

THE COUNCIL

Minutes of the Proceedings for the

RECESSED MEETING

of

Tuesday, June 6, 2017

held on

Thursday, June 15, 2017, 12:53 p.m.

Deputy Leader (Council Member Gentile)

Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent on June 15, 2017: Council Members Cumbo, Ferreras-Copeland, Garodnick and Ulrich.

The Public Advocate (Ms. James) was not present at this Recessed Meeting held on June 15, 2017. Deputy Leader and Council Member Gentile 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 for this Recessed Meeting was announced by the Deputy Leader (Council Member Gentile)

There were 47 Council Members marked present at this Recessed Meeting of June 6, 2017 held on June 15, 2017 in the Council Chambers of City Hall, New York, N.Y.

**Editor's Note re: Attendance for the Stated Meeting held on June 6, 2017 and the Recessed Meetings held on June 15 and 21, 2017: This Recessed Meeting held on June 15, 2017 and the brief Recessed Meeting held on June 21, 2017 are considered to be the continuation and conclusion of the Stated Meeting which opened on June 6, 2017. For attendance purposes, therefore, any Council Member who was present at any one of these three Meetings will be considered present for all of these proceedings known collectively as the Stated Meeting of June 6, 2017. Although Council Members Cumbo, Ferreras-Copeland, Garodnick, and Ulrich were absent at this Recessed Meeting held on June 15, 2017, they are considered Present but Not Voting for these June 15th proceedings due to their presence at the earlier Stated Meeting held on June 6, 2017.*

SUPPLEMENTAL MESSAGES & PAPERS FROM THE MAYOR

Preconsidered M-520

Communication from the Mayor - "AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million people or more a demonstration program implementing speed violation monitoring systems in school zones by means of photo devices, in relation to the effectiveness thereof; and to amend chapter 43 of the laws of 2014, amending the vehicle and traffic law, the public officers law and the general municipal law relating to photo speed violation monitoring systems in school speed zones in the city of New York, in relation to making technical corrections thereto" S.6046-B/A.7798-B.

(The following is text from a set of Bluebacks signed and submitted to the Council by the Mayor for the Assembly bill; there are another similar set of Bluebacks signed and submitted by the Mayor for the companion Senate bill; both sets of Bluebacks are to be subsequently signed and certified by the City Clerk and Clerk of the Council [Mr. McSweeney] after the adoption of the related home rule item by the Council; the signed and certified Blueback forms are then sent to Albany for filing with the New York State Senate and the New York State Assembly, respectively)

HOME RULE REQUEST

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

To the Legislature:

Pursuant to Article IX of the Constitution, the CITY of NEW YORK requests the enactment of Assembly bill (No. A.7798-B), entitled:

“AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million people or more a demonstration program implementing speed violation monitoring systems in school zones by means of photo devices, in relation to the effectiveness thereof; and to amend chapter 43 of the laws of 2014, amending the vehicle and traffic law, the public officers law and the general municipal law relating to photo speed violation monitoring systems in school speed zones in the city of New York, in relation to making technical corrections thereto”

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

- The local government does not have the power to enact such legislation by local law.
- Other facts, as set forth in the following "Explanation" establish such necessity.

EXPLANATION

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

Such request is made by: (Check appropriate box)

- The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)
- The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

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

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

CHIEF EXECUTIVE OFFICER'S SIGNATURE

(Signed) _____
(Chief Executive Officer)

_____ **BILL DeBLASIO**
(Print or Type Name Below Signature)

_____ **Mayor**
(Title of Chief Executive Officer)

Date: June 15, 2017

CLERK'S CERTIFICATION

I, Michael McSweeney, do hereby certify that I am Clerk of the City Council of the City of New York and that on the _____ day of _____ 2017, such legislative body, at least a majority of the total membership having voted in favor thereof, approved the foregoing request.

(Signed) _____
Clerk

[SEAL OF LOCAL GOVERNMENT] _____ **MICHAEL McSWEENEY**
(Print or Type Name Below Signature)

Date: _____, 20 ____

Referred to the Committee on State and Federal Legislation.

SUPPLEMENTAL REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Health

Report for Int. No. 1233-A

Report of the Committee on Health 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 wild or exotic animal circus performances.

The Committee on Health, to which the annexed proposed amended local law was referred on July 14, 2016 (Minutes, page 2550) , respectfully

REPORTS:

I. Introduction

Today the Committee on Health will hold a hearing on Proposed Int. No. 1233-A and Proposed Int. No. 1263-A. These bills were originally heard in the Committee on Health on October 20, 2016 and May 3, 2017, respectively.

II. Background

Exotic Animal Performances in Circuses

The Animal Welfare Act (AWA) of 1966 outlines minimum standards for the care and housing of certain warm-blooded animals used for research, exhibition, and commerce in order to ensure their humane treatment.¹ Exhibitors showing only farm animals or cold-blooded animals, such as fish and reptiles, are exempt from regulation under the AWA.² Federal regulations require that during public exhibition, all animals must be handled in such a way as to protect the safety of both the animals and the public.

Individuals and businesses exhibiting animals to the public for compensation are required to obtain a license from the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS).³ To ensure that its licensees are meeting federal standards, APHIS inspectors conduct routine, unannounced inspections of all licensed facilities. APHIS' Animal Care unit inspects exhibitor facilities to verify that "all USDA licensed exhibitors provide their animals with proper veterinary care, water, a balanced diet of wholesome food, clean and structurally sound housing that affords enough space for the animals to move comfortably, and protection from extremes in temperature and weather."⁴ Inspectors also check for accurate records of the care that exhibited animals receive and that there is sufficient distance and/or barriers between the animals and the public.⁵ Additional inspections are made to ensure the timely correction of serious noncompliant items documented in previous inspections.

In a 2005 USDA Office of Inspector General audit report, it was found that APHIS did not effectively track violations and prioritize inspections and that the Eastern Region stopped aggressively pursuing enforcement actions against violators of the AWA, leading to a high number of repeat violators.⁶ In a follow up audit report in June 2010, the Inspector General still found deficiencies in APHIS' inspection process.⁷ Thirty-one exhibitor facilities were visited for the audit and 15 of them were found to have safety issues. For

¹ 7 U.S.C. § 2131 - 2159.

² USDA, *Animal Care Fact Sheet*, Feb. 2012, https://www.aphis.usda.gov/publications/animal_welfare/content/printable_version/fs_anexhit.pdf

³ *Id.*

⁴ The U.S. Department of Agriculture Press Release, USDA and Feld Entertainment, Inc., Reach Settlement Agreement, Nov. 28, 2011, <http://www.usda.gov/wps/portal/usda/usdahome?contentid=2011/11/0494.xml>

⁵ U.S. Department of Agriculture Office of Inspector General Western Region, *Audit Report: APHIS Animal Care Program Inspection and Enforcement Activities*, Sept. 2005, <https://www.usda.gov/oig/webdocs/33601-10-CH.pdf>

⁶ U.S. Department of Agriculture Office of Inspector General, *Controls Over APHIS Licensing of Animal Exhibitors*, June 2010, <https://www.usda.gov/oig/webdocs/33002-03-SF.pdf>

⁷ *Id.*

example, at one facility, a visitor could insert a hand into an enclosure with a cougar. Another facility was using a tiger enclosure similar to one that allowed a tiger to escape in 2007, resulting in the death of a zoo visitor. The inspector of that facility was unaware of the 2007 escape and the type of enclosure that caused it. The 2010 audit found that safety guidance was too vague and that inspectors were not given the training and supervision they needed to provide consistent safety inspections. The report also found that, for 6 of 40 traveling exhibitors reviewed, Animal Care inspectors could not perform timely reinspections to ensure that serious noncompliant items that were identified in previous inspections had been resolved. APHIS agreed with all the findings and recommendations in the 2010 audit report and agreed to make improvements.

In New York City, a permit is required from the NYC Department of Health and Mental Hygiene (DOHMH) for the exhibition or use of any animal for commercial purposes.⁸ This includes animals used in theatrical performances, circuses, or in demonstrations by wildlife rehabilitators. Exhibited animals must be under direct control of handlers at all times, cannot have direct contact with the public, and must be housed in an appropriate enclosure.⁹

The Council finds that traveling circuses are detrimental to animal welfare due to the adverse effects of frequent transport, extended periods of confinement and physically abusive training techniques.¹⁰ The extended period of time in vehicles and temporary facilities utilized by the circus industry restrict natural behaviors and cause animals to suffer and be prone to health, behavioral and psychological problems.¹¹ Tricks that exotic and wild animals are forced to perform require extreme physical coercion techniques, including the restriction of food, the use of bullhooks (a heavy bar with a sharpened point and hook), electric shocks, metal bars, whips, and other forms of physical abuse.¹²

The conditions in traveling circuses, including constant travel, limited facilities, long periods of restricted movement, separation from natural groupings, stress, and physical coercion inevitably compromise the welfare of animals, which can lead to abnormal behavior and increased risks to public safety.¹³ Restricting the use of exotic and wild animals in traveling circuses and shows is the most cost-effective and efficient way to safeguard both animal welfare and public safety.

Passage of this bill will add New York City to the list of four states and 125 localities in 34 states across the country that have enacted partial or full bans on circus animals.¹⁴

Health Inspections in School Cafeterias and Kitchens

The New York City Department of Education (DOE) is the largest public school system in the United States serving approximately 1.1 million students. Accordingly, DOE's Office of School Food, known as "SchoolFood," is the largest school food service provider in the U.S., providing over 850,000 total meals each day to students in over 1,700 locations.¹⁵ Private schools in New York City serve thousands of students each day as well.

Similar to mobile food vendors, school cafeterias are subject to the same sanitary standards as other food service establishments, but are carved out of the grading system that applies to restaurants.¹⁶ The New York State Department of Health posts inspection results of food service at schools, children's camp and other facilities online, but these results do not include New York City, presumably because New York City schools are inspected by DOHMH.¹⁷

⁸ NYC Health Code §161.01.

⁹ Information on obtaining an exotic animal exhibit permit can be found at <https://www1.nyc.gov/nycbusiness/description/exhibiting-exotic-animals>

¹⁰ See testimony from the New York City Council hearing of the Committee on Health held on October 20, 2016, available at legistar.council.nyc.gov.

¹¹ Animal Defenders International, *Animals in Traveling Circuses: The Science on Suffering*, Apr. 27, 2010, available at <http://www.ad-international.org/publications/go.php?id=1837>

¹² *Id.*

¹³ *Id.*; The Humane Society of the United States, *Circuses: Entertainment at animals' expense*, http://www.humanesociety.org/issues/circuses_entertainment/facts/circus_facts.html

¹⁴ The Humane Society of the United States, "State and Local Restrictions Governing Traveling Shows and Circuses in the U.S. Factsheet" (updated March 24, 2017) (on file with Committee Counsel).

