, Inc. - JASA Co Op City NORC - Jewish Association For Services For The Aged	13-2614483	DCLA	\$15,000	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 15: SU-CASA Initiative - Fiscal 2019 (continued)

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
King	Lehman College Art Gallery - JASA Einstein Senior Center - Jewish Association For Services For The Aged	13-3391212	DCLA	\$15,000	126	003	
Koo	Camera News, Inc. - Selfhelp Latimer Neighborhood Senior Ctr - Selfhelp Community Services, Inc.	13-2624257	DCLA	\$15,000	126	003	*
Koo	Jamaica Center for Arts and Learning, Inc. - South Asian Council For Social Services - Senior Center - South Asian Council For Social Services	11-2478709	DCLA	\$15,000	126	003	
Koo	Teachers & Writers Collaborative - Selfhelp Innovative Senior Center - Selfhelp Community Services, Inc.	13-2693372	DCLA	\$15,000	126	003	*
Koslowitz	Dance Entropy, Inc. - Rego Park Neighborhood Senior Center - Queens Community House	20-4388158	DCLA	\$15,000	126	003	
Koslowitz	Dance Entropy, Inc. - Kew Gardens Community Center - Queens Community House	20-4388158	DCLA	\$15,000	126	003	
Koslowitz	Dance Entropy, Inc. - Forest Hills Neighborhood Senior Center - Queens Community House	20-4388158	DCLA	\$15,000	126	003	
Lancman	Ascension Music Chorus and Orchestra, Inc. - Queens Valley Neighborhood Senior Center - Young Israel Programs Inc.	13-3668472	DCLA	\$15,000	126	003	*
Lancman	Dance Parade, Inc. - Shelton House Social Club - Jamaica Service Program For Older Adults, Inc.	20-8576378	DCLA	\$15,000	126	003	*
Lancman	Jamaica Center for Arts and Learning, Inc. - Pomonok Neighborhood Senior Center - Queens Community House, Inc.	11-2478709	DCLA	\$15,000	126	003	
Lander	Brooklyn Music School - Amico/Eileen Dugan Senior Center - American Italian Coalition Of Organizations, Inc.\Amico	11-6000202	DCLA	\$15,000	126	003	
Lander	Dancewave, Inc. - Heights And Hills Senior Center/ Park Slope Center For Successful Aging - Heights And Hills, Inc.	11-2726558	DCLA	\$15,000	126	003	
Lander	Tropicalfete, Inc. - Prospect Hill Neighborhood Senior Ctr - St. John St Matthew Emanuel Lutheran Church	45-2940435	DCLA	\$15,000	126	003	
Levine	Afro-Latin Jazz Alliance of New York, Inc. - Douglass Social Club - West Side Federation For Senior And Supportive Housing	45-3665976	DCLA	\$15,000	126	003	
Levine	Dances for a Variable Population, Inc. - The Center At Red Oak - West Side Federation For Senior And Supportive Housing	26-4572204	DCLA	\$15,000	126	003	
Levine	Harlem Needle Arts, Inc. - Morningside Mrhs Norc - Morningside Retirement & Health Services Inc.	20-3505872	DCLA	\$15,000	126	003	
Maisel	BRIC Arts Media Brooklyn, Inc. - Mill Basin Senior Center - Bergen Basin Comm Dev Corp/Dbas Millennium Development Corp	11-2547268	DCLA	\$15,000	126	003	
Maisel	BRIC Arts Media Brooklyn, Inc. - Bergen Beach Services For Seniors - Bergen Beach Youth Organization, Inc.	11-2547268	DCLA	\$15,000	126	003	

Maisel	Brighton Ballet Theater Company, Inc. - Hes Neighborhood Senior Center - Jewish Association For Services For The Aged	11-3195590	DCLA	\$15,000	126	003	
Matteo	Snug Harbor Cultural Center & Botanical Garden - Catholic Charities Of Staten Island - Anderson Avenue Neighborhood Senior Center	80-0193388	DCLA	\$15,000	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 15: SU-CASA Initiative - Fiscal 2019 (continued)

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Matteo	Staten Island Institute of Arts and Sciences - Arrochar Neighborhood Senior Center - Staten Island Community Services Friendship Clubs, Inc.	13-5564127	DCLA	\$15,000	126	003	
Matteo	Sundog Theatre, Inc. - Todt Hill Neighborhood Senior Center - Staten Island Community Services Friendship Clubs, Inc.	45-0476945	DCLA	\$15,000	126	003	
Menchaca	Instituto Arte Teatral Internacional, Inc. - United Neighborhood Senior Citizens Center	13-3111859	DCLA	\$15,000	126	003	
Menchaca	Instituto Arte Teatral Internacional, Inc. - Sunset Park Neighborhood Senior Center	13-3111859	DCLA	\$15,000	126	003	
Menchaca	Instituto Arte Teatral Internacional, Inc. - Red Hook Neighborhood Senior Center	13-3111859	DCLA	\$15,000	126	003	
Miller	Arts at Henson-Parks, Inc. - Allen Community Neighborhood Senior Ctr - Allen Ame Church Allen Community Senior Center	47-1377573	DCLA	\$15,000	126	003	
Miller	Braata Productions, Inc. - Alpha Phi Alpha Neighborhood Senior Ctr - Alpha Phi Alpha Senior Citizens Center, Inc.	27-3402327	DCLA	\$15,000	126	003	
Miller	Jamaica Center for Arts and Learning, Inc. - JSPOA Theodora Jackson NSC - Jamaica Service Program For Older Adults	11-2478709	DCLA	\$15,000	126	003	
Moya	Arts at Henson-Parks, Inc. - Elmcors Lefrak Neighborhood Senior Center - Elmcors Youth & Adult Activities, Inc.	47-1377573	DCLA	\$15,000	126	003	
Moya	Playwrights Preview Productions, Ltd. - Elmcors Neighborhood Senior Center - Elmcors Youth & Adult Activities, Inc.	13-3230452	DCLA	\$15,000	126	003	*
Moya	Spanish Theatre Repertory Company, Ltd. - Elmcors Lefrak Neighborhood Senior Center - The Spanish Speaking Elderly Council-Raices, Inc.	13-2672755	DCLA	\$15,000	126	003	
Perkins	Harlem Needle Arts, Inc. - Polo Grounds (2965 8Th Avenue) - Polo Grounds	20-3505872	DCLA	\$15,000	126	003	
Perkins	Harlem Needle Arts, Inc. - Food Bank Neighborhood Senior Center - Food Bank For New York City	20-3505872	DCLA	\$15,000	126	003	
Perkins	Jazzmobile, Inc. - CANAAN Neighborhood Senior Center - Canaan Baptist Church of Christ	13-2614483	DCLA	\$15,000	126	003	
Powers	Ansonia Music Outreach Organization, Inc. - Lenox Hill Neighborhood Senior Center - Lenox Hill Neighborhood House, Inc.	13-3674001	DCLA	\$15,000	126	003	*
Powers	Open Channels New York, Inc. dba Dixon Place - Sirovich Senior Center - Sirovich	13-3486263	DCLA	\$15,000	126	003	*
Powers	Young Men's and Young Women's Hebrew Association - Stein Neighborhood Senior Center - Stein Senior Center, Inc.	13-1624229	DCLA	\$15,000	126	003	*
Reynoso	Afro-Latin Jazz Alliance of New York, Inc. - Cooper Park Social Club	45-3665976	DCLA	\$15,000	126	003	
Reynoso	Bushwick Starr, Inc. - Roundtable Neighborhood Senior Center	26-4546315	DCLA	\$15,000	126	003	
Reynoso	Spanish Theatre Repertory Company, Ltd. - Los Sures David Santiago Neighborhood SC	13-2672755	DCLA	\$15,000	126	003	
Richards	Braata Productions, Inc. - Rochdale Village Senior Center - Rochdale Village Social Services, Inc.	27-3402327	DCLA	\$15,000	126	003	

Richards	Braata Productions, Inc. - Robert Couche Neighborhood Senior Center	27-3402327	DCLA	\$15,000	126	003	
Richards	Queens Theatre In The Park, Inc. - Roy Reuther Neighborhood Senior Center	11-3381629	DCLA	\$15,000	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 15: SU-CASA Initiative - Fiscal 2019 (continued)

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Rivera	2020 Vision for Schools, Inc. - Ujc Lillian Wald Houses Senior Center	45-3023036	DCLA	\$15,000	126	003	
Rivera	Ascension Music Chorus and Orchestra, Inc. - John Paul Ii Friendship Neighborhood Sc	13-3668472	DCLA	\$15,000	126	003	*
Rivera	La Mama Experimental Theatre Club, Inc. - Good Companions Neighborhood Senior Center	13-2620861	DCLA	\$15,000	126	003	
Rodriguez	Horticultural Society of New York, The - Arc XVI Ft Washington Sr Ctr	13-0854930	DCLA	\$15,000	126	003	
Rodriguez	Instituto Arte Teatral Internacional, Inc. - Marble Hill Neighborhood Sr Ctr	13-3111859	DCLA	\$15,000	126	003	
Rodriguez	Spanish Theatre Repertory Company, Ltd. - Dyckman Neighborhood Sr Ctr	13-2672755	DCLA	\$15,000	126	003	
Rose	IlluminArt Productions - West Brighton Neighborhood Senior Center - Catholic Charities Community Services Archdiocese Of NY	42-1727647	DCLA	\$15,000	126	003	
Rose	Snug Harbor Cultural Center & Botanical Garden - Cassidy Coles Neighborhood Senior Center - Community Agency For Senior Citizens, Inc.	80-0193388	DCLA	\$15,000	126	003	
Rose	Sundog Theatre, Inc. - Stapleton Neighborhood Senior Center - Jewish Community Center Of Staten Island	45-0476945	DCLA	\$15,000	126	003	
Rosenthal	CITYarts, Inc. - Jasa Westside. Club 76	13-2766701	DCLA	\$15,000	126	003	
Rosenthal	Dances for a Variable Population, Inc. - Lincoln Square Neighborhood Center - Goddard	26-4572204	DCLA	\$15,000	126	003	
Rosenthal	Dances for a Variable Population, Inc. - Goddard Senior Center - W 88Th St	26-4572204	DCLA	\$15,000	126	003	
Salamanca	Afro-Latin Jazz Alliance of New York, Inc. - Pss Davidson Neighborhood Senior Center - Presbyterian Senior Services	45-3665976	DCLA	\$15,000	126	003	
Salamanca	Afro-Latin Jazz Alliance of New York, Inc. - Melrose Mott Haven Neighborhood Sr Ctr - East Side House, Inc.	45-3665976	DCLA	\$15,000	126	003	
Salamanca	Afro-Latin Jazz Alliance of New York, Inc. - Erma Cava Senior Center - SEBCO Neighborhood Senior Center	45-3665976	DCLA	\$15,000	126	003	
Torres	Lehman College Art Gallery - Sebco Mt. Carmel Neighborhood Senior Center - Sebco Development, Inc.	13-3391212	DCLA	\$15,000	126	003	
Torres	Lehman College Art Gallery - East Concourse Neighborhood Senior Center - Bronxworks, Inc.	13-3391212	DCLA	\$15,000	126	003	
Torres	Young Audiences New York, Inc. - Thomas Guess Neighborhood Senior Center - The Neighborhood Self-Help By Older Persons Project, Inc.	13-1997754	DCLA	\$15,000	126	003	
Treyger	Art's House Schools, Inc. - Haber House Neighborhood Senior Center - Jewish Community Council Of Greater Coney Island, Inc.	87-0790139	DCLA	\$15,000	126	003	
Treyger	Brighton Ballet Theater Company, Inc. - Sheuer House Of Ci Neighborhood Sr Ctr - Jewish Association For Services For The Aged	11-3195590	DCLA	\$15,000	126	003	

Treyger	New York Chinese Cultural Center, Inc. - Marlboro Neighborhood Senior Center - Jewish Community Council Of Greater Coney Island, Inc.	13-2928554	DCLA	\$15,000	126	003	
Ulrich	Jamaica Center for Arts and Learning, Inc. - CCNS Howard Beach Neighborhood SC-Catholic Charities Neighborhood Services, Inc.	11-2478709	DCLA	\$15,000	126	003	
Ulrich	Queens Theatre In The Park, Inc. - Rockaway Park Neighborhood Senior Center - Jamaica Service Program For Older Adults, Inc.	11-3381629	DCLA	\$15,000	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 15: SU-CASA Initiative - Fiscal 2019 (continued)

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Ulrich	Queens Theatre In The Park, Inc. - CCNS Howard Beach Neighborhood Senior Center - Catholic Charities Neighborhood Services, Inc.	11-3381629	DCLA	\$15,000	126	003	
Vallone	Dance Parade, Inc. - Selfhelp Clearview Neighborhood SC	20-8576378	DCLA	\$15,000	126	003	*
Vallone	Flushing Council on Culture and the Arts, Inc. - HANAC Angelo Petromelis Neighborhood SC	11-2652182	DCLA	\$15,000	126	003	
Vallone	Queens Theatre In The Park, Inc. - Samuel Field Y Clearview Gardens Norc - Samuel Field Ym & Ywha, Inc.	11-3381629	DCLA	\$15,000	126	003	
Van Bramer	Dance Entropy, Inc. - HANAC Ravenswood Neighborhood Senior Ctr - HANAC, Inc.	20-4388158	DCLA	\$15,000	126	003	
Van Bramer	Queens Council on the Arts, Inc. - Queensbridge-Riis Neighborhood SC - Jacob A Riis Neighborhood Settlement	11-2219193	DCLA	\$15,000	126	003	
Van Bramer	Queens Theatre In The Park, Inc. - Sunnyside Community Neighborhood Sc - Sunnyside Community Services, Inc.	11-3381629	DCLA	\$15,000	126	003	
Yeger	Town Hall Foundation, Inc. - Council Center For Senior Citizens NSC - Brooklyn Section National Council Of Jewish Women	23-7296167	DCLA	\$15,000	126	003	*
Yeger	Town Hall Foundation, Inc. - Boro Park Y Neighborhood Senior Center - Young Mens And Young Womens Hebrew Association Of Boro Park	23-7296167	DCLA	\$15,000	126	003	*

* Indicates pending completion of pre-qualification review.

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

CHART 16: Local Initiatives - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Levine	Mirabal Sisters Cultural and Community Center, Inc. - Tenants Rights and Affordable housing Preservation Project	06-1629188	HPD	(\$5,000)	806	009	
Levine	Palante Harlem, Inc.	80-0209989	HPD	\$5,000	806	009	
Reynoso	Ridgewood Local Development Corporation	11-2483351	SBS	(\$20,000)	801	002	
Reynoso	Myrtle Avenue District Management Association	11-2912570	SBS	\$20,000	801	002	

* Indicates pending completion of pre-qualification review.

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

CHART 17: Anti-Poverty Initiative - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Kallos	Church of the Epiphany	13-1623859	DYCD	(\$5,000)	260	005	
Kallos	Rector Church Wardens & Vestrymen of Church of Epiphany of Cty of NY	13-1623859	DYCD	\$5,000	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 18: Food Pantries - Fiscal 2018

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Manhattan	Church of the Epiphany - Food Pantry Initiative	13-1623859	DYCD	(\$12,000)	260	005	
Manhattan Delegation	Rector Church Wardens & Vestrymen of Church of Epiphany of Cty of NY - Food Pantry Initiative	13-1623859	DYCD	\$12,000	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 19: Local Initiatives - Fiscal 2017

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Treyger	New York District Kiwanis Foundation	23-7035969	DYCD	(\$5,000)	260	312	*
Treyger	New York District Kiwanis Foundation, Inc.	23-7035969	DYCD	\$5,000	260	312	*
Gibson	BronxWorks, Inc. ***	13-3254484	DYCD	(\$10,000)	260	312	
Gibson	Millennium Dance Company, Inc. ***	13-3916131	DYCD	\$10,000	260	312	

* Indicates pending completion of pre-qualification review.

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

*** Technical adjustment to designation made in a previous Transparency Resolution

CHART 20: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Ulrich	New York District Kiwanis Foundation	23-7035969	DYCD	(\$10,000)	260	312	*
Ulrich	New York District Kiwanis Foundation, Inc.	23-7035969	DYCD	\$10,000	260	312	*

* Indicates pending completion of pre-qualification review.

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

CHART 21: Purpose of Funds Changes - Fiscal 2019

Source	Member	Organization - Program	EIN	Agency	Amount	New Purpose of Funds	*
Cultural Immigrant Initiative	Powers	Midtown Management Group, Inc.	13-3192793	DCLA	(\$20,000)	The funds will be used to support cultural organizations to provide programming focused on the cultural history or traditions of an immigrant community at PS 40 Augustus St.	
Cultural Immigrant Initiative	Powers	Midtown Management Group, Inc.	13-3192793	DCLA	\$20,000	This initiative supports programming focused on the cultural history or traditions of an immigrant community in New York City, and helps increase access to unique cultural offerings that	
Youth	Cornegy	Police Athletic League, Inc. - Cops & Kids District 36	13-5596811	DYCD	(\$5,000)	Funding to facilitate opportunities for NYPD Officers to connect with community youth via Afterschool, Summer Day Camp, and Teen Center programming.	
Youth	Cornegy	Police Athletic League, Inc. - Cops & Kids District 36	13-5596811	DYCD	\$5,000	Funding to facilitate enhancing the center experience for participants in Council District 36 at the Wynn Center. Activities include: fitness, athletics, recreational and physical	
Youth	Matteo	Police Athletic League, Inc.	13-5596811	DYCD	(\$5,000)	Funds will be used to provide free recreational and educational programs in the district during the summer, fall, winter and	
Youth	Matteo	Police Athletic League, Inc.	13-5596811	DYCD	\$5,000	Funding to support sports for youth in District 50.	
Youth	Miller	Police Athletic League, Inc.	13-5596811	DYCD	(\$5,000)	Funding will help operate a Cops and Kids summer program in Council District 27.	
Youth	Miller	Police Athletic League, Inc.	13-5596811	DYCD	\$5,000	Funding to support sports for youth in Council District 27.	
Youth	Diaz	Police Athletic League, Inc.	13-5596811	DYCD	(\$10,000)	Funding will be used to serve youth ages 5-13 at P.S. 47X PAL Center in Council District 18. All funds will be used to enhance the After School and Summer Day Camp experience for	
Youth	Diaz	Police Athletic League, Inc.	13-5596811	DYCD	\$10,000	Funding to support sports for youth in P.S. 47X.	
Youth	Gibson	Police Athletic League, Inc.	13-5596811	DYCD	(\$5,000)	Funding will go toward Summer Playstreets, which are safe and educational outdoor summer camps for low-income youth. Funds will cover sports equipment and arts and educational supplies to enhance Playstreets.	
Youth	Gibson	Police Athletic League, Inc.	13-5596811	DYCD	\$5,000	Funding to support a Sports Tournament for youth in District 16; including a basketball skill-building clinic followed by games with referees, t-shirts and awards.	
Youth	Torres	Police Athletic League, Inc. - Bronx - Webster Center	13-5596811	DYCD	(\$20,000)	To support an after-school program, summer day camp program, evening teen center program and youth employment program at the Webster Center for youth ages 5-19.	
Youth	Torres	Police Athletic League, Inc. - Bronx - Webster Center	13-5596811	DYCD	\$20,000	Funding to support sports for youth at Webster Center.	
Local	Rodriguez	Carnegie Hall Corporation, The	13-1923626	DCLA	(\$5,000)	Funds will be used for operating expenses for two acting techniques seminars.	
Local	Rodriguez	Carnegie Hall Corporation, The - The Lullaby Project	13-1923626	DCLA	\$5,000	Funds will be used for operating expenses for Lullaby Project in Washington Heights.	
Local	Van Bramer	Titan Productions, Inc.	81-3540107	DYCD	(\$15,000)	Funding to support the holiday festival by Titan Theatre.	
Local	Van Bramer	Titan Productions, Inc.	81-3540107	DYCD	\$15,000	Funding to support the Shakespeare on Demand program Titan Theatre	

Youth	Richards	Business Outreach Center Network, Inc	11-3306111	DYCD	(\$10,000)	Funds to be used for programmatic support in Council District 31	
Youth	Richards	Business Outreach Center Network, Inc	11-3306111	DYCD	\$10,000	Funds to be used for operational and programmatic support for activities and services in Council District 31.	

* Indicates pending completion of pre-qualification review.

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

CHART 21: Purpose of Funds Changes - Fiscal 2019 (continued)

Source	Member	Organization - Program	EIN	Agency	Amount	New Purpose of Funds	*
Local	Richards	Business Outreach Center Network, Inc.	11-3306111	SBS	(\$5,000)	Funds to be used for programmatic support in Council District 21	
Local	Richards	Business Outreach Center Network, Inc.	11-3306111	SBS	\$5,000	Funds to be used for operational and programmatic support for activities and services in Council District 31.	
Local	Reynoso	Churches United for Fair Housing,	26-4698161	HPD	(\$5,000)	To support a local youth sports program.	
Local	Reynoso	Churches United for Fair Housing,	26-4698161	HPD	\$5,000	To support local youth sports programming, services and	
Youth	Rose	United Activities Unlimited, Inc. - Mariner's Harbor Community Center and PS18 & PS 44 Enrichment	13-2921483	DYCD	(\$25,000)	Funds will be utilized to cover the administrative, operational and staffing costs associated with teaching swimming at the West Brighton Cornerstone Ctr. and P.S.18R summer program, and enhance programs at the Cornerstone.	
Youth	Rose	United Activities Unlimited, Inc. - Mariner's Harbor Community Center and PS18 & PS 44 Enrichment	13-2921483	DYCD	\$25,000	Funds will be utilized to cover the administrative, operational and staffing costs associated with the PS 44 Teen Night Center (Mariner's Harbor) and enhancements for PS 18 (West	
Local	Koo	FDNY Phoenix Society, Inc.	47-1974824	FDNY	(\$3,500)	To establish and maintain a mentorship program and an academic tutoring program for promotional exams.	*
Local	Koo	FDNY Phoenix Society, Inc.	47-1974824	FDNY	\$3,500	To establish and maintain the Fire Safety Prevention Program, the mentorship program, and the academic tutoring program for promotional exams.	*
Youth	Ayala	Police Athletic League, Inc. - PAL Playstreet	13-5596811	DYCD	(\$5,000)	To provide operational funds associated with PAL Playstreet summer program.	
Youth	Ayala	Police Athletic League, Inc. - PAL Playstreet	13-5596811	DYCD	\$5,000	Funding to support a Sports Tournament for youth in Council District 8; including a basketball skill-building clinic followed by games with referees, t-shirts and awards.	
District Attorneys Budget Enhancement		District Attorney-Kings	13-6400434	DABK	(\$458,000)	This initiative provides operational support to the Kings County, Queens County and Richmond County District Attorneys to supplement their Other than Personal Services	
District Attorneys Budget Enhancement		District Attorney-Kings	13-6400434	DABK	\$458,000	This initiative provides operational support to the Richmond County District Attorneys to supplement their Personal Services (PS) resources	
District Attorneys Budget Enhancement		District Attorney-Richmond	13-6400434	DASI	(\$425,000)	This initiative provides operational support to the Kings County, Queens County and Richmond County District Attorneys to supplement their Other than Personal Services	
District Attorneys Budget Enhancement		District Attorney-Richmond	13-6400434	DASI	\$425,000	This initiative provides operational support to the Richmond County District Attorneys to supplement their Personal Services (PS) resources	
Local	Dromm	Students for Service, Inc.	45-3591508	DYCD	(\$5,000)	To fund a free and accessible e-waste collection event in Council District 25.	
Local	Dromm	Teens For Food Justice, Inc.	45-3591508	DYCD	\$5,000	To fund School Farm Program at Title 1 school in Council District 25 to train youth to become urban farmers, health ambassadors and food justice movement builders, while gaining the workforce skills that will enable them to prosper in a new green economy and beyond.	

Youth	Rose	Police Athletic League, Inc. - Cops & Kids Community Engagement	13-5596811	DYCD	(\$5,000)	Funds will support the administrative, staffing and operational costs associated with the organization's after school and summer programming at P.S.44R.	
Youth	Rose	Police Athletic League, Inc. - Cops & Kids Community Engagement	13-5596811	DYCD	\$5,000	Funding to support sports for youth in Council District 49.	

* Indicates pending completion of pre-qualification review.

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

CHART 21: Purpose of Funds Changes - Fiscal 2019 (continued)

Source	Member	Organization	EIN	Agency	Amount	New Purpose of Funds	*
Local	Torres	Bronx Parent Housing Network, Inc.	13-4100758	DYCD	(\$94,000)	Funds will support the community feeding program in the Bronx and provide housing and social services resources to constituents in the Bronx.	
Local	Torres	Bronx Parent Housing Network, Inc.	13-4100758	DYCD	\$94,000	Funds will support the community events and local outreach in the Bronx.	
Local	Torres	Bronx Parent Housing Network, Inc.	13-4100758	DYCD	(\$5,000)	Funds will support the community feeding program in the Bronx and provide housing and social services resources to constituents in the Bronx.	
Local	Torres	Bronx Parent Housing Network, Inc.	13-4100758	DYCD	\$5,000	Funds will support the community events and local outreach in the Bronx.	

* Indicates pending completion of pre-qualification review.

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

CHART 22: Purpose of Funds Changes - Fiscal 2017

Source	Member	Organization	EIN	Agency	Amount	New Purpose of Funds	*
NYC Cleanup	Perkins	Jackie Robinson Park Conservancy	13-4161600	DYCD	(\$15,000)	Funds will be used to pay staff to sweep streets, collection and removal of litter and trash, and replacing basket liners from 110th Street and Frederick Douglass Boulevard to 124th Street & Frederick Douglass Boulevard, 1-2 days a week.	
NYC Cleanup	Perkins	Jackie Robinson Park Conservancy	13-4161600	DYCD	\$15,000	Funds will be used for general operating expenses for the cleanup of Jackie Robinson Park.	
Boro	Manhattan Delegation	Chess-in-the-Schools, Inc.	13-6119036	DYCD	(\$555)	Funding will support Chess programming in District 4 public schools	
Boro	Manhattan Delegation	Chess-in-the-Schools, Inc.	13-6119036	DYCD	\$555	Funding will support the college bound program which provides comprehensive college preparatory services including academic enrichment, college guidance, social	
Local	Powers	Chess-in-the-Schools, Inc.	13-6119036	DYCD	(\$5,000)	Funding will support Chess programming in District 4 public schools	
Local	Powers	Chess-in-the-Schools, Inc.	13-6119036	DYCD	\$5,000	Funding will support the college bound program which provides comprehensive college preparatory services including academic enrichment, college guidance, social	

* Indicates pending completion of pre-qualification review.

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

CHART 23: Beating Hearts Initiative - Fiscal 2019

Member	Organization	EIN Number	*
Yeger	Bnos Jerusalem Dchasidei Belz	23-7339651	

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, January 24, 2018.

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

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

Report for L.U. No. 324

Report of the Committee on Land Use in favor of a Resolution approving 9 Sherman Associates LLC, Block 2174, Lot 8; Manhattan, Community District No. 12, Council District No. 10.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on January 24, 2019 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

January 24, 2019

TO: Hon. Daniel Dromm
Chair, Finance Committee
Members of the Finance Committee

FROM: Rebecca Chasan, Senior Counsel, Finance Division
Noah Brick, Assistant Counsel, Finance Division
Stephanie Ruiz, Assistant Counsel, Finance Division

RE: Finance Committee Agenda of January 24 – Resolutions approving a tax exemption for two Land Use items (Council District 10)

Item 1: 9 Sherman Associates LLC

The 9 Sherman Associates LLC project consists of one building with 92 residential units, inclusive of one superintendent's unit, located at 9-21 Sherman Avenue in Manhattan. Under the proposed project, 9 Sherman Housing Development Fund Corporation ("HDFC") will acquire the property and 9 Sherman Associates, LLC will become the beneficial owner and will operate the property. The building will undergo substantial rehabilitation on the building envelope, commercial, and residential spaces. The rehabilitation will be financed through loans from the Department of Housing Preservation and Development ("HPD") and a private lending institution.

In order to maintain the affordability of the building, HPD is requesting that the Council approve a full, 40-year Article XI property tax exemption. The property currently receives a partial J-51 tax exemption and abatement that is set to expire no later than 2029.

In exchange, HPD, the LLC, and the HDFC will enter into a regulatory agreement ensuring that 10 units would be rented only to households earning up to 50% of the Area Median Income (“AMI”), 16 units would be rented only to households earning up to 60% of the AMI, 25 units would be rented only to households earning up to 85% of AMI, and 40 units would be rented only to households earning up to 115% of AMI.

Summary:

- Borough – Manhattan
- Block 2174, Lot 8
- Council District – 10
- Council Member – Rodriguez
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 92
- Type of exemption – Article XI, full, 40 years
- Population – affordable rental housing
- Sponsor – Lemle & Wolf Development Corporation, 9 Sherman Associates LLC, 9 Sherman HDFC
- Purpose – preservation
- Cost to the City – \$5.9M
- Housing Code Violations
 - Class A – 7
 - Class B – 62
 - Class C – 2
- AMI targets – 10 units at 50% AMI, 16 units at 60% AMI, 25 units at 85% AMI, and 40 units at 115% AMI

Item 2: Ft. George HDFC

The Ft. George project consists of one building with 45 residential units, inclusive of one superintendent’s unit, located at 121-131 Ft. George Avenue in Manhattan. Under the proposed project, HP Fort George HDFC will acquire the property and Fort George Housing LLC will remain the beneficial owner and will continue to operate the property.

Currently, the property does not receive any exemptions from property tax and there is no existing regulatory agreement for the property. HPD is requesting that the Council approve a partial, 40-year Article XI property tax exemption to preserve affordability existing affordability while allowing for modest rent growth that is below the ever increasing markets in these areas. In exchange, HPD, the LLC, and the HDFC will enter into a regulatory agreement ensuring that two units would be rented only to households earning up to 60% AMI, 19 units would be rented only to households earning up to 75% AMI, seven units would be rented only to households earning up to 95% AMI, and 16 units would be rented only to households earning up to 115% AMI.

Summary:

- Borough – Manhattan
- Block 2149, Lot 265
- Council District – 10
- Council Member – Rodriguez
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 45
- Type of exemption – Article XI, partial, 40 years

- Population – affordable rental housing
- Sponsor – Mendel Kaff, HP Ft. George HDFC, Ft. George LLC
- Purpose – preservation
- Cost to the City – \$2.8M
- Housing Code Violations –
 - Class A – 6
 - Class B – 16
 - Class C – 2
- AMI targets – 2 units at 60% AMI, 19 units at 75% AMI, 7 units at 95% AMI, and 16 units at 115% AMI

(For text of the coupled resolution for L.U. Nos. 325, please see the Report of the Committee on Finance for L.U. No. 325 printed in these Minutes; for the coupled resolution for L.U. No. 324, please see below:)

Accordingly, this Committee recommends the adoption of L.U. Nos. 324 and 325.

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

Res. No. 728

Resolution approving an exemption from real property taxes for property located at (Block 2174, Lot 8) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 324).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated October 29, 2018 that the Council take the following action regarding a housing project located at (Block 2174, Lot 8) Manhattan:

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 9 Sherman Associates, LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.

- c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
 - d. "Exemption Area" shall mean the real property located in the Borough of the Manhattan, City and State of New York, identified as Block 2174, Lot 8 on the Tax Map of the City of New York.
 - e. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. "HDFC" shall mean 9 Sherman Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. "J-51 Benefits" shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - i. "Owner" shall mean, collectively, the HDFC and the Company.
 - j. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
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, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Notwithstanding any provision hereof to the contrary:
 - a. 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, and, where there has been an unauthorized conveyance or transfer of any interest in the Exemption Area, to the new owner of such interest in the Exemption Area, 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.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 4. In consideration of the Exemption, the owner of the Exemption Area, 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. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, January 24, 2018.

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

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

Report for L.U. No. 325

Report of the Committee on Land Use in favor of a Resolution approving HP Fort George HDFC, Block 2149, Lot 265; Manhattan, Community District No. 12, Council District No. 10.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on January 24, 2019 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 324 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 729

Resolution approving an exemption from real property taxes for property located at (Block 2149, Lot 265) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 325).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated November 29, 2018 that the Council take the following action regarding a housing project located at (Block 2149, Lot 265) Manhattan:

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Fort George Housing LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2149, Lot 265 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to four and one-half percent (4.5%) of Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP Fort George Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.

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, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
4. Notwithstanding any provision hereof to the contrary:
 - a. 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, and, where there has been an unauthorized conveyance or transfer of any interest in the Exemption Area, to the new owner of such interest in the Exemption Area, 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.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, 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. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, January 24, 2018.

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

Report of the Committee on Fire-Hire Vehicles

Report for Int. No. 897-A

Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the operation of commuter vans.

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on May 9, 2018 (Minutes, page 1829), respectfully

REPORTS:

INTRODUCTION

On January 22, 2019, the Committee on For-Hire Vehicles, chaired by Council Member Ruben Diaz Sr., will hold a hearing on Proposed Int. No. 897-A, a local law in relation to commuter vans, and Proposed Int. No. 1070-A, a local law in relation to leasing, rental and conditional purchase of for-hire vehicles. This is the second hearing held on each item. The first hearing on Proposed Int. No. 897-A was held on June 25, 2018 and the first hearing on Proposed Int. No. 1070-A was held on September 17, 2018. At each hearing the Committee heard testimony from representatives of the Taxi and Limousine Commission (TLC), other interested stakeholders and advocates.

BACKGROUND

Commuter Vans

Commuter vans (sometimes referred to as “dollar vans”) provide an inexpensive means of transportation for residents in areas of New York City that are underserved by traditional for-hire vehicles and mass transit.”¹ The City’s Administrative Code (the Code) defines commuter vans as “having a seating capacity of at least nine but not more than twenty passengers.”²

The Administrative Code requires commuter van services to gain approval from the TLC in order to operate legally in the City.³ Before TLC can approve an application to operate a commuter van service, the Department of Transportation (DOT) must determine that the service proposed “will be required by the present or future public convenience and necessity,” and must “specify the geographic area where service is authorized and the number of commuter vans authorized to be used in providing such service.”⁴ DOT must notify all affected Council Members and Community Boards of the application for the purposes of obtaining their feedback.⁵

Although commuter vans are technically required to conduct service by prearrangement, and are not allowed to respond to street hails or to pick up passengers at bus stops, in many ways these rules do not align with the way commuter vans conduct their business in practice.⁶ Over the years, commuter vans have been the source of various community complaints related to passengers littering while waiting to be picked up, traffic congestion, and double parking.⁷ Community leaders have also claimed that the City does not regularly consult with

¹ N.Y.C. Taxi and Limousine Commission, Commuter Van Decal Rule, Jul. 16, 2015, available at http://www.nyc.gov/html/tlc/downloads/pdf/newly_passed_rule_commuter_van_decals.pdf.

² N.Y.C. Admin. Code § 19-502(p).

³ N.Y.C. Admin. Code § 19-504.2.

⁴ *Id.*

⁵ N.Y.C. Ad. Code §19-504.2(e)(3)

⁶ Dino Grandoni, *The high-speed, anything-goes, sort-of-legal world of dollar vans*, Apr. 3, 2014, BKLYNR, available at <http://bklynr.com/brooklyns-dollar-vans-will-not-yield/>

⁷ *Id.*

Community Boards regarding commuter van service applications, despite the requirement that they do so.⁸ However, vans continue to be popular with riders, who largely see them as a cost effective and convenient alternative form of transportation. As of 2017, there were 55 authorized commuter van service providers which together operate 317 licensed vehicles with 238 licensed commuter van drivers.⁹ Their authorized geographic service areas cover neighborhoods throughout Brooklyn, Queens, and Manhattan, as well as a few areas of the Bronx and Staten Island.

In 2017, the City Council passed a package of legislation that removed unnecessary burdens from commuter van industry operations while increasing the penalties for illegal operators.¹⁰ This legislative package required TLC to conduct a study on safety in the commuter van industry, implement a cap on the number of commuter van licenses at 735, and increase the penalties for operating a commuter van without a license. The penalty for the first offense is between \$1,000 and \$3,000, and imposes a penalty of \$1,000 to \$4,000 if a second offense occurs in within 24 months of the first offense.¹¹

In addition to licensed commuter vans, unlicensed commuter vans are also widely prevalent in many parts of the City. Unlicensed vans provide similar services as licensed vans, but they operate without the safety and consumer protection safeguards that TLC-licensed commuter vans are bound by such as insurance and inspection requirements, as well as driver licensing requirements including background checks and drug testing.¹²

For- Hire Vehicle Leases

One of the areas complicating expenses for drivers in the for-hire vehicle industry is the issue of vehicle lease arrangements, particularly among app drivers. In New York City, it has been reported that app companies have partnerships with dealerships that offer vehicle financing options to drivers with low credit scores.¹³ The companies have payment plans for drivers that charge as high as \$500 per week and that require drivers to sign a payment deduction authorization that allows the dealer to take the fees directly from the driver's earnings.¹⁴ Before making these arrangements, drivers are often incentivized with the promise that they will own their vehicle within three years. However, the driver may end up paying more than the actual sticker price of the vehicle.¹⁵ A report released by the Independent Drivers Guild, an organization that represents for-hire vehicle drivers in the city, found that drivers who lease or rent their vehicles report mean annual expenses up to \$35,000 and drivers who own their vehicles or have a loan had an average annual cost of \$30,000.¹⁶

Proposed Int. No. 1070-A would require TLC to promulgate rules related to leases, rental and conditional purchases of for-hire vehicles.

ANALYSIS

ANALYSIS OF PROPOSED INT. NO. 897-A

Section one of proposed Int. No. 897-A amends section 19-504.4 of the code. Paragraph 4 of subdivision a of section 19-504.4 would be amended to provide that a commuter van service that accrues two violations within a six month period of the requirement in paragraph 5 of subdivision a of section 19-504.3 that no commuter van shall be operated by a driver who does not hold a commuter van driver's license shall have its authorization to

⁸ Holly Tsang, *Commuter van industry growing in Maspeth*, Apr. 22, 2010, FOREST HILLS TIMES, available at http://www.foresthillstimes.com/view/full_story/7167066/article-Commuter-van-industry-growing-in-Maspeth

⁹ N.Y.C Taxi and Limousine Commission, 2016 Annual Report, available at http://www.nyc.gov/html/tlc/downloads/pdf/annual_report_2016.pdf.

¹⁰ NYC TLC, *Commuter Vans*, available at <http://www.nyc.gov/html/tlc/html/industry/vans.shtml>.

¹¹ N.Y.C Administrative Code 19-506 (i)

¹² 35 R.N.Y.C § 57-04

¹³ Griswold, Alison, *Inside Uber's unsettling alliance with some of New York's shadiest car dealers*, (June 27, 2017), available at <https://qz.com/1013882/ubers-rental-and-lease-programs-with-new-york-car-dealers-push-drivers-toward-shady-subprime-contracts/>.

¹⁴ Id.

¹⁵ Id.

¹⁶ See *Progress Toward A Fair For-Hire Vehicle Industry*, Independent Drivers Guild, p.12, November 2017, available for download at <https://drivingguild.org/wp-content/uploads/2017/11/Progress.pdf>.

operate suspended for 15 days. Paragraph 4 would also provide that a third violation of such requirement within six months will result in the revocation of such commuter van service’s authorization to operate. Subdivision b of section 19-504.4 would be amended to provide that a person who holds a commuter van license shall have the license revoked upon two or more violations within a period of one year for allowing such commuter van to be operated by a driver without a commuter van driver’s license.

Section two of proposed Int. No. 897-A would amend section 19-506 of the code to add a new subdivision n that would provide that a person who holds a commuter van license shall not allow such commuter van to be operated by a driver who does not hold a commuter van driver’s license issued pursuant to section 19-505. Subdivision n would also provide that a violation of the subdivision’s requirements will result in a \$500 fine and a suspension of the commuter van license until the person holding such license submits an affirmation to the commission affirming that the vehicle will only be operated by a driver with a commuter van driver’s license.

ANALYSIS OF PROPOSED INT. NO. 1070-A

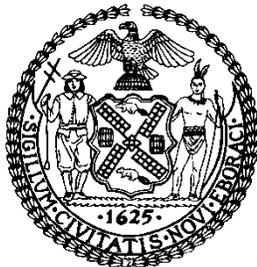
Section one of proposed Int. No. 1070-A would add a new section 19-553 to the code.

Subdivision a of section 19-553 would require the taxi and limousine commission to promulgate consumer protection and disclosure rules for leasing, rental, lease-to-own and conditional purchase arrangements used to obtain vehicles for use with a license issued by the commission. At a minimum, rules the commission would be required to consider include requiring that financial arrangements are in writing and in clear and unambiguous language, requirements that all costs and the conditions that may result in fees are explained and requirements that financial arrangements provide notice of mechanisms for reporting complaints regarding overcharges.

Subdivision b of section 19-553 would provide that the commission may deny an application for a license for a vehicle subject to a financial arrangement that does not comply with the rules of the commission.

Subdivision c of section 19-553 would provide that the rules promulgated by the commission pursuant to the section apply only to financial arrangements executed after the effective date of the local law adding the section.

(The following is the text of the Fiscal Impact Statement for Int. No. 897-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 897-A
COMMITTEE: For-Hire Vehicles**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to operation of commuter vans
SPONSORS: Council Members Miller, Adams, Richards, Yeger, and Kallos

SUMMARY OF LEGISLATION: Proposed Intro. 897-A would provide that commuter van license holders must not allow such commuter van to be operated by a driver without a commuter van driver’s license. The bill would also establish penalties for commuter van license holders and commuter van services that allow their vehicles to be operated by unlicensed drivers.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: John Basile, Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Chima Obichere, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 897 on May 9, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee on June 25, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 897-A, will be considered by the Committee on January 22, 2019. Upon a successful vote by the Committee, Proposed Intro. No. 897-A will be submitted to the full Council for a vote on January 24, 2018.

DATE PREPARED: January 17, 2019.

(For text of Int. No. 1070-A and its Fiscal Impact Statement, please see the Report of the Committee on Finance for Int. No. 1070-A printed in these Minutes; for text of Int. No. 897-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos 897-A and 1070-A.

(The following is the text of Int. No. 897-A:)

Int. No. 897-A

By Council Members Miller, Adams, Richards, Yeger, Kallos and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to the operation of commuter vans

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision a and subdivision b of section 19-504.4 of the administrative code of the city of New York, as added by local law number 115 for the year 1993, are amended to read as follows:

(4) Where [the number of] *three or more* violations of paragraph five of subdivision a of section 19-504.3 of this chapter [occurring] *occur* within a [twelve] *six* month period [is equal to the following: ninety percent of the number of commuter vans authorized to operate as part of such authorization rounded up to the next whole number, or five, whichever is greater]. *Provided, however, that such authorization shall be suspended for 15 days where two violations of paragraph five of subdivision a of section 19-504.3 of this chapter occur within a six-month period after the holder of such authorization has had an opportunity for a hearing in accordance with procedures to be established by the commission.*

b. Any commuter van license shall be revoked after the holder of such license has had an opportunity for a hearing in accordance with procedures to be established by the commission and after which the holder of such license is found guilty of any of the following: (1) Failure to maintain the required liability insurance three times within a period of one year; [or] (2) Operating without complying with any safety inspection requirements arising from any applicable law, rule or regulation three times within a period of one year; or (3) *Two or more violations of subdivision n of section 19-506 within a period of one year.*

§ 2. Section 19-506 of the administrative code of the city of New York is amended by adding a new subdivision n to read as follows:

n. A person who holds a commuter van license must not allow such commuter van to be operated by a driver who does not hold a commuter van driver's license issued pursuant to section 19-505. A violation of this subdivision shall result in a civil penalty of \$500 and suspension of the commuter van license until the person who holds such license submits an affirmation to the commission affirming that the vehicle which gave rise to such violation will only be operated by a driver who holds a commuter van driver's license issued pursuant to section 19-505.

