

THE COUNCIL

STATED MEETING OF

THURSDAY, JULY 24, 2014

THE COUNCIL

*Minutes of the Proceedings for the
STATED MEETING
of
Thursday, July 24, 2014, 1:55 p.m.*

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

Council Members

Melissa Mark-Viverito, Speaker

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

Excused: Council Members Cabrera and King.

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

After consulting with the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the Public Advocate (Ms. James).

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

INVOCATION

The Invocation was delivered by Rev. Dr. Cheryl G. Anthony, Pastor, Judah International Christian Center, 141 Rogers Avenue, Brooklyn, N.Y. 11216.

Gracious God, the god of Abraham, Isaac, and Jacob, the God of Joseph and Ephraim and Manasseh, we come on this afternoon first to tell you thank you. Thank you for being such a great and mighty God. Thank you for being a God that sits high and looks down on New York City. We ask that you would be on our midst on today.

We lift up this City Council to you. We'd ask that you would give them everything that they need in order to be able to take care of the needs of our city, that you would give them wisdom and knowledge and understanding and that they would come to know that this is one city, that we might have different communities and different neighborhoods and different boroughs but we are bound together in one spirit. Teach us how to work together and how to play together. Teach us to understand that even though we might not understand what's going on in another borough we understand what's going on in households. Mothers and fathers and children who are struggling just to be able to put food on the table and to live in a decent place. So we thank you for this afternoon. We pray for our Speaker on this afternoon, continue to undergird her. We pray for our Public Advocate And, yes, we pray for our Mayor that you would watch over him and bring him back safe; and all of those that are gathered here today, teach us how to work together that we might do the kind of work that gives you the glory, the honor, and the praise. This is our prayer. Amen.

Council Member Cornegy moved to spread the Invocation in full upon the Record. Council Member Barron also joined in at this point to praise Rev. Anthony.

During the Communication from the Speaker segment, the floor was yielded to Council Member Cornegy who acknowledged the presence of the late Avonte Oquendo's family in the Chambers and asked for a Moment of Silence in his memory.

* * *

At this point, the floor was yielded to the Minority Leader (Council Member Ignizio) who recognized a number of individuals in the balcony: City of Marikina Council Member Mark del Rosario and his family from the Republic of the Philippines as well as Council Member del Rosario's niece and her husband of the NYPD who are both constituents of Council Member Ignizio. Also at this point, the Public Advocate (Ms. James) acknowledged the presence of a number of young people at the dais: Dejalín Tapia, Council Member Levine's son Daniel, and Council Member Cohen's daughter Sara.

ADOPTION OF MINUTES

Council Member Levine moved that the Minutes of the Stated Meetings of May 14 and May 29, 2014 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-84

Communication from the Mayor - Withdrawing the nomination of Marcie Kesner (M-82) from the City Council for its advice and consent regarding her appointment to the Landmarks Preservation Commission.

July 18, 2014
The Honorable Melissa Mark-Viverito
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Mark-Viverito:

Regarding the June 23rd letter sent to you for the purpose of recommending Marcie Kesner for appointment to the Landmarks Preservation Commission, I hereby ask the City Council to withdraw her name from consideration, as per her request.

Thank you for your cooperation.

Sincerely,

Bill de Blasio
Mayor

Received, Ordered, Printed and Filed.

M-85

Communication from the Mayor - Submitting the name of Margery Perlmutter to the Council for its advice and consent regarding her appointment to the New York City Board of Standards and Appeals, Pursuant to Sections 31 and 659 of the City Charter.

July 18, 2014

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

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 659 of the New York City Charter, I am pleased to present the name of Margery Perlmutter to the City Council for advice and consent in anticipation of her appointment to the New York City Board of Standards and Appeals.

When appointed, Ms. Perlmutter will serve for the remainder of a six-year term expiring on September 1, 2015.

I send my thanks to you and all Council members for reviewing this Board of Standards and Appeals appointment.

Sincerely,

Bill de Blasio
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-86

Communication from the Mayor - Submitting the name of Adi Shamir Baron to the Council for its advice and consent regarding her appointment to the Landmarks Preservation Commission, Pursuant to Sections 31 and 3020 of the City Charter.

July 18, 2014

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

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 3020 of the New York City Charter, I am pleased to present the name of Adi Shamir Baron to the City Council for advice and consent in anticipation of her appointment to the Landmarks Preservation Commission.