¹⁵ SchoolFood, "About us," available at: <http://www.schoolfoodnyc.org/AboutUs/aboutus.htm>

¹⁶ NYC Health Code § 81.51(f).

¹⁷ NY State Dept. of Health, "Food Service Establishment Inspection Data," available at: https://www.health.ny.gov/environmental/indoors/food_safety/data.htm

A November 2016 investigation by the New York State Senate Independent Democratic Conference reviewed DOHMH inspection results of school facilities had some concerning findings.¹⁸ Inspectors found 400 incidents of mice excreta during one inspection of the cafeteria for the Sixth Avenue Elementary School in Manhattan.¹⁹ There are 29 schools that have consistently earned a score during the past three academic years that would have returned a “B” or “C” letter grade.²⁰ While the number of restaurants receiving “A” grades has been trending up since the implementation of the grading system, the number of inspections that would be graded at an “A” in schools has declined in recent years, with the number of violations issued increasing 17 percent from fiscal year 2013-14 to fiscal year 2015-16.²¹ Violations for conditions that can lead to vermin infestations and violations issued for evidence of mice are two of the five most common violations issued against school cafeterias.²²

Inspections of school cafeterias and kitchens are not currently required to be accessible to parents or other members of the public.

III. Analysis of Proposed Int. No. 1233-A

Proposed Int. No. 1233-A would prohibit the use of a variety of exotic and wild animals in circuses. Circuses are defined in the bill as live shows or carnivals that feature clowns, acrobatic performances, or stunt performances, and which feature performances by animals prohibited by the bill that do not live on the premises.

The animals covered by the bill are those in the following classifications:

1. Artiodactyla (including hippopotamuses and giraffes);
2. Canidae (including wolves, foxes and jackals);
3. Cetacea (including whales and dolphins);
4. Crocodylia (including alligators and crocodiles);
5. Elephantidae (elephants);
6. Felidae (including tigers, lions, jaguars and leopards);
7. Hyaenidae (hyenas);
8. Kangaroos;
9. Non-human primates (including apes, monkeys and lemurs);
10. Perissodactyla (including rhinoceroses, tapirs and zebras);
11. Pinnipedia (including seals, sea lions and walruses);
12. Struthio (ostriches); and
13. Ursidae (bears).

Legal companion animals, such as household dogs and cats; and farm animals, which are defined as including poultry, sheep, swine, goats, donkeys, mules, horses, alpacas, llamas, camels, and cattle would not be prohibited under the bill; even if they were from one of the classifications listed above.

Proposed Int. No. 1233-A would prohibit the use of the animals described above in circuses, with the penalty for any violation of the bill accruing to a person or entity that would be financially or operationally responsible for the management of the performance, or which officially or financially sponsored the performance. The penalty for violating the law would be a civil penalty of not more than \$1,000 for a first violation and other violations on the same day, and \$2,500 for subsequent violations. Each performance of each animal would count as a separate violation.

Proposed Int. No. 1233-A would take effect 180 days after it becomes law.

¹⁸ NY State Senate Independent Democratic Conference, School Lunch Flunks: An investigation into the Dirtiest New York City Cafeterias, Nov. 2016, available at: https://cbsnewyork.files.wordpress.com/2016/12/school_lunch_flunks_full_report.pdf

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

This bill was amended after its original hearing on October 20, 2016. These changes include the following:

- The scope of the bill was narrowed from all performances where animals are required to participate as accompaniments for the benefit of a live audience to circuses only;
- The list of animals covered by the bill was shortened, with animals that are less likely to endanger public safety removed from the bill's coverage. Among the animals that are no longer covered by the bill, but which were included in the previous version, are herons, camels, mongooses, koalas, ferrets, pelicans, and kiwis;
- The exemptions in the previous bill for accredited zoos, certain educational demonstrations, religious ceremonies, and research facilities were removed, as these exemptions are no longer necessary due to the bill now covering only circus performances; and
- Various technical changes

IV. Analysis of Proposed Int. No. 1263-A

Proposed Int. No. 1263-A would require the online posting of DOHMH sanitary inspection results for school cafeterias and kitchens. The inspections results required to be posted would be for inspections on or after September 1, 2017, and would eventually include no fewer than three years of inspection data.

Inspection results would be posted on the DOE website for schools that are part of the City School District, and the DOHMH website for schools that are not.

Proposed Int. No. 1263-A would take effect 180 days after it becomes law.

This bill was amended after its original hearing on May 3, 2017. The changes were primarily technical, with the two substantive changes being that the agency hosting the inspection data for schools in the City School District was changed from the DOE to DOHMH, and the enactment date was changed from 120 to 180 days after it becomes law.

(For text of Int. No. 1263-A and its Fiscal Impact Statement, please see the Report of the Committee on Health for Int. No. 1263-A printed in these Minutes; for the text of Int. No. 1233-A, please see below:)

Accordingly, this Committee recommends the adoption of Int. Nos. 1233-A and 1263-A.

(The following is the text of Int. No. 1233-A:)

Int. No. 1233-A

By Council Members Mendez, Johnson, Palma, Cabrera, Dromm, Koslowitz, Williams, Rodriguez, Rosenthal, Gibson, Torres, Cohen, Levin, Vacca, Cornegy, Richards, Reynoso, Salamanca, Menchaca, Espinal, Ferreras-Copeland, Chin, Lander, Gentile, Van Bramer, Levine, Perkins, Cumbo, Maisel, Garodnick, Grodenchik, Vallone, Treyger, Wills, Mealy, Ulrich and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to wild or exotic animal circus performances

Be it enacted by the Council as follows:

Section 1. Legislative Findings. The Council finds that traveling circuses are detrimental to animal welfare due to the adverse effects of frequent transport, extended periods of confinement and physically abusive training techniques. The extended period of time in vehicles and temporary facilities utilized by the circus industry restrict natural behaviors and cause animals to suffer and be prone to health, behavioral and psychological problems. Tricks that exotic and wild animals are forced to perform require extreme physical coercion techniques, including the restriction of food, the use of bullhooks (a heavy bar with a sharpened point and hook), electric shocks, metal bars, whips, and other forms of physical abuse.

The conditions in traveling circuses, including constant travel, limited facilities, long periods of restricted movement, separation from natural groupings, stress, and physical coercion inevitably compromise the welfare of animals, which can lead to abnormal behavior and increased risks to public safety. Restricting the use of exotic and wild animals in traveling circuses and shows is the most cost-effective and efficient way to safeguard both animal welfare and public safety.

Passage of this bill will add New York City to the list of four states and 125 localities in 34 states across the country that have enacted partial or full bans on circus animals.

§ 2. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.5 to read as follows:

§ 17-199.5 *Wild and exotic animal circus performances prohibited. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Cause a performance. The term "cause a performance" means to be financially or operationally responsible for the management of a performance, or to officially or financially sponsor a performance.

Circus. The term "circus" means any live show or carnival which, along with clown, acrobatic, or stunt performances, features performances by live wild or exotic animals that, in order to be able to perform, have traveled in mobile housing facilities or were taken from their permanent residence and required to travel for any distance.

Companion animal. The term "companion animal" means any domesticated animal normally maintained in or near the household of the owner or person who cares for such animal. The term "companion animal" does not include farm animals or animals that cannot be sold, given, possessed, harbored, kept or yarded pursuant to paragraph (1) of subdivision (a) of section 161.01 of the New York city health code.

Farm animal. The term "farm animal" means poultry, sheep, swine, goats, donkeys, mules, horses, alpacas, llamas, camels, or any species of cattle.

Wild or exotic animal. The term "wild or exotic animal" means any animal, other than a companion animal or farm animal, from any of the following superorders, orders, classes, families or clades, or any hybrid of any such animal, including a hybrid with a companion animal or farm animal:

1. *Artiodactyla (including hippopotamuses and giraffes);*
2. *Canidae (including wolves, foxes and jackels);*
3. *Cetacea (including whales and dolphins);*
4. *Crocodylia (including alligators and crocodiles);*
5. *Elephantidae (elephants);*
6. *Felidae (including tigers, lions, jaguars and leopards);*
7. *Hyaenidae (hyenas);*
8. *Kangaroos;*
9. *Non-human primates (including apes, monkeys and lemurs);*
10. *Perissodactyla (including rhinoceroses, tapirs and zebras);*
11. *Pinnipedia (including seals, sea lions and walruses);*
12. *Struthio (ostriches); and*
13. *Ursidae (bears)*

b. Prohibited acts. It shall be unlawful for any person to cause a performance of any wild or exotic animal that is part of a circus.

c. Enforcement. Any authorized employee, officer, or agent of the department or any other city agency designated by the mayor may enforce the provisions of this section or any rule promulgated thereunder.

d. Rules. The commissioner may promulgate rules as may be necessary for the purpose of carrying out this section.

e. Violation and penalties. Any person who violates subdivision b of this section or any rule promulgated thereunder shall be liable for a civil penalty not to exceed \$2,500 for each violation recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings; except that for a first such violation and other violations of subdivision b occurring on the same day, such person shall be liable for a civil penalty not to exceed \$1,000 for each violation recoverable in a proceeding before any such tribunal. Each performance of an individual wild or exotic animal constitutes a separate violation of this section.

f. Other laws not affected. Nothing in this section shall be construed to affect any other protections or prohibitions related to animals pursuant to any other provision of law.

§ 3. This local law takes effect 180 days after it becomes law; provided, however, that the commissioner shall take such actions, including the promulgation of rules, as may be necessary for the timely implementation of this local law prior to such date.

COREY D. JOHNSON, *Chairperson*; ROSIE MENDEZ, JAMES VACCA, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, RAFAEL L. ESPINAL, Jr.; Committee on Health, June 15, 2017. *Other Council Members Attending: Council Members King, Miller and Dromm.*

Laid Over by the Council.

Report for Int. No. 1263-A

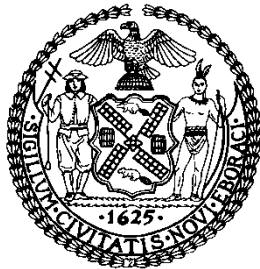
Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the results of inspections of food service establishments operated in schools.

The Committee on Health, to which the annexed proposed amended local law was referred on September 14, 2016 (page 2993), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Health for Int. No. 1233-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1263-A:



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

INTRO. NO: 1263-A

COMMITTEE: Health

TITLE: A local law to amend the administrative code of the city of New York, in relation to the results of inspections of food service establishments operated in schools.