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

RUBEN DIAZ, *Chairperson*; YDANIS A. RODRIGUEZ, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, FRANCISCO P. MOYA, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, January 22, 2019.

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

Report for Int. No. 1070-A

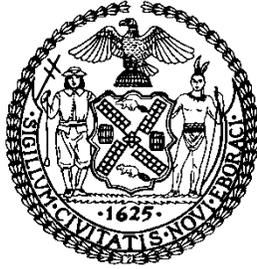
Report of the Committee on For-Hire Vehicles in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to leasing, rental and conditional purchase of for-hire vehicles.

The Committee on For-Hire Vehicles, to which the annexed proposed amended local law was referred on August 8, 2018 (Minutes, page 3262), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on For-Hire Vehicles for Int. No. 897-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1070-A:



**THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
 FISCAL IMPACT STATEMENT
 PROPOSED INTRO. NO: 1070-A
 COMMITTEE: For-Hire Vehicles**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to leasing, rental and conditional purchase of for-hire vehicles
SPONSORS: Council Members Moya, Diaz, Holden, Rose, and Kallos

SUMMARY OF LEGISLATION: Proposed Intro. 1070-A would require the Taxi and Limousine Commission to make rules regarding financial agreements drivers enter to obtain for-hire vehicles. Such rules would be required to include, at minimum, disclosure requirements and consumer protection practices.

EFFECTIVE DATE: This local law would take effect 180 days after it becomes law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: John Basile, Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
 Chima Obichere, Unit Head
 Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 1070 on August 8, 2018 and was referred to the Committee on For-Hire Vehicles (Committee). A hearing was held by the Committee on September 17, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1070-A, will be considered by the Committee on January 22, 2019. Upon a successful vote by the Committee, Proposed Intro. No. 1070-A will be submitted to the full Council for a vote on January 24, 2018.

DATE PREPARED: January 17, 2019.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1070-A:)

Int. No. 1070-A

By Council Members Moya, Diaz, Holden, Rose and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to leasing, rental and conditional purchase of for-hire vehicles

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-553 to read as follows:

§ 19-553 Leasing, rental and conditional purchase of for-hire vehicles. a. The commission shall promulgate consumer protection and disclosure rules regarding leasing, rental, lease-to-own, and conditional purchase arrangements to obtain a for-hire vehicle for use with a license issued by the commission. Such rules may differ for different types of financial arrangements and different lengths of time of such arrangements. In promulgating such rules, the commission shall at a minimum consider the following:

- 1. A requirement that financial arrangements be in writing and signed by the lessor and lessee, with a copy provided to the lessee upon execution and upon lessee request;*
- 2. Requiring that all terms must be written in clear and unambiguous language;*
- 3. A requirement that the terms of the arrangement include:*
 - (a) The beginning and end date of the arrangement;*
 - (b) All costs and fees that may be charged under the arrangement, with costs for additional services such as insurance and licensing clearly indicated; and*
 - (c) An explanation of the conditions that will result in the imposition of any cost or fee;*
- 4. A requirement that if the arrangement includes charges for licensing the vehicle with the commission, the arrangement must provide an itemized explanation of the costs associated with such licensing, to include the amount of any fee imposed by the commission; and*
- 5. Requiring that arrangements provide notice of appropriate mechanisms for reporting complaints regarding overcharges.*

b. The commission may deny an application for a license for a vehicle subject to a leasing, rental, lease-to-own or conditional purchase arrangement if such leasing, rental, lease-to-own or conditional purchase arrangement does not comply with the rules of the commission.

c. Requirements imposed by the rules promulgated pursuant to this section shall apply only to leasing, rental, lease-to-own and conditional purchase arrangements executed after the effective date of the local law that added this section.

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

RUBEN DIAZ, *Chairperson*; YDANIS A. RODRIGUEZ, COSTA G. CONSTANTINIDES, PAUL A. VALLONE, FRANCISCO P. MOYA, JOSEPH C. BORELLI; Committee on Fire-Hire Vehicles, January 22, 2019.

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

Report of the Committee on Governmental Operations

Report for Int. No. 1325-A

Report of the Committee on Governmental Operations 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 authorizing the creation of legal defense trusts

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on January 9, 2019 (Minutes, page 81), respectfully

REPORTS:

I. INTRODUCTION

On January 24, 2019, the Committee on Governmental Operations, chaired by Council Member Fernando Cabrera, held a second hearing and a vote on Int. No. 1325-A, sponsored by Council Member Levin, in relation to authorizing the creation of legal defense trusts. The Committee held a first hearing on the bill on January 14, 2019, at which hearing the committee heard testimony from the Conflicts of Interest Board (“COIB”), and received written testimony from other stakeholders and members of the public. The bill was approved by the Committee.

II. BACKGROUND

Chapter 68 of the New York City Charter prohibits a public servant from engaging in conduct or having any interest “which is in conflict with the proper discharge of his or her official duties,”¹ or using or attempting to use his or her position to obtain any financial gain or other advantage.² It also prohibits a public servant from accepting “any valuable gift . . . from any person or firm which such public servant knows or intends to become engaged in business dealings with the city.”³ COIB has interpreted “valuable gift” to mean any gift worth \$50 or more.⁴ It considers any gift \$50 or over from anyone, other than a family member or close personal friend with no business dealings before the City, a conflict of interest, because it presumes that anyone giving a gift to a public servant is doing so because of the public official’s position.⁵ It also prohibits any gift at all from a public servant’s City subordinates, except gifts for a special personal occasion, such as a wedding or retirement.⁶

Current legal framework for the legal defense of public officials

When a New York City elected official or public servant (“public official”) is accused of a civil offense related to his or her official duties, state law requires that public money be available to pay for the defense of the accused.⁷ When a public official is accused of a criminal offense related to his or her official duties, local law allows the Law Department, *in its discretion*, to provide public resources for the defense of the accused.⁸ When a public official or his or her staff is accused of or investigated for a criminal or civil offense that is *unrelated* to

¹ N.Y.C. Charter §2604(b)(2).

² N.Y.C. Charter §2604(b)(3).

³ N.Y.C. Charter §2604(b)(5).

⁴ 53 R.C.N.Y §1-01(a).

⁵ See COIB Advisory Opinion Nos. 92-10, 92-23, COIB Case No. 2009-181 (2011) (*COIB v. Markowitz*).

⁶ See COIB Advisory Opinion No. 2013-1.

⁷ N.Y. PUB. OFF. Law §18; N.Y. GMU §50-k.

⁸ N.Y.C. Admin. Code §7-109.

their official duties, no law allows for the use of public funds to pay for their legal defense or the legal defense of non-public officials that are involved in the same matter.

In 2017, COIB was asked to advise whether public officials could raise money for legal defense funds to help pay for legal defense expenses that would not otherwise be paid for by the City or their campaign. On March 29, 2017, COIB issued Advisory Opinion 2017-2, which held that donations to a public official's legal defense fund are gifts within the meaning of the Charter, and thus any donation to a public official's legal defense fund by anyone other than a family member or close personal friend without business dealings with the City would have to be less than \$50 to avoid a conflict of interest.⁹ In its opinion, COIB acknowledged the occasional need for public officials to raise money for their legal defense, but determined that, absent local legislation, there is currently no legal basis for doing so in New York City.¹⁰

Many jurisdictions have recognized the need for public officials to raise money for their legal defense expenses. Public officials are not highly paid, rarely independently wealthy, and they are watched closely for ethical and legal lapses. Defending against allegations and investigations into alleged wrongdoing can be financially devastating. Eight states (California¹¹, Connecticut¹², Massachusetts¹³, Michigan¹⁴, Nevada¹⁵, North Carolina¹⁶, Oregon¹⁷ and Wisconsin¹⁸) and three cities (Los Angeles¹⁹, San Diego²⁰ and San Jose²¹) explicitly allow for legal defense funds. On the federal level, the House of Representatives and Senate also allow for legal defense funds to pay for legal proceedings relating to an elected official's official duties or campaign.²² The U.S. Congress and the State of Oregon specifically require the funds to be set up as trusts.²³

Despite the legitimate need for public officials to defend against allegations of wrongdoing, legal defense funds without proper oversight can pose a risk of corruption or the appearance of corruption, by serving as a potential avenue for people to buy influence over a public official. Accordingly, jurisdictions that allow legal defense funds therefore also generally regulate their use to avoid corruption or the appearance of corruption.

III. LEGISLATIVE ANALYSIS

Int. No. 1325-A

Int. No. 1325-A would allow public officials to create stand-alone trusts (“legal defense trusts,” or “LDTs”) to take donations and pay for their legal defense and for the legal defense of anyone, public official or non-public official, involved in a matter for which the trust was created. Under the law, an LDT must be created to benefit a public official. The bill would require a trustee, who shall not be a public official or a subordinate of, or person associated with, a beneficiary, to file a statement of organization within ten days of the first donation or

⁹ See COIB, *Advisory Opinion No. 2017-2, Gifts: Legal Defense Funds*, March 27, 2017, available at http://www.nyc.gov/html/conflicts/downloads/pdf5/aos/2017/AO2017_2.pdf

¹⁰ See *id.* “Exempting legal defense fund contributions from otherwise applicable gift restrictions would require a Charter amendment or local legislation that so provides.”

¹¹ Cal. Gov. Code § 85304 (1988).

¹² Conn. Gen. Stat. § 1-86d (2012).

¹³ Mass. Gen. Laws ch. 55, § 18E.

¹⁴ Mich. Comp. Laws Ann. §§ 15.521–.539 (2008).

¹⁵ Nev. Rev. Stat. §§ 294A.286–.287 (2007).

¹⁶ N.C. Gen. Stat. § 163-278.300–.320 (2016).

¹⁷ Or. Rev. Stat. § 244.205–.221 (2015).

¹⁸ Wis. Stat. § 11.1301 (2017).

¹⁹ L.A., Cal., Mun. Code § 49.7.20 (2015)

²⁰ San Diego, Cal., Mun. Code § 27.2965(b)(2) (2017)

²¹ San Jose, Cal., Mun. Code §§ 12.06.1100–.1180 (2017)

²² H.R. Committee on Standards of Official Conduct, 110th Congress, House Ethics Manual 63-64 (2008), available at https://ethics.house.gov/sites/ethics.house.gov/files/documents/2008_House_Ethics_Manual.pdf; S. Select Committee on Ethics, Regulations of Trust Funds to Defray Legal Expenses Incurred by Members, Officers, and Employees of the United States Senate (adopted Sept. 30, 1980; amended Aug. 10, 1988), reprinted in Senate Select Committee on Ethics, 108th Congress, Senate Ethics Manual app. I, at 486, 488 (2003), available at <https://www.ethics.senate.gov/downloads/pdf/files/manual.pdf>.

²³ See Or. Rev. Stat. § 244.205–.221, *supra* note 17; *id.*

expenditure with COIB, whichever is earlier. The statement of organization must include a description of the governmental, administrative, criminal, or civil investigations, audits, or actions for which the LDT was created.

The law would restrict the permissible expenses LDTs could pay for. Under the law, LDTs could pay for legal expenses related to any governmental, administrative, criminal, or civil investigation, audit, or action related to a political campaign, issue advocacy, or the holding of a civil office or political party position, so long as those expenses are not paid for by the City. The bill requires that each beneficiary receive a statement in writing that the Law Department has not and will not represent him or her in any matter. An LDT may pay expenses related to matters related or unrelated to an official's public duties. LDTs could also pay for the legal expenses of non-public officials who are investigated in the same matter as the public official.

LDTs could also pay the reasonable costs related to running the LDT, including fundraising expenses, the hiring of service professionals, and the costs related to the creation and operation of the LDT. The bill would prohibit LDT funds from being used for advertising expenses, political consultants, the payment of criminal fines or penalties, or communications involving election or campaign activities. Additionally, it would prohibit the use of LDT funds for personal use unrelated to the purpose of the trust.

The bill has been amended to clarify that the bill should not be construed to prohibit or limit expenditures by a political committee related to a campaign audit from being considered expenditures in furtherance of a political campaign for elective office, pursuant to the Campaign Finance Act.

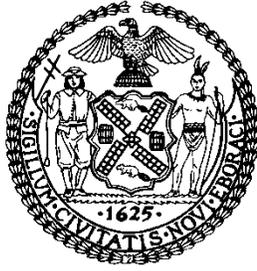
The law would also restrict fundraising for LDTs. Donations would be limited to \$5,000 per donor. LDTs could not accept donations from subordinates of the public official or any lobbyist or person doing business with the City or appearing before the City in any non-ministerial matter. Donations from corporations, limited liability companies, limited liability partnerships, or partnerships would be prohibited, as would anonymous donations. No public official could solicit donations in his or her official capacity, and no deputy mayor, head of an agency, or official with substantial policy discretion as defined by COIB could solicit donations to an LDT. Donations to LDTs could not be used in exchange for, to secure, or as a condition of any advantage in rank, compensation, or other job-related status or function of a public official.

The bill would also include disclosure requirements. LDTs would be required to report quarterly to COIB all donations of \$100 or more, including the name and address of each donor and the amount of the donation. It would also have to provide itemized quarterly reports on all expenditures. COIB would be required to maintain a list of these disclosure reports on its website and, since introduction, this has been amended to require that such information be posted in a machine-readable format that permits automated processing.

The bill would require LDTs to be terminated within 90 days of the date that the last expenditure is made in relation to the matter for which the LDT was established. Any remaining funds must be returned to the contributors or given to a charitable organization as long as the charitable organization is not associated in any way with any trustee or beneficiary of the LDT. Finally, the bill establishes enforcement mechanisms. Since introduction, the bill has been amended to require COIB to conduct semiannual reviews, biennial audits and a final audit upon dissolution of any LDT. There would be substantial fines for violations of the law, in most cases up to \$10,000. Violations of the provisions regarding restrictions on donations would be subject to a fine of up to \$5,000 for the first offense, up to \$15,000 for the second offense, and up to \$30,000 for the third and subsequent offenses. No violation or penalty would be imposed if the LDT refunds a donation within 20 days of receipt.

The local law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No.1325-A:)



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

PROPOSED INTRO. NO. 1325-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to authorizing the creation of legal defense trusts.

SPONSORS: Council Members Levin, Cohen, Levine, Lander, Ayala and Ampry-Samuel

SUMMARY OF LEGISLATION: Proposed Intro. No. 1325-A would allow public officials to create stand-alone trusts to take donations to pay for their legal expenses in certain criminal and civil matters and for the legal defense of anyone involved in a matter for which the trust was created. The legislation would set a donation limit of \$5,000 per donor and would place restrictions on who could donate to a legal defense trust. Subordinates, lobbyists, people doing business with the city, corporations, LLCs and anonymous parties would not be allowed to donate. All donations would have to be reported to the Conflicts of Interest Board (COIB) and posted online. COIB would also promulgate rules, conduct periodic reviews and audits of such trusts, receive, investigate and adjudicate complaints alleging violation of its rules or of the requirements specified in the legislation. The legislation includes a schedule of penalties that the COIB would levy for such violations.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues (+)	<i>de minimus</i>	<i>de minimus</i>	<i>de minimus</i>
Expenditures (-)	\$75,000	\$175,000	\$175,000
Net	\$75,000	\$175,000	\$175,000

IMPACT ON REVENUES: It is estimated that there would be a *de minimus* positive impact on revenues resulting from the enactment of this legislation, as some funds collected by legal defense trusts would be used to pay Campaign Finance Board fees. Full compliance with the legislation is assumed. Therefore, there are no anticipated revenues from penalties resulting from violations of the rules governing the establishment and management of legal defense trusts.

IMPACT ON EXPENDITURES: It is estimated that there would be a fiscal impact of \$75,000 in Fiscal 2019 and \$175,000 in Fiscal 2020 and the outyears resulting from the enactment of this legislation. This funding would finance the cost of additional COIB staff to review trust documents, serve as a liaison to trustees and conduct semiannual reviews of each trust. Additionally, this funding would cover auditing costs for each trust, which must be audited biennially for the duration of their operation, as well as upon the dissolution of the trust. It is estimated that existing City resources could be used to build and maintain the reporting portal that the legislation requires.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCES OF INFORMATION: New York City Council Finance Division
Conflicts of Interest Board

ESTIMATE PREPARED BY: Zachary Harris, Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Regina Poreda Ryan, Deputy Director
John Russell, Unit Head
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1325 on January 9, 2019 and referred to the Committee on Governmental Operations (Committee). The Committee heard the legislation on January 14, 2019 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1325-A, will be considered by the Committee on January 24, 2019. Upon a successful vote by the Committee, Proposed Intro. No. 1325-A will be submitted to the full Council for a vote on January 24, 2019.

DATE PREPARED: January 18, 2019.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1325-A:)

Int. No. 1325-A

By Council Members Levin, Cohen, Levine, Lander, Ayala and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to authorizing the creation of legal defense trusts

Be it enacted by the Council as follows:

Section 1. Title 3 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

Chapter 11. Legal Defense Trusts

§ 3-1101 Definitions.

§ 3-1102 Establishment and management of legal defense trusts.

§ 3-1103 Reporting and disclosure by legal defense trusts.

§ 3-1104 Dissolution of legal defense trusts.

§ 3-1105 Enforcement.

§ 3-1106 Rulemaking.

§ 3-1107 Penalties.

§ 3-1101 Definitions. As used in this chapter, the following terms have the following meanings:

Appear. The term “appear” has the same meaning as set forth in subdivision 4 of section 2601 of the charter.

Associated. The term “associated” has the same meaning as set forth in subdivision 5 of section 2601 of the charter.

Beneficiary. The term “beneficiary” means (1) an individual who is or has been a city elected official or public servant who incurs expenses in relation to a governmental, administrative, criminal or civil investigation, audit, or action, or an entity, agent or other person acting on behalf of such elected official or public servant

in relation to the underlying matter, for whom or which a legal defense trust spends money or (2) an individual who is not a city elected official or public servant and who incurs expenses in relation to such investigation, audit, or action.

Business dealings with the city. The term “person having business dealings with the city” means any person on the database established pursuant to section 3-702 including, but not limited to, a lobbyist as defined in section 3-211, and the domestic partner, spouse, or unemancipated child of a person listed in such database.

Donation. The term “donation” means any contribution from a non-governmental source, including an in-kind donation, pro bono assistance, loan, advance or deposit of money, or anything of value.

Legal defense trust. The term “legal defense trust” means a trust created pursuant to and in accordance with the New York estates, powers and trusts law for the benefit of a beneficiary as provided in this chapter.

Ministerial matter. The term “ministerial matter” has the same meaning as set forth in subdivision 15 of section 2601 of the charter.

Principal committees and political committees, as those terms are defined in section 3-702, shall not be deemed legal defense trusts as defined in this section.

Public servant. The term “public servant” has the same meaning as set forth in subdivision 19 of section 2601 of the charter.

§ 3-1102. Establishment and management of legal defense trusts.

a. Requirements for establishment. A legal defense trust may be established pursuant to this section only if the following conditions are met:

(1) (a) Each beneficiary has received a statement in writing from the corporation counsel stating that the corporation counsel has not represented and will not be representing such beneficiary in any applicable governmental, administrative, criminal or civil investigation, audit or action, or portion thereof, pursuant to section 50-k of the general municipal law or section 7-109;

(b) Where a legal defense trust has been established, if thereafter the essential nature of an investigation, audit or action changes so significantly that it can be deemed a new or different investigation, audit or action, the beneficiary of such trust shall obtain a new written statement from the corporation counsel asserting that the conditions set forth in subparagraph (a) of this paragraph have been met.

(2) At least one beneficiary is or was an elected official or public servant, as such term “beneficiary” is defined in section 3-1101 of this chapter, who incurs expenses in relation to the governmental, administrative, criminal or civil investigations, audits or actions for which a statement was received pursuant to paragraph (1) of this subdivision.

b. Statement of organization. The trustee of a legal defense trust shall file a statement of organization with the conflicts of interest board, in such form as specified by the board by rule, within 10 days after the earlier of the date the trust first receives a donation or first makes an expenditure. A statement of organization required by this subdivision shall include the following information and documentation:

(1) The name, street address, and telephone number of the legal defense trust and its trustee(s). The name of such trust shall include the words “legal defense trust”.

(2) The full name of, and position held, if any, by each beneficiary of the legal defense trust.

(3) The name and address of the financial institution in which the funds of the legal defense trust are, or are intended to be, deposited.

(4) A description of the governmental, administrative, criminal or civil investigations, audits or actions in connection with which the legal defense trust was established and the purpose for which such trust was created.

(5) The statement described in subparagraph (a) of paragraph (1) of subdivision a of this section for each beneficiary of the legal defense trust.

(6) A copy of the executed trust agreement establishing the legal defense trust.

(7) A sworn statement by each beneficiary of the legal defense trust that he or she will comply with the provisions of this chapter and that the trustee is responsible for the proper administration of the trust.

c. Within 10 days of any material change in the information and documentation submitted in accordance with paragraphs (1) through (7) of this subdivision, the trustee shall submit a revised report to the conflicts of interest board identifying such changes. If the purpose for which the trust was created, as required to be identified by paragraph (4) of this section, is materially changed, the trustee shall submit such information to the board; provided, however, that any such changed purpose must be consistent with the requirements of this chapter.

d. Trustee.

(1) *There shall be one or more trustees, who shall not be a city elected official or public servant, a beneficiary, or a subordinate of or person associated with a beneficiary. The trustee(s) shall be responsible for authorizing expenditures and disbursements from the trust, the filing of quarterly reports required by section 3-1103, and the performance of tasks incidental to the administration of the trust.*

(2) *The trustee(s) shall be responsible for a legal defense trust's financial administration as required by this chapter. Such trustee(s) shall establish an account, separate from any other bank account held by the trustee or any beneficiary of the trust, at a bank or other financial institution with an office or branch in the city of New York, for the deposit and expenditure of the trust's moneys.*

(3) *Where there is more than one beneficiary of a legal defense trust, the trustee(s) may, in their discretion, allocate donations and expenditures attributable to trust administration in accordance with their fiduciary duties to the trust.*

(4) *Trustee(s) appointed pursuant to this section may be suspended or removed in accordance with the provisions of section 7-2.6 of the estates, powers and trusts law.*

e. Donations.

(1) *A legal defense trust shall not accept a donation, and a city elected official or public servant may not raise funds for a legal defense trust, in an amount greater than \$5,000 per donor.*

(2) *A legal defense trust shall not accept a donation, and a city elected official or public servant may not solicit a donation, of any amount from (a) any person who is a subordinate of such city elected official or public servant, or any person who is a subordinate of the city elected official or public servant for whose benefit the trust was established; (b) any person such trust knows or should know is a person with business dealings with the city as of the date of such donation or solicitation; (c) any person who as of the date of such donation or solicitation is appearing before or otherwise has a non-ministerial matter pending with the city; (d) a corporation, limited liability company, limited liability partnership or partnership; (e) any anonymous source; or (f) any source that fails to submit the disclosure document required pursuant to paragraph (3) of this subdivision.*

(3) *Whenever a donation is made to a legal defense trust, the donor shall submit a signed disclosure document to such trust, in such form as specified by the conflicts of interest board by rule, stating that such donor (a) is not a subordinate of the city elected official or public servant for whose benefit the trust was established, nor is a subordinate of the city elected official or public servant who solicited such donation, if applicable; (b) is not a person currently having business dealings with the city of New York; (c) is not appearing before the city; (d) has no non-ministerial matter with the city; and (e) has acknowledged that such donation will not affect any future business dealings with or the disposition of other matters with the city.*

(4) *For purposes of this subdivision, a solicitation for, or a donation to, a legal defense trust permitted by this subdivision shall be presumed not to be made because of a solicitor's or beneficiary's city position.*

(5) *No public servant shall solicit a donation to a legal defense trust (a) in his or her official capacity or (b) in an amount or from a source that is not permitted by this subdivision.*

(6) *No public servant, other than an elected official, who is a deputy mayor, or head of an agency or who is charged with substantial policy discretion as defined by rule of the conflicts of interest board, shall directly or indirectly request any person to make a donation to a legal defense trust, except for a legal defense trust of which such public servant is a beneficiary; provided that nothing contained in this paragraph shall be construed to prohibit such public servant from speaking on behalf of any beneficiary of a legal defense trust at an occasion where a solicitation for a donation to a legal defense trust may be made by others.*

(7) *No public servant shall, directly or indirectly (a) compel, induce or request any person to make a donation to a legal defense trust, under threat of prejudice to or promise of or to secure advantage in rank, compensation or other job-related status or function; or (b) make or promise to make a donation to a legal defense trust in consideration of having been or being nominated, elected or employed as such public servant or to secure advantage in rank, compensation or other job-related status or function.*

f. Expenditures.

(1) *The funds of a legal defense trust may be used only to defray (a) legal expenses in connection with a governmental, administrative, criminal or civil investigation, audit or action described in a statement of organization filed pursuant to section 3-1102 that is related to (i) a political campaign; (ii) issue advocacy; or (iii) the holding of a civil office or appointment, public office or political party position, and (b) costs reasonably*

incurred in administering the trust, including but not limited to costs incident to the solicitation of donations, the hiring of service professionals, bank fees, and the creation and operation of the trust.

(2) The funds of a legal defense trust shall not be used for advertising expenses, political consultants, the payment of criminal fines or penalties imposed upon an individual beneficiary, or communications involving election or campaign activities.

(3) The funds of a legal defense trust shall not be used for the personal use of the trustee or beneficiary unrelated to the purposes of the trust.

(4) The funds of a legal defense trust shall not be used to defray legal expenses that have been paid for by the city. If the city pays any part of the legal expenses of a beneficiary after such beneficiary has received from the corporation counsel the letter required by subparagraph (a) of paragraph (1) of subdivision a of section 3-1102, such funds must be returned to the trust.

g. Nothing in this chapter shall be construed to prohibit or limit expenditures by a political committee related to a campaign audit from being considered expenditures in furtherance of a political campaign for elective office pursuant to chapter 7 of title 3 of this code.

§ 3-1103 Reporting and disclosure by legal defense trusts.

a. Legal defense trusts shall report to the conflicts of interest board, in a manner specified by the board by rule, the following information:

(1) The names and addresses of all persons that made a donation having a reasonable value of \$100 or more to the trust during the previous quarter, if any; the dates of donation; and the value of any such donation.

(2) An itemized accounting of each expenditure made during the previous quarter, including the name and address of each payee and the amount and the purpose of the expenditure, in a manner and form determined by the conflicts of interest board.

(3) The reports required to be filed by this section shall be filed no later than April 15 for the accounting period beginning January 1 and ending March 31; no later than July 15 for the accounting period beginning April 1 and ending June 30; no later than October 15 for the accounting period beginning July 1 and ending September 30; and no later than January 15 of the following calendar year, for the accounting period beginning October 1 and ending December 31.

b. The conflicts of interest board shall maintain on its website and regularly update a list of all legal defense trusts that reported, and shall post on such website, in a machine readable format that permits automated processing, all information disclosed to the board pursuant to this section; provided, however, that the board shall maintain the confidentiality of all information it receives pursuant to this section where required by applicable law.

c. Donor written disclosure submissions received by the legal defense trust pursuant to paragraph (3) of subdivision e of section 3-1102 shall be retained by the trust for at least three years from the date of receipt.

§ 3-1104. Dissolution of the legal defense trust.

a. The legal defense trust shall be terminated within 90 days of the date the last expenditure is made in relation to the governmental administrative, criminal or civil investigations, audits or actions, for which the trust is established.

b. Funds remaining in the legal defense trust account following payment of all attorney's fees and other related legal costs for which the trust was established shall be distributed in the following manner:

(1) returned to the donors on a last in, first out basis or in accordance with another reasonable method as determined by the trustee(s); or

(2) transferred to a charitable organization having tax exempt status under section 501(c)(3) of the internal revenue code, as determined by the trustee(s), or to the general fund of the city of New York; provided, however, that such funds shall not be transferred to an organization with which the trustee or a beneficiary is associated.

§ 3-1105 Enforcement.

a. The conflicts of interest board shall conduct semiannual reviews, biennial audits and a final audit upon dissolution of any legal defense trust established pursuant to this chapter. Such audits shall be conducted in accordance with generally accepted government auditing standards. The board shall promulgate rules regarding what documentation is sufficient for demonstrating financial activities of each such trust.

b. Complaints alleging violations of this chapter shall be made, received, investigated and adjudicated in a manner consistent with the procedures relating to investigations and adjudications of allegations of conflicts of interest as set forth in chapters 34 and 68 of the charter.

§ 3-1106 Rulemaking. The conflicts of interest board shall promulgate such rules as are necessary to ensure the implementation of this chapter.

§ 3-1107 Penalties.

a. Any legal defense trust required to file a statement of organization with the conflicts of interest board pursuant to the provisions of subdivision b of section 3-1102 that has not so filed at the end of one week after the date required for filing shall be subject to a civil penalty of not less than \$250 or more than \$10,000.

b. (1) Any legal defense trust that violates the provisions of paragraphs 1, 2, 5, 6 or 7 of subdivision e of section 3-1102 shall be required to return any donations and shall be subject to a civil penalty, which for the first offense shall be not more than \$5,000, for the second offense not more than \$15,000, and for the third and subsequent offenses not more than \$30,000.

(2) No violation shall issue and no penalty shall be imposed where any donation made pursuant to this subdivision is refunded within 20 days of receipt by the legal defense trust.

c. Any legal defense trust that violates any of the provisions of subdivision f of section 3-1102 shall be subject to a civil penalty, which for the first offense shall be not more than \$1,000, and for the second and subsequent offenses not more than \$10,000.

d. Any legal defense trust that violates the provisions of subdivision a of section 3-1103, relating to the reporting of donations and expenditures, shall be subject to a civil penalty of not less than \$250 or more than \$10,000.

e. Any legal defense trust that violates the provisions of section 3-1104, relating to the dissolution of such trust, shall be subject to a civil penalty of not less than \$250 nor more than \$10,000.

f. The conflicts of interest board may hold a trustee or beneficiary jointly and severally liable for any of the foregoing penalties if such person knew or reasonably should have known of the violation.

§ 2. The provisions of this local law shall be applicable to any legal defense trust, as defined in section 3-1101 of chapter 11 of the administrative code of the city of New York, as added by this local law, established and in operation on and after the date of its enactment, including such trusts as may have been established prior to such date of enactment.

§ 3. Prior to the adoption of rules promulgated by the conflicts of interest board with respect to forms required pursuant to sections 3-1102 and 3-1103 of chapter 11 of the administrative code of the city of New York, as added by this local law, the board shall accept on an interim basis information and documents that are submitted in a form reflecting compliance with such provisions of such local law, on behalf of any legal defense trust as defined in section 3-1101 of such chapter.

§ 4. This local law takes effect immediately.

FERNANDO CABRERA, *Chairperson*; BEN KALLOS, ALAN N. MAISEL, KEITH POWERS, KALMAN YEGER; Committee on Governmental Operations, January 24, 2018.

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

Report of the Committee on Land Use

Report for L.U. No. 310

Report of the Committee on Land Use in favor of approving Application No. C 190064 HDM (Waterside Plaza) submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the disposition of City-owned property (Block 991, Lots 60 and 61) within the Waterside Plaza Urban Renewal Area, Borough of Manhattan, Council District 4, Community District 6.

The Committee on Land Use, to which the annexed Land Use item was referred on December 20, 2018 (Minutes, page 5184) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB-6 – TWO APPLICATIONS RELATED TO WATERSIDE PLAZA

C 190064 HDM (L.U. No. 310)

City Planning Commission decision approving an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of City-owned property (Block 991, Lots 60 and 61) within the Waterside Plaza Urban Renewal Area.

C 190065 HUM (L.U. No. 311)

City Planning Commission decision approving an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the first amendment to the Waterside Plaza Urban Renewal Plan.

INTENT

To approve the disposition of the city-owned property and the first amendment to the Waterside Plaza Urban Renewal Plan to facilitate the long-term preservation of up to 325 existing housing units, in addition to maintaining enhanced Section 8 voucher arrangements for 92 tenants in the Waterside Plaza development, a mixed-use complex in the Kips Bay neighborhood of Manhattan Community District 6.

PUBLIC HEARING

DATE: January 14, 2019

Witnesses in Favor: Eleven

Witnesses Against: None

Neutral: One

SUBCOMMITTEE RECOMMENDATION**DATE:** January 22, 2019

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

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** January 22, 2019

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:

None

Abstain:

None.

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

Res. No. 730

Resolution approving the decision of the City Planning Commission on ULURP No. C 190064 HDM, for the disposition of city-owned property located at Block 991, Lots 60 and 61, Community District 6, Borough of Manhattan (L.U. No. 310).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on December 14, 2018 its decision dated December 5, 2018 (the "Decision"), on the application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property (Block 991, Lots 60 and 61) within the Waterside Plaza Urban Renewal Area, which in conjunction with the related action, would through an underlying ground lease facilitate the long-term preservation of up to 325 existing units, in addition to maintaining enhanced Section 8 voucher arrangements for 92 tenants in the Kips Bay neighborhood of Manhattan Community District 6, (ULURP No. C 190064 HDM) (the "Application");

WHEREAS, the Application is related to application C 190065 HUM (L.U. No. 311), a first amendment to the Waterside Urban Renewal Plan (URP);

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 14, 2019;

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

WHEREAS, the Council has considered the relevant environmental issues, including the determination by the City Planning Commission, that the Application is a Type II action and requires no further review (CEQR No. 19HPD001M) (the “Type II Determination”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment pursuant to the Type II Determination.

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report C 190064 HDM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, RITCHIE J. TORRES, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, January 22, 2019. *Other Council Members Attending: Council Member Powers.*

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

Report for L.U. No. 311

Report of the Committee on Land Use in favor of approving Application No. C 190065 HDM (Waterside Plaza) submitted by the Department of Housing Preservation and Development, pursuant to Section 505 of Article 15 of the General Municipal Law of New York State and Section 197-c of the New York City Charter, for the first amendment to the Waterside Plaza Urban Renewal Plan, Borough of Manhattan, Council District 4, Community District 6.

The Committee on Land Use, to which the annexed Land Use item was referred on December 20, 2018 (Minutes, page 5184) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 310 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 731

Resolution approving the First Amended Urban Renewal Plan for the Waterside Plaza Urban Renewal Area and approving the decision of the City Planning Commission on ULURP No. C 190065 HUM (L.U. No. 311).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on December 14, 2018 its decision and report dated December 5, 2018 (the "Decision"), on the application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the first amendment to the Waterside Plaza Urban Renewal Plan, which in conjunction with the related action would facilitate the long-term preservation of up to 325 existing housing units, in addition to maintaining enhanced Section 8 voucher arrangements for 92 tenants in the Waterside Plaza development, a mixed-use complex in the Kips Bay neighborhood of Manhattan Community District 6, (ULURP No. C 190065 HUM), (the "Application");

WHEREAS, the Application is related to application C 190064 HDM (L.U. No. 310), a disposition of City-owned property;

WHEREAS, the New York City Department of Housing Preservation and Development submitted to the Council on November 30, 2018 its request for approval of the First Amended Urban Renewal Plan for the Waterside Urban Renewal Area, dated November 28, 2018 (the "Plan");

WHEREAS, the City Planning Commission has certified that the Plan for the Area is an appropriate plan for the Area and conforms to the provisions of Section 502(7) and the finding set forth in Section 504, Article 15 of the General Municipal Law, and conforms to the comprehensive community plan for the development of the municipality as a whole;

WHEREAS, the City Planning Commission has certified its unqualified approval of the Plan pursuant to Section 505(2) of the General Municipal Law;

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

WHEREAS, the Plan is subject to review and action by the Council pursuant to Section 505 of the General Municipal Law;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and the Plan on January 14, 2019;

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

WHEREAS, the Council has considered the relevant environmental issues, including the determination by the City Planning Commission, that the Application is a Type II action and requires no further review (CEQR No. 19HPD001M) (the "Type II Determination").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment pursuant to the Type II Determination.

Pursuant to Section 505 of the General Municipal Law, the Council finds that:

- 1) The proposed First Amended Plan to the Waterside Urban Renewal Plan is an appropriate plan for the area involved and conforms to the finding set forth in Section 504, Article 15 of the General Municipal Law of New York State; and
- 2) The First Amended Waterside Urban Renewal Plan conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives, in compliance with the provisions of subdivision seven of Section 502, Article 15 of the General Municipal Law of New York State.

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 190065 HUM, incorporated by reference herein, and the record before the Council, the Council approves the Decision.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, RITCHIE J. TORRES, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, January 22, 2019. *Other Council Members Attending: Council Member Powers.*

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

Report for L.U. No. 312

Report of the Committee on Land Use in favor of approving Application No. 20195150 TCK submitted pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Carries's Hospitality, LLC, d/b/a Elder Greene for a new revocable consent to maintain, operate, and use an unenclosed sidewalk café located at 160 Franklin Street, Borough of Brooklyn, Council District 33, Community District 1.

The Committee on Land Use, to which the annexed Land Use item was referred on December 20, 2018 (Minutes, page 5185) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

Brooklyn CB - 1

20195150 TCK

Application pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Carrie's Hospitality, LLC, d/b/a Elder Greene, for a new revocable consent to maintain, operate and use an unenclosed café located at 160 Franklin Street in the Borough of Brooklyn.

INTENT

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

PUBLIC HEARING

DATE: January 10, 2019

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 22, 2019

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

In Favor:

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

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 22, 2019

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None.

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

Res. No. 732

Resolution approving the petition for a new revocable consent for an unenclosed sidewalk café located at 160 Franklin Street, Borough of Brooklyn (Non-ULURP No. 20195150 TCK; L.U. No. 312).

By Council Members Salamanca and Moya.

WHEREAS, the Department of Consumer Affairs filed with the Council on December 14, 2018 its approval dated December 13, 2018 of the petition of Carrie's Hospitality, LLC, d/b/a Elder Greene, for a new revocable consent to maintain, operate and use an unenclosed sidewalk café located at 160 Franklin Street, Community District 1, Borough of Brooklyn (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

WHEREAS, upon due notice, the Council held a public hearing on the Petition on January 10, 2019; 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.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, RITCHIE J. TORRES, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, January 22, 2019. *Other Council Members Attending: Council Member Powers.*

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

Report for L.U. No. 313

Report of the Committee on Land Use in favor of approving Application No. C 190026 HAX (4697 Third Avenue) submitted by the Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State for the designation of properties located at 4697 Third Avenue (Block 3041, Lots 38 and 40) as an Urban Development Action Area; and an Urban Development Action Area Project for such area; and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, Borough of the Bronx, Community District 6, Council District 15.

The Committee on Land Use, to which the annexed Land Use item was referred on January 9, 2019 (Minutes, page 93) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 6

C 190026 HAX

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of properties located at 4697 Third Avenue (Block 3041, Lots 38 and 40) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate a mixed-use building containing approximately 52 affordable housing units and commercial space.

INTENT

To approve the urban development action area designation, project approval, disposition of city-owned property located at 4697 Third Avenue (Block 3041, Lots 38 and 40), in order to facilitate the construction of an eight-story mixed-use building containing approximately 52 affordable housing units, one superintendent unit, and commercial space in Borough of the Bronx, Community District 6.

PUBLIC HEARING

DATE: January 14, 2019

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 22, 2019

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 22, 2019

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None.

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

Res. No. 733

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 190026 HAX, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 4697 Third Avenue (Block 3041, Lots 38 and 40), Borough of the Bronx, Community District 6, to a developer selected by HPD (L.U. No. 313; C 190026 HAX).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on December 20, 2018 its decision dated December 5, 2018 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 4697 Third Avenue (Block 3041, Lots 38 and 40), (the “Disposition Area”), approving:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of Disposition Area as an Urban Development Action Area;
- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the "Project"); and
- c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

to facilitate the construction of a new eight-story mixed-use development of approximately 47,561 square feet of floor area containing approximately 52 affordable housing units and ground floor retail space, Community District 6, Borough of the Bronx (ULURP No. C 190026 HAX) (the "Application");

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

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

WHEREAS, by letter dated January 4, 2019 and submitted to the Council on January 7, 2019, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summary for the Project (the “Project Summary”) and indicated that Lot 38 is comprised of now former Lot 40;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on January 14, 2019;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued on August 3, 2018 (CEQR No. 18HPD064X) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 190026 HAX and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

The Council approves the sale of the Disposition Area to the Sponsor pursuant to Section 576-a(2) of the Private Housing Finance Law, upon condition that the Project shall be developed in a manner consistent with Project Summary submitted by HPD, copy of which is attached hereto and made a part hereof.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

ATTACHMENT:

PROJECT SUMMARY

- 1. **PROGRAM:** EXTREMELY LOW AND LOW INCOME AFFORDABILITY PROGRAM
- 2. **PROJECT:** 4697 Third Avenue
- 3. **LOCATION:**
 - a. **BOROUGH:** Bronx
 - b. **COMMUNITY DISTRICT:** 6
 - c. **COUNCIL DISTRICT:** 15
 - d. **DISPOSITION AREA:**

<u>BLOCK</u>	<u>LOT(S)</u>	<u>ADDRESS(ES)</u>
3041	38*	4697 Third Ave
* Formerly Lots 38 & 40		

- 4. BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt will be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.
- 5. TYPE OF PROJECT:** New Construction
- 6. APPROXIMATE NUMBER OF BUILDINGS:** 1
- 7. APPROXIMATE NUMBER OF UNITS:** 52 dwelling units, plus one superintendent’s unit
- 8. HOUSING TYPE:** Rental
- 9. ESTIMATE OF INITIAL RENTS** Rents will be affordable to families earning from 27% - 80% of the area median income (“AMI”) with up to 20% of the units affordable to families with incomes up to 90% of AMI. Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent.
- 10. INCOME TARGETS** Between up to 30% and up to 80% of AMI, with up to 20% of the units targeted to incomes up to 110% of AMI
- 11. PROPOSED FACILITIES:** Approximately 10,700 square feet of commercial space
- 12. PROPOSED CODES/ORDINANCES:** None
- 13. ENVIRONMENTAL STATUS:** Negative Declaration
- 14. PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, RITCHIE J. TORRES, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, January 22, 2019. *Other Council Members Attending: Council Member Powers.*

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

Report of the Committee on Public Safety

Report for Int. No. 1234-A

Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to creating an office for the prevention of hate crimes.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on November 14, 2018 (Minutes, page 4389), respectfully

REPORTS:

I. INTRODUCTION

On January 22, 2019, the Committee on Public Safety, chaired by Donovan Richards, will vote on Proposed Introduction Number 1234-A (Prop. Int. 1234-A) and Proposed Introduction Number 1261-A (Prop. Int. 1261-A). The Committee previously heard these bills on November 19, 2018. Representatives of the New York Police Department (NYPD) and various advocates, stakeholders, and members of the public testified at that hearing.