When appointed, Ms. Shamir Baron will serve for the remainder of a three-year term expiring on June 28, 2016.

I send my thanks to you and all Council members for reviewing this Landmarks Preservation Commission appointment.

Sincerely,

Bill de Blasio
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-87

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

Landmarks Preservation Commission, Pursuant to Sections 31 and 3020 of the City Charter.

July 18, 2014

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

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 3020 of the New York City Charter, I am pleased to present the name of John Gustafsson to the City Council (for advice and consent in anticipation of his appointment to the Landmarks Preservation Commission.

When appointed, Mr. Gustafsson will serve for the remainder of a three-year term expiring on June 28, 2015.

I send my thanks to you and all Council members for reviewing this Landmarks Preservation Commission appointment.

Sincerely,

Bill de Blasio
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-88

Communication from the Mayor - Submitting the name of Jacques Jiha to the Council for its advice and consent regarding his appointment to the New York City Taxi and Limousine Commission, Pursuant to Sections 31 and 2301 of the City Charter.

July 18, 2014

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

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 2301 of the New York City Charter, I am pleased to present the name of Jacques Jiha to the City Council for advice and consent concerning his appointment to the New York City Taxi and Limousine Commission.

When appointed to the Commission, Mr. Jiha will serve for the remainder of a seven-year term expiring on January 31, 2017.

I send my thanks to you and all Council members for reviewing this Taxi and Limousine Commission appointment.

Sincerely,

Bill de Blasio
Mayor

Referred to the Committee on Rules, Privileges and Elections.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-89

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Daddy Limo Inc., Council District 20, pursuant to Section 19-511(i), of the administrative code of the city of New York.

June 25, 2014

The Honorable Speaker Melissa Mark-Viverito

Attention: Mr. Gary Altman
Council of the City of New York
250 Broadway, 15th Floor
New York, New York 10007

Re: Taxi & Limousine Commission
For-Hire Vehicle Base License approvals

Dear Speaker Mark-Viverito:

Please be advised that on June 19, 2014 the Taxi & Limousine Commission voted to approve the following for-hire vehicle base license application:

NEW (2):	LICENSE #	COUNCIL DISTRICT
Daddy Limo Inc	B02753	20
Alfred Holding Inc/ d.b.a: ICARS	B02748	31
RENEWALS (11):	LICENSE #	COUNCIL DISTRICT
LIL'D Dispatch Inc. / d.b.a: Strictly Car Service	B01308	38
New American C/L SVC	B01057	39
Lincoln Limo SVCE INC	B00619	01
Old Town Cars Corp/ d.b.a: Delta Cars	B01808	49
Vic & Bay Car Service, Inc/ d.b.a: Dejoy's Red Top	B00706	49
Mirage Limousine Service, Inc./ d.b.a: UFO PVT C/L Service	B00990	26
J.J.S. Transportation Co. Inc. /d.b.a: Grant City Car SVC	B01379	50
TRANSP UNLIMITED C/S	B00037	40
RESCUE C/S INC	B00652	35

MUNKACS CAR SVC LTD	B01559	39
BLUE WHITE ASSOC. TRANS.SVC	B00492	11
RENEWAL & CHANGE OF OWNERSHIP (1):	LICENSE #	COUNCIL DISTRICT
DT Brooklyn Car And Limo Svc. Inc	B01699	35
RENEWAL & CHANGE OF OFFICER (2):	LICENSE #	COUNCIL DISTRICT
POWER LUXURY RADIO DISPATCH INC.	B02405	07
79 Masada III, Inc./ d.b.a: Masada III Car & Limo Service	B01710	48
RENEWAL & CHANGE OF NAME (1):	LICENSE #	COUNCIL DISTRICT
Habirah Inc./ d.b.a: Elat Car & Limousine.	B00378	44
CHANGE OF LOCATION (1):	LICENSE #	COUNCIL DISTRICT
High Class Limo Car Svce Corp	B01639	14

The complete application packages compiled for the above bases are available for your review upon request. If you wish to receive a copy please contact Ms. Angelique Meola, Business Licensing Unit, at businessunit@tic.nyc.gov. Please find enclosed herein the original applications for the approved base stations.