SPONSOR(S): Council Members Dromm, Chin, Menchaca, Vacca and Cohen

SUMMARY OF LEGISLATION: The proposed legislation would require the Department of Education (DOE) to post on its website no fewer than three years of inspection results—beginning with any inspection after September 1, 2017—from the Department of Health and Mental Hygiene (DOHMH) for each city school cafeteria or kitchen.

EFFECTIVE DATE: This legislation would take effect 180 days after becoming law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

| | Effective FY18 | FY Succeeding Effective FY 19 | Full Fiscal Impact FY 18 |
|---------------------|-----------------------|--|-------------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not have any impact on revenues.

IMPACT ON EXPENDITURES: It is estimated that this bill would not have an impact on expenditures because DOHMH and DOE would utilize existing resources to enforce the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
Department of Health and Mental Hygiene
Department of Education

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, NYC Council Finance Division
Cirilhien R. Francisco, Unit Head, NYC Council Finance Division
Eric Bernstein, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on September 14, 2016 and was referred to the Committee on Health. The Committee held a hearing on May 3, 2017 and the bill was laid over. The bill was subsequently amended, and the Committee will vote on the amended legislation, Proposed Int. No. 1263-A, at a hearing on June 15, 2017. Upon successful vote by the Committee, the full Council will vote on the legislation on June 21, 2017.

DATE PREPARED: May 31, 2017.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1263-A:)

Int. No. 1263-A

By Council Members Dromm, Chin, Menchaca, Vacca, Cohen, Johnson, Mendez, Koo, Van Bramer and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to the results of inspections of food service establishments operated in schools

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 section 23-702 to read as follows:

§ 23-702 *School food service establishment inspection results. a. For the purposes of this section the term "school food service establishment" means a cafeteria or kitchen in a school that is subject to the provisions of article 81 of title 24 of the New York city health code.*

b. The department of education shall, for each school food service establishment in a school of the city school district, post on its website no fewer than three years of inspection results from the department of health and mental hygiene beginning with any inspection after September 1, 2017. Such inspection results shall show such school food service establishment's degree of compliance with the provisions of the New York city health code, the state sanitary code and other applicable laws that require such establishments to operate in a sanitary manner so as to protect public health.

c. The department of health and mental hygiene shall, for each school food service establishment for which inspection results are not posted pursuant to subdivision b, post on its website no fewer than three years of inspection results beginning with any inspection after September 1, 2017. Such inspection results shall show such school food service establishment's degree of compliance with the provisions of the New York city health code, the state sanitary code and other applicable laws that require such establishments to operate in a sanitary manner so as to protect public health.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of the department of health and mental hygiene may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

COREY D. JOHNSON, *Chairperson*; ROSIE MENDEZ, JAMES VACCA, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, RAFAEL L. ESPINAL, Jr.; Committee on Health, June 15, 2017. *Other Council Members Attending*: Council Members King, Miller and Dromm.

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

Report of the Committee on State and Federal Legislation

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

Report for State Legislation Resolution No. 5

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.6626, and Assembly Member Farrell, A.8323, "AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year two thousand eighteen."

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 15, 2017, respectfully

REPORTS:

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

BACKGROUND:

New York State Law requires that the City of New York adopt class shares based on rates calculated by the State Board of Real Property Services (SBRPS) for the purpose of distributing the tax levy among the four classes of real property. This year SBRPS' class equalization rates would cause the tax burden on property tax class one, comprised of one-, two- and three-family homes, to increase, as it has over the past several years.

The purpose of this bill is provide relief for the residential property tax class one without placing a burden on to class two, which is the other residential tax class. The "uncapped" current base proportions of class one would grow by over 4 percent from fiscal year 2017, under SBRPS' calculations. Currently, State Law provides that the current base proportion of any one class may not exceed the adjusted base proportion for that class from the prior year by more than five percent.

This legislation would adjust that rule, for one year only, to cap the maximum class growth at 0 percent for New York City. The effect of this change would be to reduce the amount by which the current base proportions for any class, including class one, is allowed to grow, resulting in citywide savings of about \$250 for a typical owner of a class one single family home. Under a cap of 0 percent, class two properties will see a decrease in the tax rate, making the rate the lowest it has been since fiscal year 2009. Similarly, class four's rate is also expected to decrease under a 0 percent cap. Class three's rate is expected to increase, however, this rate is expected to be lower than it has been in the past 10 of 15 years. If this bill does not become law, the New York City Council has to adopt the default SBRPS formula for establishing class shares. The estimated tax rate increase for class one would be over 6 percent, which when coupled with assessment increases would cause significant increases in the tax bills for residential homeowners.

PROPOSED LEGISLATION:

Section one of this bill amends subdivision 1 of section 1803-a of the real property tax law by adding a new paragraph (cc) which caps the maximum class growth rate at zero percent for fiscal year 2018.

Section two of this bill holds that in the event that the special assessing unit has sent out real property tax bills for its fiscal year 2018 before this act becomes law, the city of New York will take such as actions as are necessary to effect the provisions of section one of this act.

Section three states that this bill shall take effect immediately.

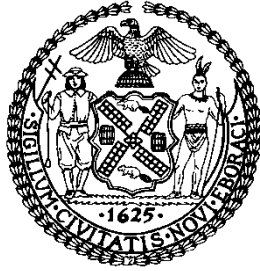
FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 5:)



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

**PRE CONSIDERED SLR 5: S6626 / A8323
COMMITTEE: State and Federal Legislation**

TITLE: AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year 2018.

SPONSOR(S): Karen Koslowitz

SUMMARY OF LEGISLATION: This legislation would amend Subdivision 1 of section 1803-a of the real property tax law by adding a new paragraph (w), which would limit the increase in the Fiscal 2018 current base proportions of any class over the Fiscal 2018 adjusted base proportions to zero percent. The bill also provides for revising the current base proportions and adjusted base proportions, resetting the real property tax rates, and sending out amended real property tax bills in the event that the Department of Finance has mailed out property tax bills before enactment of this law.

EFFECTIVE DATE: This law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: There would be no impact on expenditures as a result of the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York State Board of Real Property Services (SBRPS)
New York City Department of Finance
New York City Council Finance Division

ESTIMATE PREPARED BY: Maria, Senior Economist, NYC Council Finance

ESTIMATE REVIEWED BY: Raymond Majewski, Deputy Director/Chief Economist,
NYC Council Finance
Emre Edev, Assistant Director, NYC Council Finance
Eric Bernstein, Counsel, NYC Council Finance

LEGISLATIVE HISTORY: This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered SLR on June 15, 2017. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 15, 2017.

FIS SUMMARY: Under current law, the annual increase in the current base proportions for each of the four classes of property is limited to five percent over the prior year's adjusted base proportions. The State Board of Real Property Services (SBRPS) has calculated the class equalization rates used in determining the current base proportions or class shares of the real estate levy for Fiscal 2018. This year the uncapped share for class one (residential one-, two-, and three-unit family homes) has increased by over 4 percent while the uncapped share for class two is slightly higher with an increase of 0.1 percent. The share of class three (utility properties) decreased by about 6.4 percent. The uncapped portion borne by class four (commercial and industrial properties) sees a decrease in its share from the prior year, by 0.7 percent.

This year, the Council and the Mayor determined that maintaining the five percent cap on increases in class shares would present a hardship for class one homeowners. Based on the final assessment roll, released by the Department of Finance on May 25, 2017, at the five percent cap, the Fiscal 2018 tax rate for class one would increase by 6.5 percent from the Fiscal 2017 tax rate. By lowering the cap to zero percent, class one's tax rate still goes up, but by a more modest 2 percent.

There is no impact on revenues since the real estate tax levy remains the same, whether the increase in class shares is capped at five percent or zero percent. However, a cap of lower than five percent causes a shift in a small portion of the levy of class one onto classes three and four. Even with this shift, the tax rate for class four will decrease from the Fiscal 2017 rate. The tax rate for class three continues to increase with the zero percent cap, but the subsequent tax rate is comparable to historical rates.

DATE PREPARED: June 8, 2017.

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S. LANDER, RAFAEL L. ESPINAL, Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; BILL PERKINS; Committee on State and Federal Legislation, June 15, 2017. *Other Council Members Attending: Council Member Richards.*

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

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

Report for State Legislation Resolution No. 6

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden,

S.5706, and Assembly Member Abbate, A.7603, “AN ACT to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 15, 2017, respectfully

REPORTS:

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

BACKGROUND:

Emergency medical technicians (EMTs) and advanced emergency medical technicians (Paramedics) are first responders in the same fashion as police and firefighters. EMTs and Paramedics are required to render aid and treatment to patients under extremely dangerous situations. Recently, Yadira Arroyo, an EMT and mother of five tragically died in the performance of her duties in the Bronx, her death illustrates the hazards of working as an EMT. Currently, the law provides awards to the spouses of firefighters, police officers and transit officers that are killed in the line of duty. This bill will provide the spouses of EMTs and Paramedics the equivalent death benefits in the event of an untimely death while engaged in the performance of their duties.

PROPOSED LEGISLATION:

Section one of this bill amends section 3-401 of the administrative code of the city of New York to provide an award to the surviving spouses of emergency medical technicians and advanced emergency medical technicians employed by the fire department of New York killed while discharging their duties.

Section two holds that this bill will go into effect immediately.

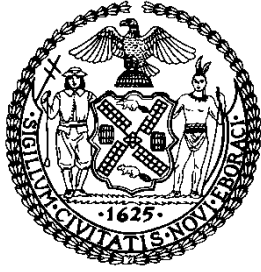
FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 6:)



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

PRE CONSIDERED SLR 6: S5706 / A7603
COMMITTEE: State and Federal Legislation

TITLE: AN ACT to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty **SPONSOR(S): Karen Koslowitz**

SUMMARY OF LEGISLATION: This bill would provide spouses or domestic partners of emergency medical technicians (EMTs) and advanced emergency medical technicians (Paramedics) an award equal to the annual salary of the member at the time of death. This award is currently offered to police officers, firefighters, and transit police officers, and is paid in one lump sum as soon after the death as possible. The award is also in addition to any pension, award or other allowances authorized by law.

In the case that a member has no spouse or domestic partner, the award will be made to the minor child or children surviving such member. If no such children exist, the award will be made to the dependent mother, father, or other dependents.