II. NYPD’S HATE CRIME TASK FORCE

The NYPD’s Hate Crime Task Force, formally known as the Bias Incident Investigative Unit, is a dedicated citywide team of investigators who are responsible for investigating all hate crimes and related incidents.¹ The Unit is part of the Special Victims Division.² Patrol Officers responding to the scene of crimes that may be the result of bias refer these cases to the Hate Crime Task Force. According to the Patrol Guide, the Commanding Officer of the Task Force then determines how an investigation of the incident should proceed.³ The investigation may be conducted wholly by the Task Force or precinct detectives or may be a joint investigation between the two.⁴ Pursuant to the guidelines in the Patrol Guide, officers investigating incidents of bias should include personal contact with the victims of the alleged bias incident.⁵ Investigators must make a determination of whether the incident was in fact bias motivated and issue a report within 10 days.⁶ Throughout this process, reports on the progress of the bias incident investigation are recorded on the following forms: Complaint Follow Up (PD313-081), Complaint Report (PD313-152), Complaint Report Worksheet (PD313-152A), and Unusual Occurrence Report (PD370-152).⁷

The Hate Crime Task Force is also required to compile reports on bias related incidents and use this data to conduct analyses designed to assist the Department and the City in coordinating an appropriate response to these incidents.

¹ The Official Website of the New York City Police Department “Hate Crimes/Bias Incidents” available at <https://www1.nyc.gov/site/nypd/services/law-enforcement/hate-crimes.page>

² The Official Website of the New York City Police Department “Hate Crimes/Bias Incident” available at <https://www1.nyc.gov/site/nypd/services/law-enforcement/hate-crimes.page>

³ See NYPD Patrol Guide “Bias Motivated Incidents” Section: Complaints Procedure No. 207-10 available at https://www1.nyc.gov/assets/ccrb/downloads/pdf/investigations_pdf/pg207-10-bias-motivated-incidents.pdf

⁴ See NYPD Patrol Guide “Bias Motivated Incidents” Section: Complaints Procedure No. 207-10 available at https://www1.nyc.gov/assets/ccrb/downloads/pdf/investigations_pdf/pg207-10-bias-motivated-incidents.pdf

⁵ See NYPD Patrol Guide “Bias Motivated Incidents” Section: Complaints Procedure No. 207-10 available at https://www1.nyc.gov/assets/ccrb/downloads/pdf/investigations_pdf/pg207-10-bias-motivated-incidents.pdf

⁶ See NYPD Patrol Guide “Bias Motivated Incidents” Section: Complaints Procedure No. 207-10 available at https://www1.nyc.gov/assets/ccrb/downloads/pdf/investigations_pdf/pg207-10-bias-motivated-incidents.pdf

⁷ See NYPD Patrol Guide “Bias Motivated Incidents” Section: Complaints Procedure No. 207-10 available at https://www1.nyc.gov/assets/ccrb/downloads/pdf/investigations_pdf/pg207-10-bias-motivated-incidents.pdf

III. RECENT HATE CRIME TRENDS

Several reports have shown a spike in hate crimes both nationally and locally. According to the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program, the number of hate crime incidents reported in 2017 increased by 17% from the year prior.⁸ The Uniform Crime Reporting Program's Hate Crime Statistics report is comprised of incidents reported to the federal government by law enforcement agencies.⁹ In 2017, law enforcement agencies reported 7,175 hate crimes incidents compared to 6,121 in 2016.¹⁰ The 2017 incidents encompassed 8,437 total offenses and involved 8,825 victims.¹¹ While the total number of reported hate crimes grew, so did the number of law enforcement agencies reporting hate crime data. According to the FBI, nearly 1,000 law enforcement agencies contributed information related to hate crimes that had not the year before.¹² The FBI has reported an increase in hate crimes consistently for the past 3 years, with a 5% increase between 2015 and 2016.

Of the 8,828 victims of hate crimes in 2017, 59.65% were targeted based on their race/ethnicity, 20.6% were victimized because of bias against religion, and 15.8% were targeted because of bias against their perceived sexuality.¹³ Of the 5,060 victims of racial bias hate crimes, nearly 50% were victims of anti-Black or African American bias.¹⁴ Similarly, of the 1,749 victims of anti-religious hate crimes, 58.1% were victims of crimes motivated by anti-Jewish bias.

The NYPD is required to report hate crime complaints and arrests pursuant to Local Law 130 of 2016. These data show that local trends mirror those at the national level. In 2017, 325 hate crimes were reported to the NYPD, of which 135 arrests were made, a slight decrease from 333 reported hate crimes in 2016.¹⁵ Of reported hate crimes in 2017, 46.46% were motivated by anti-Jewish bias. The number of anti-Jewish hate crime complaints is consistently much higher than all other bias motivations.

The following charts are based on NYPD data that is posted online. It is crucial to note that these statistics reflect the number of complaints made to the NYPD rather than the number of hate crimes that actually occurred. In addition, there are some discrepancies between the quarterly reports and the annual totals that may suggest the quarterly data contains duplicate entries or incidents that were incorrectly tabulated as hate crimes and later corrected.

⁸ See NYPD Patrol Guide "Bias Motivated Incidents" Section: Complaints Procedure No. 207-10 available at <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2017-hate-crime-statistics>

⁹ See NYPD Patrol Guide "Bias Motivated Incidents" Section: Complaints Procedure No. 207-10 available at <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2017-hate-crime-statistics>

¹⁰ "FBI Releases 2017 Hate Crime Statistics" Federal Bureau of Investigations November 13, 2018 available at <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-2017-hate-crime-statistics>

¹¹ See "2017 Hate Crime Statistics – Victim Data" Federal Bureau of Investigations available at <https://ucr.fbi.gov/hate-crime/2017/topic-pages/victims>

¹² See NYPD Patrol Guide "Bias Motivated Incidents" Section: Complaints Procedure No. 207-10 available at <https://www.fbi.gov/news/stories/2017-hate-crime-statistics-released-111318>

¹³ See NYPD Patrol Guide "Bias Motivated Incidents" Section: Complaints Procedure No. 207-10 available at <https://ucr.fbi.gov/hate-crime/2017/topic-pages/victims>

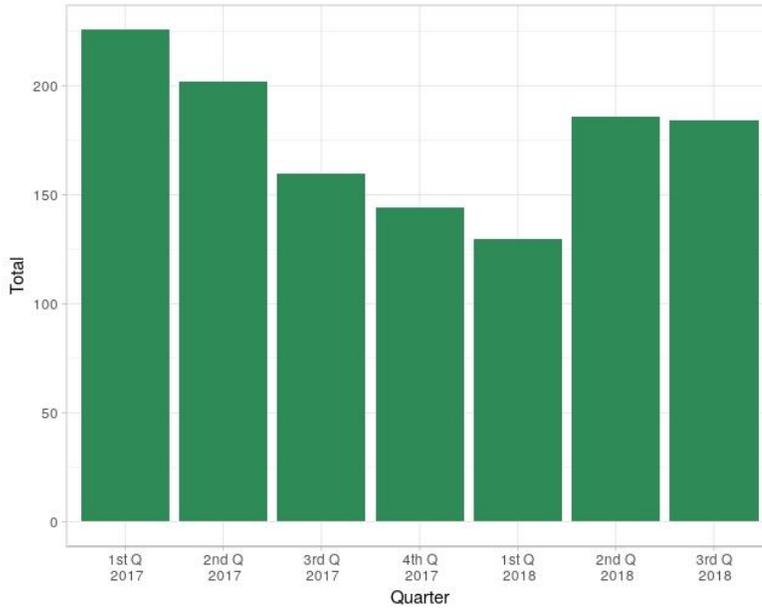
¹⁴ See NYPD Patrol Guide "Bias Motivated Incidents" Section: Complaints Procedure No. 207-10 available at <https://ucr.fbi.gov/hate-crime/2017/topic-pages/victims>

¹⁵ The Official Website of the New York City Police Department "Hate Crimes Reports" <https://www1.nyc.gov/site/nypd/stats/reports-analysis/hate-crimes.page>

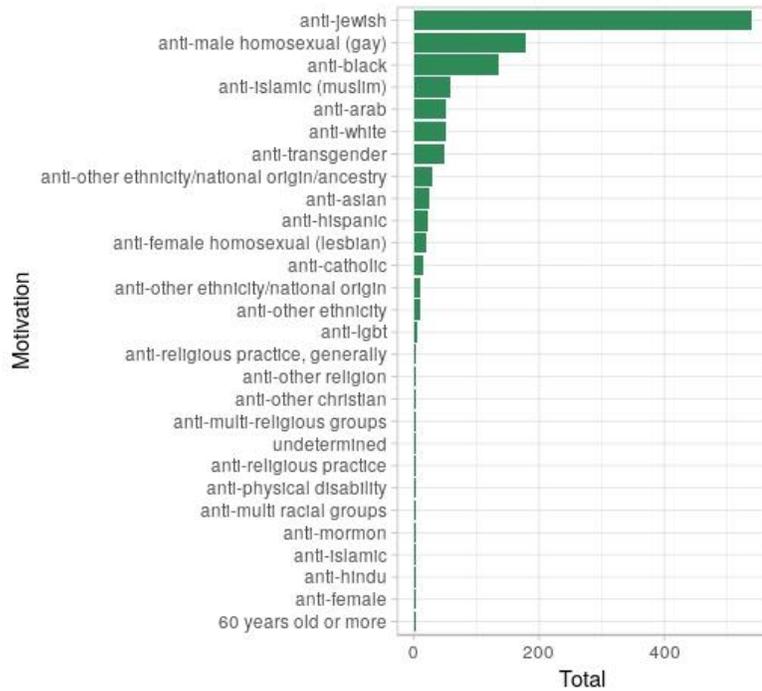
¹⁶ Weiss, Murray "Hate Crimes Jump 30 Percent in 2016, NYPD Stats Show" DNA Info New York November 16, 2016 available at <https://www.dnainfo.com/new-york/2016/11/16/civic-center/nypd-hate-crime-statistics-2016-2015/>

Complaints

Total Complaints; Hate Crimes: 2017, 2018 Qtr 1, 2 & 3

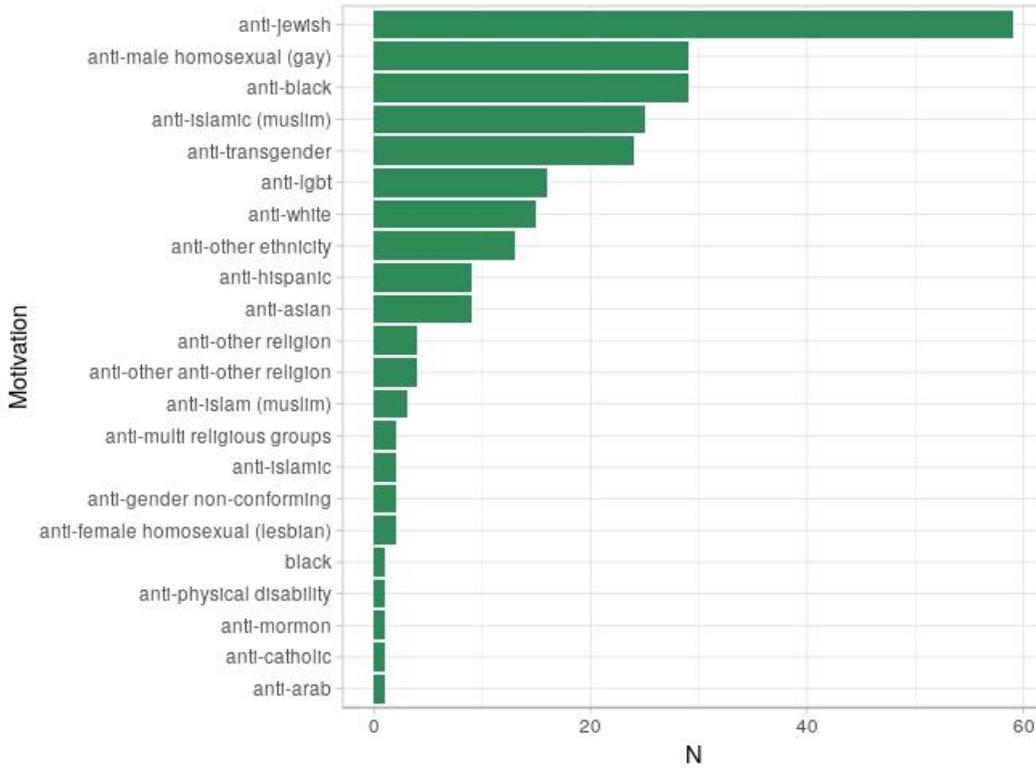


Total Complaints by Motivation: 2017, 2018 Q1, Q2 & Q3

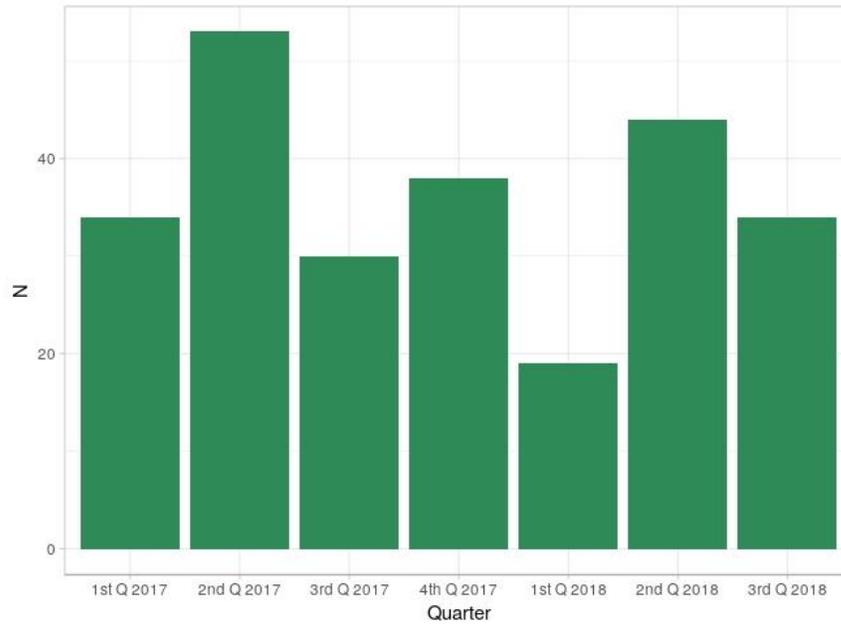


Arrests

Arrests; Hate Crimes: 2017, 2018 Qtr 1, 2 & 3



Total Arrests; Hate Crimes: 2017, 2018 Qtr 1, 2 & 3



IV. RECENT NOTABLE INCIDENTS IN NEW YORK CITY

The rise in hate crimes in New York City has had particular effects on certain communities, leading to growing fears and concerns about safety, specifically in the years following the 2016 presidential election. Anti-Jewish hate crimes and sentiments have made up a significant proportion of reported crimes in the City, accounting for nearly half of reported crimes so far this year. According to the New York Times, there have been four times as many crimes motivated by bias against Jews as compared to crimes motivated by bias against Black/African Americans.¹⁷

Several notable anti-Jewish hate crimes and sentiments have occurred around the City. In one month last year, within a few days, a graffiti swastika along with “KKK” was found on a police/fire call box on the Upper West Side in Manhattan, and two Orthodox Jewish men were attacked on the street in a Hasidic Jewish neighborhood in Brooklyn.¹⁸ Days before Halloween, last year, swastikas appeared at a popular trick-or-treating area in Brooklyn Heights. In early November of 2018, a get-out-the-vote event was cancelled at a Brooklyn synagogue after anti-Semitic graffiti was discovered on the temple’s walls,¹⁹ just days following the mass shooting at a synagogue in Pittsburgh.²⁰ Other anti-Semitic hate crimes were reported that same weekend, as surveillance footage showed a group of teenagers throwing a metal pipe through a window during a service at the Congregation Aveni Aish Volkin in Bedford Stuyvesant, Brooklyn.²¹

While anti-Jewish bias hate crimes represent a large share of reported crimes in the City, crimes against protected identities are generally on the rise. On October 31, 2018 the African Burial Ground Monument, which contain 15,000 remains of enslaved persons in Lower Manhattan, was defaced with racist slurs, as a vandal wrote “Kill N-ggers” on a plaque.²² In early November, Ann Marie Washington, a black woman was punched and stabbed on a subway platform in Brooklyn, while her assailant yelled expletives at her.²³ In September of last year, two gay men were attacked in Brooklyn after leaving a bar in Williamsburg. According to the police department the assailant uttered anti-gay slurs before injuring both men, rendering them unconscious.²⁴

In October, the Metropolitan Republican Club in Manhattan hosted Gavin McInnes, the founder of the ‘Proud Boys’, a right-wing organization with ties to white supremacist groups, leading to a series of brawls and arrests.²⁵ The event highlighted the ongoing conflict of identifying the harmful nature of hate speech and holding those accountable while protecting the right to free speech.

V. ANALYSIS OF PROP. INT. NO. 1234-A

This bill would require the mayor to establish an office for the prevention of hate crimes. The office would be headed by a coordinator, whose duties would include: advising and assisting the mayor in the planning and implementation of a coordinated response to hate crimes among the agencies involved in the prevention, awareness, investigation, prosecution and impact on communities of hate crimes; reviewing the budget requests

¹⁷ Bellafante, Ginia “Is It Safe to Be Jewish in New York” New York Times October 31, 2018 *available at* <https://www.nytimes.com/2018/10/31/nyregion/jewish-bias-safety-nyc.html>

¹⁸ Bellafante, Ginia “Is It Safe to Be Jewish in New York” New York Times October 31, 2018 *available at* <https://www.nytimes.com/2018/10/31/nyregion/jewish-bias-safety-nyc.html>

¹⁹ Rashbaum, William and Winston, Ali “Ilana Glazer Event at Synagogue Is Canceled After Anti-Semitic Graffiti Is Found” New York Times November 2, 2018 *available at* <https://www.nytimes.com/2018/11/02/nyregion/broad-city-jewish-synagogue-anti-semitism.html?ref=collection%2Fsectioncollection%2Fnyregion&action=click&contentCollection=nyregion®ion=rank&module=inline&version=highlights&contentPlacement=2&pgtype=sectionfront>

²⁰ Roberston, Campbell “11 Killed in Synagogue Massacre; Suspect Charged With 29 Counts” New York Times October 27, 2018 *available at* <https://www.nytimes.com/2018/10/27/us/active-shooter-pittsburgh-synagogue-shooting.html?module=inline>

²¹ Offenhardt, Jake “De Blasio, Cuomo Accused of Indifference After Racist Graffiti Discovered At African Burial Ground Monument” Gothamist November 5, 2018 *available at* http://gothamist.com/2018/11/05/african_burial_ground_monument.php

²² Watkins, Ali “Racist Slur Defaces African Burial Ground Monument in Lower Manhattan” New York Times November 2, 2018 *available at* <https://www.nytimes.com/2018/11/02/nyregion/african-burial-ground-monument-racial-slur.html>

²³ Whaley, Natelege “The Stabbing of Ann Marie Washington Should Call Attention to Hate Crimes in Public Spaces” Mic November 13, 2018 *available at* <https://mic.com/articles/192427/the-stabbing-of-ann-marie-washington-should-call-attention-to-rising-hate-crimes-in-public-spaces#.pYK7BVIy3>

²⁴ Fitzsimmons, Tim “Police hunt for suspect in alleged anti-gay attack in Brooklyn” NBC News September 24, 2018 *available at* <https://www.nbcnews.com/feature/nbc-out/police-hunt-suspect-alleged-anti-gay-attack-brooklyn-n912681>

²⁵ Goldmacher, Shane “Fight Breaks Out Near Republican Club After Visit by Gavin McInnes, Police Say” New York Times October 12, 2018 *available at* <https://www.nytimes.com/2018/10/12/nyregion/gavin-mcinnis-republican-club-vandalized.html?module=inline>

of all agencies for programs related to hate crimes; reporting on the activities of the office, the areas in the city that are vulnerable to hate crimes, the security concerns of neighborhoods, schools, and houses of worship, the efficacy of available resources for victims of hate crimes, and statistics on hate crime complaints within the city; studying the effectiveness of safety plans and resources available for victims in vulnerable communities; and serving as a liaison for the city with providers of victim services.

This bill would take effect 9 months after it became law.

VI. AMENDMENTS TO PROP. INT. NO. 1234-A

Prop. Int. 1234-A has been amended since it was heard as Preconsidered Int. No. 1234. The bill now allows the NYPD to not disclose information that is confidential or would compromise safety. In addition, for security purposes, the bill no longer requires an assessment of institutional security concerns to be published online.

VII. ANALYSIS OF PROP. INT. NO. 1261-A

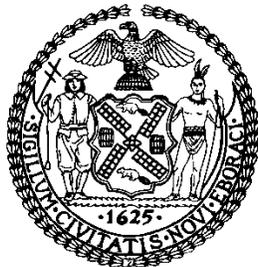
This bill would add to the duties of the office of hate crimes by requiring it to establish a division of educational outreach on the impact and effects of hate crimes, including measures to achieve greater tolerance and understanding, and coordination with relevant city agencies, interfaith organizations, community groups, and civil rights groups. The office would also be required to report on the populations which the division of educational outreach addressed, the types of programs created or provided by the division, and any other outreach, education, and prevention efforts made by the division.

This bill would take effect on the same day as Prop. Int. No. 1234-A.

VIII. AMENDMENTS TO PROP. INT. NO. 1261-A

Prop. Int. 1261-A has had no substantive amendments since it was heard as Preconsidered Int. No. 1261.

(The following is the text of the Fiscal Impact Statement for Int. No. 1234-A:)



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

**PROPOSED INT. NO. 1234-A
COMMITTEE: Public Safety**

TITLE: A Local Law to amend the New York city charter, in relation to creating an office for the prevention of hate crimes

Sponsors: By Council Members Levine, Cumbo, Deutsch, Richards, Constantinides, Koslowitz, Chin, Treyger, Maisel, Levin, Rosenthal, Kallos, and Vallone

SUMMARY OF LEGISLATION: Proposed Int. No. 1234-A would require the Mayor to establish an office for the prevention of hate crimes. The office would plan and implement coordinated responses among agencies (under the jurisdiction of the Mayor) that are involved in prevention, awareness, investigation, prosecution, and impacts on communities of hate crimes. Such office would also be required to prepare and submit to the Mayor and the Council and post on the City’s website by January 30 of each year a report of the activities of the office, regarding the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes.

EFFECTIVE DATE: This local law would take effect nine months after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2021

FISCAL IMPACT STATEMENT:

	Effective FY20	FY Succeeding Effective FY21	Full Fiscal Impact FY21
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	(\$475,000)	(\$713,000)	(\$713,000)
Net	(\$475,000)	(\$713,000)	(\$713,000)

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

IMPACT ON EXPENDITURES: It is anticipated that the Office of the Mayor would need to hire six personnel to staff this newly created office. This would include one Director, one Office Assistant, two Staff Analysts, and two Community Associates. The fiscal impact of this legislation includes budgeting for personal services, other than personal services, and fringe benefits. The fiscal impact would be prorated at \$475,000 for Fiscal 2020 and the full fiscal impact would be \$713,000 for Fiscal 2021 and the following years.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Nevin Singh, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced by the Council on November 14, 2018 as Int. No. 1234, and referred to Committee on Public Safety (“Committee”). A hearing was held on November 19, 2018 by the Committee and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1234-A, will be considered by the Committee on January 22, 2019. Upon a successful vote by the Committee, Proposed Int. No. 1234-A will be submitted to the full Council for a vote on January 24, 2019.

DATE PREPARED: January 18, 2019.

(For text of Int. No. 1261-A and its Fiscal Impact Statement, please see the Report of the Committee on Public Safety for Int. No. 1261-A printed in these Minutes; for text of Int. No. 1234-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 1234-A and 1261-A.

(The following is the text of Int. No. 1234-A:)

Int. No. 1234-A

By Council Members Levine, Cumbo, Deutsch, Richards, Constantinides, Koslowitz, Chin, Treyger, Maisel, Levin, Rosenthal, Kallos, Vallone, Gibson, Rodriguez, Williams, Ayala and Cornegy

A Local Law to amend the New York city charter, in relation to creating an office for the prevention of hate crimes

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-g to read as follows:

§ 20-g *Office for the prevention of hate crimes. a. The mayor shall establish an office for the prevention of hate crimes. Such office may be established within any office of the mayor or as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a coordinator who shall be appointed by the mayor or the head of such department. For the purposes of this section only, "coordinator" shall mean the coordinator of the office for the prevention of hate crimes.*

b. Powers and duties. The coordinator shall have the power and the duty to:

1. Advise and assist the mayor in planning and implementing for coordination and cooperation among agencies under the jurisdiction of the mayor that are involved in prevention, awareness, investigation and prosecution, and impact on communities of hate crimes.

2. Create and implement a coordinated system for the city's response to hate crimes. Such system shall, in conjunction with the New York city commission on human rights' bias response teams, the police department, and any relevant agency or office, coordinate responses to hate crime allegations.

3. Review the budget requests of all agencies for programs related to hate crimes, and recommend to the mayor budget priorities among such.

4. Prepare and submit to the mayor and the council and post on the city's website by January 30 of each year an annual report of the activities of the office, regarding the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes. Such report shall include but need not be limited to the following information: (i) identification of areas or populations within the city that are particularly vulnerable to hate crimes, (ii) identification and assessment of the efficacy of counseling and resources for victims of hate crimes, making recommendations for improvements of the same, and (iii) collation of city, state and federal statistics on hate crime complaints and prosecutions within the city, including incidents by offense, bias motivation, and demographic characteristics such as age and gender of offenders.

5. Study the effectiveness of, and make recommendations with respect to, the expansion of safety plans for neighborhoods and institutions that are particularly vulnerable to hate crimes, and the resources available for victims. This paragraph shall not require the disclosure of material that would reveal non-routine investigative techniques or confidential information or where disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations.

6. Serve as liaison for the city with providers of victim services, community groups, and other relevant nongovernmental entities and assist in the coordination among such entities on reporting and responding to allegations of hate crimes, to ensure that city residents have access to relevant services after hate crime events.

7. Perform other duties as the mayor may assign.

§2. This local law takes effect nine months after it becomes law.

DONOVAN J. RICHARDS, *Chairperson*; YDANIS A. RODRIGUEZ, FENANDO CABRERA, ANDREW COHEN, CHAM M. DEUTSCH, CARLOS MENCHACA, PAUL A. VALLONE, JUSTIN L. BRANNAN, KEITH POWERS; Committee on Public Safety, January 22, 2019.

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

Report for Int. No. 1261-A

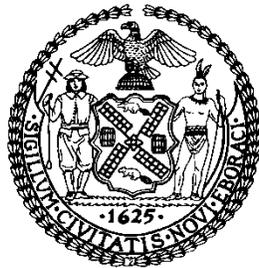
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring educational outreach within the office of prevention of hate crimes

The Committee on Public Safety, to which the annexed proposed amended local law was referred on November 28, 2018 (Minutes, page 4542), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 1234-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1261-A:



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

**PROPOSED INT. NO. 1261-A
COMMITTEE: Public Safety**

TITLE: A Local Law to amend the New York city charter, in relation to requiring educational outreach within the office of prevention of hate crimes

Sponsors: By Council Members Deutsch, Richards, Levine, Vallone, Eugene, Menchaca, Moya, Ampry-Samuel, Cabrera, Gibson, Levin, Lancman, Rodriguez and Kallos

SUMMARY OF LEGISLATION: Proposed Int. No. 1261-A would require the Office for the Prevention of Hate Crimes to conduct educational outreach and trainings, and the development of a K-12 curriculum addressing hate crime issues, in consultation with the Department of Education.

EFFECTIVE DATE: This local law takes effect on the same date as a local law for the year 2019 amending the New York city charter, relating to creating the office for the prevention of hate crimes, as proposed in introduction number 1234 for the year 2018, takes effect.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2021

FISCAL IMPACT STATEMENT:

	Effective FY20	FY Succeeding Effective FY21	Full Fiscal Impact FY21
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	(\$204,000)	(\$306,000)	(\$306,000)
Net	(\$204,000)	(\$306,000)	(\$306,000)

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

IMPACT ON EXPENDITURES: It is anticipated that the Office of the Mayor would hire three Education Coordinators to provide education outreach. The fiscal impact of this legislation includes budgeting for personal services, other than personal services, and fringe benefits. The fiscal impact would be prorated at \$204,000 for Fiscal 2020 and the full fiscal impact would be \$306,000 in Fiscal 2021 and the following years.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Nevin Singh, Financial Analyst
ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
 Eisha Wright, Unit Head
 Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was considered at a hearing of the Committee on Public Safety (“Committee”) as a Preconsidered Int. on November 19, 2018, and the legislation was laid over. This legislation was introduced by the Council as Int. No. 1261 on November 28, 2018, and referred to the Committee. The bill was subsequently amended and the amended legislation, Proposed Int. No. 1261-A, will be considered by the Committee on January 22, 2019. Upon a successful vote by the Committee, Proposed Int. No. 1261-A will be submitted to the full Council for a vote on January 24, 2019.

DATE PREPARED: January 18, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1261-A:)

Int. No. 1261-A

By Council Members Deutsch, Richards, Levine, Vallone, Eugene, Menchaca, Moya, Ampry-Samuel, Cabrera, Gibson, Levin, Lancman, Rodriguez, Kallos, Williams, Koslowitz, Chin, Cumbo and Ayala

A Local Law to amend the New York city charter, in relation to requiring educational outreach within the office of prevention of hate crimes

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision b of section 20-g of the New York city charter, as added by a local law for the year 2019 amending the New York city charter, relating to creating the office for the prevention of hate crimes, as proposed in introduction number 1234 for the year 2018, is amended to read as follows:

4. Prepare and submit to the mayor and the council and post on the city's website by January 30 of each year an annual report of the activities of the office, regarding the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes. Such report shall include but need not be limited to the following information: (i) identification of areas or populations within the city that are particularly vulnerable to hate crimes, (ii) identification and assessment of the efficacy of counseling and resources for victims of hate crimes, making recommendations for improvements of the same, [and] (iii) collation of city, state and federal statistics on hate crime complaints and prosecutions within the city, including incidents by offense, bias motivation, and demographic characteristics such as age and gender of offenders, (iv) *the populations to which the division of educational outreach addressed*, (v) *the types of programs created or provided by the division of educational outreach and the names of the providers of such programs*, and (vi) *any other outreach, education, and prevention efforts made by the division of educational outreach*.

§ 2. Section 20-g of the New York city charter, as added by a local law for the year 2019 amending the New York city charter, relating to creating the office for the prevention of hate crimes, as proposed in introduction number 1234 for the year 2018, is amended by adding a new subdivision c to read as follows:

c. The coordinator shall establish a division of educational outreach. The division shall have the power and the duty to:

1. Ensure, by such means as necessary, including coordination with relevant city agencies and interfaith organizations, community groups, and human rights and civil rights groups, the provision of effective outreach and education on the impact and effects of hate crimes, including measures necessary to achieve greater tolerance and understanding, and including the use of law enforcement where appropriate.

2. Create a K-12 curriculum addressing issues related to hate crimes, in consultation with the department of education.

3. Perform other duties as the mayor may assign.

§ 3. This local law takes effect on the same date as a local law for the year 2019 amending the New York city charter, relating to creating the office for the prevention of hate crimes, as proposed in introduction number 1234 for the year 2018, takes effect.

DONOVAN J. RICHARDS, *Chairperson*; YDANIS A. RODRIGUEZ, FENANDO CABRERA, ANDREW COHEN, CHAM M. DEUTSCH, CARLOS MENCHACA, PAUL A. VALLONE, JUSTIN L. BRANNAN, KEITH POWERS; Committee on Public Safety, January 22, 2019.

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

Report of the Committee on Veterans

Report for Int. No. 1118-A

Report of the Committee on Veterans 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 additional reporting requirements for the department of veterans' services.

The Committee on Veterans, to which the annexed proposed amended local law was referred on September 26, 2018 (Minutes, page 3748), respectfully

REPORTS:

INTRODUCTION

On January 22, 2019, the Committee on Veterans, chaired by Council Member Chaim Deutsch, heard and voted on legislation on requiring the Department of Veterans Services (DVS) to report on various agency performance standards. Proposed Int. No. 1118-A, sponsored by Council Member Deutsch, would specifically require DVS to submit an annual report to the council and post on its website such information as the services the agency provides in their offices and in the field and the number, titles, and responsibilities of their employees. This report would also include an accounting of the number of veterans who have inquired about DVS's services, those who have received services from DVS, as well as how veterans and their families learn about the services provided by the agency.

A hearing on the bill was previously held on October 23, 2018. At that hearing, the Committee heard from representatives from DVS, service providers, and advocates.

On January 22, 2019, the Committee on Veterans passed Proposed Int. No. 1118-A by a vote of five in the affirmative and zero in the negative, with zero abstentions.

BACKGROUND

Veterans' Benefits and Federal, State, and Local Services

Veterans have access to benefits at all levels of government. On the federal level, through the United States Department of Veterans Affairs (VA), the federal government provides free and low-cost medical care, subsidized tuition, and low-interest home loans to former servicemembers.¹ On the state level, the New York State Division of Veterans' Affairs (NYS DVA) provides free advising for federal benefits, discharge characterization upgrade assistance, and annuities for Gold Star Parents and visually impaired veterans.² Locally, DVS, which has offices in all five boroughs, provides veterans assistance through four primary program areas: Central Administration, Community Outreach, Homelessness Prevention, and Mental Health.³ Within these areas, DVS' responsibilities and activities include expanding education and career opportunities through a network of public, private, and non-profit partners, and ensuring that veterans can access benefits, resources, and services on the local, state, and federal levels. DVS initiates and manages projects pertaining to Whole Health and Community Resilience (WHCR), Housing and Support Service (HSS), and City Employment, Education, Entrepreneurship Events, and Engagement (CE5).⁴ Public-private partnerships have also been an area of focus for DVS, which established NYServes, an online portal that allows veterans and their families to access public, private and non-profit housing and emergency service providers.⁵

The WHCR team at DVS connects veterans and their families with programs such as the Hidden Heroes Initiative, which raises awareness about the challenges that military caregivers face, and training such as Mental Health First Aid for Veterans. The HSS team works with DVS' Aftercare Coordinator to refer veterans to community-based, state, and federal organizations and ensure that veterans can maintain their wellbeing, stability, and autonomy after staying in shelter.⁶ Between March 2016 and May 2017, DVS held more than 300 community outreach events and provided one-on-one assistance to more than 2,300 veterans and family

¹ United States Department of Veterans Affairs, retrieved Oct. 17, 2018 from https://www.va.gov/landing2_about.htm.

² New York State Division of Veterans' Affairs, retrieved Oct. 17, 2018 from <https://veterans.ny.gov/content/about-new-york-state-division-veterans%E2%80%99-affairs>.

³ Department of Veterans' Services 2016 Annual Report, retrieved June 11, 2018, from <http://www1.nyc.gov/assets/veterans/downloads/pdf/2016DVSAnnualReport.pdf>.

⁴ Department of Veterans' Services 2016 Annual Report, retrieved Oct. 17, 2018, from <http://www1.nyc.gov/assets/veterans/downloads/pdf/2016DVSAnnualReport.pdf>.

⁵ NYServes, retrieved Oct. 17, 2018, from <https://www1.nyc.gov/site/veterans/get-help/nyserves.page>.

⁶ Meet Our Team, New York City Department of Veterans Services, retrieved June 7, 2018, from <http://www1.nyc.gov/site/veterans/about/angela-guytoncyril.page>.

members as they applied for benefits such as the GI Bill and veteran property tax exemptions.⁷ Other efforts to improve quality-of-life include discounted memberships for veterans at all 36 recreation centers operated by the New York City Department of Parks and Recreation.⁸

Reporting Requirements and the Veterans Services Report

In order to maintain accountability for the services the City offers and the programs it undertakes, the City Council has enacted two reporting requirements pertaining to veterans' issues.

Local Law 24 of 2015 requires the Veterans Advisory Board (VAB), a non-partisan entity consisting of eleven veterans representing the five boroughs, to submit a report before December 31st of each year, in which the VAB summarizes its activities and offers recommendations as to how DVS can best serve former servicemenbers.⁹

Pursuant to Local Law 23 of 2105, before October 18th of each year, the Mayor's Office of Operations is also required to report on data collected from different city agencies that provide services to veterans, disaggregated by category of benefit available to veterans and by veterans' borough of residence (the "Veterans Services Report"). The agencies included in the report include the Department of Consumer Affairs (DCA), the Department of City Administrative Services (DCAS), the Department of Health and Mental Hygiene (DOHMH), the Department of Housing Preservation and Development (HPD), and the New York City Housing Authority (NYCHA).¹⁰

The Veterans Services Report for 2017, submitted to the Council on September 28, 2018, gives an overview of different city resources that veterans have accessed for the 2014-2017 calendar years. This information helps the Council better understand the patterns and trends of veterans accessing City resources and benefits available to veterans and allows the Council to assess what services veterans find important, how well City agencies are serving this population, and where the improvements in city services may be made.

Per the report, City data indicates that in recent years, veterans have availed themselves of a greater number of some of the services that the City offers, while demand has fallen or remained stable in other areas.

Between calendar year (CY) 2015 and calendar year (CY) 2017, for example, the number of civil service examination applications received by DCAS from applicants claiming veterans' credit increased by an impressive 169.95 percent, from 1,887 to 5,094.¹¹ No information is available on how many of those applicants passed the examination or procured City positions based on their examination results. Such an increase could be attributed to outreach and education efforts; however, without more information, it is difficult to assess exactly what encouraged so many veterans to take the examination in this two-year period.

On the other hand, in the area of vending licenses, application and license numbers had only marginal fluctuation. Applications for general vending licenses received by DCA during this period fell from 499 to 372, and, similarly, the general vending licenses issued by DCA fell from 348 to 227.¹² The number of fee-exempt mobile food vending licenses issued by DOHMH to veterans had a slight decrease from 398 to 354 and the food vending permits issued rose slightly from 190 to 200.¹³ The Committee is interested to learn more about what kinds of vending, other than food, veterans are engaging in and why these numbers have fallen.

With regard to housing, veterans' numbers have generally been increasing. HPD processes applications from veterans for Mitchell-Lama developments, which provide City-sponsored rentals and coops for moderate and middle income households,¹⁴ and administers vouchers for the HUD-VASH program, which combines vouchers for rental housing with VA case management services.¹⁵ The number of approved Mitchell-Lama housing

⁷ 2017 New York City Veterans Advisory Board Annual Report, retrieved June 11, 2018, from https://www1.nyc.gov/assets/veterans/downloads/pdf/annual_reports/2017.pdf.

⁸ De Blasio Administration Announces New NYC Parks Recreation Center Membership Rate, June 1, 2016, from <http://www1.nyc.gov/office-of-the-mayor/news/499-16/de-blasio-administration-new-nyc-parks-recreation-center-membership-rate-veterans-and>.

⁹ Local Law 23 of 2015.

¹⁰ Local Law 24 of 2015.

¹¹ 2017 Veterans Services Report, p.2.

¹² 2017 Veterans Services Report, p.2

¹³ 2017 Veterans Services Report, p.2

¹⁴ *Affordable Housing: Mitchell Lama*, retrieved Oct. 26, 2018, from <https://www1.nyc.gov/site/hpd/renters/mitchell-lama-rentals.page>.

¹⁵ *Veterans Affairs Supportive Housing Vouchers*, retrieved Oct. 26, 2018, from https://nlihc.org/sites/default/files/AG-2017/2017AG_Ch05-S14_Veterans-Affairs-Supportive-Housing-Vouchers.pdf.

applications received by HPD from veterans who identified themselves as heads of household increased from 73 to 120.¹⁶ The number of veterans residing in rental units who use HUD-VASH vouchers administered by HPD increased from 96 to 135.¹⁷ Additionally, the number of veterans residing in rental units who use NYCHA-administered vouchers has increased from 2,432 to 2,527.¹⁸ This data indicates that veterans are seeking and using available vouchers and benefits to obtain housing and that a large number of veterans are renting units with the assistance of federal, state, and local government entities. As such, the Committee is interested in firsthand accounts of veterans' experiences with NYCHA and HPD.

In terms of borough demographics, City data suggest that general vending licenses are largely being requested by veterans in Brooklyn (103 for CY 2017), the Bronx (91), and Queens (79) and food vending licenses are also largely being issued to Brooklyn (50), Queens (49), and the Bronx (43), with the majority of mobile food vending licenses being issued to Brooklyn veterans (97).¹⁹ Civil service examination applications claiming veterans' credit is overwhelmingly being used by veterans in Queens (1,061) and Brooklyn (930) and, notably, those outside of NYC (1,790).²⁰

Finally, in terms of housing, most veterans using HUD-VASH vouchers for rental units are doing so overwhelmingly in the Bronx (71 for HPD and 1,222 used in NYCHA).²¹ The borough with the next highest usage of HUD-VASH in rental housing was Brooklyn (30 for HPD and 806 for NYCHA).²² The latter data is particularly interesting because it suggests great housing need, or at least usage, in the Bronx. More information is needed to determine whether that data is due to more available housing in the Bronx or for other reasons, particularly as DVS testified during a hearing before the Committee in June 2018 that the most veterans live in Queens (about 58,000) and Brooklyn (about 55,000).²³ According to DVS testimony, the number of veterans residing in the Bronx is about just 37,500, which comes in behind Manhattan at about 39,000.²⁴

While the above data provide a snapshot of some of the City services being utilized by veterans in the five boroughs since CY 2014, the numbers leave far more questions about why the patterns and trends among the City's veterans are such. The Committee thus looks forward to gaining a more comprehensive understanding of these City services offered to veterans and how they are being utilized and why.

PROPOSED INT. NO. 1118-A

Int. 1118 would require DVS to report on certain performance indicators. Specifically, the department would be required to report annually and post to its website information on the services provided by the department, the number of employees, their functional titles, and the responsibilities under each job title, the number of engagements, per month, provided by DVS and disaggregated by types of services, where the service was provided, and in what borough. The bill would also require DVS to report on the types of services veterans have been inquiring about, the methods by which DVS provides information to veterans and their families, how veterans and their families report they are learning about DVS's services, and what kinds of field services DVS is providing each month and in each borough.

Proposed Int. No. 1118-A would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 1118-A:)

¹⁶ 2017 Veterans Services Report, p.2

¹⁷ 2017 Veterans Services Report, p.2

¹⁸ 2017 Veterans Services Report, p.2.

¹⁹ 2017 Veterans Services Report, p.3

²⁰ 2017 Veterans Services Report, p.3

²¹ 2017 Veterans Services Report.

²² 2017 Veterans Services Report.