Very truly yours,

Christopher Tormey

Director of Applicant Licensing Licensing & Standards Division Taxi & Limousine Commission

Referred to the Committee on Transportation.

M-90

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Alfred Holding Inc., Council District 31, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-91

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license LIL'D Dispatch Inc., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-92

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license New American., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-93

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Lincoln Limo SVCE INC., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-94

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Old Town Cars Corp., Council District 49, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-95

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Vic & Bay Car Service, Inc., Council District 49, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-96

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Mirage Limousine Service, Inc., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-97

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license J.J.S. Transportation Co. Inc., Council District 50, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-98

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license TRANSP UNLIMITED., Council District 40, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-99

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license RESCUE C/S INC., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-100

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license MUNKACS CAR SVC LTD., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-101

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license BLUE WHITE ASSOC. TRANS.SVC., Council District 11, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-102

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license DT Brooklyn Car And Limo Svc. Inc., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-103

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and officer change base station license POWER LUXURY RADIO DISPATCH INC., Council District 7, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-104

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and officer change base station license 79 Masada III, Inc., Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-105

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and change of name base station license Habirah Inc., Council District 44, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

M-106

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of location base station license High

Class Limo Car Svce Corp., Council District 14, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-89 printed in this Communications from City, County and Borough section of these Minutes)

Referred to the Committee on Transportation.

LAND USE CALL UPS

M-107

By Council Member Chin:

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 263 Lafayette Street, Borough of Manhattan, Community Board No. 4, Application no. 20145468 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote.

M-108

By Council Member Johnson:

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 753 Washington Street, Borough of Manhattan, Community Board No. 4, Application no. 20145294 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote.

M-109

By Council Member Rosenthal:

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 50 West 72nd Street, Borough of Manhattan, Community Board No. 4, Application no. 20145615 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

LAND USE CALL UP VOTE

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

Affirmative – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Education

Report for Int. No. 131-A

Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to door alarms in school buildings.

The Committee on Education, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 626), respectfully

REPORTS:

INTRODUCTION

Today, July 23, 2014, the Committee will consider Proposed Int. No. 131-A. Recently, on Thursday, June 12, 2014, the Committee on Education, chaired by Council Member Daniel Dromm, heard testimony on Int. No. 131, a local law to amend the New York city charter in relation to requiring the New York City Department of Education (DOE) to equip all exit doors with an alarm system in all elementary school buildings and all buildings accommodating D75 programs. At that time numerous advocates, parents and DOE representatives expressed support and concerns related to the original bill. Proposed Int. No. 131-A reflects the input received by those in the educational community. This amended legislation requires the DOE, in consultation with the Police Department (NYPD), to evaluate and prioritize the installation of door alarms linked to the exterior doors of school buildings under DOE jurisdiction, including those buildings serving grades pre-kindergarten through five or a district 75 program. These alarms should provide an audible alert indicating an unauthorized departure from the school building.

ANALYSIS

Section one of Proposed Int. No. 131-A would amend the New York City Charter (the Charter) by adding “other security measures” to update the title of section 528 to now read: “The installation and operation of security cameras and other security measures in New York city public schools.” Section one of Proposed Int.No.131-A would also amend the subtitle of subdivision a of such section 528 to read “Installation of security cameras and door alarms.” The legislation would require the DOE, in consultation with the NYPD, to install door alarms at schools and consolidated school locations operated by the DOE where the Chancellor, in consultation with the Police Department deems such door alarms to be appropriate for safety purposes. Proposed Int. No. 131-A would require that door alarms be placed at the discretion of the DOE, in consultation with the NYPD, at the exterior doors of school buildings under the jurisdiction of the DOE, including buildings serving grades pre-kindergarten through five or a district 75 program. The legislation would require that such alarms should provide an audible indicating an unauthorized departure from the school building. Proposed Int. No. 131-A would provide that for the purposes of this section of the Charter, “district 75 program” shall mean a department of education program that provides educational, vocational, and behavioral support programs for students with severe disabilities from pre-kindergarten through age twenty-one.