EFFECTIVE DATE: This law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

| | Effective FY18 | FY Succeeding Effective FY19 | Full Fiscal Impact FY18 |
|-------------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues (+) | \$0 | \$0 | \$0 |
| Expenditures (-) | \$26,794 | \$26,794 | \$26,794 |
| Net | \$26,794 | \$26,794 | \$26,794 |

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 this legislation would add an expenditure of roughly \$27,000 each year. Based on the Office of the Actuary's 6/30/2016 valuation, there are 3,846 active EMT's with an average salary of \$53,590. Assuming an accidental mortality probability of 0.013% for both men and women (Maguire et al), approximately 0.5 EMTs are killed while engaged in the discharge of duty each year.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: The New York City Council Finance Division

Occupational fatalities in emergency medical services: a hidden crisis. Maguire BJ, Hunting KL, Smith GS, and Levick NR. *Annals of Emergency Medicine*. 2002 Dec;40(6):625-32

ESTIMATE PREPARED BY: Kendall Stephenson, Economist, City Council Finance Division

ESTIMATE REVIEWED BY: Paul Sturm, Supervising Economist
Raymond Majewski, Deputy Director/Chief Economist.
Eric Bernstein, Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered SLR on June 15, 2017. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 15, 2017.

DATE PREPARED: June 12, 2017.

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; BILL PERKINS; Committee on State and Federal Legislation, June 15, 2017. *Other Council Members Attending: Council Member Richards.*

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

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

Report for State Legislation Resolution No. 7

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5484-A, and Assembly Member DenDekker, A.7185-A, "AN ACT to amend the retirement and social security law and the general municipal law, in relation to pension benefits of widows or widowers of sanitation workers".

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 15, 2017, respectfully

REPORTS:

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

BACKGROUND:

Emergency medical technicians (EMTs) and advanced emergency medical technicians (Paramedics) are first responders in the same fashion as police and firefighters. EMTs and Paramedics are required to render aid and treatment to patients under extremely dangerous situations. Recently, Yadira Arroyo, an EMT and mother of five tragically died in the performance of her duties in the Bronx, her death illustrates the hazards of working as an EMT. Currently, the law provides awards to the spouses of firefighters, police officers and transit officers that are killed in the line of duty. This bill will provide the spouses of EMTs and Paramedics the equivalent death benefits in the event of an untimely death while engaged in the performance of their duties.

PROPOSED LEGISLATION:

Section one of this bill amends section 3-401 of the administrative code of the city of New York to provide an award to the surviving spouses of emergency medical technicians and advanced emergency medical technicians employed by the fire department of New York killed while discharging their duties.

Section two holds that this bill will go into effect immediately.

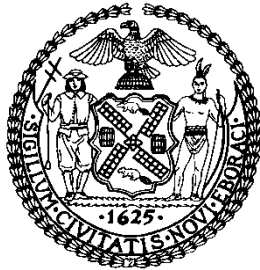
FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 7:)



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

**PRE CONSIDERED SLR 7: S5484-A / A7185-A
COMMITTEE: State and Federal Legislation**

TITLE: AN ACT to amend the retirement and social security law and the general municipal law, in relation to pension benefits of widows or widowers of sanitation workers. **SPONSOR(S):** Karen Koslowitz

SUMMARY OF LEGISLATION: This bill would provide Special Accidental Death Benefits (SADB) to eligible beneficiaries of employees of the uniformed Department of Sanitation who are members of the New York City Employees' Retirement System (NYCERS) who die in the performance of duty. The SADB will be equal to the salary of the deceased member at date of death, reduced by any accidental death benefit, reduced by any death benefit paid by social security to the deceased member's eligible beneficiaries, and reduced by any workers' compensation benefit. If the surviving spouse is no longer alive or eligible, then the Accidental Death Benefit is paid in successive order to any surviving children until age twenty-five, or any dependent parents.

Additionally, this bill expands the definition of a Tier 4 and 6 (modified Tier 3) eligible beneficiary for Accidental Death Benefits so that a member's surviving spouse can continue to receive the benefit for life, even if the spouse has remarried.

The SADB would be retroactive to accidental deaths sustained in the performance of duty on or after November 1, 1996.

EFFECTIVE DATE: This law would take effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

| | Effective FY18 | FY Succeeding Effective FY19 | Full Fiscal Impact FY18 |
|-------------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues (+) | \$0 | \$0 | \$0 |
| Expenditures (-) | (\$6,500,000) | (\$6,500,000) | (\$6,500,000) |
| Net | (\$6,500,000) | (\$6,500,000) | (\$6,500,000) |

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

IMPACT ON EXPENDITURES: This legislation would increase annual employer contributions by approximately \$6.5 million per year beginning in Fiscal Year 2018.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Office of the Actuary Fiscal Note 2017 – 01R

ESTIMATE PREPARED BY: Kendall Stephenson, Economist, City Council Finance Division

ESTIMATE REVIEWED BY: Paul Sturm, Supervising Economist
Raymond Majewski, Deputy Director/ Chief Economist
Eric Bernstein, Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered SLR on June 15, 2017. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 15, 2017.

DATE PREPARED: June 14, 2017.

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <http://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S. LANDER, RAFAEL L. ESPINAL, Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; BILL PERKINS; Committee on State and Federal Legislation, June 15, 2017. *Other Council Members Attending: Council Member Richards.*

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

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

Report for State Legislation Resolution No. 8

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Peralta, S.6703, and Assembly Member Aubry, A.8305-A, "AN ACT authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics".

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 15, 2017, respectfully

REPORTS:

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

BACKGROUND:

This legislation will provide New York City the authority to discontinue the use as parkland of certain parkland in Flushing Meadow Park to permit the construction of a new pre-kindergarten facility in the proximity of the New York Hall of Science which would provide opportunities for children to attend a prekindergarten program that focuses on science, technology, engineering and math.

PROPOSED LEGISLATION:

Section one of the legislation authorizes New York City acting by and through the Department of Parks and Recreation the authority to discontinue the use of parkland of the land described in section three of the law for the purposes of the construction and operation of a pre-kindergarten facility in the proximity of the New York Hall of Science which would provide opportunities for children to attend a prekindergarten program that focuses on science, technology, engineering and math.

Section two requires New York City to dedicate an amount equal to or greater than the fair market value of any portion of parkland which may be used by this law for a non-park purpose for the acquisition of additional parkland and/or capital improvements to existing park and recreational facilities within the borough of Queens.

Section three of the state bills describes the metes and bounds of the parkland.

Section four holds that if the parkland described in section three has received any funding pursuant to the Federal Land and Water Conservation fund, the discontinuance of parkland authorized shall not occur until New York City has complied with the federal requirements pertaining to the conversion of parklands.

Section five holds that if the property described in section three shall ever be used for a purpose other than the purpose described in section one of this act, the property will revert back to the New York City Department of Parks and Recreation.

Section six states that nothing within this legislation shall be construed to exempt any prekindergarten center established on the land described in section three from being in compliance with all applicable standards relating to pre-kindergarten programs.

Section seven is the effective date.

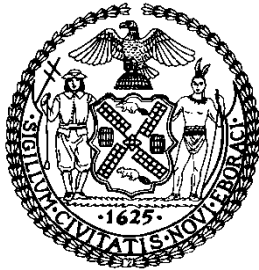
FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 8:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
Preconsidered SLR 8: S.6703 (Peralta)
A.8305 (Aubry)**

COMMITTEE: State and Federal Legislation

TITLE: An act to authorize the city of New York to discontinue the use as parkland of land in the city of New York commonly known as the Hall of Science Parkland in the borough of Queens.

SPONSOR(S): Council Member Koslowitz

SUMMARY OF LEGISLATION: This legislation would transfer ownership of a parcel of land lying in Queens, NY, in Tax Block No. 2018 Lot 1 from the Department of Parks and Recreation to the Department of Education to allow for a new pre-kindergarten facility to be constructed in the proximity of the New York Hall

Of Science, which could provide opportunities to the children of Queens to attend a prekindergarten program that focuses on science, technology, engineering and math. The authorization requires that the city of New York dedicate an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or towards capital improvements to existing parkland and recreational facilities within the borough of Queens.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2018

FISCAL IMPACT STATEMENT:

| | Effective FY17 | FY Succeeding Effective FY18 | Full Fiscal Impact FY18 |
|-------------------------|---------------------------|---|------------------------------------|
| 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 as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no 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: Kenneth Grace, Financial Analyst, New York City Council Finance Division

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division
Chima Obichere, Unit Head, New York City Council Finance Division
Eric Bernstein, Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 15, 2017. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on June 15, 2017.

DATE PREPARED: June 14, 2017

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; BILL PERKINS; Committee on State and Federal Legislation, June 15, 2017. *Other Council Members Attending: Council Member Richards.*

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

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

Report for State Legislation Resolution No. 9

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Serrano, S.6724, and Assembly Member Joyner, A.8422, "AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of Corporal Fischer Park in the borough of the Bronx and to sell and convey such land upon terms and conditions to facilitate the construction of affordable housing".

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 15, 2017, respectfully

REPORTS:

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

BACKGROUND:

This legislation will provide New York City the authority to discontinue the use as parkland of certain parkland in the Bronx to permit the construction of affordable housing. This legislation, along with related commitment of various city departments and agencies provides for the replacement of the parkland described in this legislation.

PROPOSED LEGISLATION:

Section one of the legislation authorizes New York City acting by and through the Department of Parks and Recreation the authority to discontinue the use of parkland of the land described in section three of the law for the purposes of the construction of a housing project in which 100 percent of the dwelling units will be occupied by persons of low income as defined by section 2 of the private housing finance law and upon such other terms and conditions as determined by the Department of Housing Preservation and Development.

Section two requires New York City to dedicate the land described in section four of this legislation, known as Corporal Irwin Fischer place which has never been used for park purposes, as park land. This law requires that New York City perform capital improvements to the Corporal Irwin Fischer park so that the value of such dedicated lands and capital improvements are equal to or greater than the fair market value of the lands being discontinued as parkland described in section three of the law.

Section three of the state bills describes the metes and bounds of the parkland that is to be discontinued.

Section four of the state bills describes the metes and bounds of Corporal Irwin Fischer place.

Section five holds that if the property described in section three shall ever be used for a purpose other than the purpose described in section one of this act, the property will revert back to the New York City Department of Parks and Recreation.

Section six holds that if the parkland described in section three has received any funding pursuant to the Federal Land and Water Conservation fund, the discontinuance of parkland authorized shall not occur until New York City has complied with the federal requirements pertaining to the conversion of parklands.

Section seven is the effective date.

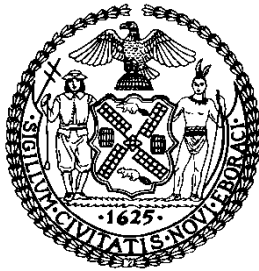
FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 9:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
Preconsidered SLR 9: S.6724 (Serrano)
A.8422 (Joyner)**

COMMITTEE: State and Federal Legislation

TITLE: AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of Corporal Fisher Park in the borough of the Bronx and to sell and convey such land upon terms and conditions to facilitate the construction of affordable housing.