²³ Testimony from the New York City Department of Veterans' Services, June 19, 2018.

²⁴ Testimony from the New York City Department of Veterans' Services, June 19, 2018.



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

PROPOSED INTRO. NO. 1118-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to additional reporting requirements for the department of veterans' services

SPONSORS: Council Members Deutsch, Holden, Vallone and Kallos

SUMMARY OF LEGISLATION: Proposed Int. No. 1118-A would require the Department of Veterans' Services (DVS) to submit an annual report to the Speaker and post on its website information regarding the department's services and performance. The report would include, but need not be limited to: a list and description of the services provided by the department; the total number of employees, their titles and their responsibilities; the number of veterans served; the types of services veterans inquired about; the methods by which the department reaches out to veterans and their families; the ways in which veterans and their families indicate that they have learned about the department's services; a list of field services provided by DVS by borough and the methodology used to create said report.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation. DVS would use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
The Department of Veterans' Services

ESTIMATE PREPARED BY: Zachary Harris, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1118 on September 26, 2018 and referred to the Committee on Veterans (Committee). The Committee heard the legislation on October 29, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1118-A, will be considered by the Committee on Veterans on January 22, 2019. Upon a successful vote by the Committee, Proposed Intro. No. 1118-A will be submitted to the full Council for a vote on January 24, 2019.

DATE PREPARED: January 18, 2019.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1118-A:)

Int. No. 1118-A

By Council Members Deutsch, Holden, Vallone, Kallos, Eugene, Chin and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to additional reporting requirements for the department of veterans' services

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-109 to read as follows:

§ 31-109 Reporting requirements. a. For the purposes of this section, the following terms have the following meanings:

Engagements. The term "engagements" means any interactions for the purposes of providing services to veterans, caretakers, active servicemembers and their families, including those interactions in resource centers, the department's office, or in the field.

Services. The term "services" means any activity or resource provided by the department to help veterans, including, but not limited to, providing information, offering referrals, connecting veterans with internal and external resources and any direct action taken for or on behalf of veterans.

Veteran. The term "veteran" means a person who has served in the Armed Forces, National Guard or Reserves of the United States.

b. No later than December 15, 2019, and no later than December 15 annually thereafter, the department shall submit to the speaker of the council and post to its website an annual report regarding the department's services and performance.

c. The annual report shall include, but need not be limited to, the following information for the prior fiscal year:

- 1. A list and description of the services provided by the department;*
- 2. The total number of employees, a list of functional titles, the number of employees in each functional title and a summary of the general responsibilities for each title;*
- 3. The total number of engagements, per month, disaggregated by the types of services provided, whether the service was provided at the department's office, a resource center or in the field, and borough;*
- 4. The types of services veterans have inquired about, including through 311 calls, per month, disaggregated by type of service, and borough where applicable;*
- 5. The methods by which the department provides information to veterans and their families, caretakers and active servicemembers and the methods by which veterans and their families learned about the department;*
- 6. A list of the field services provided by the department in each borough, per month; and*
- 7. The methods utilized by the department in calculating its report on the performance indicators herein.*

§ 2. This local law takes effect immediately.

CHAIM M. DEUTSCH, *Chairperson*; JUSTIN L. BRANNAN, MATHIEU EUGENE, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans, January 22, 2019.

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

Report of the Committee on Women

Report for Int. No. 351-A

Report of the Committee on Women in favor of approving and adopting, as amended, a Local Law to amend the charter and administrative code of the city of New York, in relation to reporting on certain domestic violence initiatives, indicators, and factors.

The Committee on Women, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 530), respectfully

REPORTS:

I. INTRODUCTION

On Wednesday, January 23, 2019, the Committee on Women, chaired by Council Member Helen K. Rosenthal, will consider a package of bills to help protect survivors of domestic violence in NYC: Proposed Int. No. 351-A, in relation to reporting on certain domestic violence initiatives, indicators, and factors; Proposed Int. No. 371-B, in relation to outreach to help cosmetologists recognize signs of domestic violence in their clients; and Proposed Int. No. 542-A, in relation to service satisfaction surveys. This will be the second hearing on the bills.

The first hearing on Proposed Int. Nos. 351-A, 371-B, and 542-A was held on October 24, 2018, and include an oversight component to examine on the Mayor's Office to End Domestic and Gender Based Violence (ENDGBV). At the hearing, the Committee sought information on policies and procedures that affect domestic violence survivors, resources, training and reporting from the office, in addition to hearing these three bills. The Committee also explored best practices and model policies for supporting survivors of domestic and gender based violence in NYC.

Those who provided testimony included the Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV), as well as local legal services offices, activists, advocacy groups, experts in the fields of gender equality and gender-based violence, and other interested stakeholders.

II. PROPOSED INT. NO. 351-A

Proposed Int. No. 351-A would require the Mayor's Office to End Domestic and Gender Based Violence (ENDGBV) to report annually on domestic violence initiatives, indicators, and factors. This information would be compiled and reported to the Mayor and the Speaker by June 1, 2019, and then March 1 and November 1 of each year thereafter. The report would provide information on: (i) the number of contracted legal service providers providing services in the family justice centers (FJCs); (ii) the number of contracted service providers providing non-legal services in the FJCs; (iii) the number of FJC clients; (iv) FJC programs and services that pertain to economic empowerment; (v) the number of outreach events ENDGBV conducts; (vi) the number of prevention education workshops that ENDGBV conducts; (vii) the number of trainings conducted by the office; and (viii) a list of any new data or research reports published by the office. The proposed legislation would also require the New York Police Department (NYPD) to report annually on offenders of domestic violence and domestic violence crimes, with information disaggregated by precinct and borough. The bill would also update the name of the office in both the charter and Administrative Code.

Section two of Proposed Int. No. 351-A establishes that the local law would take effect immediately.

Since introduction, Proposed Int. No. 351-A was amended to update reporting categories to capture factors that affect economic empowerment, reporting on the work of the office generally, to further clarify NYPD's data and reflect what data is actually available, and to update the name of the office to reflect that Executive Order 36, which changed the name to ENDGBV from the Office to Combat Domestic Violence (OCDV) on September 13, 2018.

III. PROPOSED INT. NO. 371-B

Proposed Int. No. 371-B would require the Mayor's Office to End Domestic and Gender Based Violence (ENDGBV) to conduct regular outreach to cosmetologists, which includes both hairstylists and barbershops, and post information about such outreach and how to access it on its website. Pursuant to the legislation, outreach would include but not be limited to: (i) training conducted by the office, (ii) a toolkit tailored to cosmetologists, and (iii) information on domestic violence resources available throughout the five boroughs, and ENDGBV would submit a report by November 1 annually that summarizes outreach efforts to the cosmetology community.

Section two of Proposed Int. No. 371-B would establish that the local law would take effect 120 days after it becomes law.

Since introduction, Proposed Int. 371-B was amended to reflect that training will be part of comprehensive outreach that includes training, targeted outreach, and an online toolkit, rather than an online training video, and to require ENDGBV to report annually on outreach efforts.

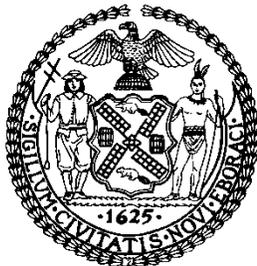
IV. PROPOSED INT. NO. 542-A

Proposed Int. No. 542-A would require the Mayor's Office to End Domestic and Gender Based Violence (ENDGBV) to provide all individuals receiving services at Family Justice Centers (FJCs) with service satisfaction surveys. Completion of such surveys would not be mandatory, the survey results would be anonymous, and ENDGBV would be required to submit to the Council and post on its website on an annual basis all data from the survey, disaggregated by borough, whether the individual completing the survey utilized interpretation services, in what language if so, and any other factor that may be appropriate.

Section two of Proposed Int. No. 542-A would establish that the local law would take effect 120 days after it becomes law.

Since introduction, Proposed Int. 542-A was amended to clarify that both questions and the surveys would be posted online and it added a reporting requirement.

(The following is the text of the Fiscal Impact Statement for Int. No. 351-A:)



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

PROPOSED INT. NO: 351-A
COMMITTEE: Women

TITLE: A Local Law to amend the charter and the administrative code of the city of New York, in relation to reporting on certain domestic violence initiatives, indicators, and factors

SPONSOR(S): Council Members Rosenthal, Brannan, Maisel, Ayala, Rivera, Cumbo, Chin, Gibson, Richards and Kallos

SUMMARY OF LEGISLATION: Proposed Intro. No. 351-A would require the Mayor’s Office to End Gender-Based Violence (“ENDGBV”) to submit to the Mayor and Speaker of Council no later than June 1, 2019, and no later than January 31 annually thereafter, a report on domestic violence initiatives, indicators, and factors. The report would include information on the following: the number of contracted legal service providers providing services in the City’s Family Justice Centers (“FJCs”), the number of contracted service providers providing non-legal services in FJCs, the number of FJC clients served, the list of all FJC programs and services offered that relate to economic empowerment, the number of outreach events, prevention trainings, and education workshops ENDGBV conducts, and a list of any new data or research reports published by the office. This legislation would also require the New York Police Department (“NYPD”) to submit a report annually on data pertaining to offenders of domestic violence, with information disaggregated by precinct and borough. Finally, the legislation would update the name of the office in both the charter and administrative code of the office to ENDGBV.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources would be used to implement the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: City Council Finance Division

ESTIMATE PREPARED BY: Monica Pepple, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Int. No. 351 on January 31, 2018 and referred to the Committee on Women (“Committee”). A hearing was held by the Committee on October 24, 2018, and the legislation was laid over. This legislation was subsequently amended and the amended legislation, Proposed Int. No 351-A, will be considered by the Committee on January 23, 2019. Upon a successful vote by the Committee, Proposed Int. No. 351-A will be submitted to the full Council for a vote on January 24, 2019.

DATE PREPARED: January 17, 2019.

(For text of Int. Nos. 371-B and Int. Nos. 542-A and their Fiscal Impact Statements, please see the Report of the Committee on Women for Int. Nos. 371-B and 542-A, respectively, printed in these Minutes; for text of Int. No. 351-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 351-A, 371-B, and 542-A.

(The following is the text of Int. No. 351-A:)

Int. No. 351-A

By Council Members Rosenthal, Brannan, Maisel, Ayala, Rivera, Cumbo, Chin, Gibson, Richards, Kallos, Lander, Levin, Barron and Miller.

A Local Law to amend the charter and administrative code of the city of New York, in relation to reporting on certain domestic violence initiatives, indicators, and factors

Be it enacted by the Council as follows:

Section 1. Title 3 of the administrative code of the city of New York is amended by adding a new subchapter 7 to read as follows:

**SUBCHAPTER 7
OFFICE TO END DOMESTIC AND GENDER-BASED VIOLENCE**

§ 3-170 Definitions. For the purposes of this subchapter, the following terms have the following meanings: Domestic violence. The term “domestic violence” means acts or threats of violence, not including acts of self-defense, committed by a family or household member against another family or household member.

Family justice center. The term “family justice center” means the centers and any successor locations through which the office or successor entity provides criminal justice, civil legal, and social services to victims of domestic violence and gender-based violence.

Family or household member. The term “family or household member” means the following individuals: (i) persons related by consanguinity or affinity; (ii) persons legally married to one another; (iii) persons formerly married to one another regardless of whether they still reside in the same household; (iv) persons who have a child in common regardless of whether such persons have been married or have lived together at any time; (v) persons not legally married, but currently living together in a family-type relationship; and (vi) persons not legally married, but who have formerly lived together in a family-type relationship.

Office. The term “office” means the office to end domestic and gender-based violence.

§ 3-171 Reporting on domestic violence initiatives, indicators, and factors. On June 1, 2019, and no later than January 31 annually thereafter, the office shall submit to the mayor and speaker of the council and post on its website an annual report regarding certain domestic violence initiatives, indicators, and factors. Such report shall include, but need not be limited to:

1. The number of contracted legal service providers providing services in the family justice centers, disaggregated by the primary area of legal practice and languages spoken by the contracted legal service providers, for each family justice center and in total for all family justice centers;

2. The number of contracted service providers providing non-legal services in the family justice centers, disaggregated by type of service, for each family justice center and in total for all family justice centers;

3. The number of family justice center clients, disaggregated by: (i) the total number of client visits, (ii) the total number of unique clients, and (iii) the number of clients accessing each service type, for each family justice center and in total for all family justice centers;

4. A list of all family justice center programs and services offered which pertain to economic empowerment, such as but not limited to those that promote short- and long-term financial planning or navigation of public

benefits, disaggregated by type of program or service, for each family justice center and in total for all family justice centers;

- 5. The total number of outreach events conducted by the office, disaggregated by type of event;*
- 6. The total number of prevention education workshops conducted by the office for youth, staff administering or operating youth programming, or caregivers for youth;*
- 7. The total number of trainings conducted by the office for: (i) city agency staff, (ii) non-profit staff, and (iii) community members; and*
- 8. A list of any new data or research reports published by the office.*

§ 2. Subdivision a of section 14-150 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Report on domestic violence factors. a. For the purposes of this subdivision, the following terms have the following meanings:

Chronic domestic violence case. The term "chronic domestic violence case" means crimes determined by the department to be related to domestic violence that involve a chronic offender.

Chronic offender. The term "chronic offender" means a perpetrator who has been arrested three or more times in an 18-month period for a crime determined by the department to be related to domestic violence.

Domestic violence. The term "domestic violence" means any crime as determined by the department, not including those done in self-defense, when committed against a family or household member as determined by the department. Perpetrator. The term "perpetrator" means a person who has or who is alleged to have committed domestic violence.

b. Beginning June 1, 2019, and annually thereafter, the department shall submit to the mayor and speaker of the council and shall post on its website, an annual report regarding certain domestic violence initiatives, indicators, and factors in the city. Such report shall include, but need not be limited to the following:

- 1. The total number of domestic violence complaints, disaggregated by precinct;*
- 2. The total number of chronic domestic violence complaints, disaggregated by borough;*
- 3. The total number of domestic violence offenders, disaggregated by precinct;*
- 4. The total number of chronic offenders, disaggregated by precinct;*
- 5. The scope of outreach efforts by the department to victims of domestic violence in cases where a perpetrator violates an order of protection issued by a court of competent jurisdiction; and*
- 6. Any other interventions by the department that relate to domestic violence.*

§ 3. Paragraphs 2 and 3 of subdivision c of section 13-d of the New York city charter, as added by local law number 162 for the year 2016, are amended to read as follows:

2. work with the office to [combat] end domestic and gender-based violence to ensure that services for crime victims are coordinated.

3. advise and assist the director of the office to [combat] end domestic and gender-based violence in developing methods to improve the coordination of systems and services for victims of intimate partner violence;

§ 4. Paragraph 7 of subdivision d of section 18 of the New York city charter, as added by local law number 185 for the year 2017, is amended to read as follows:

7. consult with and provide information and advice to relevant city agencies, in coordination, as appropriate, with the office to [combat] end domestic and gender-based violence, the office of criminal justice, and other agencies or offices as the mayor may designate, on addressing the unique needs of immigrant crime victims and witnesses, including agency standards and protocols for issuing law enforcement certifications required in order to apply for nonimmigrant status under subparagraphs (T) and (U) of paragraph (15) of subsection (a) of section 1101 of title 8 of the United States code, or successor statutes.

§ 5. Section 19 of the New York city charter, as amended by local law number 61 for the year 2005, is amended to read as follows:

§ 19. Office to [combat] end domestic and gender-based violence. a. The city of New York recognizes that domestic violence is a public health issue that threatens hundreds of thousands of households each year and that respects no boundaries of race, ethnicity, age, gender, sexual orientation or economic status. The city of New York further recognizes that the problems posed by domestic violence fall within the jurisdiction and programs of various City agencies and that the development of an integrated approach to the problem of domestic violence, which coordinates existing services and systems, is critical to the success of the city of New York's efforts in this area.

b. There shall be, in the executive office of the mayor, an office to [combat] *end domestic and gender-based violence*. The office shall be headed by a director, who shall be appointed by the mayor.

c. The director of the office to [combat] *end domestic and gender-based violence* shall have the power and duty to:

1. coordinate domestic violence services;
2. formulate policies and programs relating to all aspects of services and protocols for victims of domestic violence;
3. develop methods to improve the coordination of systems and services for domestic violence;
4. develop and maintain mechanisms to improve the response of city agencies to domestic violence situations and improve coordination among such agencies; and
5. implement public education campaigns to heighten awareness of domestic violence and its effects on society and perform such other functions as may be appropriate regarding the problems posed by domestic violence.

d. 1. For purposes of this subdivision, the following terms shall have the following meanings:

(i) "Agency" shall mean a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

(ii) "Domestic violence fatality" shall mean a death of a family or household member, resulting from an act or acts of violence committed by another family or household member, not including acts of self-defense.

(iii) "Family or household member" shall mean the following individuals:

- (a) persons related by consanguinity or affinity;
- (b) persons legally married to one another;
- (c) persons formerly married to one another regardless of whether they still reside in the same household;
- (d) persons who have a child in common regardless of whether such persons have been married or have lived together at any time;
- (e) persons not legally married, but currently living together in a family-type relationship; and
- (f) persons not legally married, but who have formerly lived together in a family-type relationship.

Such term, as described in (e) and (f) of this subparagraph, therefore includes "common law" marriages, same sex couples, registered domestic partners, different generations of the same family, siblings and in-laws.

(iv) "Perpetrator" shall mean a family or household member who committed an act or acts of violence resulting in a domestic violence fatality.

(v) "Victim" shall mean a family or household member whose death constitutes a domestic violence fatality.

2. There shall be a domestic violence fatality review committee to examine aggregate information relating to domestic violence fatalities in the city of New York. Such committee shall develop recommendations for the consideration of the director of the office to [combat] *end domestic and gender-based violence* regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private organizations that provide such services pursuant to a contract with an agency. The committee shall be convened by the director of the office to [combat] *end domestic and gender-based violence*, or his or her designee, and shall consist of the director of the office to [combat] *end domestic and gender-based violence*, or his or her designee, the commissioner of the police department, or his or her designee, the commissioner of the department of health and mental hygiene, or his or her designee, the commissioner of the department of social services/human resources administration, or his or her designee, the commissioner of the department of homeless services, or his or her designee and the commissioner of the administration for children's services, or his or her designee. The committee shall also consist of two representatives of programs that provide social or legal services to victims of domestic violence and two individuals with personal experience with domestic violence. The director of the office to [combat] *end domestic and gender-based violence*, or his or her designee, shall serve as chairperson of the committee. At the discretion of the director of the office to [combat] *end domestic and gender-based violence*, the committee may also include a representative of any of the offices of the district attorney of any of the five boroughs and/or a representative of the New York city housing authority. Each member of the committee other than any member serving in an ex officio capacity shall be appointed by the mayor.

(i) The service of each member other than a member serving in an ex officio capacity shall be for a term of two years to commence ninety days after the effective date of the local law that added this subdivision. Any

vacancy occurring other than by expiration of term shall be filled by the mayor in the same manner as the original position was filled. A person filling such a vacancy shall serve for the unexpired portion of the term of the member succeeded. New terms shall begin on the next day after the expiration date of the preceding term.

(ii) Members of the committee shall serve without compensation.

(iii) No person shall be ineligible for membership on the committee because such person holds any other public office, employment or trust, nor shall any person be made ineligible to or forfeit such person's right to any public office, employment or trust by reason of such appointment.

(iv) The committee shall meet at least four times a year.

3. The committee's work shall include, but not be limited to, reviewing statistical data relating to domestic violence fatalities; analyzing aggregate information relating to domestic violence fatalities, including, non-identifying data with respect to victims and perpetrators involved in domestic violence fatalities, such as gender, age, race and familial or other relationship involved, and, if available, religion, ethnicity and employment status; examining any factors indicating a high-risk of involvement in domestic violence fatalities; and developing recommendations for the director of the mayor's office to [combat] *end domestic and gender-based violence* regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private organizations that provide such services pursuant to a contract with an agency.

4. The committee may request and receive information from any agency as may be necessary to carry out the provisions of this subdivision, in accordance with applicable laws, rules and regulations, including, but not limited to, the exceptions to disclosure of agency records contained in the public officers law. Nothing in this subdivision shall be construed as limiting any right or obligation of agencies pursuant to the public officers law, including the exceptions to disclosure of agency records contained in such law, with respect to access to or disclosure of records or portions thereof. The committee may also request from any private organization providing services to domestic violence victims pursuant to a contract with an agency information necessary to carry out the provisions of this subdivision. To the extent provided by law, the committee shall protect the privacy of all individuals involved in any domestic violence fatality that the committee may receive information on in carrying out the provisions of this subdivision.

5. The committee shall submit to the mayor and to the speaker of the city council, on an annual basis, a report including, but not limited to, the number of domestic violence fatality cases which occurred in the city of New York during the previous year; the number of domestic violence fatality cases reviewed by the committee during the previous year, if any; any non-identifying data with respect to victims and perpetrators involved in domestic violence fatalities, such as gender, age, race and familial or other relationship involved, and, if available, religion, ethnicity and employment status; any factors indicating a high risk of involvement in domestic violence fatalities; and recommendations regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private organizations that provide such services pursuant to a contract with an agency.

§ 6. Subdivision a of section 1069 of the New York city charter, as amended by local law number 22 for the year 2002, is amended to read as follows:

a. Pursuant to the provisions of this section, each agency designated as a participating agency under the provisions of this section shall implement and administer a program of distribution of the public health insurance program options pamphlet published by the department of health and mental hygiene pursuant to section 17183 of the administrative code of the city of New York. The following offices are hereby designated as participating agencies: the administration for children's services, the board of education, the city clerk, the commission on human rights, the department for the aging, the department of correction, the department of employment, the department of homeless services, the department of housing preservation and development, the department of juvenile justice, the department of health and mental hygiene, the department of probation, the department of social services/human resources administration, the taxi and limousine commission, the department of youth and community development, the office to [combat] *end domestic and gender-based violence*, and the office of immigrant affairs; provided, however, that the department of health and mental hygiene, as it deems appropriate, may designate additional agencies to be participating agencies.

§ 7. Subdivision a of section 12-208 of the administrative code of the city of New York, as added by local law number 182 for the year 2018, is amended to read as follows:

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

Child care center. The term "child care center" means a program regulated by article 43 or article 47 of the New York city health code and that is contracted by the administration for children's services or contracted and funded by the department of education.

Covered entity. The term "covered entity" means a child care center, domestic violence shelter, family justice center, LYFE program, or temporary shelter.

Domestic violence shelter. The term "domestic violence shelter" means an emergency shelter for domestic violence survivors managed by or under a contract or similar agreement with a city agency and subject to section 459-b of the social services law or a tier II shelter for domestic violence survivors managed by or under a contract or similar agreement with a city agency and subject to the provisions of part 900 of title 18 of the New York codes, rules, and regulations.

Family justice center. The term "family justice center" means a center and any successor location through which the office to [combat] *end domestic and gender-based violence* or a successor entity provides services to victims of domestic and gender-based violence.

LYFE programs. The term "LYFE programs" means the living for the young family through education (LYFE) programs operated by the department of education to provide early childhood education to children of student parents.

Temporary shelter. The term "temporary shelter" means a facility with the capacity to shelter families with children operated by or under contract or similar agreement with the department of homeless services and the department of youth and community development.

§ 8. Subdivision a of section 14-162 of the administrative code of the city of New York, as added by local law number 55 for the year 2016 and renumbered by local law number 124 for the year 2016, is amended to read as follows:

a. Definitions. As used in this section, the following terms have the following meanings:

Major felony. The term "major felony" means any of the following offenses: murder, including penal law sections 125.25, 125.26, and 125.27, non-negligent manslaughter, including penal law sections 125.12, 125.13, 125.14, 125.15, 125.20, 125.21, and 125.22, sex offenses, including penal law sections 130.25, 130.30, 130.35, 130.40, 130.45, 130.50, 130.65, 130.65-a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.90, 130.91, 130.95, and 130.96, robbery, including penal law sections 160.05, 160.10, and 160.15, burglary, including penal law sections 140.20, 140.25, and 140.30, felony assault, including penal law sections 120.01, 120.02, 120.05, 120.06, 120.07, 120.08, 120.09, 120.10, 120.11, and 120.12, firearm and weapons possession and use, including penal law sections 265.01-A, 265.01-B, 265.02, 265.03, 265.04, 265.08 and 265.09, shooting incidents, and possession and sale of a controlled substance, including penal law sections 220.06, 220.09, 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41, and 220.43.

Neighborhood tabulation area. The term "neighborhood tabulation area" means a geographic area that is no larger than a community district and comprised of two or more census tracts.

Priority area. The term "priority area" means a geographic area, no larger than a precinct sector, designated by the department, in which the previous fiscal year's major felony crime data indicates that the area has experienced a high occurrence of crime relative to the occurrence of crime experienced by the city as a whole.

Support service agency. The term "support service agency" includes but need not be limited to the following city agencies: (i) the human resources administration, (ii) the administration for children services, (iii) the department of homeless services, (iv) the office to [combat] *end domestic and gender-based violence*, (v) the department of youth and community development, (vi) the department of education, (vii) the department of buildings, (viii) the department of housing preservation and development, (ix) the fire department, (x) the New York city housing authority, and (xi) the department of health and mental hygiene.

§ 9. Section 20-706.5 of the administrative code of the city of New York, as added by local law number 99 for the year 2016, is amended to read as follows:

By December 1, 2016, the commissioner, in consultation with the commission on gender equity, the mayor's office to [combat] *end domestic and gender-based violence*, and other city agencies as appropriate, shall establish and implement an outreach and education program to promote [women's] financial independence, stability and success. Such program shall provide information on issues that typically and especially affect [women] *vulnerable populations*, including but not limited to the following: (i) short- and long- term financial planning, including planning for retirement; (ii) navigation of public benefits programs; (iii) the prevalence of gender-based pricing; and (iv) deceptive business practices and predatory consumer and financial products. Such

outreach and education program shall also provide information related to the office of financial empowerment and its financial education providers. The outreach and education program required by this section shall include the production of educational materials that shall be made available on the department's website and submitted to the commission on gender equity and the mayor's office to [combat] *end domestic and gender-based violence*. Such educational materials shall be made available in English and in the six languages most commonly spoken by limited English proficient individuals in the city as determined by the department of city planning. The commissioner shall review the educational materials made available on the department's website on an annual basis, update the educational material as needed, and submit such updated material to the commission on gender equity, the mayor's office to [combat] *end domestic and gender-based violence*, and other city agencies as appropriate on or before December 1 of each year.

§ 10. Subdivision a of section 21-307 of the administrative code of the city of New York, as amended by local law number 207 for the year 2017, is amended to read as follows:

a. There shall be an interagency coordinating council established by the mayor which shall consist of representatives of each city agency providing transitional housing or services to eligible homeless persons and other homeless individuals and families. Such interagency coordinating council shall include, but shall not be limited to, representatives of the department of homeless services, the department of social services/the human resources administration, including at least one representative who works in housing for individuals with HIV/AIDS, housing for victims of domestic violence, and supportive housing, the department of housing preservation and development, the department of youth and community development, the administration for children's services, the department of education, the department of health and mental hygiene, and such other agencies as the mayor shall designate. The mayor shall designate a deputy mayor to serve as chairperson of the interagency coordinating council. The commissioner of the department of homeless services shall provide appropriate personnel to assist the interagency coordinating council in the performance of its functions. Representatives of the New York city housing authority and of the office to [combat] *end domestic and gender-based violence* may serve on the interagency coordinating council, and the chairperson of the interagency coordinating council or his or her designee shall notify such agencies of their ability to serve.

§ 11. This local law takes effect immediately.

HELEN K. ROSENTHAL, Chair; BRADFORD S. LANDER, LAURIE A. CUMBO, BEN KALLOS, DIANA AYALA; Committee on Women, January 23, 2019 *Other Council Members Attending: Council Members Deutsch, Diaz and Dromm.*

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

Report for Int. No. 371-B

Report of the Committee on Women 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 outreach to help cosmetologists recognize signs of domestic violence in their clients.

The Committee on Women, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 549), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women for Int. No. 351-A printed in these Minutes)

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



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

**PROPOSED INT. NO: 371-B
COMMITTEE: Women**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to outreach to help cosmetologists recognize signs of domestic violence in their clients

SPONSORS: Council Members Salamanca, Jr., Brannan, Rosenthal, Gibson, Kallos, and Cumbo

SUMMARY OF LEGISLATION: Proposed Int. No. 371-B would require the Mayor’s Office to End Gender-Based Violence (“ENDGBV”) to conduct regular outreach to cosmetologists that includes: trainings, an online toolkit to help them recognize the signs of domestic violence, and offer information to cosmetologists on resources that are available for survivors across all five boroughs with the intention of relaying this information to their clients. This legislation would also require ENDGBV to submit a report to the Mayor and the Speaker of the Council no later than November 1, 2019, and annually thereafter, and to make public on their website information about outreach activities.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because The Mayor’s Office to ENDGBV could utilize existing resources to implement the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: City Council Finance Division

ESTIMATE PREPARED BY: Monica Pepple, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head

Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Int. No. 371 on January 31, 2018 and was referred to the Committee on Women (“Committee”). This legislation was subsequently amended and the amended version, Int. No. 371-A, was heard at a hearing held by the Committee on October 24, 2018 and the legislation was laid over. Subsequently, this legislation was amended and the amended legislation, Proposed Int. No. 371-B, will be considered by the Committee on January 23, 2019. Upon a successful vote by the Committee, Proposed Int. No. 371-B will be submitted to the full Council for a vote on January 24, 2019.

DATE PREPARED: January 17, 2019.

Accordingly, this Committee recommends its adoption, as amended.

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

Int. No. 371-B

By Council Members Salamanca, Brannan, Rosenthal, Gibson, Kallos, Cumbo, Ayala, Lander, Chin, Levin and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to outreach to help cosmetologists recognize signs of domestic violence in their clients

Be it enacted by the Council as follows:

Section 1. Subchapter 7 of chapter 1 of title 3 of the administrative code of the city of New York, as added by a local law for the year 2019 amending the charter and administrative code of the city of New York, relating to reporting on certain domestic violence initiatives, indicators, and factors, as proposed in introduction number 351, is amended by adding a new section 3-172 to read as follows:

§ 3-172 *Outreach to cosmetologists. a. Definitions. For the purposes of this section, the term “cosmetologist” means an individual who practices “cosmetology” as defined in subdivision 7 of section 400 of the general business law.*

b. The office shall conduct regular outreach to cosmetologists and post information on its website regarding the availability of resources related to domestic violence. Such outreach shall include, but not be limited to the following:

- 1. Connecting cosmetologists to trainings conducted by the office;*
- 2. Making available online a toolkit tailored to cosmetology that includes, but need not be limited to, information on recognizing signs of domestic violence in clients; and*
- 3. Providing cosmetologists with information about resources available for victims of domestic violence across the five boroughs.*

c. No later than November 1, 2019, and no later than November 1 annually thereafter, the office shall submit to the mayor and speaker of the council and post on its website a summary of outreach efforts to the cosmetology community, including the number of trainings provided for cosmetologists, disaggregated by borough, and any other factors that may be appropriate.

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

HELEN K. ROSENTHAL, Chair; BRADFORD S. LANDER, LAURIE A. CUMBO, BEN KALLOS, DIANA AYALA; Committee on Women, January 23, 2019 *Other Council Members Attending: Council Members Deutsch, Diaz and Dromm.*

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

Report for Int. No. 542-A

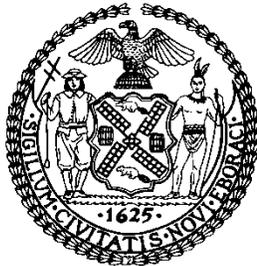
Report of the Committee on Women in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to service satisfaction surveys.

The Committee on Women, to which the annexed proposed amended local law was referred on February 14, 2018 (Minutes, page 766), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women for Int. No. 351-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 542-A:



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

**PROPOSED INTRO. NO: 542-A
COMMITTEE: Women**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to service satisfaction surveys

SPONSORS: Lancman, Rosenthal, Cumbo, Gibson, and Kallos

SUMMARY OF LEGISLATION: Proposed Int. No. 542-A would require the Mayor's Office to End Gender-Based Violence ("ENDGBV") to provide all individuals receiving services from any of the City's Family Justice Centers ("FJCs") with service satisfaction surveys. FJCs would be required to post signage in a conspicuous location indicating that the surveys are available but that completion of the surveys are not mandatory and shall be anonymous. The bill would also require an annual report to the Speaker of the Council no later than November 1, 2019, and annually thereafter, and to make public on their website information the service satisfaction surveys, including survey questions and survey data, disaggregated by borough, service type, language and interpretation information, and any other data that may be appropriate.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources would be used to implement the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: City Council Finance Division

ESTIMATE PREPARED BY: Monica Peple, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 542 on February 14, 2018 and referred to the Committee on Women (“Committee”). A hearing was held by the Committee on October 24, 2018, and the legislation was laid over. This legislation was subsequently amended and the amended legislation, Proposed Intro. No. 542-A, will be considered by the Committee on January 23, 2019. Upon a successful vote by the Committee, Proposed Intro. No. 542-A will be submitted to the full Council for a vote on January 24, 2019.

DATE PREPARED: January 17, 2019.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 542-A:)

Int. No. 542-A

By Council Members Lancman, Rosenthal, Cumbo, Gibson, Kallos, Ayala, Lander, Chin, Levin and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to service satisfaction surveys

Be it enacted by the Council as follows:

Section 1. Subchapter 7 of chapter 1 of title 3 of the administrative code of the city of New York, as added by a local law for the year 2019 amending the charter and administrative code of the city of New York, relating to reporting on certain domestic violence initiatives, indicators, and factors, as proposed in introduction number 351, is amended by adding a new section 3-173 to read as follows:

§ 3-173 Service satisfaction surveys. The office shall provide all individuals receiving services at family justice centers with service satisfaction surveys during client visits. The family justice centers shall post a sign

regarding the availability of this survey in a conspicuous place. Completion of such surveys shall be anonymous and shall not be mandatory. Not later than November 1, 2019, and annually thereafter, the office shall submit to the speaker of the council and post on its website the service satisfaction survey questions and all data aggregated from the service satisfaction surveys, completed from July 1 of the prior year to June 30 of the current year, disaggregated by borough. Such data shall include, where available, the type of service received by the individual completing the survey, whether the individual completing the survey utilized interpretation services and if so, in what language, and any other factors that may be appropriate.

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

HELEN K. ROSENTHAL, Chair; BRADFORD S. LANDER, LAURIE A. CUMBO, BEN KALLOS, DIANA AYALA; Committee on Women, January 23, 2019 *Other Council Members Attending: Council Members Deutsch, Diaz and Dromm.*

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

GENERAL ORDER CALENDAR

Report for Int. No. 720

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

The Committee on Housing and Buildings, to which the annexed preconsidered proposed local law was referred on March 7, 2018 (Minutes, page 1092), and which same item has been laid over by the Council since the March 7, 2018 Stated Meeting (Minutes, page 924), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 720 printed in the Minutes of March 7, 2018, page 1092)

Accordingly, this Committee recommends its adoption.

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

Laid Over by the Council.

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

Approved New Applicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Heli Pinillos Gonzalez	300 W 109th Street #4L New York, New York 10025	6
Valerie Torbert	6 Fordham Hill Oval #7F Bronx, New York 10468	14
Judy Mirles	288 6th Street #3C Brooklyn, New York 11215	39
Nathalie Levy	573 E 22nd St #3E Brooklyn, New York 11226	40
Christine Keating	85 Peter Ave Staten Island, New York 10306	50

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Griffin Sherbert	551 W 149th Street #3 New York, New York 10031	7
Crystal N. Paris	100 Debs Place #16D Bronx, New York 10475	12
Miguel Gomez	355 East 187th Street #H3 Bronx, New York 10458	15
Lizabeth Maldonado	820 Harding Park Bronx, New York 10473	18
Nilza Vazquez	1969 McGraw Avenue #TC Bronx, New York 10462	18
Beatriz Duran	35-24 87th Street Queens, New York 11372	25
Joseph Walker	792 Miller Avenue #2 Brooklyn, New York 11207	42
Tamerlyn M. Harris	245 Wortman Avenue #2F Brooklyn, New York 11207	42
Darryl K. Taylor	5115 Avenue L Brooklyn, New York 11234	46
Gigi L. Semaan	1064 Rockland Avenue Staten Island, New York 10314	50
Candi N. Lee-Yau	21 Winston Street Staten Island, New York 10312	51

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

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

- | | |
|--------------------------------------|--|
| (1) Int 351-A - | Reporting on certain domestic violence initiatives, indicators, and factors. |
| (2) Int 371-B - | Outreach to help cosmetologists recognize signs of domestic violence in their clients. |
| (3) Int 542-A - | Service satisfaction surveys. |
| (4) Int 897-A - | Operation of commuter vans. |
| (5) Int 1038-A - | Amending the requirement that a statement of income and expense certified by a certified public accountant be provided. |
| (6) Int 1070-A - | Leasing, rental and conditional purchase of for-hire vehicles. |
| (7) Int 1118-A - | Additional reporting requirements for the department of veterans' services. |
| (8) Int 1143-A - | Installment agreements for the payment of real property taxes, assessments and other charges. |
| (9) Int 1234-A - | Creating an office for the prevention of hate crimes |
| (10) Int 1261-A - | Educational outreach within the office of prevention of hate crimes. |
| (11) Int 1325-A - | Authorizing the creation of legal defense trusts. |
| (12) Res 722 - | New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (13) L.U. 310 & Res 730 - | App. C 190064 HDM (Waterside Plaza) Manhattan, Council District 4, Community District 6. |
| (14) L.U. 311 & Res 731 - | App. C 190065 HDM (Waterside Plaza) Manhattan, Council District 4, Community District 6. |

- (15) **L.U. 312 & Res 732 -** **App. 20195150 TCK** Brooklyn, Council District 33, Community District 1.
- (16) **L.U. 313 & Res 733 -** **App. C 190026 HAX (4697 Third Avenue)** Bronx, Community District 6, Council District 15.
- (17) **L.U. 324 & Res 728 -** **9 Sherman Associates LLC**, Block 2174, Lot 8; Manhattan, Community District No. 12, Council District No. 10.
- (18) **L.U. 325 & Res 729 -** **HP Fort George HDFC**, Block 2149, Lot 265; Manhattan, Community District No. 12, Council District No. 10.
- (19) **Resolution approving various persons Commissioners of Deeds.**

The Majority Leader and Acting President Pro Tempore (Council Member Cumbo) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

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

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

The following was the vote recorded for **Int. No. 897-A:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**.

Abstention – Williams – **1**.

The following was the vote recorded for **Int. No. 1325-A**:

Affirmative – Adams, Ampy-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Cohen, Cornegy, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Miller, Moya, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vallone, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **42**.

Negative – Borelli, Deutsch, Menchaca, Ulrich, and the Minority Leader (Council Member Matteo) – **5**.

Abstention – Williams – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 351-A, 371-B, 542-A, 897-A, 1038-A, 1070-A, 1118-A, 1143-A, 1234-A, 1261-A, and 1325-A.*

RESOLUTIONS

Presented for voice-vote

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

Report for voice-vote item Res. No. 655

Report of the Committee on Civil Service and Labor in favor of approving a Resolution calling upon the Mayor of the City of New York to grant sick leave to all civilian officers and employees of the City of New York seeking treatment for a qualifying World Trade Center condition.

The Committee on Civil Service and Labor, to which the annexed resolution was referred on December 11, 2018 (Minutes, page 4839), respectfully

REPORTS:

INTRODUCTION

On January 22, 2019, the Committee on Civil Service and Labor, chaired by Council Member I. DanEEK Miller, will consider Res. No. 655. Res. No. 655, sponsored by Council Member Miller, is a resolution calling upon the Mayor of the City of New York to grant sick leave to all civilian officers and employees of the City of New York seeking treatment for a qualifying World Trade Center condition. The Committee last held a hearing on this resolution on December 17, 2018, which included an oversight topic entitled “Survivors State of Health – Health of 9/11 Responders and the Surrounding Community.” Witnesses that testified on December 17, 2018, included the Office of Labor Relations, the office of the First Deputy Mayor, the Department of Health and Mental Hygiene, the New York City Employee Retirement System (NYCERS), the United Federation of Teachers (UFT), Local 2507, Voices of September 11, and individual 9/11 survivors.

On January 22, 2019, the Committee passed Resolution No. 655 by a vote of six in the affirmative, zero in the negative, with zero abstentions.

BACKGROUND

Responders and survivors after 9/11 have been suffering from various health and mental health conditions that have stemmed from their presence at Ground Zero. These conditions are known as qualifying World Trade Center (WTC)-Related Health Conditions. First responders in New York who were members of the Fire Department of New York, New York Police Department, the Department of Corrections or the Department of Sanitation and had suffered from a qualifying WTC-Related Health Condition were able to get unlimited sick leave through their “line of duty” coverage as a result of having suffered an injury/illness while in the line of duty.¹ However, other city employees such as Emergency Medical Technicians (EMTs), laborers, engineers, and other employees across City agencies, who were working near Ground Zero or served in the recovery efforts were not granted access to unlimited sick leave for their qualifying WTC-Related Health Conditions.

On September 11, 2017, Governor Cuomo signed A.7901A/S.26398,² under which individuals would be eligible for unlimited paid sick leave at 100 percent of their regular salary dating back to the time of diagnosis for qualifying WTC-Related Health Conditions, as defined in section two of the New York State Retirement and Social Security Law.³ Importantly, the only individuals who benefitted from this law were government

¹ N.Y. Gen. Municipal Law.

² A.7901A/S.26398, Reg. Sess. 2017-2018 (N.Y. 2017).

³ “Governor Cuomo Signs Legislation Expanding Unlimited Sick Leave Benefit ” NYS News.

<https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-expanding-unlimited-sick-leave-benefit-new-yorkers-who>;
Retirement and Social Security Law § 2,

employees *outside* of New York City. There was backlash caused by the exclusion of NYC employees, as there remained a substantial number of New York City employees who were first responders and did not have “line of duty” coverage, and therefore, would not receive unlimited sick leave for their WTC-Related Health Conditions. At the time, Mayor Bill de Blasio’s administration opposed legislation to extend the benefits to New York City employees, believing that the issue needed to be addressed and negotiated with the unions representing the City municipal workforce.⁴

Ultimately, on October 23, 2018, Mayor de Blasio extended unlimited sick leave protections for a number of New York City civilian first responders. The solution involved a deal with District Council 37, the City’s largest municipal worker labor union, and is expected to serve as a foundation for additional agreements with other unions.⁵ The agreement is estimated to affect 2,000 city employees and will be retroactive from September 11, 2001.⁶ It will be provided to employees in a range of titles across several City agencies, including employees of the union’s various divisions such as EMTs, peace officers, laborers, engineers, and others.⁷ It will cost the City tens of millions of dollars over the next 15 years.⁸

Although an agreement was made that extended unlimited sick leave protections for a large number of New York City civilian first responders, there is still a substantial number of City civilian employees that have developed a qualifying WTC-Related health Condition and do not have unlimited sick leave. This has caused many to have to utilize accrued sick leave, miss work without compensation or retire prematurely in order to attend doctor’s appointments and receive treatment for their qualifying WTC-Related Health Condition.

Update

On January 22, 2019, the Committee passed Resolution No. 655 by a vote of six in the affirmative, zero in the negative, with zero abstentions.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 655:)

Res. No. 655

Resolution calling upon the Mayor of the City of New York to grant sick leave to all civilian officers and employees of the City of New York seeking treatment for a qualifying World Trade Center condition.

By Council Members Miller, Brannan, Chin, Eugene, Levine, Yeger, Kallos, Ampry-Samuel, King, Adams, Williams, Ayala, Treyger, Levin and Ulrich.

Whereas, The aftermath of the September 11, 2001 attacks on the World Trade Center exposed thousands of first responders to toxic dust and fumes, which, according to the World Trade Center Health Program, has resulted in ongoing physical and mental health conditions linked to exposure to such dust and fumes at the World Trade Center and other affected areas; and

Whereas, Subparagraph a of paragraph 36 of section two of the Retirement and Social Security Law defines the term “Qualifying World Trade Center Condition” and provides for making the determination as to whether a condition is World Trade Center-related; and

Whereas, According to the New York City World Trade Center Health Registry, nearly 60,000 New York City employees, 4,177 of whom are civilian employees, have reported that they participated in rescue, recovery and cleanup operations following the World Trade Center attacks; and

⁴ “Doing Right by Sick 9/11 Workers,” *NY Times*, <https://www.nytimes.com/2018/09/27/opinion/doing-right-by-sick-9-11-workers.html>

⁵ Herzfeld, J. “NYC Gives Unlimited Sick Leave to Employees with 9/11-Related Ills,” *Bloomberg Law*. Oct. 23, 2018, available at: <https://news.bloomberglaw.com/daily-labor-report/nyc-gives-unlimited-sick-leave-to-employees-with-9-11-related-ills>.

⁶ *Id.*

⁷ Mayoral Press Release “Mayor de Blasio and DC 37 Announce Unlimited Paid Sick Leave For 9/11 Responders” (October 23, 2018) <https://www1.nyc.gov/office-of-the-mayor/news/520-18/mayor-de-blasio-dc-37-unlimited-paid-sick-leave-9-11-responders>.

⁸ *Id.*

Whereas, Many civilian employees have been forced to exhaust their own sick leave, miss work without compensation or retire prematurely in order to attend doctor's appointments and receive treatment for their qualifying World Trade Center conditions; and

Whereas, On September 11, 2017, Governor Andrew M. Cuomo signed into law section 92-d of the General Municipal Law, granting unlimited sick leave to public employees outside of New York City seeking treatment for a qualifying World Trade Center condition; and

Whereas, New York City grants line of duty sick leave to uniformed employees belonging to the Department of Correction, Fire Department, Police Department and Department of Sanitation, a benefit those employees may use while seeking treatment for a qualifying World Trade Center condition; and

Whereas, On October 23, 2018, the Mayor of the City of New York announced that approximately 2000 civilian workers would receive sick leave, retroactive to September 11, 2001, to seek treatment for a qualifying World Trade Center condition; and

Whereas, Many civilian employees of New York City still do not receive sick leave benefits through General Municipal Law § 92-d, line of duty sick leave or the Mayor's recent announcement; and

Whereas, New York City bears a special responsibility to ensure that all public employees who have developed health conditions as a result of their participation in World Trade Center rescue, recovery and cleanup operations have access to as much paid sick leave as necessary to receive the best possible treatment for such conditions regardless of the department or division in which they are employed; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor of the City of New York to grant sick leave to all civilian officers and employees of the City of New York seeking treatment for a qualifying World Trade Center condition.

I. DANEEK MILLER, *Chairperson*; DANIEL DROMM; ANDY L. KING; ADRIENNE E. ADAMS, ALAN N. MAISEL, ERIC A. ULRICH; Committee on Civil Service and Labor, January 22, 2019. *Other Council Members Attending: Ampry-Samuel and Diaz*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice-vote. Hearing no objections, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 673-B

Report of the Committee on Civil and Human Rights in favor of approving, as amended, a Resolution recognizing January 27, 2019 as Holocaust Remembrance Day and the week beginning on January 27, 2019 as a citywide week of Holocaust Education in New York City.

The Committee on Civil and Human Rights, to which the annexed amended resolution was re-assigned on January 16, 2019 after originally being referred to the Committee on Committee on Cultural Affairs, Libraries and International Intergroup Relations on December 20, 2018 (Minutes, page 5158), respectfully

REPORTS:

INTRODUCTION

On January 16, 2019, the Committee on Civil and Human Rights, chaired by Council Member Mathieu Eugene, will hold a hearing and vote on Proposed Resolution Number 673-B (Res. 673-B), recognizing January

27, 2019 as Holocaust Remembrance Day and the week beginning on January 27, 2019 as a citywide week of Holocaust Education in New York City. The Committee has invited representatives from leading Jewish organizations, other affected communities, stakeholders and advocates to testify.

IV. BACKGROUND

On November 1, 2005, the United Nations General Assembly adopted a resolution to designate January 27 as International Day of Commemoration in memory of the victims of the Holocaust.⁹ This date represents the day that Auschwitz-Birkenau, one of the largest of the 40 concentration camps that comprised the Auschwitz complex,¹⁰ was finally liberated.¹¹ By assigning an international day of remembrance, the United Nations aims to reaffirm “that the Holocaust, which resulted in the murder of one third of the Jewish people, along with countless members of other minorities, will forever be a warning to all people of the dangers of hatred, bigotry, racism and prejudice.”¹²

The genocide of six million Jewish people at the hands of Nazi soldiers, as well as the Nazi killing crusade that resulted in the deaths of thousands of homosexuals and Jehovah’s Witnesses, hundreds of thousands of people with disabilities, Gypsy (Roma) heritage, and Serbian civilians, and millions of non-Jewish Polish and Soviet civilians and prisoners of war,¹³ remains one of the most inhumane periods of modern history. Although there were millions of victims of Nazism who were not Jewish, anti-Semitism formed the basis of Nazi ideology that climaxed with the Holocaust. This brutal killing spree was referred to as the “Final Solution of the Jewish Question in Europe” and its objective was total Jewish ethnic cleansing.¹⁴

In spite of clear evidence of Nazi forced labor camps, prisons and death camps, of which there were nearly 40,000 across Germany and its occupied territories,¹⁵ there are still people who are ignorant or willfully deny the facts of the Holocaust. For example, a recent survey conducted by the Conference on Jewish Material Claims Against Germany found that many Americans (41%) were unaware of the Auschwitz death camps. The survey also found that 41% of millennials believed that the Holocaust resulted in the deaths of less than two million Jews (when the figure is more than six million), and 22% of millennials surveyed reported that they had not even heard of the Holocaust.¹⁶

These findings are shocking considering the enormous devastation caused by the Holocaust. However, more shocking are those that choose to deny or downplay the genocide. According to the Southern Poverty Law Center, Holocaust deniers, who sometimes refer to themselves as “historical revisionists,” deny the effects of the Holocaust in a number of ways. Some deny the existence of death camps and gas chambers, while others say the casualties were caused by disease, poverty or general war, rather than a targeted, anti-Semitic, Nazi assault.¹⁷ These groups rely on anti-Semitic stereotypes and hatred to “build on the claim that the Holocaust was invented

⁹ United Nations General Assembly, A/RES/60/7, 21 November, 2005, available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/60/7.

¹⁰ Memorial and Museum Auschwitz-Birkenau “Auschwitz II-Birkenau”, available at: <http://auschwitz.org/en/history/auschwitz-ii/>.

¹¹ United States Holocaust Memorial Museum “International Holocaust Remembrance Day”, available at: <https://www.ushmm.org/information/exhibitions/online-exhibitions/special-focus/international-holocaust-remembrance-day>.

¹² United Nations General Assembly, A/RES/60/7, 21 November, 2005, available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/60/7.

¹³ Jewish Virtual Library “Documenting numbers of victims of the Holocaust and Nazi persecution”, available at: <https://www.jewishvirtuallibrary.org/documenting-numbers-of-victims-of-the-holocaust>; and “The Holocaust: Facts and figures”, *Haaretz*, July 24, 2013, available at: <https://www.haaretz.com/jewish/holocaust-remembrance-day/premium-the-holocaust-facts-and-figures-1.5298803>.

¹⁴ Dr. Steve Paulsson “A view of the Holocaust”, *BBC*, February 17, 2011, available at: http://www.bbc.co.uk/history/worldwars/genocide/holocaust_overview_01.shtml.

¹⁵ “The Holocaust: Facts and figures”, *Haaretz*, July 24, 2013, available at: <https://www.haaretz.com/jewish/holocaust-remembrance-day/premium-the-holocaust-facts-and-figures-1.5298803>.

¹⁶ Scott Simon “The startling statistics about people’s Holocaust knowledge”, *NPR*, April 14, 2018, available at: <https://www.npr.org/2018/04/14/602443782/the-startling-statistics-about-peoples-holocaust-knowledge>.

¹⁷ Southern Poverty Law Center “Holocaust denial”, available at: <https://www.splcenter.org/fighting-hate/extremist-files/ideology/holocaust-denial>.

or exaggerated by Jews as part of a plot to advance Jewish interests,” and such views mirror the “hateful charges that were instrumental in laying the groundwork for the Holocaust.”¹⁸

In addition to the lack of awareness or deliberate denial of the Holocaust, America has seen an increase in anti-Semitic rhetoric and hate crimes in recent years. According to FBI data, there was a 17% increase of total hate crimes between 2016 and 2017, and incidents that specifically targeted Jewish people and institutions increased by 37%. These statistics also showed that more than half (58.1%) of the religious-based hate crimes were anti-Semitic.¹⁹ Similar trends were reported by the Anti-Defamation League (ADL). According to their data, there were nearly 2,000 cases of anti-Semitic harassment, vandalism, and physical assault in 2017, the highest number of incidents since 1994.²⁰

Anti-Semitic incidents have also dramatically increased across New York since the 2016 Presidential election. According to the ADL, anti-Semitic incidents in New York City increased by 90% in 2017 compared to 2016.²¹ This mirrored the increase at the New York State level, which also saw a 90% increase.²² In New York State there were:

- 236 incidents of vandalism, up 61.6% from 2016;
- 133 incidents of harassment, including 24 bomb threats against Jewish institutions, up from 29 in 2016;
- A doubling of incidents in K-12 schools from 18 incidents in 2016 to 36 in 2017, and a 130% increase on college campuses.²³

During the 2018 midterm elections, ADL also reported that anti-Semitic harassment increased on social media and that two-thirds of this was driven by people, not bots.²⁴

Given the current climate of anti-Semitic activity, the lack of evidence-based knowledge regarding the facts of the Holocaust and its eternal relevance to the dangers of hate-driven ideology, now is a timely moment for the City of New York to officially recognize Holocaust Remembrance Day. Furthermore, dedicating a week to Holocaust education will help dispel some of the myths and denials about the Holocaust, which is in line with the United Nations resolution to use education “in order to help to prevent future acts of genocide

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 673-B:)

Res. No. 673-B

Resolution recognizing January 27, 2019 as Holocaust Remembrance Day and the week beginning on January 27, 2019 as a citywide week of Holocaust Education in New York City.

By Council Members Deutsch, Cabrera, Constantinides, Grodenchik, Espinal, Kallos, Koslowitz, Rosenthal, Gibson, Dromm, Lander, Rodriguez, Torres, Vallone, Chin, Treyger, Levin and Diaz.

Whereas, The Holocaust was the systematic, bureaucratic, and state-sponsored persecution and murder of six million Jews, including one and half million children, from 1933 to 1945; and,

¹⁸ United States Holocaust Memorial Museum “Holocaust denial and distortion”, available at: <https://www.ushmm.org/confront-antisemitism/holocaust-denial-and-distortion>.

¹⁹ Erin Donaghue “New FBI data shows rise in anti-Semitic hate crimes”, *CBS News*, November 13, 2018, available at: <https://www.cbsnews.com/news/fbi-hate-crimes-up-new-data-shows-rise-in-anti-semitic-hate-crimes/>.

²⁰ Oliver Holmes “Antisemitic incidents in US soar to highest levels in two decades”, *The Guardian*, February 27, 2018, available at: <https://www.theguardian.com/society/2018/feb/27/antisemitism-us-rises-anti-defamation-league>.

²¹ Anti-Defamation League, “Anti-Semitic incidents surged in New York State in 2017, according to new ADL report”, February 26, 2018, available at: <https://nynj.adl.org/news/anti-semitic-incidents-surged-in-new-york-state-in-2017-according-to-new-adl-report/>.

²² *Id.*

²³ *Id.*

²⁴ Erin Donaghue “New FBI data shows rise in anti-Semitic hate crimes”, *CBS News*, November 13, 2018, available at: <https://www.cbsnews.com/news/fbi-hate-crimes-up-new-data-shows-rise-in-anti-semitic-hate-crimes/>.

Whereas, In addition to wiping out a third of the global Jewish population, the Nazi regime also undertook the targeted murder of minority groups, opposition forces and specific ethnic populations; and,

Whereas, In total this killing resulted in the deaths of millions and included: homosexuals, people with disabilities, Jehovah's Witnesses, resistance and opposition members, academics, and Gypsy (Roma), Serbian, non-Jewish Polish and Soviet civilians; and,

Whereas, While all of these groups were deliberately targeted by the Nazi eugenics program or for their political opposition, the Holocaust was driven by deep-seeded anti-Semitism; and,

Whereas, In efforts to exterminate the Jewish population, the Nazi regime established prisons, forced labor, concentration and death camps, such as Aushwitz-Birkenau, Majdanek, Sobibor, Treblinka and Theresienstadt; and,

Whereas, There were nearly 40,000 of these camps across Germany and its occupied territories; and,

Whereas, January 27 was designated International Day of Commemoration in memory of the victims of the Holocaust by the United Nations; and,

Whereas, This date commemorates the day that the largest of the concentration camps, Auschwitz-Birkenau, was finally liberated; and,

Whereas, The atrocities committed by the Nazi regime during the Holocaust remains one of the most inhumane periods of modern history; and,

Whereas, The remnants of its destruction are felt still today; and,

Whereas, In addition to the slaughter of millions of people, the Nazis destroyed synagogues and yeshivas in an effort to obliterate Jewish culture and religion; and,

Whereas, Many great Rabbis and other scholars were also murdered during the Holocaust; and,

Whereas, The Holocaust is a devastating reminder of the effects of hatred, bigotry and anti-Semitism; and,

Whereas, Therefore, every possible effort should be made to ensure that the immeasurable loss caused by the Holocaust, in terms of human lives, lineage, and heritage, be remembered; and,

Whereas, This recognition will not reconcile the suffering but it can provide an avenue for learning from the past in order to prevent future atrocities; and,

Whereas, Dedicating January 27, 2019 as Holocaust Remembrance Day and the week beginning on January 27, 2019 as a citywide week of Holocaust Education in New York City would facilitate this; and,

Whereas, Recognizing January 27, 2019 as Holocaust Remembrance Day in New York City would show international solidarity with the day assigned by the United Nations; and,

Whereas, Meanwhile, a citywide week of Holocaust Education beginning on January 27, 2019 throughout New York City's schools would foster understanding of the tragedy of the Holocaust; and,

Whereas, This examination can be an avenue for learning about the impacts that the Holocaust continues to have on the present-day; and,

Whereas, Highlighting the history of the Holocaust would help educate City residents about the past and encourage empathy towards others; and,

Whereas, As there are nearly 45,000 Holocaust survivors living in New York City, it is important that the history of the Holocaust, specifically those who died as a result of this event, is remembered and taught within New York City; and

Whereas, Recognizing January 27, 2019 as Holocaust Remembrance Day and the week beginning on January 27, 2019 as a citywide week of Holocaust Education in New York City is a statement in favor of humanity; and,

Whereas, Such commemorations acknowledge the suffering of survivors and all those impacted by this moment in history; and,

Whereas, This helps make the city a better place by valuing humanity above all else, remembering those who have died in or and survived the Holocaust, and preventing a similar event from ever happening; now, therefore, be it

Resolved, That the Council of the City of New York recognizes January 27, 2019 as Holocaust Remembrance Day and the week beginning on January 27, 2019 as a citywide week of Holocaust Education in New York City.

MATHIEU EUGENE, *Chairperson*; YDANIS A. RODRIGUEZ, DANIEL DROMM, BRADFORD S. LANDER, BEN KALLOS, HELEN K. ROSENTHAL, BILL PERKINS; Committee on Civil and Human Rights, January 16, 2019. *Other Council Members Attending: Council Members Grodenchik, Deutsch and Koslowitz*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice-vote. Hearing no objections, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 1332

By The Speaker (Council Member Johnson) and Council Members Rosenthal, Adams, Richards, Williams, Reynoso, Ayala, Salamanca, Gibson and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to creating an office of the special handler

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-142 to read as follows:

§ 21-142 Office of the special handler. a. There shall be in the department an office of the special handler whose duties shall include, but not be limited to:

1. Establishing a system to receive comments, questions and complaints with respect to the termination of public benefits, including but not limited to, establishing and publicizing the availability of a telephone number to receive such comments, questions and complaints;

2. Conducting a review of all cases where any public benefits have been or will be terminated including, but not limited to, the reason for such termination, whether such termination is justifiable, and whether an individual has been notified that such public benefits have been or will be terminated, and taking appropriate action to prevent termination of any case where public benefits have been received;

3. Coordinating with the department to ensure that policies are in place to communicate with clients in a timely manner regarding the termination of any public benefits;

4. Developing strategies and recommendations for the commissioner with respect to the client communication regarding the termination of public benefits; and

5. Performing such other duties and functions as may be appropriate.

b. The office of the special handler shall submit monthly reports to the commissioner indicating: the number and nature of any comments, questions and complaints received; actions undertaken to address such comments, questions and complaints; and recommendations made pursuant to paragraph 3 of subdivision a of this section.

c. No later than January 31, 2020 and annually thereafter, the department shall submit a report to the mayor and the speaker of the council which shall include a compilation of the monthly reports submitted pursuant to subdivision b of this section during the reporting year and indicate any action taken by the department as a result of any comment, question, complaint or recommendation from or forwarded by the public benefits special handler.

d. The department shall post on its website the phone number of the office of the special handler and a statement indicating that any person may conduct such office if such person has a comment, question or complaint regarding the application or termination of any public benefit or public benefits.

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

Referred to the Committee on General Welfare.

Int. No. 1333

By Council Members Adams, Levin, Rosenthal, Lander, Richards, Williams, Salamanca, Lancman, Reynoso, Moya, King, Cabrera, Gibson and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on any use of force incident occurring in a department of social services/human resources administration office

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-142 to read as follows:

§ 21-142 Use of force incidents in agency offices. a. As used in this section, the following terms have the following meanings:

Agency office. The term "agency office" means a job center, food stamp office, medical assistance program office or other part, subdivision, field office or satellite facility of the department or an office that the department contracts with for the administration of benefits or services offered or provided by the department.

Basis for encounter. The term "basis for encounter" means the conduct, offense or reason that formed the basis for the initial approach by a police officer or peace officer that led to a use of force incident.

Injury. The term "injury" means any physical harm caused to a person's body as a result of a use of force incident, and consists of the following categories: (i) physical injury, such as minor swelling, contusion, laceration, abrasion or complaint of substantial contracted pain; (ii) substantial physical injury, such as a significant contusion or laceration that requires sutures or any injury that requires treatment at a hospital emergency room; and (iii) serious physical injury, such as a broken or fractured bone, gunshot wound, heart attack, stroke, or any injury requiring hospital admission.

Peace officer. The term "peace officer" means an individual as established by article 2 of the criminal procedure law that works for the department and is charged with promoting security within agency offices.

Use of force incident. The term "use of force incident" means any instance where a police officer or a peace officer responds to an incident or condition and takes action in a manner intended to have an immediate effect on the body of another person, and consists of the following categories: (i) the use of hand strikes, foot strikes, forcible take-downs or the wrestling of the subject to the ground; (ii) the discharge of oleoresin capsicum spray; (iii) the deployment of a conducted electrical weapon; (iv) the use of a mesh restraining blanket to secure an individual; (v) the intentional striking of a person with any object, including a baton or other equipment; (vi) a police canine bite; and (vii) the use of physical force that is readily capable of causing death or serious physical injury, including the discharge of a firearm.

b. No later than August 1, 2019, and no later than 30 days after the end of each quarter thereafter, the department shall post on its website and deliver to the council a report on use of force incidents in agency offices for the preceding quarter. Such report shall include the following information for each use of force incident:

- 1. The date on which the use of force incident occurred;*
- 2. The agency office where the use of force incident occurred;*
- 3. The category of use of force incident;*
- 4. Whether or not the peace officer was on duty at the time of the use of force;*
- 5. The number and category of injuries to a peace officer;*
- 6. The number and category of injuries to a civilian;*
- 7. The basis for encounter; and*
- 8. Whether or not an arrest was made.*

c. The reports produced pursuant to subdivisions b shall be stored permanently and shall be accessible from the department's website.

§ 2. Section 14-158 of the administrative code of the city of New York, is amended by adding a new subdivision e to read as follows:

e. In addition to the reports required in subdivisions b and c, the department shall post on its website and submit to the council a separate report on use of force incidents that occur in a job center, food stamp office, medical assistance program office or other part, subdivision, field office or satellite facility of the department of social services/human resources administration or an office that the department of social services/human

resources administration contracts with for administration of benefits or services offered or provided at department of social services/human resources administration offices. No later than August 1, 2019, and no later than 30 days after the end of each quarter thereafter, the department shall post on its website and submit to the council a report on such use of force incidents for the preceding quarter. Such report shall include the following information for each use of force incident:

- 1. The date on which the use of force incident occurred;*
- 2. The location where the use of force incident occurred;*
- 3. The category of use of force incident;*
- 4. The precinct or other departmental unit to which the police officer who used force was assigned;*
- 5. Whether or not the police officer was on duty at the time of the use of force;*
- 6. The number and category of injuries as defined in subdivision b to a police officer;*
- 7. The number and category of injuries as defined in subdivision b to a peace officer;*
- 8. The number and category of injuries as defined in subdivision b to a civilian;*
- 9. The basis for encounter, as defined in subdivision a of section 14-159; and*
- 10. Whether or not an arrest was made.*

§ 3. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1334

By Council Members Ampry-Samuel, Rosenthal, Rivera and Dromm.

A Local Law to amend the New York city charter, in relation to requiring the board of correction to conduct surveys of the correctional system's grievance process

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 626 of the New York city charter, as amended by local law number 102 for the year 1977, is amended to read as follows:

f. The board shall establish procedures for the hearing of grievances, complaints or requests for assistance (1) by or on behalf of any person held or confined under the jurisdiction of the department or (2) by any employee of the department. *The board shall create and conduct a voluntary survey for each individual who has submitted a grievance, complaint, or request for assistance pursuant to such procedure. Such survey shall solicit information regarding:*

- 1. the gender and racial group of such individual responding to the survey;*
- 2. the location of the occurrence prompting the grievance or complaint, including the housing unit and facility;*
- 3. the number of complaints or grievances filed by such individual;*
- 4. satisfaction levels with the grievance procedure and appeals process;*
- 5. whether the cause of incident or concern was addressed; and*
- 6. a write-in space for other comments.*

The board shall report on this survey annually. Such report shall include, but need not be limited to, statistics on the data collected, as well as proposed recommendations for relevant improvements. The board, or by written designation, a member of the board or the executive director, may conduct hearings, or study or investigate any matter within the jurisdiction of the department, and the board may make recommendations and submit reports of its findings to the appropriate authorities.

§ 2. This local law takes effect on the same date that a local law for the year 2019 amending the administrative code of the city of New York, related to the department of correction's grievance process, takes effect.

Referred to the Committee on Criminal Justice,

Int. No. 1335

By Council Members Ampry-Samuel, Cumbo, Rosenthal, Lander, Adams, Richards, Reynoso, Ayala, Salamanca, Gibson and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring social workers at department of social services/human resources administration job and SNAP centers

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding new section 21-142 to read as follows:

§ 21-142 *Social workers in job and SNAP centers. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:*

Job center. "Job center" means any location designated by the department as a job center where individuals can complete an application for cash assistance in person.

Full time. "Full-time" means working an average of 30 hours or more per week.

SNAP center. "SNAP center" means any location designated by the department as a SNAP center where individuals can complete an application for the supplemental nutrition assistance program in person.

Social worker. "Social worker" means any personnel, licensed and certified by New York state as a licensed master of social work or a clinical social worker as defined in section 7701 of the education law.

b. Every job center and SNAP center shall have a full-time social worker on staff.

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

Referred to the Committee on General Welfare.

Int. No. 1336

By Council Members Ampry-Samuel, Cumbo, Williams, Rosenthal, Lander, Adams, Richards, Reynoso, Ayala, Salamanca, Gibson and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to de-escalation and trauma-informed training

Be it enacted by the Council as follows:

Section 1. Section 21-140 of the administrative code of the city of New York, as added by local law number 15 of the year 2018, is amended to read as follows:

§ 21-140 *Client service training. a. Pursuant to subdivision c of this section, the department shall conduct two trainings per year on best practices for improving interactions between department employees and clients of the department.*

b. Such training shall include techniques to improve professionalism, increase cultural sensitivity, [and] de-escalate conflict *and use trauma-informed care*.

c. The department shall provide such training to all [appropriate] employees [identified by the department whose primary responsibilities include interacting with members of the public in a client service role], *and all employees of a provider under contract or similar agreement with the department*, at any location designated by the department either as a job center where individuals can complete an application for cash assistance in person or [as]at a supplemental nutrition assistance program center.

d. *On or before January 31, 2020, and annually thereafter, the department shall report to the mayor and the speaker of the council the number of employees who have received the training pursuant to subdivision c, disaggregated by the positions held by such employees.*

e. Nothing in this section shall preclude the department from providing such training to employees other than those identified by the department pursuant to subdivision c of this section.

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

Referred to the Committee on General Welfare.

Int. No. 1337

By Council Members Ampry-Samuel, Levin, Cumbo, Rosenthal, Lander, Adams, Richards, Williams, Reynoso, Ayala, Salamanca, Gibson and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring space for children at department of social services/human resources administration job and SNAP centers

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding new section 21-142 to read as follows:

§ 21-142 *Space for children in job centers and SNAP centers. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:*

Child. The term “child” means a natural person under the age of 13 years.

Client. The term “client” means a visitor who has made initial contact with the department at a job center or SNAP center, either through a self-service kiosk or with a staff member responsible for keeping track of visitors.

Job center. “Job center” means any location designated by the department as a job center where individuals can complete an application for cash assistance in person.

SNAP center. “SNAP center” means any location designated by the department as a SNAP center where individuals can complete an application for the supplemental nutrition assistance program in person.

b. Every job center and SNAP center shall have a sanitary space and make accommodations for any child in such center including, but not limited to, comfortable seating and age-appropriate and educational materials for any child who utilizes such space. The department shall also make such space available to any client with a child who seeks to utilize such space.

c. The department shall create a poster containing information on availability of space and accommodations for children pursuant to this section. Such poster shall be made available on the department’s website, and shall be displayed in a clear and conspicuous manner in all job centers and SNAP centers. No later than one year after the effective date of the local law adding this subdivision, the department shall create a list of all locations with spaces for children available pursuant to this section. The department shall submit such list to the speaker of the council and make such list available on the department’s website.

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

Referred to the Committee on General Welfare.

Int. No. 1338

By Council Members Ayala, Lander, Williams, Rosenthal, Chin, and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on affordable housing set-asides for tenants with disabilities

Be it enacted by the Council as follows:

Section 1. Section 26-1402 of the administrative code of the city of New York, as added by a local law for the year 2018 amending the administrative code of the city of New York, relating to reporting on housing lottery outcomes, as proposed in introduction number 564, is amended by adding a subdivision c to read as follows:

c. In each report required by subdivision a of this section, the department shall disclose, disaggregated by development, the following information:

- 1. The total amount of units in the development;*
- 2. How many applications were received for the development by persons with a mobility, vision, or hearing disability;*
- 3. How many units were rented to persons with a mobility disability that were designated as accessible for a person with that disability;*
- 4. How many units were rented to persons with a vision or hearing disability that were designated as accessible for a person with that disability; and*
- 5. The size of the waiting list of applicants with disabilities for the development.*

§ 2. This local law takes effect on the same date that a local law for the year 2018 amending the administrative code of the city of New York, relating to reporting on housing lottery outcomes, as proposed in introduction number 564, takes effect.

Referred to the Committee on Housing and Buildings.

Int. No. 1339

By Council Members Ayala, Gibson, Lander, Richards, Williams and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to providing information about lawful source of income discrimination to city rental assistance applicants

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-142 to read as follows:

§ 21-142 Information regarding lawful source of income discrimination. a. Definitions. For purposes of this section, the following terms have the following meanings:

Household share letter. The term "household share letter" means a letter issued by the department that identifies a rental assistance program applicant as potentially eligible for a rental assistance program and that states the potential amount of rental assistance to be provided by the department and the potential amount of rent to be paid by the applicant.

Lawful source of income. The term "lawful source of income" includes income derived from social security, or any form of federal, state or local public assistance or housing assistance including section 8 vouchers.

Rental assistance. The term "rental assistance" means financial assistance provided by the department for the purpose of paying an individual's rent on an ongoing basis and includes, but is not limited to, the financial

assistance provided through the CityFHEPS program established pursuant to chapter 10 of title 68 of the rules of the city of New York, and any successor program.

Rental assistance program. The term “rental assistance program” means any fully city-funded rental assistance program that provides rental assistance to homeless individuals or individuals at risk of homelessness for which the department determines eligibility including, but not limited to, the CityFHEPS program established pursuant to chapter 10 of title 68 of the rules of the city of New York, and any successor program.

b. The department shall arrange for the provision of a written notice regarding the protections of title 8 of this code related to lawful source of income at the time that a rental assistance program applicant receives a household share letter.

c. The notice required by subdivision b of this section shall include the following information:

1. Examples of different forms of lawful source of income;
2. Examples of phrases that may indicate discrimination based on lawful source of income in violation of title 8 of this code;

3. A statement that it is illegal for landlords, brokers and other housing agents to refuse to accept rental assistance for payment of rent or a security deposit in buildings with six or more units;

4. A statement that it is illegal for landlords, brokers and other housing agents to request additional payments for rent, a security deposit or broker’s fee because an individual receives rental assistance;

5. A statement that it is illegal for landlords, brokers and other housing agents to publish any type of advertisement that indicates a refusal to accept rental assistance;

6. A statement that it is illegal for landlords to refuse or delay making repairs to an individual’s unit because such individual pays rent with rental assistance;

7. A statement that an individual has the right to be free from discriminatory, harassing or threatening behavior or comments based on such individual’s receipt of or application for rental assistance;

8. Contact information, including phone numbers, for the department’s source of income discrimination unit and the city commission on human rights; and

9. Any other information deemed appropriate by the commissioner.

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

Referred to the Committee on General Welfare.

Int. No. 1340

By Council Members Ayala, Powers, Rivera, Richards, Rosenthal and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to make the grievance process more efficient

Be it enacted by the Council as follows:

Section 1. Section 9-136 of the administrative code of the city of New York is amended to read as follows:

§ 9-136 Grievance [statistics] *system*.

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

Appeal. The term “appeal” means an incarcerated individual’s request to review decisions regarding resolutions of grievances by a higher body, such as the central office review committee.

Grievance. The term "grievance" means a written complaint submitted by an inmate in the custody of the department about an issue, condition, practice or action relating to the [inmate's] incarcerated individual’s confinement that is subject to the inmate grievance and request program or any successor program.

Grievable complaints. The term “grievable complaints” means complaints subject to the inmate grievance and review program. These include but are not limited to complaints regarding classification, clothing, commissary, correspondence, employment, environment, food, housing, jail time, the inmate grievance and request program, account, laundry, visits, law library, mental health issues involving department personnel, medical issues involving department personnel, noise, personal hygiene, phones, programs, property, recreation, religion, rules and regulation, school, search, security risk group/watch group, social services, and transportation.

Inmate grievance and request program. The term “inmate grievance and request program” means a formal process established by the department that provides [inmates] incarcerated individuals with the opportunity to resolve issues regarding their confinement through a structured process.

Non-grievable complaints. The term “non-grievable complaints” means any complaint which is not subject to the inmate grievance and request program, including but not limited to complaints regarding staff, sexual assault, assault, harassment, verbal harassment, status as intended contraband recipient, the disciplinary process, medical staff, mental health staff, request for protective custody, request for accommodation due to disability, and freedom of information law requests.

b. Forty-five days after the quarter beginning January 1, 2016, and no later than the forty-fifth day after the end of each subsequent quarter, the commissioner shall post on the department website a report containing the following information for the preceding quarter:

1. The number of grievances submitted in all departmental facilities, in total and disaggregated by the facility and housing area type in which such grievance was submitted.

2. The number of grievances submitted in all departmental facilities, disaggregated by grievance category, by the facility and housing area type in which such grievance was submitted, and by the method by which such grievance was submitted.

3. The number of grievances, the stages of the grievance process, the stage in the grievance process at which they were resolved, and the categories for which any grievances were dismissed.

4. The number of [inmates] incarcerated individuals that submitted grievances.

c. *The department shall provide the board of correction with all records related to appeals made to the department regarding resolution of grievable and non-grievable complaints as soon as such records are available.*

d. *The department shall utilize an electronic tracking system to record all grievable and non-grievable complaints made through the inmate grievance and request program and shall provide the board of correction and council access to such system. Such system shall track the following:*

1. *Whether a complaint is subject to the inmate grievance and request program, and if not, if and where the complainant was directed;*

2. *Whether the complainant pursued an appeal;*

3. *How and when the complaint was resolved, and at what stage the complaint was resolved;*

4. *Who made the complaint;*

5. *The housing facility and housing area type where the complaint was made;*

e. *The department shall ensure equal access to the inmate grievance and request program, including the following procedures:*

1. *Placing a number of complaint boxes in each housing unit proportional to the number of people living in the unit.*

2. *Placing a number of dedicated personnel in each housing unit to conduct outreach proportional to the number of people living in each unit and the average number of grievances filed in each unit.*

3. *Developing caseload guidelines for grievance coordinators and officers.*

f. *The department shall install grievance kiosks in each facility where incarcerated individuals may file grievances electronically by January 2021. Such kiosks shall provide incarcerated individuals physical receipts confirming filing. If a request made through the kiosk is not subject to the inmate grievance and review process, the kiosks shall provide incarcerated individuals with information regarding where the grievance should be redirected.*

§ 3. This local law takes effect 6 months after it becomes law.

Referred to the Committee on Criminal Justice.

Int. No. 1341

By Council Members Borelli and Holden.

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to fire lanes in open parking lots that can store over 100 vehicles

Be it enacted by the Council as follows:

Section 1. Article 315 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.2.5 to read as follows:

§ 28-315.2.5 Fire lanes. *Fire lanes shall be provided and installed in accordance with section 406.7.10.5 of the New York city building code by no later than January 1, 2020.*

§ 2. Chapter 4 of the New York city building code is amended by adding a new section 406.7.10.5 to read as follows:

406.7.10.5 Fire lanes. *In an open parking lot that has the capacity for storage of more than 100 motor vehicles at any given time, one or more fire lanes shall be provided to permit access to all parts of the garage or lot.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1342

By Council Members Borelli, Ayala, Gibson and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to a report and website posting on Department of Education employees terminated for the abuse of students

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new chapter 25 to title 21-A to read as follows:

Chapter 25. Employees Terminated for Abuse of Students

§ 21-992 Employees Terminated for Abuse of Students. *a. For the purposes of this section, the following terms have the following meanings:*

School. *The term "school" means a school of the city school district of the city of New York that contains any subdivision of grades from and including pre-kindergarten through grade 12.*

Student. *The term "student" means any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school.*

b. Not later than July 1, 2019 and every six months thereafter, the department shall submit to the mayor and council and post on the department's website a report regarding information on each employee of the department who, after any required disciplinary process has concluded, was terminated from employment by the department during the immediately preceding fiscal year for any act of physical, sexual or verbal abuse committed against a student in a school facility.

c. Information required pursuant to subdivision b of this section shall be maintained on the department's website for not less than five years and shall include, but not be limited to:

- 1. the name of the employee;*
- 2. the school where such employee worked at the time the termination occurred;*
- 3. the reason for the termination; and*
- 4. the date when the termination occurred.*

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

Referred to the Committee on Education.

Int. No. 1343

By Council Members Borelli, Holden, Brannan, Barron and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer affairs to send documents related to licensing by certified mail

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-120 to read as follows:

§ 20-120 Transmittal of documents. When transmitting any document related to business licensing to a licensee, license applicant or any other party, the department shall transmit such documents by certified mail in addition to any other means of transmittal as may be prescribed by law.

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

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 1344

By Council Members Borelli, Koo, Ayala, Yeger, Holden and Chin.

A Local Law in relation to requiring the department of transportation to study safety measures for outdoor train platforms

Be it enacted by the Council as follows:

Section 1. Definitions. As used in this local law, the following terms have the following meanings:

Crash. The term "crash" means any collision between an outdoor train and a pedestrian.

Outdoor train. The term "outdoor train" means any subway train while it travels above-ground and any above-ground commuter train that operates within the city.

Train platform. The term "train platform" means any above-ground subway or above-ground commuter train platform used to facilitate boarding and exiting an outdoor train.

§ 2. The department of transportation shall conduct a comprehensive study on outdoor train crashes and recommend safety measures that may be implemented for train platforms. In completing such study, such department shall:

- a. Analyze the conditions and factors typically associated with such crashes, if any;
- b. Study safety measures that may be implemented on train platforms, including protective barriers;
- c. Identify the benefits of implementing safety measures on train platforms;
- d. Recommend methods of implementing such safety measures;
- e. Identify the costs associated with implementing such safety measures; and
- f. Analyze the feasibility of implementing each such safety measure.

§ 3. The commissioner of transportation shall report the study's findings and recommendations to the mayor and the speaker of the council no later than 1 year after the effective date of this local law. Such report shall include a recommendation as to whether any additional studies would further the objective of improving safety practices for outdoor trains.

§ 4. This local law takes effect immediately and expires and is deemed repealed upon submission of the report required by section three of this local law.

Referred to the Committee on Transportation.

Int. No. 1345

By Council Members Cabrera, Rosenthal, Rivera, Ayala, Gibson, Chin, Reynoso, Salamanca, Cornegy and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of flavored cigarettes

Be it enacted by the Council as follows:

Section 1. Section 17-713 of title 7 of the administrative code of the city of New York is amended to read as follows:

[a. "Cigarette"] *Cigarette. The term "cigarette" means any roll for smoking made wholly or in part of tobacco or any other substance, irrespective of size or shape and whether or not such tobacco or substance is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material but is not made in whole or in part of tobacco.*

[b. "Characterizing flavor"] *Characterizing flavor. The term "characterizing flavor" means a distinguishable taste or aroma, other than the taste or aroma of tobacco, [menthol, mint or wintergreen,] imparted either prior to or during consumption of a tobacco product or component part thereof, including, but not limited to, tastes or aromas relating to any menthol, mint, wintergreen, fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice; provided, however, that no tobacco product shall be determined to have a characterizing flavor solely because of the use of additives or flavorings or the provision of ingredient information.*

[c. "Component part"] *Component part. The term "component part" means any element of a tobacco product, including, but not limited to, the tobacco, filter and paper, but not including any constituent.*

[d. "Constituent"] *Constituent. The term "constituent" means any ingredient, substance, chemical or compound, other than tobacco, water or reconstituted tobacco sheet, that is added by the manufacturer to a tobacco product during the processing, manufacture or packing of the tobacco product. Such term shall include a smoke constituent.*

[e. "Flavored tobacco product"] *Flavored tobacco product. The term "flavored tobacco product" means any tobacco product or any component part thereof that contains a constituent that imparts a characterizing flavor. A public statement or claim made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such tobacco product, that such tobacco product has or produces a characterizing flavor shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.*

[f. [Repealed.]]

[g. "Person"] *Person*. The term "person" means any natural person, partnership, firm, joint stock company, corporation, or employee thereof, or other legal entity.

[h. "Smoke constituent"] *Smoke constituent*. The term "smoke constituent" means any chemical or chemical compound in mainstream or sidestream tobacco smoke that either transfers from any component of the tobacco product to the smoke or that is formed by the combustion or heating of tobacco, additives or other component of the tobacco product.

[i. "Tobacco bar"] *Tobacco bar*. The term "tobacco bar" has the meaning as such term is defined in subdivision jj of section 17-502 of this code.

[j. "Tobacco product"] *Tobacco product*. The term "tobacco product" means any product which contains tobacco that is intended for human consumption, including any component, part, or accessory of such product. Tobacco product shall include, but not be limited to, any cigar, little cigar, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff, tobacco-containing shisha, or dissolvable tobacco product. Tobacco product shall not include cigarettes or any product that has been approved by the United States food and drug administration for sale as a tobacco use cessation product or for other medical purposes and that is being marketed and sold solely for such purposes.

§ 2. This local law shall take effect 90 days after its enactment into law, provided that the commissioner shall promulgate any rules necessary for implementing and carrying out the provisions of this local law prior to its effective date.

Referred to the Committee on Health.

Res. No. 717

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that eliminates the mortgage recording tax.

By Council Members Cabrera and Holden.

Whereas, According to a February 2018 survey conducted by Streeteasy, a real estate listing service, nearly half of New Yorkers think that the city is unaffordable; and

Whereas, One way to make things more affordable for is by repealing the mortgage recording tax; and

Whereas, The current law requires a buyer who purchases a condo in cash to pay a lower tax rate than a buyer who needs to borrow money to purchase a home; and

Whereas, The City and State require homebuyers to pay the real property tax on the value of the transaction, as well as a mortgage recording tax on the value of the mortgage that is used to finance the purchase; and

Whereas, A buyer who can afford to pay a home in cash avoids paying the mortgage recording tax while a buyer with less cash-on-hand has no option but to borrow and pay the mortgage recording tax; and

Whereas, The mortgage recording tax acts as a tax on New Yorkers who need to borrow money in order afford a home in New York's expensive real estate market; 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 eliminates the mortgage recording tax.

Referred to the Committee on Finance.

Res. No. 718

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.9149 in relation to falsely reporting an incident as a specified offense for the purpose of hate crimes, also known as the 911 Anti-Discrimination Act.

By Council Member Cabrera.