SPONSOR(S): Council Member Koslowitz

SUMMARY OF LEGISLATION: This legislation will provide New York City the authority to discontinue the use as parkland of certain parkland in the Bronx to permit the construction of affordable housing. This legislation, along with related commitment of various city departments and agencies provides for the replacement of the parkland described in this legislation.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2018

FISCAL IMPACT STATEMENT:

| | Effective FY17 | FY Succeeding Effective FY18 | Full Fiscal Impact FY18 |
|-------------------------|---------------------------|---|------------------------------------|
| 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 as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no 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: Kendall Stephenson, Economist, New York City Council Finance Division

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head, New York City Council Finance Division
Eric Bernstein, Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 15, 2017. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on June 15, 2017.

DATE PREPARED: June 15, 2017.

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S. LANDER, RAFAEL L. ESPINAL, Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; BILL PERKINS; Committee on State and Federal Legislation, June 15, 2017. *Other Council Members Attending: Council Member Richards.*

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

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

Report for State Legislation Resolution No. 10

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Serrano, S.6721, and Assembly Member Benedetto, A.8419, "AN ACT in relation to authorizing

discontinuance of the use as parkland of land in the city of New York commonly known as the Marx Brothers playground ”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 15, 2017, respectfully

REPORTS:

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

BACKGROUND:

This legislation will provide New York City the authority to discontinue the use as parkland of Marx Brothers playground, and to transfer such land to the New York City Educational Construction Fund to permit the construction of a combined occupancy structure.

PROPOSED LEGISLATION:

Section one of the legislation authorizes New York City acting by and through the Department of Parks and Recreation and the Department of Education the authority to discontinue the use of parkland of the land described in section three of the law, commonly known as the Marx Brothers playground, and to transfer such land to the New York City Educational Construction Fund to permit the construction of a combined occupancy structure, as that term is defined in Section 452 of the Education law upon such terms and conditions as shall be agreed upon between the parties.

Section two requires New York City to dedicate an amount equal to or greater than the fair market value of any portion of parkland which may be used by this law for a non-park purpose for the acquisition of additional parkland and/or capital improvements to existing park and recreational facilities.

Section three of the state bills describes the metes and bounds of Marx Brothers playground.

Section four holds that if Marx Brothers playground has received any funding pursuant to the Federal Land and Water Conservation fund, the discontinuance of parkland authorized shall not occur until New York City has complied with the federal requirements pertaining to the conversion of parklands.

Section five is the effective date.

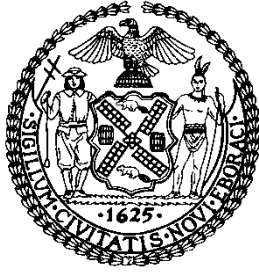
FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 10:)



**THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
 FISCAL IMPACT STATEMENT
 Preconsidered SLR 10: S.6721 (Serrano)
 A.8419 (Benedetto)**

COMMITTEE: State and Federal Legislation

TITLE: An act to authorize the city of New York to discontinue the use as parkland of land in the city of New York commonly known as the Marx Brothers playground in the borough of Manhattan. **SPONSOR(S):** Council Member Koslowitz

SUMMARY OF LEGISLATION: This legislation would transfer ownership of the Marx Brothers Playground in Manhattan from the Department of Parks and Recreation to the Department of Education to expand capacity at the School for Cooperative Technical Education. The authorization requires that the city of New York dedicate an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or towards capital improvements to existing parkland and recreational facilities within the borough of Manhattan.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2018

FISCAL IMPACT STATEMENT:

| | Effective FY17 | FY Succeeding Effective FY18 | Full Fiscal Impact FY18 |
|-------------------------|---------------------------|---|------------------------------------|
| 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 as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no 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: Kenneth Grace, Financial Analyst, New York City Council Finance Division

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division
Chima Obichere, Unit Head, New York City Council Finance Division
Eric Bernstein, Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 15, 2017. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on June 15, 2017.

DATE PREPARED: June 13, 2017

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; BILL PERKINS; Committee on State and Federal Legislation, June 15, 2017. *Other Council Members Attending: Council Member Richards.*

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

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

Report for M-520

Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor regarding "AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million people or more a demonstration program implementing speed violation monitoring systems in school zones by means of photo devices, in relation to the effectiveness thereof; and to amend chapter 43 of the laws of 2014, amending the vehicle and traffic law, the public officers law and the general municipal law relating to photo speed violation monitoring systems in school speed zones in the city of New York, in relation to making technical corrections thereto" S.6046-B/A.7798-B.

The Committee on State and Federal Legislation, to which the annexed preconsidered Mayor's Message home-rule item was referred on June 15, 2017, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether to recommend the adoption of this respective Mayor's Message Miscellaneous item [M] by the Council. By adopting this Mayor's Message M-520, the Council would be formally requesting the New York State Legislature to act favorably in this matter)

BACKGROUND:

In 2013 the New York State Legislature passed Chapter 180 of the Laws of 2013 which established a five year demonstration program to permit the installation of a small amount of speed safety cameras near schools in New York City at certain hours of the day. The New York City Department of Transportation reports an average drop of almost 60 percent in speeding infractions at the locations since installation began¹. Currently, only 7 percent of New York City school children attend a school with a nearby speed safety camera. This legislation expands on this speed safety camera program to cover more school children by increasing the cap to 290 schools from the current cap of 140.

PROPOSED LEGISLATION:

Sections 1 of the legislation amends subdivision (a) of section 1180-b of the Vehicle and Traffic law, as amended by chapter 43 of the laws of 2014 to expand the use of speed cameras to 290 schools within New York City. The section prohibits the installation of speed cameras within 300 feet of a highway exit ramp. New York City will prioritize the placement of speed safety cameras based upon school zone's speed data or the crash history of a school speed zone.

Section 2 of the legislation amends subdivision (a) of section 1180-b of the Vehicle and Traffic law, as amended by chapter 189 of the laws of 2013 by mandating that the City install signs providing notice that a speed camera is in use within 300 feet of such camera. The legislation also requires the installation of signage notifying drivers of the use of speed cameras within a designated school speed zone.

Sections 3 of the legislation amends subdivision (c) of section 1180-b of the Vehicle and Traffic law, as amended by chapter 189 of the laws of 2013 by defining a "school speed zone" as being a radial distance not to exceed 1,320 feet from a school building, entrance or exit.

Section 4 sets forth a reporting requirement.

Sections 5 amends the opening paragraph section 12 of chapter 43 of the laws of 2014, amending the Vehicle and Traffic law, the Public Officers law, and the General Municipal law, by amending the expiration date of sections one through ten of this act.

Sections 6 amends section 15 of chapter 189 of the laws of 2013 to set a new sunset date of July 1, 2022.

Section 7 sets forth a timeline for the addition of 150 new school speed zones, as authorized by Section 1 of this legislation.

Section 8 is the effective date.

FISCAL IMPLICATIONS:

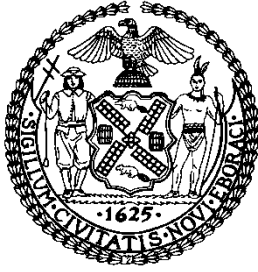
See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

This legislation shall take effect immediately.

¹ See <http://www.nyc.gov/html/dot/html/pr2016/pr16-091.shtml>

(The following is the text of the Fiscal Impact Statement for M-520:)



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

PRECONSIDERED M-520: S6046-B / A7798-A
COMMITTEE: State and Federal Legislation

TITLE: AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million people or more a demonstration program implementing speed violation monitoring systems in school zones by means of photo devices, and chapter 43 of the laws of 2014, amending the vehicle and traffic law, the public officers law and the general municipal law relating to photo speed violation monitoring systems in school speed zones in the city of New York, in relation to the effectiveness thereof.

SPONSOR(S): Karen Koslowitz

SUMMARY OF LEGISLATION: This bill would expand the use of speed cameras from 140 to 290 schools within the City on school days during school hours and one hour before and after the school day, as well as during periods of student activities. When selecting which school speed zone to install and operate a photo speed violation monitoring system, the City shall consider criteria including speed data, crash history, and the roadway geometry.

This bill prohibits the installation of speed cameras on a controlled-access highway exit ramp or within 300 feet along a highway that continues from the end of a controlled-access highway exit ramp. The City will be mandated to install “photo enforced” signs providing notice that a speed camera is in use and should be mounted more than 300 feet from the speed violation monitoring system. The City shall also install additional warning signs marked “speed camera ahead” within or approaching such school speed zone and no more than 300 feet from such camera. A school speed zone will now be defined as being a radial distance not to exceed 1,320 feet from a school building, entrance, or exit.

Under this bill, the City must conduct and submit a study on the results of this expansion to the governor, temporary president of the senate, and speaker of the assembly. The 150 photo speed violation monitoring systems shall be installed over three years with no more than 50 school speed zones in the first year, no more than 50 additional school speed zones during the second year, and no more than 50 additional school speed zones during the third such year.

This bill also sets a new sunset date of July 1, 2022.

EFFECTIVE DATE: This law would take effect on the 30th day after it shall have become a law and shall expire and be deemed repealed July 1, 2022.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

| | Effective FY18 | FY Succeeding Effective FY19 | Full Fiscal Impact FY20 |
|-------------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues (+) | \$13,423,125 | \$34,026,733 | \$45,045,298 |
| Expenditures (-) | \$14,942,905 | \$22,894,129 | \$30,845,354 |
| Net | - \$1,519,780 | \$11,132,604 | \$14,199,944 |

IMPACT ON REVENUES: When fully implemented, it is estimated that the revenue impact of the 150 cameras added by this legislation, assuming 180 school days, would be approximately \$45 million in Fiscal 2020. The initial revenue generated in Fiscal 2018 would be approximately \$13.4 million rising to \$34 million in Fiscal 2019.

IMPACT ON EXPENDITURES: Costs to implement this legislation would include both operating costs and capital expenditures for the purchase and installation of the additional 150 new cameras. The capital costs would be approximately \$11.2 million in each of the fiscal years 2018 through 2020. The annual operating costs for the additional cameras would total over \$3.7 million in Fiscal 2018, nearly \$11.7 million in Fiscal 2019, and \$19.6 million in Fiscal 2020. These costs include contracts for the operation and maintenance of the cameras as well as personal service costs associated with staff to operate the cameras.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: City Council Finance Division
NYC Department of Transportation

ESTIMATE PREPARED BY: Kendall Stephenson, Economist, City Council Finance Division

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head, City Council Finance Division

LEGISLATIVE HISTORY: This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered M on June 15, 2017. Upon successful vote by the Committee, the Preconsidered M will be introduced and submitted to the full Council for a vote on June 15, 2017.

DATE PREPARED: June 14, 2017.

(For text of the preconsidered M, please see the Supplemental Messages from the Mayor section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; BILL PERKINS; Committee on State and Federal Legislation, June 15, 2017. *Other Council Members Attending: Council Member Richards.*

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

SUPPLEMENTAL GENERAL ORDER CALENDAR

Report for Int. No. 709-A

Report of the Committee on Youth Services in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to a disconnected youth workforce development program.

The Committee on Youth Services, to which the annexed proposed amended local law was referred on March 27, 2015 (Minutes, page 1985), and which was originally before the Council at the June 6, 2017 Stated Meeting, (Minutes, page 1822), respectfully

REPORTS:

(For text of report and bill, please see the Report of the Committee on Youth Services for Int. No. 709-A printed in the Minutes of the Stated Meeting of June 6, 2017, page 1822)

Accordingly, this Committee recommends its adoption, as amended.

MATHIEU EUGENE, *Chairperson*; ANNABEL PALMA, DARLENE MEALY, MARGARET S. CHIN, DAVID G. GREENFIELD, ANDY L. KING, LAURIE A. CUMBO; Committee on Youth Services, May 30, 2017.

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> |
|---------------------------|--|-------------------|
| Christina M. Cruz | 500 Union Avenue Bronx, N.Y. 10455 | 8 |
| Divanessa Bernal | 10 Hillside Avenue #6C New York, N.Y. 10040 | 10 |
| Cecelia Stovall | 2654 Bainbridge #2 Bronx, N.Y. 10458 | 15 |
| Ariana Persaud | 132-03 Liberty Avenue #2R South Richmond Hill, N.Y. 11419 | 28 |
| Eva Silvia Nevado-Collado | 61-69 Pierrepont Street #32 Brooklyn, N.Y. 11201 | 33 |
| Shunya Togashi | 753 Quincy Street #1 Brooklyn, N.Y. 11221 | 36 |
| Veronica Nieves | 370 54th Street #2 Brooklyn, N.Y. 11220 | 38 |
| Amanda C. Velez | 447 43rd Street #1 Brooklyn, N.Y. 11232 | 38 |
| Michael Dowd | 1283 Prospect Avenue Brooklyn, N.Y. 11218 | 39 |
| Ad eta Nikqi | 1400 51st Street #A3 Brooklyn, N.Y. 11219 | 44 |
| Jordan Barbato | 135 Home Place Staten Island, N.Y. 10314 | 50 |

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

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

- (60) M-520 - Photo speed violation monitoring systems in school speed zones.
S.6046-B/A.7798-B (Mayoral Message Home Rule item).
- (61) Int. 1263-A - Results of inspections of food service establishments operated in schools.
- (62) SLR 5 - Determination of adjusted base proportions in special assessing units. **S.6626/A.8323 (SLR Home Rule item requiring two-thirds affirmative vote for passage).**
- (63) SLR 6 - Providing awards to spouses of emergency medical technicians.
S.5706/A.7603 (SLR Home Rule item requiring two-thirds affirmative vote for passage).
- (64) SLR 7 - Pension benefits of widows or widowers of sanitation workers.
S.5484-A/A.7185-A (SLR Home Rule item requiring two-thirds affirmative vote for passage).
- (65) SLR 8 - Discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction.
S.6703/A.8305-A (SLR Home Rule item requiring two-thirds affirmative vote for passage).
- (66) SLR 9 - Discontinue the use as parkland of a portion of Corporal Fischer Park in the borough of the Bronx.
S.6724/A.8422 (SLR Home Rule item requiring two-thirds affirmative vote for passage).
- (67) SLR 10 - Discontinuance of the use as parkland of land in the city of New York commonly known as the Marx Brothers playground.
S.6721/A.8419 (SLR Home Rule item requiring two-thirds affirmative vote for passage).

(68) Resolution approving various persons Commissioners of Deeds.

The Deputy Leader (Council Member Gentile) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

Affirmative – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Deutsch, Dromm, Espinal, Eugene, Grodenchik, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

The Supplemental General Order vote recorded for this Recessed Meeting held on June 15, 2017 was 47-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **M-520**:

Affirmative – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Dromm, Espinal, Eugene, Gentile, Gibson, Johnson, Kallos, King, Koo, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **37**.

Negative – Borelli, Deutsch, Greenfield, Grodenchik, Lancman and Matteo – **6**.

Abstention – Koslowitz, Vallone, Williams and Wills – **4**.

The following was the vote recorded for **SLR No. 8**:

Affirmative – Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Deutsch, Espinal, Eugene, Grodenchik, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **43**.

Negative – Barron, Dromm and Vallone – **3**.

Abstention – Miller – **1**.

The following was the vote recorded for **SLR No. 9**:

Affirmative – Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Deutsch, Dromm, Espinal, Eugene, Grodenchik, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

Negative – Barron and Vallone – **2**.

Abstention – Miller – **1**.

The following was the vote recorded for **SLR No. 10**:

Affirmative – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Deutsch, Dromm, Espinal, Eugene, Grodenchik, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **46**.

Negative – Vallone – **1**.

The following Introductions was sent to the Mayor for his consideration and approval: Int. No. 263-A.

Official Blueback forms verifying the Council's passage of preconsidered M-520 and preconsidered SLR Nos. 5, 6, 7, 8, 9, and 10 of 2017 were signed and certified by the City Clerk and Clerk of the Council (Mr. McSweeney) and were subsequently sent to Albany for filing with the State Senate and State Assembly.

SUPPLEMENTAL INTRODUCTION AND READING OF BILLS

Preconsidered Res. No. 1559

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.6811/S.5120, an act to establish a private student loan refinance task force.

By Council Member Barron.

Whereas, In the first quarter of 2017, the Federal Reserve Bank of New York (FRBNY) reported that national outstanding student loan balances totaled \$1.34 trillion, of which 11 percent of aggregate debt was delinquent or in default; and

Whereas, However, that \$1.34 trillion in outstanding student loan balances does not account for private student loans, credit cards, and home equity loans used to finance a college education so that, according to the Federal Reserve System, outstanding student debt actually amounts to more than \$1.4 trillion; and

Whereas, In New York, according to a 2016 report by the New York State Comptroller, from 2006 to 2015, student loan debt more than doubled to \$82 billion and the number of student loan borrowers rose by more than 41 percent to 2.8 million; and

Whereas, In New York City (NYC), according to the FRBNY, 16.2 percent of consumers had a student loan with an average balance of \$35,300, and 14 percent of those borrowers were at least 90 days late on their payment in the fourth quarter of 2016; and

Whereas, On July 10, 2015, in an attempt to mitigate the burden of growing student debt, President Barack Obama issued a directive that capped borrowers' federal loan repayments to 10 percent of their income and would have forgiven debt after 20 years of payment; and

Whereas, Although United States Education Secretary Betsy DeVos reversed the directive on March 16, 2017, which had been an expansion of a program offered to borrowers with especially low income, the former directive was expected to benefit nearly six million more Americans; and

Whereas, In order to similarly address the debt burden associated with private student loans, A.6811, sponsored by State Assembly Member Marcos Crespo, and companion bill S.5120, sponsored by State Senator Jesse Hamilton, seek to establish a private student loan refinance task force; and

Whereas, The task force will bring together the State Comptroller, the Higher Education Services Corporation and lending institutions in New York that offer private student loans, to study and report on ways those lending institutions can be incentivized to establish student loan refinancing programs; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A.6811/S.5120, an act to establish a private student loan refinance task force.

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

Int. No. 1648

By Council Members Espinal, Reynoso, Koslowitz, Johnson, Torres, Gentile, Kallos, Rosenthal and Treyger.

A Local Law to amend the administrative code of the city of New York, in relation to establishing an office of nightlife and a nightlife task force*Be it enacted by the Council as follows:*

Section 1. There is hereby created a nightlife task force to examine issues relating to the nightlife industry, which includes restaurants, bars, nightclubs, public dance halls, and other cultural or arts spaces. This task force shall identify and study common issues and trends relating to the nightlife industry. The task force shall

make recommendations to the mayor and the council on ways to improve laws and policies that impact nightlife establishments. In making its recommendations, the task force should examine the following: i) the regulatory structure of the nightlife industry; ii) common complaints regarding nightlife establishments; iii) public safety concerns related to the nightlife industry; iv) how to improve enforcement of nightlife industry-related laws and rules; v) zoning and other community development concerns related to the nightlife industry; vi) integration of the nightlife industry into the city's various neighborhoods; and vi) any other issues the task force finds are relevant.

§ 2. The nightlife task force shall consist of 9 members, 5 of whom shall be appointed by the mayor, 4 of whom shall be appointed by the speaker of the council, and none of whom may hold any other public office, employment or trust. The nightlife task force shall be comprised of 2 advocates from the nonprofit or academic sectors, 2 representatives from the nightlife industry, 1 community board member, and 4 public members each of whom has at least 5 years' experience in one or more of the following areas: i) the New York city fire code and fire department rules; ii) the New York city building code; iii) the New York city zoning resolutions; iv) public safety and nightlife establishment security management; and v) urban planning and development. The mayor shall designate 1 public member to serve as chair. Any vacancy on the nightlife task force shall be filled in the same manner as an original appointment.

§ 3. The nightlife task force shall hold at least 1 public hearing in each borough. The commissioner of the department of consumer affairs shall serve as chairperson and shall convene the first meeting of the task force within 90 days after the effective date of this local law.

§ 4. No later than 1 year after the effective date of this local law, the nightlife task force shall submit its findings and recommendations to the mayor and the speaker of the council. The nightlife task force shall be dissolved upon submission of such report.

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

§ 20-D Office of nightlife. a. Definitions. For the purposes of this section the following terms shall have the following meanings:

Nightlife establishment. The term "nightlife establishment" means a restaurant, bar, nightclub, lounge, public dance hall and catering establishment.

Director. The term "director" means the director of the office of nightlife.

b. The mayor shall establish an office of nightlife. Such office may be established in the executive office of the mayor or may be established as a separate office or within any office of the mayor or department that does not conduct enforcement against nightlife establishments. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such department.

c. Powers and duties. The director shall have the power and duty to:

1. Receive and examine 311 complaints relating to noise, loitering or other types of complaints regarding the operation of nightlife establishments and assist such establishments in addressing such complaints;

2. Serve as the intermediary between city agencies, law enforcement, residents and the nightlife industry to resolve complaints;

3. Advise and assist the mayor and the heads of departments which provide services to nightlife establishments including, but not limited to, the department of consumer affairs, the police department, the fire department, the department of city planning, the department of buildings and the department of small business, on issues relating to the nightlife industry;

4. Monitor and assist with the implementation of the nightlife task force recommendations, if any;

5. Monitor the number and types of violations issued to nightlife establishments and develop recommendations to address recurring problems or trends, in consultation with industry representatives, city agencies, community boards and residents;

6. Provide assistance to nightlife establishments seeking to obtain relevant licenses, permits or approvals from city agencies;

7. Promote an economically and culturally vibrant nightlife industry, while accounting for the best of interests of the city and its residents; and

8. Perform other relevant duties as the mayor may assign.

d. Within 18 months of the effective date of the local law that added this section, and annually thereafter, the director shall prepare and submit a report to the mayor and the council which shall include, but not be limited to, any steps taken to implement recommendations of the nightlife task force, any additional

recommendations developed by the director pursuant to paragraph 5 of subdivision c of this section, whether such recommendations were accepted, an evaluation of the effectiveness of such recommendations, and any other duties assigned to the office pursuant to paragraph 8.