Whereas, Several well-publicized incidents of biased reports to 911 have drawn national attention and widespread condemnation; and

Whereas, In many such incidents, Black people and other people of color have endured police intrusions simply for behaving in ways that would be insignificant but for the color of their skin; and

Whereas, In other incidents, Black people and other people of color have endured police interactions for absurd alleged infractions or dubious reasons; and

Whereas, These incidents have involved calls to the police or 911 to report Black and people of color barbecuing, golfing too slowly, mowing part of the wrong yard, an 8-year-old girl selling bottled water, napping in a college common area, and playing basketball too aggressively; and

Whereas, For example, in May 2018, police responded to call of someone reporting a possible robbery, whereas actually the person in question was Darren Martin, a former White House staffer for the Obama administration, who was moving into a new apartment in Manhattan; and

Whereas, The caller alleged Martin, a black man, was a robber who was possibly in possession of “a weapon [or] large tool;” and

Whereas, In another example, a passenger called the police on Shawn Pepas, a livery driver from Brooklyn, for allegedly not turning on the radio in his car; and

Whereas, The 911 Anti-Discrimination Act was introduced by New York State Senator Jesse Hamilton in response to the misuse of 911, which he experienced himself; and

Whereas, As Senator Hamilton was speaking with constituents at a Brooklyn subway entrance, a Trump supporter objected to him speaking and called 911; and

Whereas, The 911 Anti-Discrimination Act would not only provide the opportunity for a meaningful response to these incidents, it would also discourage others from misusing emergency response resources for racist and biased means; and

Whereas, When law enforcement entities respond to these biased calls, they inadvertently enforce the racial biases of private citizens, converting those biases into governmental discrimination; and

Whereas, Any effort to disincentivize persons from misusing emergency services for racist or biased purposes would help deter inadvertent governmental discrimination; and

Whereas, The 911 Anti-Discrimination Act would add first, second, and third degree false reporting to the list of charges eligible for hate crimes sentencing enhancements, increasing the penalties for each; and

Whereas, Pursuant to the 911 Anti-Discrimination Act, the motivation for false reporting would include a perception or belief about an individual’s race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation; therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.9149 in relation to falsely reporting an incident as a specified offense for the purpose of hate crimes, also known as the 911 Anti-Discrimination Act.

Referred to the Committee on Public Safety.

Res. No. 719

Resolution calling on the New York State legislature to pass, and the Governor sign, legislation that would declare Election Day, the Tuesday following the first Monday in November, a state holiday.

By Council Members Cabrera and King.

Whereas, New York State Election Law allows employees to request up to two hours of paid time off to vote if they do not have sufficient time to vote during non-working hours; and

Whereas, The law defines ‘sufficient time’ as four consecutive hours between the opening of the polls and the beginning of a working shift or the end of a working shift and the close of the polls; and

Whereas, In order to benefit from this paid time off to vote, employees must anticipate the length of time they will need to vote and notify their employers no more than 10 days prior and no less than 2 days before an election day; and

Whereas, When surveyed by the U.S. Census Bureau concerning presidential elections, the most cited reason for not voting by nonvoters was being “too busy” or “having conflicting work schedules;” and

Whereas, In New York City, due to poor election administration, many voters waited for two to three hours to cast a ballot in the 2018 general election, and many more were deterred from voting because they did not have the time to wait in line at the polls; and

Whereas, It is impossible to anticipate how long it will take to vote, as New York City has not implemented early voting, and thus the entire administration of elections must occur within a 15-hour period and is susceptible to extended delays; now, therefore, be it

Resolved, that the Council of the City of New York calls on the New York State legislature to pass, and the Governor sign, legislation that would declare Election Day, the Tuesday following the first Monday in November, a state holiday.

Referred to the Committee on Governmental Operations.

Res. No. 720

Resolution calling on the United States Congress to pass, and the President sign, legislation that would declare Election Day, the Tuesday following the first Monday in November, a national holiday.

By Council Members Cabrera and King.

Whereas, The Federal law designating Election Day as the Tuesday following the first Monday in November dates back to 1845; and

Whereas, The timing of Election Day was based on the agrarian nature of the United States (U.S.) economy at the time, as November was sufficiently after harvest but before harsh winter weather could keep farmers from accessing the polls; and

Whereas, In 1845, Sunday was largely regarded as a day of rest and worship, not politicking, and was thus avoided as an Election day; and

Whereas, In the 21st Century, the U.S. is one of just nine advanced industrial democracies with national elections held on a weekday, and one of seven countries that do not have national holidays on election days to shield the act of voting from economic hardship; and

Whereas, The majority of countries with membership in the Organization for Economic Cooperation and Development (OECD) hold national elections on a weekend and see high voter turn-out rates than the U.S.; and

Whereas, As compared to other OECD countries, the U.S. placed 26 out of the 32 OECD countries with voting age population turnout estimates, in its most recent 2016 presidential election; and

Whereas, When surveyed by the U.S. Census Bureau concerning presidential elections, the reason most cited by nonvoters for not voting was being “too busy” or “having conflicting work schedules;” and

Whereas, Declaring Election Day a federal holiday would address the concern that members of the voting age population, eligible to vote, cannot make the time to vote due to other competing responsibilities; and

Whereas, In New York City, due to poor election administration, many voters waited for two to three hours to cast a ballot in the 2018 general election, and many more were deterred from voting entirely, because they did not have the time to wait in line at the polls; now, therefore, be it

Resolved, that the Council of the City of New York calls on the United States Congress to pass, and the President sign, legislation that would declare Election Day, the Tuesday following the first Monday in November, a national holiday.

Referred to the Committee on Governmental Operations.

Int. No. 1346

By Council Members Cohen, Rosenthal and Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to the public availability of city planning commission certifications, authorizations or special permits to remove trees in special natural area districts

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-116 to read as follows:

§ 25-116 Tree removal in special natural area districts. The department of city planning shall make publicly available on its website any certification, authorization or special permit issued by the city planning commission that includes authorization to remove any tree within a special natural area district, as defined in chapter 5 of article 10 of the zoning resolution of the city of New York.

§ 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Land Use.

Int. No. 1347

By Council Members Cumbo, Levin, Rosenthal, Lander, Adams, Richards, Gibson, Holden, Reynoso, Ayala, Salamanca, Chin and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services/human resources administration to create a system in which clients may schedule appointments online and over the phone

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-142 to read as follows:

§ 21-142 Agency office appointments. a. As used in this section, the term "agency office" means a job center, food stamp office, medical assistance program office or other part, subdivision, field office or satellite facility of the department or an office that the department contracts with for the administration of benefits or services offered or provided by the department.

b. The department shall establish a system in which in-person appointments for services at agency offices can be scheduled online and over the phone. Such system shall notify clients if the requested service(s) can be completed without an in-person visit to an agency office.

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

Referred to the Committee on General Welfare.

Preconsidered Int. No. 1348

By Council Members Cumbo, Treyger, Lander, Cohen and Rosenthal.

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 sexual health education

Be it enacted by the Council as follows:

Section 1. Section 21-966 of the administrative code of the city of New York is amended to read as follows:

§ 21-966. Reporting on health education.

a. For the purposes of this section, the following term has the following meaning:

Health education. The term “health education” means health education instruction, including sexual health education and HIV/AIDS education, consistent with learning standards for health education found in regulations promulgated by the New York state commissioner of education and in the department's requirements.

b. Not later than December 1, 2016, and on or before [the] December 1 annually thereafter, the department shall submit to the speaker and post conspicuously on the department's website in a manner searchable by individual school, a report for the preceding academic year for each community school district and school within such district, which shall include, but not be limited to the following:

1. [The total number and percentage of students in grades six through twelve who have completed at least one semester of health education.] *For each grade level in each school, data specifying: (i) the number of hours per semester of health education received by students in that grade; (ii) the number and percentage of students who are receiving the amount of health education required by section 135.3 of titles 8 of the New York codes, rules and regulations; and (iii) the number and percentage of students who are receiving less health education than required by section 135.3 of titles 8 of the New York codes, rules and regulations;*

2. [Starting in the report for the 2017-2018 school year and for every subsequent school year thereafter, the total number and percentage of students in grade six who have completed at least 5 lessons in HIV/AIDS education] *For each grade level in each school, data specifying: (i) the number of lessons per semester of HIV/AIDS instruction received by students in that grade; (ii) the number and percentage of students who are receiving the amount of HIV/AIDS instruction required by section 135.3 of titles 8 of the New York codes, rules and regulations; and, (iii) the number and percentage of students who are receiving less HIV/AIDS instruction than required by section 135.3 of titles 8 of the New York codes, rules and regulations;*

3. [Starting in the report for the 2017-2018 school year and for every subsequent school year thereafter, the total number and percentage of students in grades seven through twelve who have completed at least 6 lessons in HIV/AIDS education;] *For each grade level in each school, data specifying the number of hours per semester of sexual health education instruction received by students in that grade;*

4. Information regarding the implementation of health education instruction including, but not limited to: (i) how the department tracks compliance with *state* health education and HIV/AIDS education requirements; (ii) [how principals monitor teacher] compliance with the sexual health knowledge benchmarks as outlined by the department, *including, but not limited to, whether or not each school is using the department's recommended curriculum;* and, [and] (iii) how the efficacy of [the] *each school's* health education curriculum is evaluated;

5. Information regarding health education which specifically addresses lesbian, gay, bisexual, transgender, and questioning (LGBTQ) students, and other non-heterosexual sexual orientations or non-cisgender gender identities, including but not limited to, sexual health knowledge for same-sex relationships; *and*

6. *The number of designated full-time and part-time certified instructors providing health education instruction at each school, and the ratio of full-time certified instructors to students at each school.*

c. All information required to be reported by this section shall be aggregated citywide, as well as disaggregated by city council district, community school district and school.

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

§ 2. This local law takes effect immediately.

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

Res. No. 721

Resolution calling on the State Legislature to pass and the Governor to sign legislation that would provide a grace period before terminating public assistance or Supplemental Nutrition Assistance Program (SNAP) benefits due to a change in income and/or employment to allow time to contest the termination of benefits or prepare for the termination.

By Council Members Cumbo, Rosenthal, Richards, Williams, Ayala, Salamanca, Gibson and Chin.

Whereas, The Temporary Assistance for Needy Families (“TANF”) program provides public assistance to needy families through federal funds given to states allowing them to develop and implement their own public assistance programs; and

Whereas, In New York, those receiving temporary cash assistance can receive transportation and child care expenses so that they can meet their work and/or educational requirements; and

Whereas, The Supplemental Nutrition Assistance Program (SNAP), formerly known as food stamps, provides critical food assistance to people struggling to make ends meet, and has contributed to the overall reduction in poverty nationwide; and

Whereas, In New York State, both public assistance and SNAP are administered by the Office for Temporary and Disability Assistance (“OTDA”), and the Human Resources Administration (“HRA”) is the agency that provides assistance to eligible applicants; and

Whereas, Both public assistance and SNAP help low income families get back on their feet by providing vital resources at a critical time in their lives; and

Whereas, Changes in employment and/or income can change a recipient’s eligibility for SNAP and public assistance, including child care and transportation expenses; and

Whereas, Those changes in eligibility can leave recipients navigating government bureaucracy to restore funding that helps pay the bills and put food on the table, often resulting in taking time from work and family obligations; and

Whereas, Continuity and stability must be provided to recipients of benefits as family circumstances change, especially to families with children; and

Whereas, New Yorkers receiving benefits should be supported through the process of beginning a new job, looking for a job, or having their work hours drastically change; and

Whereas, Additionally, all termination letters should clearly state why benefits are being terminated, the exact paperwork needed to reverse decisions and how to submit needed documents, including an online option, if available; and

Whereas, Action must be taken to ensure that vital resources are not abruptly cut off during a period of transition, which could contribute to job loss, food insecurity and homelessness; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass and the Governor to sign legislation that would provide a grace period before terminating public assistance or Supplemental Nutrition Assistance Program (SNAP) benefits due to a change in income and/or employment to allow time to contest the termination of benefits or prepare for the termination.

Referred to the Committee on General Welfare.

Int. No. 1349

By Council Members Dromm, Cumbo, Richards, Rosenthal, Gibson, Rivera, Levin, Chin and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to implement child sensitive arrest policies

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-177 to read as follows:

§14-177 Child sensitive arrest policies.

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

Caregiver. The term “caregiver” means any individual responsible for the well-being of a child at the time of an arrest, including but not limited to legal parents and guardians, relatives, or other individuals providing supervision to a child.

Child bystander. The term “child bystander” means any unemancipated person, or persons, under the age of 18, present or not, whose caregiver is arrested.

Partner organization. The term “partner organization” means an agency or non-profit organization with the capacity to safeguard a child bystander from potential trauma.

Trauma. The term “trauma” means an experience that results from an event, series of events, or set of circumstances that are physically or emotionally harmful or threatening on an individual and that has lasting adverse effects on such individual’s functioning and physical, mental, social, emotional, or spiritual well-being.

b. The department shall implement a child sensitive arrest policy that include procedures designed to minimize trauma to child bystanders and support a child bystander’s physical safety and emotional well-being following an arrest. Such policy shall posted on the department’s website and include, at a minimum, the following practices:

1. For cases in which a warrant is served or an arrest is otherwise planned in advance, the establishment of cooperative agreements with the administration of children’s services or a partner organization to assist the department in conducting arrests where child bystanders may be present.

2. Promptly ascertaining whether a child bystander is present, including information gathered from emergency call operators.

3. Where practicable, reasonably delaying the execution of arrest or search warrants until circumstances exists whereby a child bystander is not likely to be present at the time of the police encounter. If such delay is not practicable, the coordination of such actions with the administration of children’s services or a partner organization.

4. Where practicable, handcuffing and questioning of a caregiver under arrest in a location away from the child bystander’s sight and hearing.

5. Where practicable, prior to being removed from their presence, providing an arrested caregiver the opportunity to speak with a child bystander who is present. Where an arrested caregiver is unable to speak with such child bystander, communicate using age appropriate language to such child bystander why their caregiver was arrested and that that such child bystander did nothing wrong and is safe.

6. Where practicable, providing objects that provide comfort to a child bystander, such as toys, clothing, blankets, photographs, or food.

7. Where practicable, ascertaining any medical, behavioral, or psychological conditions or required treatments of a bystander child

8. Where practicable, permitting an arrested caregiver a reasonable opportunity to make alternate arrangements for the care of a child bystander. If such arrangements are not possible, providing the arrested caregiver the opportunity to provide the department, the administration of children’s services or a partner organization with contact information of preferred alternate caregiver.

9. When a child bystander is not present at the time of a caregiver’s arrest, ensuring that the administration of children’s services or a partner organization is informed about the arrest and appropriate arrangements are made for the safe custody of the child bystander, including where practicable, consulting with the arrested caregiver about logistics of arranging alternate supervision of the child bystander.

c. Training. The department shall ensure that all members of the service receive training to help minimize trauma to a child bystanders of a caregiver’s arrest. Such training shall include but not be limited to the following subjects:

1. How to effectively use developmentally appropriate language to communicate with a child during a caregiver’s arrest.

2. Child development and the effect of trauma on a child.

3. *The role of child welfare and other partner organizations in providing support to a child bystander.*

d. Reporting. Within 30 days of January 1, 2020, and no later than 30 days after the end of each quarter thereafter, the department shall submit to the speaker of the council, and make publicly available on the department's website, a report related to arrests occurring in the presence of child bystanders. All data shall be submitted in a machine readable format. Such report shall include, but need not be limited to, the following information for the preceding quarter:

1. *The number of arrests in which a child bystander was present, disaggregated by borough and precinct;*
2. *The number of such arrests in which handcuffs were used on a caregiver outside of the presence of such child bystander, disaggregated by borough and precinct;*
3. *The number of such arrests in which the department coordinated with the administration for children's services or a partner organization prior to or after such arrest, disaggregated by borough; and*
4. *The number of complaints submitted to the civilian complaint review board, the 311 call center, or the department's internal affairs bureau related to arrests conducted in the presence of a child bystander.*

§ 2. This local law takes effect six months after it becomes law.

Referred to the Committee on Public Safety.

Preconsidered Res. No. 722

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

By Council Member Dromm.

Whereas, On June 14, 2018 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2019 with various programs and initiatives (the "Fiscal 2019 Expense Budget"); and

Whereas, On June 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the "Fiscal 2018 Expense Budget"); and

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2019, Fiscal 2018, and Fiscal 2017 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local 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 2019 and Fiscal 2017 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

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 2019 Expense Budget, as set forth in Chart 1; 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 2019 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 funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2019 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 Cultural Immigrant Initiative in accordance with the Fiscal 2019 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 Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 9; 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 2019 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 12; 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 2019 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 Parks Equity Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services of a certain organization receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council sets forth an organization that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2019, as set forth in Chart 23.

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. 722 printed in these Minutes).

Int. No. 1350

By Council Members Gibson, Rosenthal, Lander, Adams, Richards, Reynoso, Ayala, Salamanca, King, Cornegy, Chin, Perkins and Lancman.

A Local Law in relation to implementation of a plan based on findings of the audit of department of social services/human resources administration job and SNAP

Be it enacted by the Council as follows:

Section 1. Section 1 of a local law in relation to auditing department of social services/human resources administration job and SNAP centers, as proposed in an introduction for the year 2019, is amended by adding new subdivisions e, f and g to read as follows:

e. As soon as practicable and by no later than January 1, 2020, the commissioner shall implement the recommendations and plan to address complaints, as required under subdivision d.

f. The commissioner of social services shall make every effort to ensure the recommended standards of reasonableness for wait times, staff-to-visitor ratios, and access to technology are met at every center.

g. No later than April 1, 2020, the department shall post on its website and submit to the council a report on the progress of the implementation of the recommendations and plan to address complaints. Such report shall include, at a minimum:

1. What changes to operations, polices, and practices have been implemented to meet the standard of reasonableness for wait times;

2. The current wait times at each job center and SNAP center and how such wait times are calculated;

3. What changes to operations, polices, and practices have been implemented to improve the efficiency and ease of use of the department's hotlines, helplines, infolines, and general phone lines;

4. What changes to operations, polices, and practices have been implemented to improve the efficiency and ease of use of the department's website;

5. What changes to operations, polices, and practices have been implemented to meet the standard of reasonableness for staff-to-visitor ratios;

6. What changes to operations, polices, and practices have been implemented to meet the standard of reasonableness for access to technology; and

7. Whether the number of visitor complaints received has increased or decreased since the implementation of the recommendations and plan to address complaints.

§ 2. This local law takes effect upon the submission of findings and recommendations required under a local law in relation to auditing department of social services/human resources administration job and SNAP centers, as proposed in an introduction for the year 2019, and is deemed repealed on May 1, 2020 or the day after submission of the reports required by sections 1 of this local law, whichever is later.

Referred to the Committee on General Welfare.

Int. No. 1351

By Council Members Gjonaj, Rivera, Holden, King, Cabrera, Cumbo, Cohen, Torres, Lander, Adams, Brannan, Salamanca, Gibson, Ayala, Rodriguez, Chin and Maisel.

A Local Law in relation to information about health care services.

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this section, the term “acute care facilities” means any facility that provides emergency care services or urgent care services, as defined under section 405.400 of title 42 of the United States code of federal regulations.

b. The department of health and mental hygiene shall conduct an outreach campaign to inform city residents about the types of acute care facilities in the city, and the differences between such acute care facilities. Such outreach campaign shall include, but not be limited to, schools and senior centers.

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

Referred to the Committee on Hospitals.

Int. No. 1352

By Council Members Gjonaj, Rivera, Holden, King, Cabrera, Cumbo, Cohen, Powers, Torres, Adams, Brannan, Salamanca, Gibson, Ayala, Rodriguez, Chin and Maisel.

A Local Law in relation to a study by the department of health and mental hygiene on the causes of rising wait times in emergency rooms

Be it enacted by the Council as follows:

Section 1. a. The department of health and mental hygiene, in consultation with the New York city health and hospitals corporation, shall conduct a study analyzing the wait times in emergency rooms in hospitals under the jurisdiction of the department. Such study shall consist of a comprehensive analysis of the potential causes of delay and the effect such delays have on: (i) the delivery of health care services; and (ii) disparities in health care.

b. No later than April 1, 2020, the department shall submit to the mayor and the speaker of the city council a report summarizing the results of such study, disaggregated by each such hospital.

§ 2. This local law takes effect immediately and expires and is deemed repealed upon submission of the report required by subdivision b of section 1 of this local law.

Referred to the Committee on Hospitals.

Res. No. 723

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation requiring hospital emergency departments to improve their services to better inform patients of their potential wait time and other care options.

By Council Members Gjonaj, Rivera, Holden, King, Cabrera, Cohen, Torres, Adams, Brannan, Grodenchik, Salamanca, Gibson, Ayala, Rodriguez and Maisel.

Whereas, According to the New York State Department of Health (DOH), there were a total of 8,049,234 emergency department (ED) visits in New York State in 2014; and

Whereas, According to DOH, 3,853,470 ED visits occurred in New York City in 2014; and

Whereas, According to DOH, the adjusted rate of ED visits for New York City between 2012-2014 was 4,557.8 per 10,000 people; and

Whereas, According to ProPublica, New Yorkers wait on average 20 minutes before seeing a doctor in an ED, yet wait times can vary widely by hospital and by day and time; and

Whereas, According to ProPublica, some hospitals in the City have higher than average wait times, including Jacobi Medical Center in the Bronx, which had an average wait time of one hour and 53 minutes; and

Whereas, According to the American College of Emergency Physicians, long wait times can have dangerous effects on patients, such as increased risk of death and increased length of stay for those who end up admitted to the hospital; and

Whereas, According to the Journal of Emergency Medicine, some patients experiencing long wait times decide to leave the ED without being seen, which can lead to life threatening issues; and

Whereas, According to the American College of Emergency Physicians, advertising estimated ED wait times can offer advantages for ED staff, hospitals, and patients; and

Whereas, Patients with less urgent complaints would have the ability to select EDs with shorter wait times or to defer care until wait times improve if their conditions allow; and

Whereas, According to the Journal of Emergency Medicine, one study showed that 63 percent of patients would prefer to visit an ED with a wait time tracker, while only 21 percent were against the idea of a wait time tracker; and

Whereas, Senate Bill S. 2315, sponsored by Senator Marisol Alcantara, would require all EDs to have a physical wait-time clock and for the ED wait times to be available online; and

Whereas, In addition to wait time clocks, EDs should display the wait times at nearby EDs, allowing patients to make the decision to visit a neighboring ED with a shorter wait time, and all wait time information should be provided to local Emergency Medical Technicians (EMTs); and

Whereas, In addition to publishing wait times online, New York City should also allow wait times to be accessed via 311; and

Resolved, The Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation requiring hospital emergency departments to improve their services to better inform patients of their potential wait time and other care options.

Referred to the Committee on Hospitals.

Int. No. 1353

By Council Members Kallos, Adams, Chin, Ampry-Samuel, Lander, Rosenthal, Gibson, Holden and Powers.

A Local Law to amend the administrative code of the city of New York, in relation to sidewalk shed inspections

Be it enacted by the Council as follows:

Section 1. Section BC 3307.6.5.8 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows::

3307.6.5.8. Periodic inspection. Six months following the initial installation inspection, and every six months thereafter, the sidewalk shed shall be inspected by [a qualified person designated by the designer, the permit holder for the shed, or a third party acceptable to both the designer and the permit holder] *the department* to verify that the sidewalk shed is in a safe condition and is in compliance with drawings and the requirements of this chapter. [Following the inspection, the qualified person who inspected the sidewalk shed shall prepare,

sign, and date an inspection report.] *The department shall charge the owner of a building, to which such sidewalk shed is attached, a fee for each inspection performed by the department, provided that such fees shall at least be determined based on the size of the sidewalk shed that is being inspected, be no less than \$250 for the first inspection and be increased for each subsequent inspection.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 1354

By Council Members Holden, Koo, Ulrich, Yeger, Borelli, Deutsch, Vallone, Powers, Richards, Brannan, Salamanca, King, Menchaca, Reynoso, Perkins and Maisel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain spillage prevention equipment on concrete mixer trucks and volumetric concrete mixers

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.2 to read as follows:

§ 19-159.2 *Chute closure devices required on concrete mixing trucks. a. Definitions. As used in this section, the following terms have the following meanings:*

Chute closure device. The term “chute closure device” means a device attached to the end of the chute of a concrete mixer truck or volumetric concrete mixer, used to seal the chute.

Concrete mixer truck. The term “concrete mixer truck” means a truck used for the transport of liquid concrete.

Truck. The term “truck” has the same meaning as in section 158 of the vehicle and traffic law.

Volumetric concrete mixer. The term “volumetric concrete mixer” means a truck outfitted with separate compartments for the transport of materials to be mixed into liquid concrete.

b. No later than January 1, 2020, all concrete mixer trucks and all volumetric concrete mixers driving through the city of New York shall be equipped with chute closure devices during the transport of liquid concrete or materials to be mixed into liquid concrete.

c. The department shall have the authority to promulgate any rules necessary to administer the provisions of this section, including, but not limited to, rules establishing chute closure device specifications as deemed necessary by the department. The department is authorized to inspect chute closure devices and chute closure device specifications for compliance with the requirements of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Int. No. 1355

By Council Members Holden, Ulrich, Yeger, Gjonaj, Deutsch, Richards, Salamanca, King, Menchaca, Reynoso and Perkins.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to inform car accident victims on the directed accident response program

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 20-518 of the administrative code of the city of New York is amended by adding a new paragraph 6 to read as follows:

6. A police officer arriving at the scene of a vehicular accident shall inform a person in charge of a disabled vehicle of towing procedures under the directed accident response program, which shall include, but need not be limited to, the following:

(a) The police department's procedures under the directed accident response program;

(b) The rights and responsibilities of any person in charge of a disabled vehicle relating to such person's disabled vehicle;

(c) How to determine whether a tow truck is licensed pursuant to section 20-498 of this subchapter;

(d) How to determine whether a tow truck is the tow truck directed by police officers to tow the disabled vehicle pursuant to the directed accident response program; and

(e) How to report a tow truck that attempts to tow a disabled vehicle and is either unlicensed or is not the tow truck directed by police officers to tow the disabled vehicle.

§ 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Public Safety.

Int. No. 1356

By Council Members Holden, Ulrich, Yeager, Gjonaj, Deutsch, Powers, Richards, Brannan, Salamanca, King, Menchaca, Reynoso and Perkins.

A Local Law to amend the administrative code of the city of New York, in relation to reports of illegal towing to 311

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-304 to read as follows:

§ 23-304 Complaints related to tow trucks. The department of information technology and telecommunications shall implement on its 311 citizen service center website, telephone and mobile device platforms the capability to file a complaint reporting a tow truck company that tows an immobilized vehicle in violation of paragraph 2 of subdivision b of section 20-518. Such option shall allow the complainant to include a photograph or video when submitting a complaint through such 311 website and mobile device platforms.

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

Referred to the Committee on Technology.

Int. No. 1357

By Council Members Kallos and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to training and transparency requirements for certain projects receiving city financial assistance

Be it enacted by the Council as follows:

Section 1. Title 22 is amended by adding a new chapter 10 to read as follows:

CHAPTER 10
TRAINING AND DISCLOSURE REQUIREMENTS FOR
PROJECTS RECEIVING CITY FINANCIAL ASSISTANCE

- § 22-1001 Definitions.
- § 22-1002 Apprenticeship requirement.
- § 22-1003 Disclosure requirements.
- § 22-1004 Contract threshold.
- § 22-1005 Retaliation.
- § 22-1006 Enforcement and monitoring.

§ 22-1001 Definitions. As used in this chapter:

Administering agency. The term “administering agency” means, with respect to a covered project, the mayor or an agency or office designated by the mayor to administer and enforce the provisions of this chapter for such project.

City economic development entity. The term “city economic development entity” means an entity that provides or administers financial assistance on behalf of the city pursuant to paragraph (b) of subdivision 1 of section 1301 of the New York city charter.

City financial assistance. The term “city financial assistance” means financial assistance that is provided or administered by the city or by a city economic development entity acting on the city’s behalf.

Contract threshold. The term “contract threshold” means a dollar amount equal to \$35,000 or a different contract threshold established pursuant to section 22-904 of this chapter.

Covered contractor. The term “covered contractor” means, with respect to a covered developer for a covered project, a person who has entered into a contract or other agreement with such developer to perform construction work in connection with such project where the total amount to be paid under all contracts or other agreements for similar work in connection with such project is (i) the contract threshold or more in any year or (ii) three times the contract threshold or more in total over the term of such contracts or agreements, except that the term “covered contractor” does not include the city or a city economic development entity.

Covered developer. The term “covered developer” means a person who receives city financial assistance in connection with a covered project.

Covered project. The term “covered project” means a project that:

1. (i) Is funded in whole or in part with city financial assistance expected to have a present value of \$1,000,000 or more and (ii) the agreement for providing any part of such assistance is executed, renewed or substantially amended on or after the effective date of the local law that added this chapter; and
2. Involves construction work on a building that has, or is expected to have after the completion of such project, (i) more than 100,000 square feet of floor area, as defined in section 12-10 of the New York city zoning resolution, or (ii) more than 50 dwelling units, as such term is defined section 310 of the New York city building code.

Construction work. The term “construction work” means construction, alteration or demolition work, except that the term excludes (i) architectural, engineering, legal, accounting or other professional services; (ii) clerical or other similar office support services; and (iii) the managing, directing or supervising of construction, rehabilitation, alteration or demolition work.

Financial assistance. The term “financial assistance” means money or any other thing of value, including, but not limited to, cash payments, grants or other subsidies; loans; bond financing; tax abatements or exceptions; tax increment financing; debt forgiveness; filing fee waivers or other fee waivers; energy cost reductions; environmental remediation costs; real property conveyance for less than market value; and write-downs in the market value of buildings, lands or leases or the cost of capital improvements related to real property that, under ordinary circumstances, the city would not pay for. The term “financial assistance” includes both discretionary and as-of-right assistance.

Principal investor. The term “principal investor” means, with respect to a covered project, a person who has (i) invested \$250,000 or more in furtherance of such project or (ii) entered into one or more contracts or

other agreements with one or more other persons, under which \$250,000 or more has been or reasonably will be invested in such covered project.

Principal officer. The term “principal officer” means, with respect to an entity, a person who serves as or performs the functions of a chief executive officer, chief financial officer or chief operating officer of an entity.

Principal owner. The term “principal owner” means, with respect to an entity, a person who holds a ten percent or greater ownership interest in such entity or who holds an ownership interest as a general partner, managing partner or other position conducting or participating directly in the conduct of the affairs of such entity.

§ 22-1002 *Apprenticeship requirement.* No city financial assistance shall be provided for a covered project unless the covered developer for such project executes an agreement with the administering agency for such financial assistance requiring that each covered contractor for such project have, for the duration of such project, an apprenticeship agreement with an apprenticeship program that (i) is appropriate for the type and scope of construction work to be performed on such project, (ii) has been registered with, and approved by, the commissioner of labor of the state of New York pursuant to article 23 of the labor law and (iii) has a certificate of completion issued by the New York state department of labor showing that such program has graduated at least one apprentice in a trade or job title appropriate to the type and scope of construction work to be performed on such project within a time period before such contractor commences construction work on such project, where such time period equals 24 months plus the length of such program.

§ 22-1003 *Disclosure requirements.* a. Each covered developer for a covered project shall provide the following information for such project to the administering agency for such project on a quarterly basis:

1. The name and address of each covered developer, each principal investor and each covered contractor for such project and, for each such developer, investor and contractor that is a corporation or other entity, the name and address of each principal officer thereof and each principal owner thereof;

2. The source, type and amount of city financial assistance provided for such project and, if such assistance was provided or otherwise administered through a government program, the name of such program;

3. The source, type and amount of state and federal financial assistance provided for such project and, if such assistance was provided or otherwise administered through a government program, the name of such program;

4. For projects that involve construction work on a city-owned building that has been leased to a person who is not a city economic development entity, a copy of such lease;

5. For each covered contractor for such project, a description of the construction work performed by such contractor in connection with such project;

6. A description of each finding that a covered developer or covered contractor for such project has violated a local, state or federal law or rule relating to employment, wages, employment discrimination, unemployment, workers compensation or workplace safety;

7. Proof, in a manner determined by the administering agency for such project, that each person who performs construction work in connection with such project has been provided with workers compensation insurance coverage and unemployment insurance, as required by law or rule; and

8. The number of such persons, disaggregated by workers compensation insurance coverage classification code.

b. Each person who applies to receive city financial assistance for a covered project shall provide the following information for such project to the administering agency for such project, in a form and manner determined by such agency:

1. If such person is a corporation or other entity, the name and address of each principal officer thereof and each principal owner thereof;

2. The number of full-time jobs and the number of part-time jobs that such applicant expects to be created as a result of such project, disaggregated by job title and industry, and a description of the basis for such expected job creation;

3. The name and address of each person who is or is reasonably expected to be a covered contractor for such project;

4. A description of each finding by a court of competent jurisdiction that such applicant or a person identified pursuant to paragraph 1 or 3 of this subdivision has:

(a) *Within the ten years preceding the filing of such application, violated a local, state or federal law or rule relating to employment, wages, employment discrimination, unemployment, workers compensation or workplace safety; or*

(b) *Violated a local, state or federal law or rule relating to employment, wages, employment discrimination, unemployment, workers compensation or workplace safety in connection with a covered project;*

5. *A list of any pending bankruptcy proceedings initiated in the ten years preceding the filing of such application by or against such applicant or a person identified pursuant to paragraph 1 or 3 of this subdivision; and*

6. *For such applicant and each person identified pursuant to paragraph 1 or 3 of this subdivision, a list of all names that such person has conducted business under in the ten years preceding the filing of such application.*

c. *The information required by subdivisions a and b of this section shall be submitted electronically to the administering agency in a form and manner to be determined by such agency.*

§ 22-1004 *Contract threshold. If the highest expenditure that a contract for public work may involve and be exempt from the requirement that such contract be awarded to the lowest responsible bidder pursuant to paragraph 1 of section 103 of the general municipal law is amended or repealed on or after the effective date of the local law that added this chapter, the administering agency shall by rule establish a new contract threshold. If the amount of such expenditure has been amended and the new contract threshold proposed by such agency is different than such amended expenditure amount, then the administering agency shall submit to the council, and make publicly available online, the reasons for such difference at least 30 days before such rule takes effect.*

§ 22-1005 *Retaliation. 1. It shall be unlawful for a covered developer for a covered project or any person acting on behalf of such developer to discriminate or retaliate against a person who (i) performs construction work in connection with such project and (ii) seeks information regarding, or enforcement of, this chapter.*

2. *A person claiming to be aggrieved by a violation of this section and who has not filed a complaint with the comptroller pursuant to section 22-906 of this chapter may, within three years after such violation is alleged to have occurred, petition any court of competent jurisdiction for (i) damages, including punitive damages; (ii) injunctive relief; and (iii) other appropriate relief, including reinstatement. If such court finds in favor of such person, it shall award to such person, in addition to any other appropriate relief, reasonable attorney's fees and costs.*

§ 22-1006 *Enforcement and monitoring. a. 1. A covered developer who violates this chapter with respect to a covered project shall be subject to a civil penalty of no less than \$1,000 and no more than \$10,000 for each day until such violation is corrected to the satisfaction of the administering agency and may, at the discretion of such agency, be subject to full or partial disgorgement of city financial assistance provided to such developer in connection with such project.*

2. *Before imposing a penalty under this subdivision, the administering agency shall comply with the following requirements:*

(a) *Such agency shall provide such developer with an opportunity to be heard and shall provide notice to such developer and any other affected person at least 14 days before such hearing. Such notice shall be served upon such developer and each such affected person personally or by mail and shall include a copy of any report issued by the comptroller pursuant to subdivision b of this section.*

(b) *Such agency shall provide such developer with an opportunity to cure such violation within a reasonable period of time determined by such agency. If such developer cures such violation to the satisfaction of such agency within such period of time, no such penalty shall be imposed.*

b. 1. *In addition to any monitoring of compliance with the requirements of this chapter conducted by the administering agency, the comptroller shall monitor compliance with the requirements of this chapter.*

2. *Whenever the comptroller has reason to believe that there has been a violation of this chapter or has received a verified complaint in writing, on a form established and made publicly available online by the comptroller, from a person who performs construction work in connection with a covered project, or a representative of such person, claiming a violation of this chapter, the comptroller shall conduct an investigation to determine the facts relating thereto, except that no such investigation shall be conducted relating to violations committed more than three years before (i) the commencement of such investigation or (ii) the filing of such a complaint, whichever occurs earlier.*

3. *The comptroller shall report the results of such investigation, including a copy of any such verified complaint, to (i) the administering agency and (ii) for a covered project in which the city financial assistance relating to such project was administered by a city economic development entity, such entity.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1358

By Council Members Levin, Lander and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to information about the use of psychiatric medication for youth in foster care

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-919 to read as follows:

§ 21-919 *Psychiatric medication for youth in foster care. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Class of medication. The term “class of medication” means a group of medications that have a similar chemical structure or are used to treat the same health condition.

Foster care provider agency. The term “foster care provider agency” means foster care programs and agencies contracted with ACS to provide services to children and families including family foster care, treatment family foster care, specialized foster care and residential services.

Override of parental consent. The term “override of parental consent” means when a child placed into foster care has been prescribed psychiatric medication that their parent(s) or guardian(s) object or refuses to consent to the child receiving.

Placement Type. The term “placement type” means the setting in which children in foster care are housed, including but not limited to foster care boarding homes, approved relative homes, therapeutic foster homes, residential treatment centers and pre-placement settings such as reception centers.

Prescriber. The term “prescriber” means the individual prescribing the psychiatric medication to the child. This term includes, but is not limited to, a psychiatrist, nurse practitioner or pediatrician.

Problematic prescribing trends. The term “problematic prescribing trends” means patterns of prescriptions that can be categorized as outlier practices, as described by the federal Administration for Children and Families and the New York State Office of Children and Family Services, including but not limited to polypharmacy, prescriptions to children under five, prescriptions to more than one medication from the same class of medications, and prescriptions without any other therapeutic service.

Psychiatric medication. The term “psychiatric medication” means medication used to exercise an effect on the central nervous system prescribed for the treatment of symptoms of a mental, emotional or behavioral disorder, including but not limited to, antipsychotics, antidepressants, antianxiety drugs or anxiolytics, stimulants and mood stabilizers.

Therapeutic services. The term “therapeutic services” means non-pharmacological services related to the treatment of mental illness or the symptoms of mental illness, including services that address trauma.

b. Beginning no later than July 31, 2019 and no later than the last day of the month following each calendar quarter thereafter, the commissioner shall submit to the speaker of the council and post to ACS’ website a quarterly report regarding youth in foster care prescribed psychiatric medication. Such report shall include the following information disaggregated by foster care provider agency and then further disaggregated by gender, ethnicity and age group (under 1 year old; 1-2 years old; 3-5 years old; 6-10 years old; 11-15 years old; 18 years old and over):

1. *Number and percentage of children currently prescribed a psychiatric medication;*
2. *Number and percentage of children currently prescribed three or more psychiatric medications;*

3. Number and percentage of children currently prescribed more than one psychiatric medication from the same class of medications;

4. Number and percentage of children where an ACS override of parental consent for psychiatric medication was requested;

5. Number and percentage of children where an ACS override of parental consent for psychiatric medication was approved;

6. Number and percentage of children currently prescribed psychiatric medication who are also provided with therapeutic services;

7. Number and percentage of children currently prescribed psychiatric medication disaggregated by prescriber type; and

8. Number and percentage of children currently prescribed psychotropic medication disaggregated by placement type.

c. No later than 45 days after the end of each calendar year, the commissioner shall submit to the speaker of the council and post to ACS' website an annual report regarding all categories of information contained in paragraph b of this section, disaggregated by foster care provider agency, and further disaggregated by gender, ethnicity and age group (under 1 year old; 1-2 years old; 3-5 years old; 6-10 years old; 11-15 years old; 18 years old and over).

d. ACS shall review the quarterly and annual reports required pursuant to this section for problematic prescribing trends at each foster care provider agency. No later than July 31, 2020, and by July 31 of each calendar year thereafter, ACS shall submit to the speaker of the council and post on its website a report on what action has been taken to correct and ameliorate problematic prescribing trends for the previous calendar year.

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law related to the privacy of such children's information. If any category requested contains between one and five children, the number shall be replaced with a symbol.

f. The reports required pursuant to this section shall remain permanently accessible on ACS' website.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1359

By Council Members Levin, Rosenthal, Lander, Adams, Richards, Williams, Gibson, Ayala, Salamanca and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services/human resources administration to report on termination of public assistance and reapplication

Be it enacted by the Council as follows:

Section 1. Section 21-142 of the administrative code of the city of New York is amended by adding new paragraphs c and d to read as follows:

c. No later than August 1, 2019, and no later than 30 days after the end of each quarter thereafter, the department shall post on its website and deliver to the speaker of the council a report on instances in which public assistance of a recipient had been terminated at some point in the past and the recipient reapplied in the preceding quarter. Such report shall include the following information for each such instance:

1. The date on which the recipient first applied for public assistance;
2. The date on which the public assistance of a recipient was terminated;
3. At which agency office the recipient had reapplied or if the recipient had reapplied through the department's website;
4. The type of public assistance that was terminated;

5. *The reason why the public assistance was terminated;*
 6. *Whether or not the terminated public assistance was reinstated for the recipient;*
 7. *If the terminated public assistance was reinstated, the date it was reinstated;*
 8. *If the terminated public assistance was reinstated, the amount of time elapsed between the date it was terminated and the date it was reinstated;*
 9. *The race of the recipient;*
 10. *The ethnicity of the recipient;*
 11. *The gender of the recipient; and*
 12. *The age of the recipient.*
- d. The reports produced pursuant to subdivisions b and c shall be stored permanently and shall be accessible from the department's website.*
- § 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1360

By Council Members Levine, Rosenthal and Cornegy.

A Local Law in relation to a moratorium on annual taxi licensing fees

Be it enacted by the Council as follows:

Section 1. Taxicab license fees. a. Definitions. For the purpose of this section:

Taxicab. The term “taxicab” has the same meaning as defined in section 19-502 of the administrative code of the city of New York.

License fee. The term “license fee” means the annual license fee for a taxicab license issued by the taxi and limousine commission, as authorized by subdivision b of section 19-504 of the administrative code of the city of New York, as collected by the commission for a two year license period.

b. There shall be a moratorium on annual taxicab license fees. No taxicab license fee due for the years 2019 and 2020 shall be charged pursuant to subdivision b of section 19-504 of the administrative code from the effective date of this local law until May 30, 2020. No provisions of this section shall be interpreted to apply to outstanding taxicab license fees with an original due date prior to the year 2019.

§2. This local law takes effect immediately and is deemed repealed on May 30, 2020.

Referred to the Committee on For-Hire Vehicles.

Int. No. 1361

By Council Members Levine, Rosenthal and Holden.

A Local Law in relation to requiring the department of health and mental hygiene to report on the occurrence of diabetes and diabetes-related health problems and develop a plan to reduce diabetes-related health problems

Be it enacted by the Council as follows:

Section 1. No later than June 1, 2019, and every six months thereafter, the department of health and mental hygiene shall complete a study of diabetes-related health problems in the previous six months and shall file with the mayor and the council, and post on such department's website, a report disclosing the following:

1. The number of diabetes-related lower-extremity, including foot and toe, amputations and the rate per 1,000 adults with diabetes;
2. The incidence of diabetes-related blindness;
3. The number of persons with diabetes receiving dialysis;
4. The incidence of diabetes-related depression and anxiety;
5. The number of new and cumulative cases of diabetes-related end stage renal disease and the rate per 1,000 adults with diabetes; and
6. Updated data on A1C test results, diabetes cases with A1Cs of 9 or more and incidence of prediabetes and diabetes from the New York city A1C registry.