§ 6. This local law takes effect immediately.

Referred to the Committee on Consumer Affairs.

Preconsidered State Legislation Resolution No. 5

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.6626, and Assembly Member Farrell, A.8323, “AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year two thousand eighteen”.

By Council Member Koslowitz.

Whereas, Bills have been introduced in the New York State Legislature by Senator Golden, S.6626, and Assembly Member Farrell, A.8323, “AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year two thousand eighteen”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 6

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5706, and Assembly Member Abbate, A.7603, “AN ACT to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty”.

By Council Member Koslowitz.

Whereas, Bills have been introduced in the New York State Legislature by Senator Golden, S.5706, and Assembly Member Abbate, A.7603, “AN ACT to amend the administrative code of the city of New York, in relation to providing awards to spouses of emergency medical technicians and advanced emergency medical technicians who are killed while engaged in the discharge of duty”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 7

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5484-A, and Assembly Member DenDekker, A.7185-A, “AN ACT to amend the retirement and social security law and the general municipal law, in relation to pension benefits of widows or widowers of sanitation workers”.

By Council Member Koslowitz.

Whereas, Bills have been introduced in the New York State Legislature by Senator Golden, S.5484-A, and Assembly Member DenDekker, A.7185-A, “AN ACT to amend the retirement and social security law and the general municipal law, in relation to pension benefits of widows or widowers of sanitation workers”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 8

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Peralta, S.6703, and Assembly Member Aubry, A.8305-A, “AN ACT authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics”.

By Council Member Koslowitz.

Whereas, Bills have been introduced in the New York State Legislature by Senator Peralta, S.6703, and Assembly Member Aubry, A.8305-A, “AN ACT authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 9

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Serrano, S.6724, and Assembly Member Joyner, A.8422, “AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of Corporal Fischer Park in the borough of the Bronx and to sell and convey such land upon terms and conditions to facilitate the construction of affordable housing ”.

By Council Member Koslowitz.

Whereas, Bills have been introduced in the New York State Legislature by Senator Serrano, S.6724, and Assembly Member Joyner, A.8422, “AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of Corporal Fischer Park in the borough of the Bronx and to sell and convey such land upon terms and conditions to facilitate the construction of affordable housing ”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 10

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Serrano, S.6721, and Assembly Member Benedetto, A.8419, “AN ACT in relation to authorizing discontinuance of the use as parkland of land in the city of New York commonly known as the Marx Brothers playground ”.

By Council Member Koslowitz:

Whereas, Bills have been introduced in the New York State Legislature by Senator Serrano, S.6721, and Assembly Member Joyner, A.8419, “AN ACT in relation to authorizing discontinuance of the use as parkland of land in the city of New York commonly known as the Marx Brothers playground ”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered Int. No. 1649

By Council Members Matteo, Vallone, Kallos and Maisel.

A Local Law to amend the administrative code of the city of New York, in relation to the maximum exemptions allowable for the alternative exemption for veterans

Be it enacted by the Council as follows:

Section 1. Section 11-245.6 of the administrative code of the city of New York, as amended by local law number 136 for the year 2005, is amended to read as follows:

§ 11-245.6 Alternative exemption for veterans; maximum exemptions allowable. Pursuant to subparagraph (ii) of paragraph (d) of subdivision two of section four hundred fifty-eight-a of the real property tax law, the city hereby increases the maximum exemptions allowable in paragraphs (a), (b) and (c) of subdivision two of section four hundred fifty-eight-a of the real property tax law. The maximum exemption allowable in such paragraph (a) shall be fifteen percent of the assessed value of the qualifying residential real property; provided, however, that such exemption shall not exceed [fifty-four thousand dollars] \$48,000 or the product of [fifty-four thousand dollars] \$48,000 multiplied by the latest class ratio, whichever is less. In addition to the exemption provided by such paragraph (a), as increased by this section, the maximum exemption allowable in such paragraph (b) shall be ten percent of the assessed value of the qualifying residential real property; provided, however, that such exemption shall not exceed [thirty-six thousand dollars] \$32,000 or the product of [thirty-six thousand dollars] \$32,000 multiplied by the latest class ratio, whichever is less. In addition to the exemptions provided by such paragraphs (a) and (b), as increased by this section, the maximum exemption allowable in such paragraph (c) shall be the product of the assessed value of the qualifying residential real property multiplied by fifty percent of the veteran's disability rating; provided, however, that such exemption shall not exceed [one hundred eighty thousand dollars] \$160,000 or the product of [one hundred eighty thousand dollars] \$160,000 multiplied by the latest class ratio, whichever is less. The maximum exemptions allowable in such paragraphs (a), (b) and (c), as increased by this section, shall not apply to any assessment roll completed and filed prior to the first day of January, two thousand six.

§ 2. This local law takes effect on the same day as a local law amending the administrative code of the city of New York relating to the alternative exemption for veterans, as proposed in introduction number 1304 for the year 2016, takes effect, and shall expire and be deemed repealed on the same day as such local law.

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

L.U. No. 679

By Council Member Ferreras-Copeland:

FH Homes, Block 1057, Lot 13, Block 2129, Lot 46; Manhattan, Community District No. 4 & 12, Council District No. 3 & 10.

Referred to the Committee on Finance.

L.U. No. 680

By Council Member Ferreras-Copeland:

Tri-Block, Block 2096, Lot 6, Block 2097, Lot 7, Block 2097, Lot 15; Brooklyn, Community District No. 2, Council District No. 35.

Referred to the Committee on Finance.

L.U. No. 681

By Council Member Ferreras-Copeland:

321 East 60th Street, Block 1435, Lot 15; Manhattan, Community District No. 8, Council District No. 5.

Referred to the Committee on Finance.

L.U. No. 682

By Council Member Greenfield:

Application No. C 170087 ZMX submitted by The Ader Group LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 6c, changing an existing M1-1 District to an R8A/C2-4 District on property on Whitlock Avenue and 165th Street, Borough of the Bronx, Community Board 2, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 683

By Council Member Greenfield:

Application No. N 170088 ZRX submitted by The Ader Group LLC pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area, Borough of the Bronx, Community Board 2, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 684

By Council Member Greenfield:

Application No. N 170286 ZRM submitted by Lightstone Acquisitions X, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying regulations of Article IX, Chapter 1 (Special Lower Manhattan District) allowing a floor area bonus for public plazas, Borough of Manhattan, Community Board 1, Council District 1.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 685

By Council Member Greenfield:

Application No. C 170256 ZMQ submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section nos. 24b, 24d, 30a, and 30c, changing various zoning districts and establishing a Special Coastal Risk District in the Broad Channel neighborhood, Borough of Queens, Community Board 14, Council District 32.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 686

By Council Member Greenfield:

Application No. N 170257 ZRQ submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, relating to Article XIII, Chapter 7 (Special Coastal Risk District) to establish a Special Coastal Risk District in the Broad Channel neighborhood, Borough of Queens, Community Board 14, Council District 32.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 687

By Council Member Greenfield:

Application No. C 170255 ZMQ submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 18b, changing various zoning districts and establishing a Special Coastal Risk District in the Hamilton Beach neighborhood, Borough of Queens, Community Board 10, Council District 32.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 688

By Council Member Greenfield:

Application No. N 170267 ZRQ submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, relating to Article XIII, Chapter 7 (Special Coastal Risk District) to establish a Special Coastal Risk District in the Hamilton Beach neighborhood, Borough of Queens, Community Board 10, Council District 32.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 689

By Council Member Greenfield:

Application No. N 170251 ZRM submitted by 517 West 35th LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying Section 93-122 to change development phasing regulations, Borough of Manhattan, Community Board 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises

L.U. No. 690

By Council Member Greenfield:

Application No. 20175520 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 1205, p/o lot 28 (Tentative Lot 127), Borough of Brooklyn, Community Board 1, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 691

By Council Member Greenfield:

Application No. C 170187 ZMM submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 8d, changing an existing C5-2 District to a C5-3 District and establishing a Special Midtown District, Borough of Manhattan, Community Board 6, Council District 4.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 692

By Council Member Greenfield:

Application No. N 170186 (A) ZRM submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, relating to Article XIII, Chapter 1 (Special Midtown District) to establish the East Midtown Subdistrict, Borough of Manhattan, Community Board 5 and 6, Council District 4.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 693

By Council Member Greenfield:

Application No. 20175519 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located in the Lower East Side Neighborhood in the Borough of Manhattan, Community Board 3, Council Districts 1 and 2.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

<http://legistar.council.nyc.gov/Calendar.aspx>

ANNOUNCEMENTS

Monday, June 19, 2017

[Committee on Housing and Buildings](#)10:00 a.m.

Int 305 - By The Public Advocate (Ms. James) and Council Members Johnson, Chin, Crowley, Eugene, Koo, Levine Reynoso, Rose, Wills, Rosenthal and Rodriguez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the commissioner of housing preservation and development to report on the number of dwellings and dwelling units created or preserved through department programs.

Proposed Int 336-A - By Council Members Lander, Chin, Gentile, Gibson, Johnson, Levin, Levine, Mendez, Reynoso, Richards, Rodriguez and Menchaca - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to periodically report on the voluntary and mandatory inclusionary housing program and any similar successor programs.

Proposed Int 942-A - By Council Members Rodriguez, Chin, Gentile and Rose - **A Local Law** to amend the administrative code of the city of New York, in relation to increasing transparency regarding city financial assistance provided to developers.

Int 1427 - By Council Members Dromm, Salamanca, Barron and Cornegy - **A Local Law** to amend the administrative code of the city of New York, in relation to defining the term reside in the lead law.

Int 1645 - By Council Member Richards - **A Local Law** to amend the New York city charter, in relation to payments to and expenditures from the mandatory inclusionary housing affordable housing fund.

Committee Room – City Hall

Jumaane D. Williams, Chairperson

[Committee on Immigration](#)10:00 a.m.

Oversight - Supporting New York City’s DREAMers and “DACA-mented” Youth.

Res 1484 - By Council Members Menchaca, The Speaker (Council Member Mark-Viverito), Dromm and Constantinides - **Resolution** calling on the state and federal government to extend protections for undocumented youth by passing the New York State DREAM Act of 2017 at the state level, as well as the Bar Removal of Individuals who Dream and Grow our Economy (BRIDGE) Act of 2017 at the federal level.

Council Chambers – City Hall

Carlos Menchaca, Chairperson

[Committee on Oversight and Investigations](#)10:00 a.m.

Int 1591 - By Council Members Crowley and Barron - **A Local Law** to amend the New York city charter, in relation to having an inspector general within the department of investigation who would monitor only the department of homeless services and the human resources administration.

Int 1618 - By Council Members Gentile, Dromm, Lancman, Rosenthal and Torres - **A Local Law** to amend the New York city charter, in relation to requiring that the department of investigation conduct public outreach campaigns and issue annual reports on complaints received.

Int 1633 - By Council Member Gentile, Rosenthal and Crowley - **A Local Law** to amend the New York city charter, in relation to requiring the department of investigation to complete vendor name checks for city vendors thirty days prior to the commencement of a contract.

Committee Room – 250 Broadway, 16th Floor

Vincent J. Gentile, Chairperson

★ Note Topic Deferred

★★ Note Topic Additions

Committee on Civil Rights.....1:00 p.m.

~~**Oversight** – Examining the rise in discriminatory harassment claims received by the Commission on Human Rights in the last year, how these claims are addressed, and outreach efforts to ensure communities are aware they can go to the Commission with these claims.~~

★★Int 1186 - By Council Members Dromm, Chin, Mendez, Johnson, Vacca, Menchaca and Torres - **A Local Law** to amend the administrative code of the city of New York, in relation to amending the definitions of sexual orientation and gender in the New York city human rights law.

★★Preconsidered Int ____ - By The Speaker (Council Member Mark-Viverito) and Council Member Dromm - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting conversion therapy.

Res 614 – By Council Members Dromm, Johnson, Menchaca, Mendez, Torres, Van Bramer, Chin, Constantinides, Gentile, Gibson, Lander, Levine, Palma, Richards, Rose, Rosenthal, Koslowitz, Rodriguez, Vacca, Cumbo, Lancman, Ferreras-Copeland, Levin, Reynoso, Salamanca, Espinal, Barron, Grodenchik, Perkins, Crowley, Maisel, Garodnick, Kallos, Treyger and Miller - **Resolution** calling on the New York State Legislature to pass and the Governor to sign into law A.4558/S.61, which would prohibit discrimination on the basis of gender expression or identity and expand the State's hate crimes statute to include offenses committed against someone on the basis of his or her gender expression or identity.

Res 1287 - By Council Members Dromm, Crowley, Menchaca, Chin, Constantinides and Rosenthal - **Resolution** calling on the United States Congress to pass and the President to sign H.R.3185/S.1858, the Equality Act, which would amend the Civil Rights Acts of 1964 and 1968 to include sexual orientation and gender identity as prohibited categories of discrimination or segregation with respect to employment, public accommodation and housing.

Committee Room – 250 Broadway, 16th Floor

Darlene Mealy, Chairperson

Committee on Consumer Affairs.....1:00 p.m.

Oversight - Enforcement of New York City’s Cabaret Law.

Int 1648 - By Council Member Espinal - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing an office of nightlife and a nightlife task force.

Council Chambers – City Hall

Rafael L. Espinal, Chairperson

★ Addition

Committee on Governmental Operations.....1:00 p.m.

Proposed Int 1517-A - By Council Member Kallos - **A Local Law** to amend the administrative code of the city of New York, in relation to the timing of a disclosure report for candidates for public office.

Committee Room – City Hall

Ben Kallos, Chairperson

★ Deferred

Committee on Small Business.....1:00 p.m.

~~**Int 1509** – By Council Members Cornegy and Gentile – **A Local Law** to amend the administrative code of the city of New York, in relation to access to online business tools.~~

~~**Int 1510** – By Council Members Cornegy, Levin, Salamanca, Gentile and Menchaca – **A Local Law** in relation to a small business workforce development plan.~~

~~Int 1511 - By Council Members Cornegy and Levin - A Local Law in relation to a state of small business survey.
Committee Room - City Hall - Robert Cornegy, Chairperson~~

Tuesday, June 20, 2017

Subcommittee on Zoning & Franchises 9:30 a.m.
See Land Use Calendar
Council Chambers - City Hall Donovan Richards, Chairperson

Committee on Public Housing 10:00 a.m.
Oversight - Examining NYCHA's Restructuring of Tenant Participation Activities (TPA) Funds.
Committee Room - 250 Broadway, 16th Floor Ritchie Torres, Chairperson

Subcommittee on Landmarks, Public Siting & Maritime Uses 11:00 a.m.
See Land Use Calendar
Committee Room - City Hall Peter Koo, Chairperson

Subcommittee on Planning, Dispositions & Concessions 1:00 p.m.
See Land Use Calendar
Committee Room - City Hall Rafael Salamanca, Chairperson

★ Note Amended Topic

Committee on Small Business jointly with the
Committee on Veterans 1:00 p.m.

Oversight - Supporting Veteran Entrepreneurship and Employment.

Int 1509 - By Council Members Cornegy and Gentile - **A Local Law** to amend the administrative code of the city of New York, in relation to access to online business tools.

★Proposed Int 1510-A - By Council Members Cornegy, Levin, Salamanca, Gentile, Menchaca and Rosenthal - **A Local Law** in relation to a small business workforce development plan.

Int 1511 - By Council Members Cornegy and Levin - **A Local Law** in relation to a state of small business survey.
Committee Room - 250 Broadway, 14th Floor Robert Cornegy, Chairperson
Eric Ulrich, Chairperson

Wednesday, June 21, 2017

★ Deferred

Committee on Courts and Legal Services 10:00 a.m.
~~**Oversight** - Examining Wage Theft in Low wage Industries and Exploring the Expansion of Legal Services for Low wage Workers.
Committee Room - City Hall - Rory Lancman, Chairperson~~

★ Addition

Committee on Finance 10:00 a.m.
Proposed Int 1304-B - By Council Members Matteo, Rose, Ferreras-Copeland, Borelli, Ulrich, Vacca, Johnson, Vallone, Levine, Cohen, Richards, Lancman, Grodenchik, Maisel, Gentile, Koslowitz, Salamanca, Gibson, Cabrera, Greenfield, Treyger, Williams, Van Bramer, Cornegy, Reynoso, Espinal, Chin, Levin and Garodnick - **A Local Law** to amend the administrative code of the city of New York, in relation to the alternative exemption for veterans.

Int 1649 - By Council Member Matteo - **A Local Law** to amend the administrative code of the city of New York, in relation to the maximum exemptions allowable for the alternative exemption for veterans.

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

L.U. 679 - FH Homes, Block 1057, Lot 13, Block 2129, Lot 46; Manhattan, Community District No. 4 & 12, Council District No. 3 & 10.

L.U. 680 - Tri-Block, Block 2096, Lot 6, Block 2097, Lot 7, Block 2097, Lot 15; Brooklyn, Community District No. 2, Council District No. 35.

L.U. 681 - By Council Member Ferreras-Copeland - 321 East 60th Street, Block 1435, Lot 15; Manhattan, Community District No. 8, Council District No. 5.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Council Chambers – City Hall

Julissa Ferreras-Copeland, Chairperson

★ *Note Topic Addition*

Committee on Land Use.....10:00 a.m.

★ Proposed Int 1219-A - By Council Members Greenfield, Kallos, Richards, Chin, Lancman and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting and publication of information about privately owned public spaces.

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall

David G. Greenfield, Chairperson

★ *Deferred*

Committee on General Welfare..... 1:00 p.m.

~~**Oversight** – From PATH to Permanency: Navigating the Shelter System as a Family with Children.~~

~~**Proposed Int 855-A** – By Council Members Kallos, Wills, Rosenthal, Reynoso, Rose, Richards, Rodriguez, Menchaca and Perkins – **A Local Law** to amend administrative code of the city of New York, in relation to notification of public assistance eligibility.~~

~~**Int 1461** – By Council Members Levin, Menchaca, Salamanca and Richards – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of social services to provide customer service training twice per year to all employees that interact with members of the public.~~

~~**Int 1577** – By Council Members Levin and Barron – **A Local Law** to amend the New York city charter, in relation to establishing an office of case management.~~

~~**Int 1597** – By Council Members Levin, Dromm and Barron – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that the department of homeless services recognize time spent in foster care as homelessness for the purpose of meeting rental voucher eligibility requirements.~~

~~**Res 1462** – By Council Members Levin, Crowley, Vallone, Grodenchik, Richards, Salamanca, Rosenthal, Johnson, Chin, Palma and Barron – **Resolution** in support of the Home Stability Support plan, which would create a new statewide rent supplement for families and individuals who are eligible for public assistance benefits and who are facing eviction, homelessness, or the loss of housing due to situations such as domestic violence or hazardous living conditions.~~

~~Council Chambers – City Hall~~

~~Stephen Levin, Chairperson~~

★ *Deferred*

Committee on Governmental Operations.....1:00 p.m.

~~**Int 1517** – By Council Member Kallos – **A Local Law** to amend the administrative code of the city of New York, in relation to the timing of a disclosure report for candidates for public office.~~

~~Committee Room – 250 Broadway, 16th Floor~~

~~Ben Kallos, Chairperson~~

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 Mark-Viverito) asked for a Moment of Silence in memory of retired FDNY Firefighter Ray Pfeifer, 59, formerly of Engine 40, Ladder 35, who passed away on May 28, 2017. Officer Pfeifer served the city for 28 years and was part of the response team on 9/11. He became a strong advocate for the passing of the James Zadroga 9/11 Health and Compensation Act. Officer Pfeifer suffered and died from the ill health effects of working on-site at Ground Zero. The Speaker (Council Member Mark-Viverito) thanked him for his years of service and offered her thoughts and prayers to his family.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) recognized various advocates and families seated in the balcony who supported the expansion of the school safety camera program. She recognized the family members who had lost loved ones due to unchecked motor vehicle speed, including in particular: Amy Cohen, who lost her son Sammy; and Hank Miller, who lost his sister Victoria Nicodemus. M-520, a home rule item before the Council for a vote at this Meeting, requests that the State Legislature pass bills in Albany which would allow for the expansion of the program in New York City. Those assembled in the Chambers applauded the efforts of these family members and advocates.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Deputy Leader (Council Member Gentile) recessed this Meeting subject to call.