§ 2. All the information reported pursuant to this local law shall be disaggregated by borough and zip code.

§ 3. No later than June 1, 2020, the commissioner of health and mental hygiene shall develop and submit to the mayor and the council a comprehensive report of the results of the cumulative studies required by this local law, which report shall include recommendations to reduce diabetes-related health problems and a plan to implement the department's recommendations.

§ 4. This local law takes effect immediately and expires and is deemed repealed on December 1, 2020.

Referred to the Committee on Health.

Int. No. 1362

By Council Members Levine, Cohen, Powers, Lander, Rosenthal, Rivera, Ayala, Chin and Cabrera.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of flavored electronic cigarettes

Be it enacted by the Council as follows:

Section 1. Section 17-713 of title 7 of the administrative code of the city of New York is amended to read as follows:

[a. "Cigarette"] *Cigarette.* The term "cigarette" means any roll for smoking made wholly or in part of tobacco or any other substance, irrespective of size or shape and whether or not such tobacco or substance is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material but is not made in whole or in part of tobacco.

[b. "Characterizing flavor"] *Characterizing flavor.* The term "characterizing flavor" means a distinguishable taste or aroma, other than the taste or aroma of tobacco, menthol, mint or wintergreen, imparted either prior to or during consumption of a tobacco product or component part thereof, including, but not limited to, tastes or aromas relating to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice; provided, however, that no tobacco product shall be determined to have a characterizing flavor solely because of the use of additives or flavorings or the provision of ingredient information.

[c. "Component part"] *Component part.* The term "component part" means any element of a tobacco product or electronic cigarette, including, but not limited to, the tobacco, filter and paper, but not including any constituent.

[d. "Constituent"] *Constituent.* The term "constituent" means any ingredient, substance, chemical or compound, other than tobacco, water or reconstituted tobacco sheet, that is added by the manufacturer to a tobacco product or electronic cigarette during the processing, manufacture or packing of the tobacco product or electronic cigarette. Such term shall include a smoke or vapor constituent.

Electronic cigarette. The term "electronic cigarette" means an electronic or battery-operated device that delivers vapor for inhalation. Electronic cigarette shall include any refill, cartridge, and any other component

of an electronic cigarette. *Electronic cigarette shall not include any product approved by the food and drug administration for sale as a drug or medical device.*

Flavored electronic cigarette. The term "flavored electronic cigarette" means any electronic cigarette or any component part thereof that contains a constituent that imparts a characterizing flavor. A public statement or claim made or disseminated by the manufacturer of an electronic cigarette, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such electronic cigarette, that such electronic cigarette has or produces a characterizing flavor shall constitute presumptive evidence that the electronic cigarette is a flavored electronic cigarette. Flavored electronic cigarette shall not include tobacco-flavored or flavorless electronic cigarettes.

[e. "Flavored tobacco product"] *Flavored tobacco product. The term "flavored tobacco product" means any tobacco product or any component part thereof that contains a constituent that imparts a characterizing flavor. A public statement or claim made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such tobacco product, that such tobacco product has or produces a characterizing flavor shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.*

[f. [Repealed.]]

[g. "Person"] *Person. The term "person" means any natural person, partnership, firm, joint stock company, corporation, or employee thereof, or other legal entity.*

[h. "Smoke constituent"] *Smoke constituent. The term "smoke constituent" means any chemical or chemical compound in mainstream or sidestream tobacco smoke that either transfers from any component of the tobacco product to the smoke or that is formed by the combustion or heating of tobacco, additives or other component of the tobacco product.*

[i. "Tobacco bar"] *Tobacco bar. The term "tobacco bar" has the meaning as such term is defined in subdivision jj of section 17-502 of this code.*

[j. "Tobacco product"] *Tobacco product. The term "tobacco product" means any product which contains tobacco that is intended for human consumption, including any component, part, or accessory of such product. Tobacco product shall include, but not be limited to, any cigar, little cigar, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff, tobacco-containing shisha, or dissolvable tobacco product. Tobacco product shall not include cigarettes or any product that has been approved by the United States food and drug administration for sale as a tobacco use cessation product or for other medical purposes and that is being marketed and sold solely for such purposes.*

§ 2. Section 17-715 of the administrative code of the city of New York is amended to read as follows:

§ 17-715 Sale of flavored tobacco products *and flavored electronic cigarettes* prohibited. a. It shall be unlawful for any person to sell or offer for sale, or to possess with intent to sell or offer for sale, any flavored tobacco product except in a tobacco bar. *It shall be unlawful for any person to sell or offer for sale, or to possess with intent to sell or offer for sale, any flavored electronic cigarette.*

b. There shall be a presumption that a retail dealer in possession of four or more flavored tobacco products, which shall include individual tobacco products *or electronic cigarettes*, packages of tobacco products *or electronic cigarettes*, or any combination thereof, possesses such tobacco products *or electronic cigarettes* with intent to sell or offer for sale.

§ 3. This local law shall take effect 90 days after its enactment into law, provided that the commissioner shall promulgate any rules necessary for implementing and carrying out the provisions of this local law prior to its effective date.

Referred to the Committee on Health.

Int. No. 1363

By Council Members Moya, Lander and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the provision of probation services by for-profit companies

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-206 to read as follows:

§ 9-206 Prohibition of private probation companies. No probation service, including supervision of probationers and collection of fees from probationers, shall be provided by any for-profit entity or person.

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 1364

By Council Members Moya, Gibson and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to increasing oversight of certified asbestos investigators

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 24-136 of the administrative code of the city of New York, as amended by local law number 55 for the year 1991, is amended to read as follows:

(e) (1) *The commissioner shall promulgate rules establishing criteria for certifying individuals as eligible to receive an asbestos handling certificate. The commissioner may restrict the asbestos handling certificate as to certain supervisory and nonsupervisory functions and responsibilities.*

(2) *The commissioner shall promulgate rules establishing criteria for certifying individuals as asbestos investigators. Such criteria shall include a background check of each new applicant and all certificate holders who seek to renew their license. Applicants must also demonstrate that they have experience in investigating buildings for asbestos.*

(3) *Any certificate issued under this subdivision shall be valid for a period of two years unless sooner suspended or revoked and may be renewed for a period of two years upon submission of proof satisfactory to the commissioner that the individual continues to meet the criteria established pursuant to this subdivision.*

(4) *The commissioner may suspend or revoke any certificate issued under this subdivision where the holder has violated this section or any rules promulgated thereunder. Determinations made by the environmental control board as to notices of violation issued by the department shall be considered proof of violation for purposes of this section. The certificate holder shall be notified of the suspension or revocation by certified mail sent to the holder's address on file with the department, and shall be given an opportunity to be heard within fifteen calendar days. The hearing shall be conducted in accordance with the rules of the department. The holder's certificate shall be suspended from the date of the notice until the hearing is held and the commissioner makes a final determination. The commissioner shall audit no less than 25 percent of certificate holders for compliance with this section and the rules promulgated hereunder on an annual basis.*

(5) *The commissioner shall charge a fee not to exceed two hundred dollars to process the application to issue or renew an asbestos handling certificate and a fee not to exceed five hundred dollars to process the application of an individual as an asbestos investigator.*

(6) *The commissioner may suspend the processing of applications for certification of individuals as asbestos handlers or investigators when the commissioner determines that regulations promulgated pursuant to article thirty of the labor law for the certification of such individuals are essentially equivalent to rules promulgated by the commissioner, and that such certifications are in fact being issued.*

(7) *No certificate issued under this subdivision shall be renewed if the holder has failed to pay in full any civil penalty imposed by the board for violations of this section or any rules promulgated thereunder.*

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

Referred to the Committee on Environmental Protection.

Int. No. 1365

By Council Members Moya and Gibson.

A Local Law to amend the administrative code of the city of New York, in relation to required notice for maintenance of a civil action against the city for damages or injuries sustained in consequence from unsafe conditions on streets, sidewalks or similar public spaces

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision c of section 7-201 of the administrative code of the city of New York is amended to read as follows:

2. No civil action shall be maintained against the city for damage to property or injury to person or death sustained in consequence of any street, highway, bridge, wharf, culvert, sidewalk or crosswalk, or any part or portion of any of the foregoing including any encumbrances thereon or attachments thereto, being out of repair, unsafe, dangerous or obstructed, unless it appears that written notice of the defective, unsafe, dangerous or obstructed condition, was actually given to the commissioner of transportation or any person or department authorized by the commissioner to receive such notice, or where there was previous injury to person or property as a result of the existence of the defective, unsafe, dangerous or obstructed condition, and written notice thereof was given to a city agency, or there was written acknowledgement from the city of the defective, unsafe, dangerous or obstructed condition, and there was failure or neglect within fifteen days after the receipt of such notice to repair or remove the defect, danger or obstruction complained of, or the place otherwise made reasonably safe, *provided that for the purposes of this subdivision, submission of a complaint or similar information relating to the defective, unsafe, dangerous or obstructed condition to the city's 311 system or a successor system shall constitute written notice to the commissioner of transportation.*

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

Referred to the Committee on Governmental Operations.

Int. No. 1366

By Council Members Moya and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain insurance filings with the department of buildings

Be it enacted by the Council as follows:

Section 1. Article 104 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-104.1.2 to read as follows:

§ 28-104.1.2 Construction contractor insurance submission to the department. *Upon submission of an application for approval of construction documents, the department shall collect the following insurance information:*

1. *The name of the insurance provider;*

2. *The address of the insurance provider;*
3. *The insurance policy number; and*
4. *A description of the coverage provided.*

§ 28-104.1.2.1 Construction contractor insurance database. *The department shall also establish and maintain an online, interactive, electronic submission system available on its website in order to collect and maintain insurance information in accordance with section 28-104.1.2. Such database shall be made publicly available and conspicuously posted on the website of the department.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1367

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to assessing organizations and individuals who have been issued permits for the use of athletic fields and courts under the jurisdiction of the parks department

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-156 to read as follows:

§ 18-156 Review for athletic field permit applicants. a. The commissioner shall conduct an assessment of any applicant who has applied for any permit for the use of an athletic field or court under the jurisdiction of the commissioner for a fifth consecutive year after having been issued a permit for the previous four consecutive years to determine whether such applicant has conducted any action that may preclude such applicant from being issued a new permit. Such assessment shall include, but not be limited to:

1. A records review by the department of whether the applicant violated any rules of the department, permit conditions or engaged in any other illegal activity while present on the field or court for which previous permits had been issued;

2. An interview, in person or by telephone, between the department and the applicant, where the department shall discuss the findings made during the review of the applicant and allow such applicant to respond to any finding that may preclude the requested permit from being issued; and

3. A written determination provided to the applicant that communicates each reason why such applicant shall or shall not be issued the requested permit.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of parks and recreation may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Parks and Recreation.

Int. No. 1368

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to providing information to private sanitation employees

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16-a of the administrative code of the city of New York is amended by adding a new section 16-527 to read as follows:

§ 16-527 Workers' rights information. The commission shall disseminate directly to the employees of companies that are licensed or registered by the commission, and post conspicuously on the commission's website, information about the rights of employees of companies that are licensed or registered by the commission, including but not limited to:

a. The rights of such employees under city, state and federal law, including but not limited to the maximum number of hours such employees are permitted to work and a list of safety equipment that must be provided by employers under such laws;

b. Specific descriptions and examples of violations of workers' rights under city, state and federal law that the commission is aware of routinely occurring in the trade waste industry;

c. A description of the commission's complaint process and how to contact the commission; and

d. A list of additional government agencies that accept complaints about violations of workers' rights, and contact information for such agencies.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1369

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the amount of sidewalk area that private property owners are responsible for maintaining

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-152 of title 19 of the administrative code of the city of New York, as amended by local law number 64 for the year 1995, is amended to read as follows:

a. The owner of any real property, at his or her own cost and expense, shall (1) install, construct, repave, reconstruct and repair the sidewalk flags in front of or abutting such property *up to 30 feet from the property line*, including but not limited to the intersection quadrant for corner property *if such intersection quadrant is within 30 feet from such property line*, and (2) fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property whenever the commissioner of the department shall so order or direct. The commissioner shall so order or direct the owner to reinstall, construct, reconstruct, repave or repair a defective sidewalk flag in front of or abutting such property *up to 30 feet from the property line*, including but not limited to the intersection quadrant for corner property *if such intersection quadrant is within 30 feet from such property line*, or fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property after an inspection of such real property by a departmental inspector. The commissioner shall not direct the owner to reinstall, reconstruct, repave or repair a sidewalk flag which was damaged by the city, its agents or any contractor employed by the city during the course of a city capital construction project. The commissioner shall direct the owner to install, reinstall, construct, reconstruct,

repave or repair only those sidewalk flags which contain a substantial defect. For the purposes of this subdivision, a substantial defect shall include any of the following:

1. where one or more sidewalk flags is missing or where the sidewalk was never built;
2. one or more sidewalk flag(s) are cracked to such an extent that one or more pieces of the flag(s) may be loosened or readily removed;
3. an undermined sidewalk flag below which there is a visible void or a loose sidewalk flag [tht] *that* rocks or seesaws;
4. a trip hazard, where the vertical grade differential between adjacent sidewalk flags is greater than or equal to one half inch or where a sidewalk flag contains one or more surface defects of one inch or greater in all horizontal directions and is one half inch or more in depth;
5. improper slope, which shall mean (i) a flag that does not drain toward the curb and retains water, (ii) flag(s) that must be replaced to provide for adequate drainage or (iii) a cross slope exceeding established standards;
6. hardware defects which shall mean (i) hardware or other appurtenances not flush within 1/2" of the sidewalk surface or (ii) cellar doors that deflect greater than one inch when walked on, are not skid resistant or are otherwise in a dangerous or unsafe condition;
7. a defect involving structural integrity, which shall mean a flag that has a common joint, which is not an expansion joint, with a defective flag and has a crack that meets such common joint and one other joint;
8. non-compliance with DOT specifications for sidewalk construction; and
9. patchwork which shall mean (i) less than full-depth repairs to all or part of the surface area of broken, cracked or chipped flag(s) or (ii) flag(s) which are partially or wholly constructed with asphalt or other unapproved non-concrete material; except that, patchwork resulting from the installation of canopy poles, meters, light poles, signs and bus stop shelters shall not be subject to the provisions of this subdivision unless the patchwork constitutes a substantial defect as set forth in paragraphs (1) through (8) of this subdivision.

§ 2. Subdivision a-1 of section 19-152 of title 19 of the administrative code of the city of New York, as added by local law number 64 for the year 1995, is amended to read as follows:

a-1. An owner of real property shall bear the cost for repairing, repaving, installing, reinstalling, constructing or reconstructing any sidewalk flag in front of or abutting his or her property *up to 30 feet from the property line*, including but not limited to the intersection quadrant for corner property *if such intersection quadrant is within 30 feet from such property line*, deemed to have a substantial defect which is discovered in the course of a city capital construction project or pursuant to the department's prior notification program, wherein the department receives notification of a defective sidewalk flag(s) by any member of the general public or by an employee of the department. However, with respect to substantial defects identified pursuant to the prior notification program, the sidewalk must be deemed to be a hazard prior to the issuance of a violation for any substantial defect contained in subdivision a of this section for any sidewalk flag on such sidewalk. For purposes of this subdivision, a hazard shall exist on any sidewalk where there is any of the following:

1. one or more sidewalk flags is missing or the sidewalk was never built;
2. one or more sidewalk flag(s) is cracked to such an extent that one or more pieces of the flag(s) may be loosened or readily removed;
3. an undermined sidewalk flag below which there is a visible void;
4. a loose sidewalk flag that rocks or seesaws;
5. a vertical grade differential between adjacent sidewalk flags greater than or equal to one half inch or a sidewalk flag which contains one or more surface defects of one inch or greater in all horizontal directions and is one half inch or more in depth; or
6. cellar doors that deflect greater than one inch when walked on, are not skid resistant or are otherwise in a dangerous or unsafe condition.

§ 3. Section 7-210 of title 7 of the administrative code of the city of New York, as added by local law number 49 for the year 2003, is amended to read as follows:

§ 7-210 Liability of real property owner for failure to maintain sidewalk in a reasonably safe condition. a. It shall be the duty of the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, to maintain such sidewalk *up to 30 feet from the property line* in a reasonably safe condition.

b. Notwithstanding any other provision of law, the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, shall be liable for any injury to property or personal injury, including death, proximately caused by the failure of such owner to maintain such sidewalk *up to 30 feet from the property line* in a reasonably safe condition. Failure to maintain such sidewalk in a reasonably safe condition shall include, but not be limited to, the negligent failure to install, construct, reconstruct, repave, repair or replace defective sidewalk flags and the negligent failure to remove snow, ice, dirt or other material from the sidewalk. This subdivision shall not apply to one-, two- or three- family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes.

c. Notwithstanding any other provision of law, the city shall not be liable for any injury to property or personal injury, including death, proximately caused by the failure to maintain sidewalks (other than sidewalks abutting one-, two- or three- family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes) *abutting an owner's real property up to 30 feet from the property line* in a reasonably safe condition. This subdivision shall not be construed to apply to the liability of the city as a property owner pursuant to subdivision b of this section.

d. Nothing in this section shall in any way affect the provisions of this chapter or of any other law or rule governing the manner in which an action or proceeding against the city is commenced, including any provisions requiring prior notice to the city of defective conditions.

§ 4. Section 7-211 of title 7 of the administrative code of the city of New York, as added by local law number 54 for the year 2003, is amended to read as follows:

§ 7-211 Personal injury and property damage liability insurance. An owner of real property, other than a public corporation as defined in section sixty-six of the general construction law or a state or federal agency or instrumentality, to which subdivision b of section 7-210 of this code applies, shall be required to have a policy of personal injury and property damage liability insurance for such property for liability for any injury to property or personal injury, including death, proximately caused by the failure of such owner to maintain the sidewalk abutting such property *up to 30 feet from the property line* in a reasonably safe condition. The city shall not be liable for any injury to property or personal injury, including death, as a result of the failure of an owner to comply with this section.

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

Referred to the Committee on Transportation.

Res. No. 724

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.9154, to end the major capital improvement program, create the guaranteed habitability protections program, create a guaranteed habitability protections tax credit and end rent increases for major capital improvements.

By Council Member Moya.

Whereas, According to the 2017 New York City Housing Vacancy Survey, there are 966,000 rent stabilized units and 21,751 rent control units which consist of roughly 45 percent of New York City's housing stock; and

Whereas, A major capital improvement (MCI) rent increase is a permanent rent increase for a rent-stabilized or rent-controlled unit that is based on the money that was spent by the owner on improving major building systems, or other work that affects the entire building; and

Whereas, The owner must submit an application to the New York State Homes and Community Renewal (HCR) for an MCI rent increase and these applications can be challenged by tenants; and

Whereas, MCI rent increases remain part of the base rent, even after the costs of the MCI have been fully recovered; and

Whereas, MCI rent increases may substantially increase the monthly rent for rent stabilized units; and

Whereas, Once the rent in a rent stabilized unit reaches \$2,700, the unit may be deregulated upon vacancy or upon tenant incomes reaching \$200,000 two years in a row; and

Whereas, S.9154A, sponsored by New York State Senator Michael Gianaris, currently pending in the New York State Senate, would end the use of the MCI program and replace it with a new tax credit program that would incentivize the owner to make building-wide improvements without increasing the rent of rent stabilized or rent controlled tenants; and

Whereas, S.9514A would ensure that property owners continue to have an incentive to make building-wide improvements without contributing to deregulation; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.9154, to end the major capital improvement program, create the guaranteed habitability protections program, create a guaranteed habitability protections tax credit and end rent increases for major capital improvements.

Referred to the Committee on Housing and Buildings.

Int. No. 1370

By Council Members Powers, Lander, Williams, Rosenthal, Rivera, Dromm and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to 311 complaints made by incarcerated individuals and informing incarcerated individuals of the protections against retaliation for filing a grievance

Be it enacted by the Council as follows:

Section 1. Section 9-136 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Complaints and requests made by or on behalf of an incarcerated individual to 311 and forwarded to the department shall be subject to the inmate grievance and request program.

§ 2. Section 9-139 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. The department shall inform every incarcerated individual in writing, using plain and simple language, of the protections against retaliation for filing a grievance, complaint, or request. The department shall also inform every incarcerated individual in writing upon the filing of a grievance, complaint, or request, of which complaints are not subject to the grievance process, the process for resolving such complaints, and the protections against retaliation for filing such grievance, complaint, or request.

h. The department shall include on all grievance forms instructions on how to appeal informal resolutions and post such forms on the department's website.

§ 3. Chapter 18 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1805 to read as follows:

17-1805 Medical and health services provided to incarcerated individuals. The department shall ensure that any health care provider the department contracts with to provide medical and health services to incarcerated individuals shall answer in writing within five business days any 311 complaints or requests made by or on behalf of an incarcerated individual that are forwarded to the department or the health care provider.

§ 4. This local law takes effect on the same date that a local law for the year 2019 amending the administrative code of the city of New York, relating to requiring the department of correction to make the grievance process more efficient, takes effect.

Referred to the Committee on Criminal Justice.

Int. No. 1371

By Council Members Powers, Diaz, Moya, Vallone, Rosenthal, Yeger, Holden, Ampry-Samuel, Rose, Chin and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to the small business tax credit against the commercial rent tax

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 11-704.4 of the administrative code of the city of New York, as amended by local law number 256 for the year 2017, is amended to read as follows:

a. Definitions. As used in this section, the following terms have the following meanings:

Income factor. The term "income factor" shall mean:

1. for a tenant with total income of not more than five million dollars, one;
2. for a tenant with total income of more than five million dollars but not more than ten million dollars, a fraction the numerator of which is ten million dollars minus the amount of total income and the denominator of which is five million dollars; and
3. for a tenant with total income of more than ten million dollars, zero.

Rent factor. The term "rent factor" shall mean:

1. *For the tax year beginning on June 1, 2018 and ending on May 31, 2019:*
 - (a) for a tenant whose small business tax credit base rent is less than five hundred thousand dollars, one; and
 - [2.] (b) for a tenant whose small business tax credit base rent is at least five hundred thousand dollars but not more than five hundred and fifty thousand dollars, a fraction the numerator of which is five hundred and fifty thousand dollars minus the amount of small business tax credit base rent and the denominator of which is fifty thousand dollars.

2. *For the tax year beginning on June 1, 2019 and every tax year thereafter:*

(a) *for a tenant whose small business tax credit base rent is less than seven hundred and fifty thousand dollars, one; and*

(b) *for a tenant whose small business tax credit base rent is at least seven hundred and fifty thousand dollars but not more than eight hundred thousand dollars, a fraction the numerator of which is eight hundred thousand dollars minus the amount of small business tax credit base rent and the denominator of which is fifty thousand dollars.*

Small business tax credit base rent. The term "small business tax credit base rent" shall mean the base rent calculated without regard to any reduction in base rent allowed by paragraph two of subdivision h of section 11-704.

Total income. The term "total income" shall mean the amount reported by a person, as defined by section 7701 of the internal revenue code, to the internal revenue service for the purpose of the federal income tax in the tax year immediately preceding the period for which the tenant is applying for the credit set forth in subdivision b that is equal to the gross receipts or sales of the person minus any returns and allowances, minus the cost of goods sold plus the amount of any dividends, interest, gross rents, gross royalties, capital gain net income, net gain or loss from the sale of business property, net farm profit or loss, ordinary income or loss from other partnerships, estates or trusts or other income or loss; except that, if the tenant is a limited liability company or other business entity that is not separate from its owner for federal income tax purposes under section 301.7701-2(c)(2) of title 26 of the code of federal regulations, total income as defined in this section shall mean the total income of the person that reports the activities of the tenant as its sole owner for federal income tax purposes.

§2. Subdivision b of section 11-704.4 of the administrative code of the city of New York, as amended by local law number 121 for the year 2018, is amended to read as follows:

b. 1. Beginning on June 1, 2018 and [for each tax year beginning thereafter] *ending on May 31, 2019*, a credit shall be allowed against the tax imposed by this chapter as follows: a tenant whose small business tax credit base rent is at least two hundred and fifty thousand dollars but not more than five hundred and fifty thousand dollars shall be allowed a credit in the amount determined by multiplying the tax imposed on the tenant pursuant to section 11-702 minus any allowable credits or exemptions set forth outside this section by the income

factor and by the rent factor. If the tenant's small business tax credit base rent is over five hundred and fifty thousand dollars, no credit shall be allowed under this section.

2. *Beginning on June 1, 2019 and for each tax year beginning thereafter, a credit shall be allowed against the tax imposed by this chapter as follows: a tenant whose small business tax credit base rent is at least two hundred and fifty thousand dollars but not more than eight hundred thousand dollars shall be allowed a credit in the amount determined by multiplying the tax imposed on the tenant pursuant to section 11-702 minus any allowable credits or exemptions set forth outside this section by the income factor and by the rent factor. If the tenant's small business tax credit base rent is over eight hundred thousand dollars, no credit shall be allowed under this section.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 1372

By Council Members Powers, Kallos, Chin and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to an exemption from the commercial rent tax

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 11-704 of the administrative code of the city of New York, as amended by chapter 2 of the laws of 2005, is amended to add a new paragraph 7 to read as follows:

7. *Any tenant who uses the premises solely for advertising when such premises are located in the "Theater Subdistrict," as defined by section 81-71 of the zoning resolution of the city of New York.*

§ 2. This local law takes effect on June 1, 2019.

Referred to the Committee on Finance.

Int. No. 1373

By Council Member Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to referral of labor and wage violations

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16-a of the administrative code of the city of New York is amended by adding a new section 16-527 to read as follows:

§ 16-527 *Labor and Wage Violations. Where the commissioner has reasonable cause to believe that a licensee or registrant has engaged in or is engaging in actions (i) involving egregious or repeated nonpayment or underpayment of wages or (ii) that violate city, state or federal labor or employment law, the commissioner shall inform the New York state attorney general, the New York state department of labor, the United States department of labor and other relevant city, state or federal law enforcement agency of such actions.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1374

By Council Member Richards.

A Local Law to amend the administrative code of the city of New York, in relation to mandating a yearly report on the automated meter reading program

Be it enacted by the Council as follows:

Section 1. Section 24-334 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. The department shall submit an annual report on the automated meter reading (AMR) program to the mayor and the Speaker of the council and the report shall be available on the city's website. Such report shall identify locations that have not been metered and locations that have experienced a spike in meter reading charges.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1375

By Council Members Richards, Rosenthal and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to requiring creation of a database of subsurface conditions to support better engineering of geothermal heat pumps.

Be it enacted by the Council as follows:

Section 1. Chapter 24 of the administrative code of the city of New York is amended by adding a new subdivision to c to section 24-804 read as follows:

c. Database of Subsurface Conditions. 1. The department, in conjunction with the department of design and construction and the department of planning, shall develop and maintain a database of subsurface conditions by December 31, 2019 to offer resources to support the engineering and design of geothermal heat pump systems.

2. Such database shall be updated annually and shall include:

(a) A repository for geological logs of the city's geothermal bores;

(b) The locations of existing geothermal energy systems; and

(c) The locations of all water wells, including any unused privately owned water wells.

§2. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1376

By Council Members Richards, Rosenthal and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to use of quieter jackhammers and drills

Be it enacted by the Council as follows:

Section 1. Chapter 24 of the New York city administrative code is amended by adding a new subdivision c to section 24-228 to read as follows:

(c) No person shall operate, use or cause to be used any pneumatic jackhammer or drill noise from use exceeds 85 decibels at 50 feet from the nearest residence unless such tools are quiet enough to avoid violation of the noise code or noise-abating measures such as mufflers are employed.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1377

By Council Members Richards, Rosenthal, Lander, Adams, Ayala, Salamanca, Gibson and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to client satisfaction surveys at department of social services/human resources administration job and SNAP centers

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding new section 21-142 to read as follows:

§ 21-142 *Client satisfaction surveys at job centers and SNAP centers. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Checked-in. The term “checked-in” means that a visitor has made initial contact with the department at a job center or a SNAP center, either through a self-service kiosk or with a staff member responsible for keeping track of visitors, and has made such contact so that the department has a record, either written or electronic, of such visitor’s time of arrival at such job center or SNAP center and the reason for their visit.

Client satisfaction survey. The term “client satisfaction survey” shall mean a survey with questions including, but not limited to, a client’s experience with wait times, staff, and physical facilities at a job center or SNAP center.

Job center. The term “job center” means any location designated by the department as a job center where individuals can complete an application for cash assistance in person.

SNAP center. The term “SNAP center” means any location designated by the department as a SNAP center where individuals can complete an application for the supplemental nutrition assistance program in person.

Wait time. The term “wait time” means the amount of time a visitor spends waiting to be called for assistance after such visitor has checked-in to a job center or a SNAP center. Wait time begins at the start of the visitor’s checked-in time, and ends when a visitor is called to begin an appointment.

b. The department shall provide every individual who visits a job center or SNAP center with a client satisfaction survey when each individual checks-in at such center. Completion of such surveys shall not be mandatory and shall be anonymous. Not later than January 1, 2020 and annually thereafter, the department shall submit to the speaker of the council and post online all data from client satisfaction surveys completed from July 1 of the prior year to June 30 of the current year which shall be disaggregated by borough and center location.

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

Referred to the Committee on General Welfare.

Int. No. 1378

By Council Members Rivera, Lander, Brannan, Holden, Rodriguez, Cabrera, Cohen, Rosenthal, Salamanca, Ayala, Espinal, Williams, Levine, Constantinides, Levin, Chin, Ampry-Samuel, Maisel, Menchaca, Grodenchik and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to banning the sale of certain poultry products that are the result of force-feeding birds

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 19 to read as follows:

CHAPTER 19
FORCE-FED PRODUCTS
§ 17-1901 Definitions
§ 17-1902 Prohibited Conduct
§ 17-903 Penalty

§ 17-1901 Definitions. For the purposes of this section, the following terms have the following meanings:

Food service establishment. The term “food service establishment” means a place where food is provided for individual portion service directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises or is provided from a pushcart, stand or vehicle.

Force-feeding. The term “force-feeding” means the practice of forcing by any means food or supplements into the throat, esophagus or stomach of a bird.

Force-fed product. The term “force-fed product” means any product that is the result of force-feeding a bird with the intent to fatten or enlarge the bird’s liver.

§ 17-1902 Prohibited conduct. a. No person, or any agent thereof, shall sell or offer for sale, or in any food service establishment provide or offer to provide by sale or any other manner, any force-fed product.

b. Violations of subdivision a of this section shall accrue for each individual force-fed product sold or provided, and in the case of offerings, shall accrue for each day any force-fed product is offered for sale or any other manner of provision.

§ 17-1903 Penalty. Any person who is found to violate any provision of this chapter shall be guilty of a misdemeanor and shall be punished by a fine of no more than \$1,000, or a term of imprisonment for no more than one year, or both, for each such violation.

§ 2. This local law takes effect 90 days after it becomes law, except that the department of health and mental hygiene shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Int. No. 1379

By Council Members Rosenthal, Williams and Levine

A Local Law to amend the administrative code of the city of New York, in relation to requiring a minority and women-owned business enterprise consultant for city projects with budgets in excess of ten million dollars

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision h of section 6-129 of the administrative code of the city of New York is amended to add new subparagraph g to read as follows:

(g) For each agency project with a contract budget in excess of ten million dollars and for which minority and women-owned business participation goals have been established pursuant to this section, the contracting agency shall hire an independent consultant with expertise in minority and women-owned business procurement to perform the following functions: (i) assisting the prime contractor in recruiting minority and women-owned businesses for procurement opportunities on such project; (ii) monitoring the prime contractor’s compliance

with minority and women-owned business participation goals; and (iii) reporting to the contracting agency on the prime contractor's performance in meeting minority and women-owned business participation goals.

The prime contractor shall pay all costs associated with such independent consultant.

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

Referred to the Committee on Contracts.

Int. No. 1380

By Council Members Rosenthal, Treyger, Dromm, Levine, Ampry-Samuel, Brannan, Levin, Rose, Adams, King, Kallos, Ayala and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to annually report on claims for payment for tuition or services

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 21-A of the administrative code of the city of New York is amended by adding a new section 21-955.1 to read as follows:

§ 21-955.1 Annual reporting on requests for payment for tuition or services from parents of students with disabilities. a. Definitions. For purposes of this section, the following terms have the following meanings:

Accessible data. The term "accessible data" means data that is in a convenient and modifiable format. Accessible data can be indexed and searched.

Committee on special education. The term "committee on special education" has the same meaning as set forth in subdivision k of section 200.1 of title 8 of the New York codes, rules and regulations.

Disaggregated data. The term "disaggregated data" means numerical and non-numerical information that has been collected and compiled, but in no way summarized, analyzed or manipulated after collection.

Due process complaint notice. The term "due process complaint notice" has the same meaning as set forth in subdivision i of section 200.5 of title 8 of the New York codes, rules and regulations.

Free appropriate public education. The term "free appropriate public education" has the same meaning as set forth in section 1401 of title 20 of the United States Code.

Impartial due process hearing. The term "impartial due process hearing" has the same meaning as set forth in subdivision j of section 200.5 of title 8 of the New York codes, rules and regulations.

Machine-readable format. The term "machine-readable format" means a non-proprietary format that permits automated processing.

Mediation. The term "mediation" has the same meaning as set forth in subdivision h of section 200.5 of title 8 of the New York codes, rules and regulations.

Metadata. The term "metadata" means a plain language data dictionary that provides a description for each column heading used within the data set and shall include a description of any acronym, technical term, unit of measure, range of possible values, relationship between or among columns within the data set, frequency of updates to the data set, and other information or description that can provide context to the data, such as the method of collection, a history of modifications to the data set format, data or methods of collection, or any other contextual information that the agency providing the data deems relevant, or that is specified in this bill.

Parent. The term "parent" has the same meaning as set forth in section 1401 of title 20 of the United States Code.

Refers for settlement. The term "refers for settlement" means that, following receipt of a ten-day notice or due process complaint, the department notifies the parent that it will engage in negotiating a written settlement agreement.

Resolution meeting. The term "resolution meeting" has the same meaning as set forth in subdivision j of section 200.5 of title 8 of the New York codes, rules and regulations.

Student with a disability. The term “student with a disability” has the same meaning as set forth in section 4401 of the education law.

Ten-day notice. The term “ten-day notice” means a written notice in which a parent states his or her intent to enroll a student with a disability in a private school pursuant to subparagraph (C) of paragraph (10) of subsection (a) of section 1412 of title 20 of the United States Code.

Written settlement agreement. The term “written settlement agreement” means an agreement between the department and a parent of a student with a disability in which the department agrees to pay for tuition or services to resolve claims raised in a ten-day notice or due process complaint notice.

b. No later than November 1, 2019, and on or before November 1 annually thereafter, the department shall submit to the speaker of the council and post on the department’s website an annual report regarding claims for payment for tuition or services made by parents of a student with a disability during the preceding academic year pursuant to a due process complaint notice or ten-day notice. The data contained in the annual report shall be organized in a manner that includes one row referencing each unique claim, with each row containing, but not limited to, the following information:

1. Whether each ten-day notice or due process complaint notice is submitted by a parent of a student with a disability or an attorney representing such parent;
2. The committee on special education region to which each ten-day notice is submitted;
3. The date the department receives each ten-day notice;
4. The date the department issues a response to each ten-day notice, if at all;
5. The date the department receives each due process complaint notice, if at all;
6. The date the department issues a response to each due process complaint notice, if at all;
7. The date the department refers for settlement, if at all;
8. The date of any resolution meeting that resolves all claims in the due process complaint notice, if such meeting takes place;
9. The date of any mediation that resolves all claims in the due process complaint notice, if such mediation takes place;
10. The date each impartial due process hearing commences, if at all;
11. The date each impartial due process hearing decision is rendered, if at all;
12. The date the department makes its first settlement offer, if at all;
13. The date a parent signs each written settlement agreement, if at all;
14. The date the department transmits each written settlement agreement to the comptroller for approval, if so transmitted;
15. The date the comptroller approves each written settlement agreement, if at all;
16. The date the department and parent execute each written settlement agreement, if at all;
17. The date the department issues a first tuition payment pursuant to each written settlement agreement, if so issued; and
18. The date the department issues a first payment for services pursuant to each written settlement agreement; if so issued.

c. The report of information required pursuant to subdivision b of this section shall contain accessible data and disaggregated data made available in a machine readable format. It shall also include the relevant metadata. If any information does not exist, it shall be signified by a null value.

d. In addition to the report required pursuant to subdivision b of this section, no later than November 1, 2019, and on or before November 1 annually thereafter, the department shall submit to the speaker of the council and post on the department’s website an annual report regarding claims for payment for tuition or services made by parents of a student with a disability during the preceding academic year pursuant to a due process complaint notice or ten-day notice. The annual report shall include a list of all documents the department requires such parents to submit prior to signing a written settlement whether pursuant to a ten-day notice or a due process complaint notice. The annual report shall also include, but need not be limited to, the following information regarding claims for payment for tuition or services the department refers for settlement in response to a ten-day notice:

1. The percentage of instances in which the department responded to a ten-day notice (i) within 15 business days of receipt of the ten-day notice, (ii) within 16-30 business days of receipt of the ten-day notice and (iii) within 31 or more business days of receipt of the ten-day notice;

2. The percentage of instances in which the department made its first settlement offer (i) within 15 calendar days of receiving all documents the department requires parents submit prior to executing a written settlement, (ii) within 16-45 calendar days of receiving all such documents and (iii) within 46 or more calendar days of receiving all such documents;

3. Where the department transmitted a proposed written settlement agreement to the comptroller for approval:

(a) the percentage of instances in which the comptroller approved the written settlement agreement (i) within 15 calendar days of receipt by the comptroller, (ii) within 16-45 calendar days of receipt by the comptroller and (iii) within 46 or more calendar days of receipt by the comptroller; and

(b) the percentage of instances in which a written settlement agreement was signed by the department (i) within 15 calendar days of receipt of approval by the comptroller, (ii) within 16-45 calendar days of receipt of approval by the comptroller and (iii) within 46 or more calendar days of receipt of approval by the comptroller;

4. Where the parent signed a written settlement agreement, the percentage of instances in which a written settlement agreement was signed by the department (i) within 15 calendar days of receipt by the department, (ii) within 16-45 calendar days of receipt by the department and (iii) within 46 or more calendar days of receipt by the department; and

5. Where a written settlement agreement was signed by both the parent and the department,

(a) the percentage of instances in which such written settlement agreement was signed by the parent and department (i) within 90 calendar days of the date the department refers for settlement, (ii) within 91-180 calendar days of the date the department refers for settlement and (iii) within 181 or more calendar days of the date the department refers for settlement;

(b) the percentage of instances in which the department issued a first tuition payment (i) within 30 calendar days of the date such written settlement agreement was signed by the parent and the department, (ii) within 31-60 calendar days of the date such written settlement agreement was signed by the parent and the department and (iii) within 61 or more calendar days of the date such written settlement agreement was signed by the parent and the department; and

(c) the percentage of instances in which the department issued a first payment for services (i) within 30 calendar days of the date such written settlement agreement was signed by the parent and the department, (ii) within 31-60 calendar days of the date such written settlement agreement was signed by the parent and the department and (iii) within 61 or more calendar days of the date such written settlement agreement was signed by the parent and the department.

e. The report required pursuant to subdivision d of this section shall also include, but need not be limited to, the following information regarding claims the department refers for settlement in response to a due process complaint notice:

1. Where the department transmitted a proposed written settlement agreement to the comptroller for approval:

(a) the percentage of instances in which the comptroller approved the written settlement agreement (i) within 15 calendar days of receipt by the comptroller, (ii) within 16-45 calendar days of receipt by the comptroller and (iii) within 46 or more calendar days of receipt by the comptroller; and

(b) the percentage of instances in which a written settlement agreement was signed by the parent and the department (i) within 15 calendar days of receipt of approval by the comptroller, (ii) within 16-45 calendar days of receipt of approval by the comptroller and (iii) within 46 or more calendar days of receipt of approval by the comptroller;

2. Where the parent signed a written settlement agreement, the percentage of instances in which a written settlement agreement was signed by the department (i) within 15 calendar days of receipt by the department, (ii) within 16-45 calendar days of receipt by the department and (iii) within 46 or more calendar days of receipt by the department; and

3. Where a written settlement agreement was signed by both the parent and the department,

(a) the percentage of instances in which such written settlement agreement was signed by the parent and department (i) within 90 calendar days of the date the department refers for settlement, (ii) within 91-180 calendar days of the date the department refers for settlement and (iii) within 181 or more calendar days of the date the department refers for settlement;

(b) the percentage of instances in which the department issued a first tuition payment (i) within 30 calendar days of the date such written settlement agreement was signed by the parent and the department, (ii) within 31-60 calendar days of the date such written settlement agreement was signed by the parent and the department and (iii) within 61 or more calendar days of the date such written settlement agreement was signed by the parent and the department; and

(c) the percentage of instances in which the department issued a first payment for services (i) within 30 calendar days of the date such written settlement agreement was signed by the parent and the department, (ii) within 31-60 calendar days of the date such written settlement agreement was signed by the parent and the department and (iii) within 61 or more calendar days of the date such written settlement agreement was signed by the parent and the department.

f. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or other personally identifying information.

§ 2. This local law takes effect immediately, and expires and is deemed repealed seven years after it becomes law.

Referred to the Committee on Education.

Int. No. 1381

By Council Member Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting street vending activities on Columbus Avenue in Manhattan

Be it enacted by the Council as follows:

Section 1. Subdivision I of section 17-315 of the administrative code of the city of New York is amended to read as follows:

I. Food vendors shall be prohibited from vending on the following streets at the following days and times:

BOROUGH OF MANHATTAN

Third Avenue: East 40th to East 57th Street, Monday through Friday, 8 am to 6 pm; East 58th to East 60th Street, Monday through Saturday, 8 am to 9 pm; Lexington Avenue: East 40th to East 57th Street, Monday through Saturday, 8 am to 7 pm; East 58th to East 60th Street, Monday through Saturday, 8 am to 9 pm; East 61st to East 69th Street, Monday through Saturday, 8 am to 6 pm; Park Avenue: East 34th to East 42nd Street, Monday through Friday, 8 am to 7 pm; East 55th to East 59th Street, Monday through Friday, 10 am to 7 pm; Vanderbilt Avenue: East 42nd to East 45th Street, Monday through Friday, 8 am to 7 pm; Madison Avenue: East 34th to East 45th Street, Monday through Friday, 8 am to 6 pm; East 46th to East 59th Street, Monday through Saturday, 10 am to 7 pm; Fifth Avenue: 32nd to 59th Street, Monday through Saturday, 8 am to 7 pm; Avenue of the Americas: West 32nd to West 59th Street, Monday through Saturday, 8 am to 7 pm; Broadway: West 32nd to West 52nd Street, Everyday, 8 am to 8 pm; Seventh Avenue: West 33rd to West 34th Street, Monday through Saturday, 8 am to 6 pm; West 35th to West 45th Street, Monday through Saturday, 8 am to midnight; West 46th to West 52nd Street, Monday through Saturday, 2 pm to 7 pm; Fourteenth Street: Broadway to Seventh Avenue, Monday through Saturday, noon to 8 pm; West Thirty-fourth Street: Fifth Avenue to Seventh Avenue, Monday through Saturday, 8 am to 7 pm; Forty-second Street: Third Avenue to Eighth Avenue, Monday through Saturday, 8 am to 7 pm; West Forty-third Street: Broadway to Eighth Avenue, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-fourth Street: Broadway to Eighth Avenue, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-fifth Street: Broadway to Eighth Avenue, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6

pm; Other days, 7 pm to 11 pm; West Forty-sixth Street: Seventh to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-seventh Street: Fifth to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-eighth Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Forty-ninth Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fiftieth Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fifty-first Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fifty-second Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; West Fifty-third Street: Broadway to Eighth Avenues, Wednesday and Saturday, noon to 11 pm; Sunday, noon to 6 pm; Other days, 7 pm to 11 pm; *Ninth Avenue: West 77th to West 81st Street.*

§ 2. This local law shall take effect 120 days after its enactment.

Referred to the Committee on Health.

Int. No. 1382

By Council Members Rosenthal, Levin, Lander, Adams, Richards, Williams, Reynoso, Ayala, Salamanca and Gibson.

A Local Law in relation to auditing department of social services/human resources administration job and SNAP centers

Be it enacted by the Council as follows:

Section 1. Audit of job centers and SNAP centers. a. Definitions. For purposes of this section, the following terms have the following meanings:

Additional wait time. The term “additional wait time” means the time between when a visitor has completed one appointment and is waiting to be called for another appointment regarding a different type of public assistance. Additional wait time begins at the end of one appointment and ends when the visitor is called to begin another appointment.

Checked-in. The term “checked-in” means that a visitor has made initial contact with the department at a job center or a SNAP center, either through a self-service kiosk or with a staff member responsible for keeping track of visitors, and has made such contact so that the department has a record, either written or electronic, of such visitor’s time of arrival at such center and the reason for their visit.

Department. The term “department” means the department of social services.

Job center. The term “job center” means any location designated by the department as a job center where individuals can complete an application for cash assistance in person.

SNAP center. The term “SNAP center” means any location designated by the department as a SNAP center where individuals can complete an application for the supplemental nutrition assistance program in person.

Total time. The term “total time” means the amount of time a visitor spends at a job center or SNAP center. Total time begins at the start of the visitor’s check-in time and ends when a visitor leaves the job center or SNAP center.

Visitor. The term “visitor” means any individual who, by prior appointment or walk-in, enters a job center or SNAP center to apply for public assistance, to receive assistance for an open public assistance case, or to receive assistance for a closed public assistance case.

Wait time. The term “wait time” means the amount of time a visitor spends waiting to be called for assistance after such visitor has checked-in to a job center or a SNAP center. Wait time begins at the start of the visitor’s checked-in time, and ends when a visitor is called to begin an appointment.

b. The department shall conduct an audit and make recommendations regarding operations, policies, and practices at job centers and SNAP centers, with the goal of reducing wait times. The audit shall include an analysis of:

1. The current wait times at each job center and SNAP center;
2. The current total wait times at each job center and SNAP center;
3. How many visitors do not get serviced on the same day they checked-in due to long wait time or long additional wait time;
4. How many visitors are subject to additional wait time;
5. The current additional wait time at each job center and SNAP center;
6. The staff-to-visitor ratios at each job center and SNAP center;
7. Feedback from visitors, including reports provided through the reporting mechanism required by subdivision c;
8. The efficiency and ease of use of the department's hotlines, helplines, infolines, and general phone lines;
9. The efficiency and ease of use of the department's website; and
10. Visitors' access to technology in job centers and SNAP centers.

c. The department's website shall include a mechanism for individuals to report any problems and deficiencies relating to the department's operations, policies, and practices at job centers and SNAP centers. Individuals making such reports shall not be required to provide personally identifying information.

d. No later than September 1, 2019, the department shall submit to the mayor and the speaker of the council the findings and recommendations from the audit conducted pursuant to subdivision b of this section including a plan to address complaints received pursuant to subdivision c of this section. The plan shall include recommended standards of reasonableness in job and SNAP centers for wait times, staff-to-visitor ratios, and access to technology.

§ 2. This local law takes effect immediately and expires and is deemed repealed on May 1, 2020 or the day after submission of the reports required by a local law in relation to implementation of a plan based on findings of the audit of department of social services/human resources administration job and SNAP, as proposed in an introduction for the year 2019, whichever is later.

Referred to the Committee on General Welfare

Res. No. 725

Resolution raising the small purchase limit for goods, services, construction and construction-related services to two hundred thousand dollars upon adoption of a concurrent rule amendment by the Procurement Policy Board.

By Council Member Rosenthal.

Whereas, Pursuant to Section 314 of the New York City Charter, concurrent action by the Council of the City of New York and the Procurement Policy Board is necessary to establish dollar limits for the procurement of goods, services, construction or construction-related materials that may be made without competition or public advertisement-better known as the small purchase limits; and

Whereas, In June 2002, the Council adopted the rule amendments of the Procurement Policy Board raising the small purchase limits for construction and construction-related services from fifty thousand dollars to one

hundred thousand dollars, and in May 2004, the Council adopted the rule amendments of the Procurement Policy Board raising the small purchase limits for goods and services to one hundred thousand dollars; and

Whereas, The small purchase limit has remained at one hundred thousand dollars for all procurement categories since 2004; and

Whereas, The Council finds it necessary and desirable to streamline the procurement process and reduce the processing time for all procurements while maintaining the integrity of the procurement system, and raising the small purchase limit to two hundred thousand dollars for all categories will allow agencies to process a greater number of procurements in a more efficient and cost-effective manner; and

Whereas, Recognizing that such efficiencies must not compromise the integrity of the procurement system, the Council of the City of New York calls upon the Mayor and Comptroller to vigilantly monitor agency small purchases under the new limits to ensure that they comply with citywide rules; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the small purchase limit for goods, services, construction and construction-related services shall be two hundred thousand dollars upon adoption of a concurrent rule amendment by the Procurement Policy Board.

Referred to the Committee on Contracts.

Int. No. 1383

By Council Members Salamanca, Cornegy and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to extending the Council review period for third party transfer of property

Be it enacted by the Council as follows:

Section 1. Section 11-412.2 of chapter 4 of title 11 of the administrative code of the city of New York, as added by local law number 37 for the year 1996, is amended to read as follows:

§ 11-412.2 Council review of conveyance to a third party. The commissioner of finance shall, prior to the execution of a deed conveying full and complete title of any parcel of class one or class two real property to a third party pursuant to subdivision c of section 11-412.1 of this chapter, notify the council of the proposed conveyance. Within [forty-five] 90 days of such notification, the council may act by local law disapproving the proposed conveyance. In the event the council does not act by local law within such [forty-five] 90 day period, the council shall be deemed to have approved the proposed conveyance. During such [forty-five] 90 day period or, if the city council acts by local law pursuant to this section, during the period of time from the notification of the council to the presentation to the mayor of such local law and during any additional period of time prescribed in section 37 of the charter, the eight-month period provided in subdivisions c and i of section 11-412.1 of this chapter shall be tolled.

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 1384

By Council Member Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to posting signs notifying the public of bacteria discovered in water tanks

Be it enacted by the Council as follows:

Section 1. Section 17-194 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. Notice where harmful bacteria are found. Where harmful bacteria are discovered in a water tank, the owner of the building served by such water tank shall, within 24 hours after such owner knows or reasonably should know of such a discovery, post signs on all building entrances, in clear and plain language, notifying both the building residents and the public about the bacteria discovered. The signs shall remain in place for two weeks after the cleaning and disinfection of such water tank.

§ 2. This local law takes effect 90 days after it becomes law, except that the department of health and mental hygiene shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Int. No. 1385

By Council Member Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to posting signs notifying the public of microbes discovered in cooling towers

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision e of section 17-194.1 of the administrative code of the city of New York is amended by adding a new subparagraph c to read as follows:

(c) Where microbes that present a serious health threat are discovered in a cooling tower, the owner of the building served by such cooling tower shall, within 24 hours after such owner knows or reasonably should know of such a discovery, post signs on all building entrances, in clear and plain language, notifying both the building residents and the public about the microbes discovered. The signs shall remain in place for two weeks after the cleaning and disinfection of such cooling tower.

§ 2. This local law takes effect 90 days after it becomes law, except that the department of health and mental hygiene shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Int. No. 1386

By Council Members Salamanca and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to posting contact information for workforce career centers at city development projects

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 the administrative code of the city of New York is amended by adding a new section 6-143 to read as follows:

§ 6-143 Posting of workforce career center contact information. a. Definitions. For purposes of this section, the following terms have the following meanings:

City development project. The term "city development project" means a project undertaken by a city agency or city economic development entity for the purpose of improvement or development of real property, economic

development, job retention or growth, affordable housing or other similar purposes where the project has received or is expected to receive financial assistance.

City economic development entity. The term “city economic development entity” means a local development corporation, not-for-profit organization, public benefit corporation or other entity that provides or administers economic development benefits on behalf of the city pursuant to paragraph b of subdivision 1 of section 1301 of the charter.

Construction work. The term “construction work” means (i) construction, rehabilitation, alteration or demolition work; (ii) the managing, directing or supervising of construction, rehabilitation, alteration or demolition work; or (iii) administrative or other similar office support services. Such term does not include architectural, engineering, legal, accounting or other professional services.

Construction job opening. The term “construction job opening” means any unfilled entry or mid-level employment position involving construction work that requires no more than an associate’s degree, as determined by the department of labor, which is subject to the requirements of HireNYC.

Covered developer. The term “covered developer” means any person receiving financial assistance in connection with a city development project.

Department. The term “department” means the department of small business services.

Financial assistance. The term “financial assistance” includes, but is not limited to, cash payments or grants, bond financing, tax abatements or exemptions, tax increment financing, filing fee waivers, energy cost reductions, environmental remediation costs, write-downs in the market value of building, land or leases, or the cost of capital improvements related to real property that, under ordinary circumstances, the city would not pay for. Financial assistance includes only discretionary assistance that is negotiated or awarded by a city agency or city economic development entity, and does not include as-of-right assistance, tax abatements or benefits.

HireNYC. The term “HireNYC” means a workforce development program administered by a city agency or city economic development entity, in coordination with the department, that connects construction job openings related to city development projects to low-income city residents.

Project agreement. The term “project agreement” means a written agreement between a city agency or city economic development entity and a covered developer providing for financial assistance targeted to a city development project.

Workforce career center. The term “workforce career center” means a location, under the jurisdiction of the department that provides workforce development services including, but not limited to, job skills training, education programs, resume building, interview preparation, employment workshops and recruitment events.

b. Within 30 days of the execution of a project agreement, a covered developer that is required to comply with the requirements of HireNYC shall post a sign, in a form and manner determined by the department, in a conspicuous location at the premises of a city development project that faces or is accessible to a public thoroughfare. Such sign shall remain posted until the completion of all construction work related to the city development project.

c. The sign required by subdivision b of this section shall include the following information:

- 1. A statement that individuals interested in applying for construction job openings related to the city development project may contact a workforce career center;*
- 2. The location of the workforce career center that is nearest to the city development project;*
- 3. Contact information, including a phone number, of the workforce career center that is nearest to the city development project; and*
- 4. Any additional information deemed appropriate by the department.*

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

Referred to the Committee on Small Business.

Int. No. 1387

By Council Members Salamanca and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to requiring luxury limousine services to provide proof of vehicle safety inspections at the time of contract

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-553 to read as follows:

§ 19-553 Proof of safety inspection for luxury limousines. a. A luxury limousine base shall maintain proof of a valid and current certificate of inspection received pursuant to subdivision f of section 19-504 of this chapter for each luxury limousine licensed by the commission. Such proof of a certificate of inspection shall be provided to a person contracting with such luxury limousine base at the time a contract is entered into for transportation of a passenger by such luxury limousine.

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

Referred to the Committee on Transportation.

Int. No. 1388

By Council Members Torres, Koo and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on discounted internet service program utilization rates and improving outreach to eligible households

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

*CHAPTER 13
DISCOUNTED INTERNET SERVICE PROGRAM*

§ 23-1301 Definitions. For the purposes of this chapter, the following terms have the following meanings: Commissioner. The term “commissioner” means the commissioner of information technology and telecommunications.

Department. The term “department” means the department of information technology and telecommunications.

Discounted internet access program. The term “discounted internet access program” means a program based on an agreement between the city of New York and internet service providers that offers reduced price internet service to low-income families and seniors.

§ 23-1302 Utilization report. No later than September 30, 2019, and on or before September 30 annually thereafter, the commissioner shall prepare and submit to the mayor and the council, and post on the department’s website, a report which shall include:

- a. The benefits available through the discounted internet access program;*
- b. The criteria used to determine eligibility for the discounted internet access program;*
- c. The number of households eligible to receive discounted internet access through such program and their general geographical distribution;*
- d. The number of households that are receiving discounted internet access through such program and their general geographical distribution; and*
- e. A plan to promote awareness and utilization of the discounted internet access program.*

§ 23-1303 Public outreach. The commissioner shall conduct outreach through the plan developed under section 23-1302 and target public facilities to promote awareness of the discount internet access program among eligible households.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of information technology and telecommunications may take such measures as are necessary for its implementation, including the promulgation of rules, before such date.

Referred to the Committee on Technology.

Res. No. 726

Resolution calling on the State Legislature to pass and the Governor to sign A.10608, also known as the ‘Save Our Waters’ Act, which would prohibit offshore oil and gas drilling and exploration activities.

By Council Members Ulrich, Rosenthal, Kallos and Van Bramer.

Whereas, Many New York City communities, businesses, and industries depend on a healthy coastal environment for the benefit of current and future residents, property owners, and visitors; and

Whereas, In New York, hundreds of thousands of jobs and billions of dollars of the state’s gross domestic product depend on clean, oil-free water and beaches and on abundant fish and wildlife; and

Whereas, The vast majority of New York’s ocean wealth stems from its tourism and recreation sector, which benefits from a healthy ocean and coast; and

Whereas, Offshore oil and gas drilling and exploration places coastal communities at economic and ecological risk from oil spills and the pollution brought by routine drilling operations and onshore industrialization, thus threatening the livelihoods of commercial and recreational fisherfolk, and small businesses that rely on a clean and healthy ocean and beaches; and

Whereas, New York City has become more vulnerable to severe weather events, which can cause or exacerbate leaks from offshore oil infrastructure; and

Whereas, Offshore drilling may require significant onshore infrastructure, such as pipelines or refineries, which would harm the character of New York’s coastline and could exacerbate wetlands loss and storm surge, as well as have impacts on sea level rise; and

Whereas, The harmful impacts from offshore oil and gas drilling and exploration anywhere along the Atlantic coastline could extend far beyond immediately surrounding areas and severely impact communities that rely on the robust economy of the marine industry; and

Whereas, Offshore drilling and exploration continues our society’s reliance on fossil fuels, perpetuates dirty carbon pollution, and contributes to climate change and the resulting sea level rise and extreme weather; and

Whereas, On January 5, 2018, the U.S. Secretary of the Interior under the Trump Administration unveiled the national Outer Continental Shelf Oil and Gas Program, which proposes to make more than 90% of the total offshore acreage in the United States available to oil and gas drilling; and

Whereas, The program could affect all coastal states, with the exception of Florida, which U.S. Secretary of the Interior under the Trump Administration announced would be exempt from the policy; and

Whereas, The federal government estimates there is as much as 1.8 billion barrels of oil and 11 trillion cubic feet of natural gas off the 1,700 miles of coast of New York, 520 miles of which includes New York City alone, which makes New York a significant target for offshore oil and gas exploration and drilling; and

Whereas, Before drilling can begin, the Bureau of Ocean Energy Management (BOEM) allows initial survey work to be conducted with airguns to take place, which would be devastating for New York’s ocean environment; and

Whereas, Airguns produce sound waves that send destructive shock waves into sediments and are strong enough to penetrate six miles into the ocean floor; and

Whereas, Noise and vibration caused by airguns can be louder than a jet engine on an airplane, and continuous noise from a seismic survey can effect an area of thousands of square miles for weeks or months at a time; and

Whereas, Seismic airgun blasting to explore for oil and gas deposits has been proven to disrupt and displace marine life, such as whales, which rely on sound to find food and mate, and can impair the health of many fish and shellfish species, including those of commercial importance like squid, lobster and scallops; and

Whereas, In addition to exploration and drilling, there is the risk of a catastrophic spill, which has the potential to devastate our coastal economies and cause irreparable harm to the environment; and

Whereas, Offshore rigs used for oil and gas drilling and exploration can dump contaminants, including lead, chromium, mercury and benzene into our waters; and

Whereas, On May 4, 2018, New York State Governor Andrew Cuomo announced the 'Save Our Waters' bill, which aims to prohibit offshore drilling infrastructure in New York waters; and

Whereas, On June 18, 2018, the New York State Assembly passed A.10608, also known as the 'Save Our Waters' Act, which prohibits the use of condemnation of lands for the use of corporations to install infrastructure associated with the production of oil and natural gas in the North Atlantic Planning Area, and prohibits vessels from using New York waters if associated with the production of oil and natural gas in the North Atlantic Planning Area; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass and the Governor to sign A.10608, also known as the 'Save Our Waters' Act, which would prohibit offshore oil and gas drilling and exploration activities.

Referred to the Committee on Environmental Protection.

Int. No. 1389

By Council Members Williams, Rosenthal, Lander, Adams, Richards, Ayala, Salamanca and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services/human resources administration to report on termination of public assistance

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-142 to read as follows:

§ 21-142 Reporting on the termination of public assistance. a. For the purposes of this section:

Agency office. The term "agency office" means a job center, food stamp office, medical assistance program office or other part, subdivision, field office or satellite facility of the department or an office that the department contracts with for the administration of benefits or services offered or provided by the department.

Public assistance. The term "public assistance" means all forms of public benefits provided by the federal government, state of New York, or city of New York for which an individual may apply through the department including but not limited to: cash assistance; the home energy assistance program; medicaid; rent increase exemptions; child care subsidies; and the supplemental nutrition assistance program.

b. No later than August 1, 2019, and no later than 30 days after the end of each quarter thereafter, the department shall post on its website and deliver to the speaker of the council a report on instances in which a recipient's public assistance was terminated during the preceding quarter. Such report shall include the following information for each such instance:

- 1. The date on which the public assistance of a recipient was terminated;*
- 2. The type(s) of public assistance that was terminated;*
- 3. The reason why the public assistance was terminated;*
- 4. The council district the recipient lives in;*
- 5. At which agency office the recipient had applied or if the recipient had applied through the department's website;*

- 6. *The race of the recipient;*
 - 7. *The ethnicity of the recipient;*
 - 8. *The gender of the recipient; and*
 - 9. *The age of the recipient.*
- § 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1390

By Council Members Williams and Adams.

A Local Law to amend the administrative code of the City of New York, in relation to requiring police officers to treat breathing difficulties as medical emergencies

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-180 to read as follows:

§ 14-180 Response to breathing emergencies.

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

Breathing difficulty. The term "breathing difficulty" means any situation in which an individual in police custody displays an inability to breathe, either as recognized by officer observations or through the individual's own declaration.

Medical emergency. The term "medical emergency" means a life-threatening condition requiring immediate medical attention.

Interactive training. The term "interactive training" means participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, computer or online training program or other participatory forms of training as determined by the commissioner. Such "interactive training" is not required to be live or facilitated by an in-person instructor.

b. Breathing difficulties. The department shall respond to breathing difficulties as medical emergencies.

c. Training.

1. New recruits. All new department recruits shall receive in person training for responding to breathing difficulties as part of their academy training.

2. Ongoing training. All uniformed members of the department whose responsibilities include routinely interacting with arrested individuals shall receive interactive training, on a biennial basis, to assist them in responding to breathing difficulties.

§2. This local law takes effect 180 days after it becomes law.

Referred to the Committee on Public Safety.

Res. No. 727

Resolution calling on the State to implement a uniform statewide policy for New York law enforcement officers that requires officers to treat breathing difficulties as medical emergencies, and departments to conduct training concerning that policy.

By Council Member Williams.

Whereas, on May 11, 2017, Andrew Kearsé died while in custody of the Schenectady Police Department due to cardiac arrhythmia after his repeated complaints of breathing difficulties were ignored by members of the police department; and

Whereas, Attorney General Barbara Underwood investigated Mr. Kearsé's death under the powers conferred to her by Governor Andrew Cuomo's Executive Order No. 147; and

Whereas, the Attorney General recommended the New York State Legislature pass legislation requiring the New York State Division of Criminal Justice Services ("DCJS") to establish a uniform statewide policy for police departments in New York requiring that police officers treat indications of breathing difficulties by arrestees as medical emergencies and conduct training concerning the policy that makes clear that a complaint about breathing difficulties should not be dismissed because the arrestee is able to talk; and

Whereas, the inability of law enforcement officers to appropriately recognize and respond to breathing emergencies is not limited to the police department in Schenectady; and

Whereas, Eric Garner was stopped by New York City police officers on July 17, 2014, brought to the ground, placed in a chokehold, and eventually died after his complaints that he could not breathe were ignored by the police department; and

Whereas, the New York City Police Department's Patrol Guide directs officers to request an ambulance and transport arrested individuals to the hospital "if necessary," but fails to give additional guidance in determining when such treatment is necessary; and

Whereas, laws treating breathing difficulties as medical emergencies and training would have increased the likelihood that Mr. Kearsé and Mr. Garner's lives would have been saved by medical intervention; now, therefore, be it

Resolved, that the Council of the City of New York calls on the on the State to implement a uniform statewide policy for New York law enforcement officers that requires officers to treat breathing difficulties as medical emergencies, and departments to conduct training concerning that policy.

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 324

By Council Member Dromm:

9 Sherman Associates LLC, Block 2174, Lot 8; Manhattan, Community District No. 12, Council District No. 10.

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

Preconsidered L.U. No. 325

By Council Member Dromm:

HP Fort George HDFC, Block 2149, Lot 265; Manhattan, Community District No. 12, Council District No. 10.

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

L.U. No. 326

By Council Member Salamanca:

Application No. C 190037 ZSK (461 Alabama Avenue) submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed seven-story building on property located at 461 Alabama Avenue (Block 3803, Lot 6), in an R6 District, Borough of Brooklyn, Council District 52, Community District 5.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 327

By Council Member Salamanca:

Application No. C 190038 HAK (461 Alabama Avenue) submitted by the NYC Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State for the designation of property located at 461 Alabama Avenue (Block 3803, Lot 6) as an Urban Development Action Area and as an Urban Development Action Area Project for such area, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, to facilitate a mixed-use affordable housing development containing approximately 70 units and community facility space, Borough of Brooklyn, Council District 42, Community District 5.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 328

By Council Member Salamanca:

Application No. C 190039 HUK (461 Alabama Avenue) submitted by the NYC Department of Housing Preservation and Development pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the Fourth Amendment to the East New York I Urban Renewal Plan, Borough of Brooklyn, Council District 42, Community District 5.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 329

By Council Member Salamanca:

Application No. 20190069 HAM (East Village Housing ANCP) submitted by the NYC Department of Housing Preservation and Development pursuant to 693 of the General Municipal Law for the designation of an Urban Development Action Area, pursuant to Section 694 of the General Municipal Law for the approval of the proposed project as an Urban Development Action Area Project, and pursuant to Section 577 of the Private Housing Finance Law for approval of an exemption from real property taxation for property located at 204 Avenue A/535 East 12th Street (Block 406, Lots 6 and 47), Borough of Manhattan, Council District 2, Community District 3

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 330

By Council Member Salamanca:

Application No. 20195354 HAM (67-69 St. Nicholas Ave) submitted by the NYC Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at Block 1823, Lot 56, Borough of Manhattan, Council District 9, Community District 10.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 331

By Council Member Salamanca:

Application No. N 180281 ZRQ (Douglaston Parkway Rezoning) submitted by 241-15 Northern LLC and North Shore Realty Group Corp., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area for property located at Block 8092 Lots 5 and 39, and p/o Lots 205, 25, 28, and 33, Borough of .Queens, Council District 19, Community District 11.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 332

By Council Member Salamanca:

Application No. C 060432 ZMQ (Douglaston Parkway Rezoning) submitted by 241-15 Northern LLC and North Shore Realty Group Corp., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, changing from an R1-2 District to an R6A District and establishing within a proposed R6A District a C1-2 District, for property located at Block

8092 Lots 5 and 39, and p/o Lots 205, 25, 28, and 33, Borough of Queens, Council District 19, Community District 11.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 333

By Council Member Salamanca:

Application No. C 180393 ZMK (Caton Park Nursing Home) submitted by Caton Park Rehabilitation and Nursing Center, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d, changing from an R3X District to an R6A District property bounded by Caton Avenue, Rugby Road, a line perpendicular to the westerly street line of Rugby Road distant 170 feet southerly (as measured along the street line) from the point of intersection of the southeasterly street line of Caton Avenue and the westerly street line of Rugby Road, and a line 100 feet westerly of Rugby Road, Borough of Brooklyn, Council District 40, Community District 14.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 334

By Council Member Salamanca:

Application No. N 180394 ZRK (Caton Park Nursing Home) submitted by Caton Park Rehabilitation and Nursing Center, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Council District 40, Community District 14.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 335

By Council Member Salamanca:

Application No. N 180457 ZRK (570 Fulton Street Rezoning) submitted by 570 Fulton Street Property LLC and One Flatbush Avenue Property LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article X, Chapter 1 (Special Downtown Brooklyn District), Borough of Brooklyn, Council District 35, Community District 2.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises

L.U. No. 336

By Council Member Salamanca:

Application No. C 180458 ZSK (570 Fulton Street Rezoning) submitted by 570 Fulton Street Property LLC and One Flatbush Avenue Property LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 101-82 of the Zoning Resolution to modify the height and setback requirements and tower lot coverage requirements of Section 101-223 (Tower Regulations), to modify the rear yard requirements of Section 33-26 (Minimum Required Rear Yards) and Section 23-47 (Minimum Required Rear Yards), and to modify the inner court recess requirements of Section 23-852(b) (Inner court recesses), in connection with a proposed mixed use development on property located at 570 Fulton Street a.k.a. 1-25 Flatbush Avenue (Block 2106, Lots 26, 35, & p/o 24), in a C6-9 District, within the Special Downtown Brooklyn District, Borough of Brooklyn, Council District 35, Community District 2.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 337

By Council Member Salamanca:

Application No. C 180459 ZMK (570 Fulton Street Rezoning) submitted by 570 Fulton Street Property LLC and One Flatbush Avenue Property LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from a C6-4 District to a C6-9 District property bounded by Fulton Street, a line perpendicular to the southwesterly street line of Fulton Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Fulton Street and the westerly streetline of Rockwell Place, a line perpendicular to the northeasterly street line of Flatbush Avenue distant 190 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Flatbush Avenue and the southeasterly street line of Hudson Avenue, and Flatbush Avenue, Borough of Brooklyn, Council District 35, Community District 2.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 338

By Council Member Salamanca:

Application No. C 180387 ZSK (12 Franklin Street) submitted by 12 Franklin Property Co LLC, 12 Franklin 230 LLC and 12 Franklin 197 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-962 of the Zoning Resolution to increase the maximum permitted floor area ratio of Section 43-12 (Maximum Floor Area Ratio) in connection with a proposed 7-story commercial building within an Industrial Business Incentive Area, in an M1-2 District, on property located at 12 Franklin Street (Block 2614, Lots 1, 3 and 8), Borough of Brooklyn, Council District 33, Community District 1.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 339

By Council Member Salamanca:

Application No. N 180388 ZRK (12 Franklin Street) submitted by 12 Franklin Property Co LLC, 12 Franklin 230 LLC and 12 Franklin 197 LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, adding an Industrial Business Incentive Area to Article VII, Chapter 4 (Special Permits by the City Planning Commission), Borough of Brooklyn, Council District 33, Community District 1.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 340

By Council Member Salamanca:

Application No. C 180389 ZSK (12 Franklin Street) submitted by 12 Franklin Property Co LLC, 12 Franklin 230 LLC and 12 Franklin 197 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 74-963 of the Zoning Resolution to reduce the off-street parking requirements of Section 44-20 (Required accessory off-street parking spaces for manufacturing, commercial or community facility uses) and the loading berth requirements of Section 44-50 (Off-street loading regulations), in connection with a proposed 7-story commercial building within an Industrial Business Incentive Area, in an M1-2 District. on property located at 12 Franklin Street (Block 2614, Lots 1, 3 and 8), Borough of Brooklyn, Council District 33, Community District 1.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Monday, January 28, 2019

Committee on Environmental Protection

Costa Constantinides, Chairperson

Int 141 - By Council Members Levin, Brannan, Espinal, Richards, Levine and Cohen - **A Local Law** to amend the New York city administrative code, in relation to requiring that the roofs of city-owned buildings be partially covered in source control measures.

Int 276 - By Council Members Richards, Brannan, Rose, Espinal and Cohen - **A Local Law** to amend the New York city building code, in relation to requiring that the roofs of certain new buildings be partially covered in plants or solar panels.

Int 961 - By Council Members Constantinides, Brannan, Koslowitz, Yeger and Cohen (at the request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to extending J-51 benefits to owners of multiple dwellings for green roofs.

Int 1031 - By Council Members Espinal, Constantinides, Levine, Yeger, Ampry-Samuel and Cohen - **A Local Law** to amend the administrative code of the city of New York, in relation to posting information regarding green roofs on the website of the office of alternative energy.

Int 1032 - By Council Members Espinal, Levin, Constantinides, Levine, Ampry-Samuel and Cohen - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that the roofs of certain buildings be covered in green roofs, solar panels or small wind turbines.

Int 1317 - By Council Member Constantinides - **A Local Law** to amend the New York city noise control code, the administrative code of the city of New York and the New York city building code, in relation to large wind turbines.

Res 66 - By Council Members Levin, Brannan, Yeger and Cohen - **Resolution** calling upon the State Legislature to pass, and the Governor to sign, legislation that would increase the real property tax abatement for the installation of a green roof to \$15 per square foot.

Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.

Committee on For-Hire Vehicles

Ruben Diaz, Sr., Chairperson

Int 967 - By Council Members King, Diaz, Cumbo, Ampry-Samuel, Adams, Cabrera, Cornegy, Gibson, Holden, Levin, Reynoso, Salamanca, Torres, Williams and Gjonaj - **A Local Law** to amend the administrative code of the city of New York, in relation to panic buttons for drivers of taxicabs, street hail liveries and for-hire vehicles.

Int 1302 - By Council Member Diaz - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a minimum base rate for trips dispatched by high-volume for-hire services in the congestion zone.

Int 1319 - By Council Member Cumbo - **A Local Law** to amend the administrative code of the city of New York, in relation to distress signals for passengers in taxicabs, street hail liveries, and for-hire vehicles.

Council Chambers – City Hall ...10:00 a.m.

Committee on Immigration

Carlos Menchaca, Chairperson

Oversight - City Services and Supports for Immigrants with Temporary Protected Status.

Committee Room – City Hall.....1:00 p.m.

Tuesday, January 29, 2019

Committee on Criminal Justice

Keith Powers, Chairperson

Oversight - The Grievance Process

Int 1334 - By Council Member Ampry-Samuel - **A Local Law** to amend the New York city charter, in relation to requiring the board of correction to conduct surveys of the correctional system’s grievance process.

Int 1340 - By Council Members Ayala and Powers - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of correction to make the grievance process more efficient.
Int 1370 - By Council Member Powers - **A Local Law** to amend the administrative code of the city of New York, in relation to 311 complaints made by incarcerated individuals and informing incarcerated individuals of the protections against retaliation for filing a grievance.
 Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.

Committee on Housing and Buildings

Robert Cornegy, Jr., Chairperson

Int 7 - By Council Member Barron - **A Local Law** to amend the administrative code of the city of New York, in relation to assessing the size of the city’s housing stock.
Int 226 - By Council Members Rose, Rosenthal, Koo, Kallos, Cornegy, Van Bramer, Levine, Levin, Reynoso, Constantinides, Ayala, Chin, Williams, Gibson, Espinal, Richards, Ampry-Samuel and Holden - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the registration of owners of vacant property.
Int 835 - By Council Members Cornegy, Ayala, Ampry-Samuel and Holden - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting the locations of vacant properties to each council member.
Int 1124 - By Council Members Holden, Borelli, Brannan, Ulrich, Vallone, Yeger, Gjonaj, Dromm and Rodriguez - **A Local Law** to amend the administrative code of the city of New York, in relation to orders to secure, seal and close.
Int 1125 - By Council Members Holden, Borelli, Brannan, Ulrich, Vallone, Yeger, Gjonaj, Koslowitz, Ampry-Samuel, Dromm, Rodriguez and Koo - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting of foreclosing residential properties to council members.
Int 1128 - By Council Members Holden, Borelli, Ulrich, Yeger, Gjonaj, Dromm, Rodriguez and Koo - **A Local Law** to amend the administrative code of the city of New York, in relation to fences at stalled construction sites
 Council Chambers – City Hall.....10:00 a.m.

Committee on Contracts

Justin Brannan, Chairperson

Oversight – Roll-Out of the Procurement and Sourcing Solutions Portal (PASSPort).
 Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

Deferred

Committee on Justice System

Rory Lancman, Chairperson

Oversight – Implementation of Right to Counsel in Housing Court.
 Committee Room – City Hall.....1:00 p.m.

Committee on Sanitation and Solid Waste Management

Antonio Reynoso, Chairperson

Int 1329 - By Council Members Reynoso and Lancman - **A Local Law** to amend the administrative code of the city of New York, in relation to trade waste industry labor unions.
Int 1368 - By Council Member Moya - **A Local Law** to amend the administrative code of the city of New York, in relation to providing information to private sanitation employees.
Int 1373 - By Council Member Reynoso - **A Local Law** to amend the administrative code of the city of New York, in relation to referral of labor and wage violations.
 Council Chambers – City Hall.....1:00 p.m.

Committee on State and Federal Legislation

Andrew Cohen, Chairperson

Oversight: The Economic Impact of the Federal Shutdown for New York City.
 Committee Room – 250 Broadway, 14th Floor.....1:00 p.m.

Wednesday, January 30, 2019

[Committee on Finance](#) Daniel Dromm, Chairperson
Oversight – Amazon HQ2 – Stage 2: Does the Amazon Deal Deliver for New York City Residents?
Council Chambers – City Hall.....10:00 a.m.

[Committee on Health](#) Mark Levine, Chairperson
Oversight – Banning the Sale of Flavored E-Cigarette/Vaping Products in New York City.
Committee Room – City Hall.....1:00 p.m.

[Subcommittee on Planning, Dispositions & Concessions](#) Ben Kallos, Chairperson
[See Land Use Calendar](#)
Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

★ *Note Topic Change*

[Committee on Small Business](#) Mark Gjonaj, Chairperson
Oversight - Restaurant industry in New York City
Int 253 - By Council Members Reynoso and Brannan - **A Local Law** to amend the administrative code of the city of New York, in relation to reducing civil penalties where food service.
Int 568 - By Council Member Treyger - **A Local Law** to amend the administrative code of the city of New York, in relation to reducing civil penalties where food service establishments donate left over food.
Committee Room – 250 Broadway, 14th Floor.....1:00 p.m.

Thursday, January 31, 2019

[Subcommittee on Zoning & Franchises](#) Francisco Moya, Chairperson
[See Land Use Calendar](#)
Committee Room – City Hall.....9:30 a.m.

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#) Adrienne Adams, Chairperson
[See Land Use Calendar](#)
Committee Room – 250 Broadway, 16th Floor.....12:00 p.m.

[Committee on Governmental Operations](#) Fernando Cabrera, Chairperson
Int 991 - By Council Members Cabrera, Yeger and Holden - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the office of administrative trials and hearings to dismiss a taxi and limousine commission-related violation pertaining to vehicle lights upon proof of correction.
Proposed Int 1249-A - By Council Member Cabrera - **A Local Law** to amend the administrative code of the city of New York, in relation to repealing the critical driver program and amending the persistent violators program relating to drivers of taxicabs and for-hire vehicles.
Council Chambers – City Hall.....1:00 p.m.

Monday, February 4, 2019

[Committee on Governmental Operations](#) Fernando Cabrera, Chairperson
Oversight - City Agency Responsiveness to 311 Service Requests.
Int 1002 - By Council Members Holden and Yeger - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the 311 customer service center to indicate that an agency is unable to respond to a service request or complaint.
Council Chambers – City Hall10:00 a.m.

Committee on General Welfare

Stephen Levin, Chairperson

Oversight - Client Experience at HRA Centers.

Int 1332 - By The Speaker (Council Member Johnson) - **A Local Law** to amend the administrative code of the city of New York, in relation to creating an office of the special handler.

Int 1333 - By Council Members Adams and Levin - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on any use of force incident occurring in a department of social services/human resources administration office.

Int 1335 - By Council Members Ampry-Samuel and Cumbo - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring social workers at department of social services/human resources administration job and SNAP centers.

Int 1336 - By Council Members Ampry-Samuel, Cumbo and Williams - **A Local Law** to amend the administrative code of the city of New York, in relation to de-escalation and trauma-informed training.

Int 1337 - By Council Members Ampry-Samuel, Levin and Cumbo - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring space for children at department of social services/human resources administration job and SNAP centers.

Int 1347 - By Council Members Cumbo and Levin - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of social services/human resources administration to create a system in which clients may schedule appointments online and over the phone.

Int 1350 - By Council Member Gibson - **A Local Law** in relation to implementation of a plan based on findings of the audit of department of social services/human resources administration job and SNAP.

Int 1359 - By Council Member Levin - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of social services/human resources administration to report on termination of public assistance and reapplication.

Int 1377 - By Council Member Richards - **A Local Law** to amend the administrative code of the city of New York, in relation to client satisfaction surveys at department of social services/human resources administration job and SNAP centers.

Int 1382 - By Council Members Rosenthal and Levin - **A Local Law** in relation to auditing department of social services/human resources administration job and SNAP centers.

Int 1389 - By Council Member Williams - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of social services/human resources administration to report on termination of public assistance.

★Preconsidered Int ____ - By Council Member Deutsch - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of social services/human resources administration to report annually on complaints by clients.

Res 721 - By Council Member Cumbo - **Resolution** calling on the State Legislature to pass and the Governor to sign legislation that would provide a grace period before terminating public assistance or Supplemental Nutrition Assistance Program (SNAP) benefits due to a change in income and/or employment to allow time to contest the termination of benefits or prepare for the termination.

Council Chambers – City Hall.....1:00 p.m.

Wednesday, February 6, 2019

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Council Chambers – City Hall11:00 a.m.

Committee on Civil & Human Rights

Mathieu Eugene, Chairperson

Oversight - Discrimination Testing and Commission-Initiated Cases at the NYC Commission on Human Rights. Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

Thursday, February 7, 2019

[Committee on Public Safety](#) jointly with the
[Committee on Justice System](#)

Donovan Richards, Jr., Chairperson
Rory Lancman, Chairperson

Oversight - Police Discipline

Int 1105 - By Council Members Richards, Ampry-Samuel and Ayala - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports on complaints of police misconduct

Int 1309 - By Council Member Richards - **A Local Law** in relation to requiring the police department to study the impacts of implementing an internal disciplinary matrix.

Preconsidered Int ____ - By The Speaker (Council Member Johnson) and Council Member Lancman - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring district attorneys to report on criminal prosecutions.

Preconsidered Int ____ - By The Speaker (Council Member Johnson) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to publish the department’s disciplinary guidelines and the number of officers disciplined each year, and to provide a disciplinary action report directly to the Council.

Preconsidered Int ____ - By Council Member Lancman - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to report on the number of arrests for resisting arrest or assault in the second degree.

Preconsidered Int ____ - By Council Member Lancman - **A Local Law** to amend the administrative code of the city of New York, in relation to granting district attorneys access to law enforcement records.

Preconsidered Int ____ - By Council Member Richards - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to report on arrests for obstruction of governmental administration.

Preconsidered Res ____ - By Council Member Williams - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, A3333 which would repeal section 50-A of the New York Civil Rights Law in relation to the personnel records of police officers, firefighters, and correction officers.

Council Chambers – City Hall.....10:00 a.m.

Monday, February 11, 2019

[Committee on Environmental Protection](#)

Costa Constantinides, Chairperson

Oversight - The Astoria Transformer Explosion and the Transition to a Green Grid.

Council Chambers – City Hall.....10:00 a.m.

[Subcommittee on Planning, Dispositions & Concessions](#)

Ben Kallos, Chairperson

[See Land Use Calendar](#)

Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

Tuesday, February 12, 2019

[Committee on Finance](#) jointly with the
[Subcommittee on Capital Budget](#)

Daniel Dromm, Chairperson
Vanessa L. Gibson, Chairperson

Int 113 - By Council Members Lander, Brannan, Rosenthal, Gibson, Kallos, Reynoso, Powers, Van Bramer, Ayala, Menchaca, Rose, Perkins, Rivera, Richards, Levin, Williams, Ampy-Samuel, Holden, Chin, Levine, Constantinides, Adams, Cumbo, Koo, Moya, Treyger, Grodenchik, Yeger, Deutsch, Cohen, Cabrera, Barron, Espinal, Maisel and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a database to track citywide capital projects.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....10:00 a.m.

[Committee on Youth Services](#) jointly with the
[Committee on Juvenile Justice](#)

Deborah Rose, Chairperson
Andy King, Chairperson

Oversight - Runaway and Homeless Youth (RHY) and the Juvenile Justice System

Committee Room – City Hall.....1:00 p.m.

Wednesday, February 13, 2019

[Stated Council Meeting](#)

Ceremonial Tributes – 1:00 p.m.
Agenda – 1:30 p.m.

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) congratulated Ms. Smita Deshmukh, one of the Council’s Assistant Deputy Directors in the Legislative Division, on the birth of her first child. Ms. Deshmukh gave birth to her daughter on December 14, 2018. Those assembled in the Chambers applauded and cheered on hearing this news.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) announced that Council Members Menchaca and Rivera would serve as co-chairs of the Council’s newly created 20/20 Census Task Force. He explained that this Task Force, along with the full Council, would be committed to ensuring that every New Yorker is counted in the upcoming 2020 Census.

Whereupon on motion of the Speaker (Council Member Johnson), the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) adjourned these proceedings to meet again for the Stated Meeting of Wednesday, February 13, 2019.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 752-A, 755-A, 756-A, 986-A, 1014-B, and 1174-A, all adopted at the December 11, 2018 Stated Meeting, were returned unsigned by the Mayor on January 11, 2019. These items had become law on the same date of January 11, 2019 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 12 to 17 of 2019, respectively,

Int. Nos. 633-A, 748-A, 863-A, 933-B 1075-A, 1090-A, 1300, and 1303, all adopted at the December 20, 2018 Stated Meeting, were returned unsigned by the Mayor on January 24, 2019. These items had become law on the same date of January 20, 2019 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 18 to 25 of 2019, respectively.