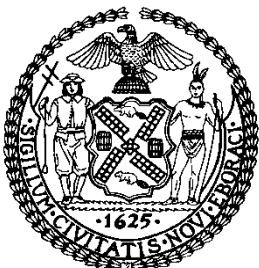
New subdivision c of section 528 of the Charter would require the Department of Education, in consultation with the Police Department, to evaluate and set priorities for the installation of door alarms as provided in subdivision a of such section 528. The bill would require that by May 30, 2015, the DOE shall complete its evaluation for all schools under its jurisdiction, including buildings serving grades pre-kindergarten through five or a district 75 program. The legislation would require that by May 30, 2015, the DOE shall submit a report to the Speaker of the Council that describes the results of the evaluation conducted pursuant to this subdivision, including, but not limited to, a list of the school buildings where the installation of door alarms has been deemed to be an appropriate safety measure and a timeline for such installation.

New subdivision d of section 528 of the Charter would require that no later than May 30, 2015, and annually thereafter, the DOE shall submit to the Speaker of the Council a report regarding training on student safety protocols for DOE personnel. Proposed Int. No. 131-A would require that such report shall include, but need not be limited to: (1) general details on the type and scope of the training administered, (2) the intended audience for each training, and (3) whether such training was mandatory for certain personnel.

The second bill section of Proposed Int. No. 131-A, would provide that this local law take effect immediately.

Technical correction: The second bill section, containing the enactment clause, should read § 2. not § 3.

(The following is the text of the Fiscal Impact Statement for Int. No. 131-A:)



**THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION**

**LATONIA MCKINNEY, ACTING
DIRECTOR**

FISCAL IMPACT STATEMENT

**PROPOSED INTRO. NO: 131-A
COMMITTEE:
Education**

TITLE: A Local Law to amend the New York City charter, in relation to door alarms in school buildings

SPONSORS: By Council Members Cornegy, Deutsch, Constantinides, Johnson, Vallone, Ferreras, Lancman, Vacca, Espinal, Menchaca, Greenfield, Reynoso, Treyger,

Gentile, Maisel, Cumbo, Eugene, Rosenthal, Lander, Levin, Barron, Arroyo, Palma, Koslowitz, Williams, Koo, Dickens, Chin, King, Levine, Miller, Richards, Rose, Torres, Van Bramer, Dromm, Cabrera, Cohen, Mealy, Mendez, Kallos, Rodriguez, Gibson, Crowley, Ulrich, Ignizio, Matteo and the Public Advocate (Ms. James).

SUMMARY OF LEGISLATION: Proposed Intro. No. 131-A would amend the New York City charter to require the Department of Education (DOE), in consultation with the Police Department (NYPD), to evaluate and prioritize the installation of door alarms at the exterior doors of school buildings under DOE jurisdiction, including those buildings serving grades pre-kindergarten through five or a District 75 program. These alarms would provide an audible alert indicating an unauthorized departure from the school building. (A “District 75 program” refers to a DOE program that provides educational, vocational, and behavioral support programs for students with severe disabilities from pre-kindergarten through age twenty-one.)

By May 30, 2015, the DOE would be required to complete an evaluation for all schools under its jurisdiction and submit a report to the City Council Speaker describing the results of the evaluation, including, but not limited to, a list of the school buildings where the installation of door alarms are deemed to be an appropriate safety measure and a timeline for installation.

In addition, not later than May 30, 2015, and each year thereafter, the DOE would also be required to submit to the Speaker a report regarding training on student safety protocols for DOE personnel. This report would include, but need not be limited to: general details on the type and scope of the training administered, the intended audience for each such training, and whether such training was mandatory for certain personnel.

Effective Date: This local law shall take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: With respect to the evaluation and reporting requirements, there would be no impact on expenditures resulting from this legislation because the DOE would use existing resources to complete the evaluation of schools and reporting requirements.

*With respect to the actual installation of door alarms, because it would be at the discretion of the NYPD Commissioner and Schools Chancellor to select schools for door alarm installation after the completion of the evaluation and because those sites have not yet been selected, it is not feasible to quantify the potential fiscal impact of installing door alarms at this time. However, it is anticipated that there would be costs associated with the installation, including the purchase of materials, shipping, and labor costs, should the DOE and NYPD deem a door alarm an appropriate safety measure at any school buildings.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: TBD

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

ESTIMATE PREPARED BY: Madina Nizamitdin, Legislative Financial Analyst

ESTIMATED REVIEWED BY: Regina Poreda Ryan, Deputy Director, Finance Division

Division Tanisha Edwards, Chief Counsel, Finance
 Analyst, Finance Division Christina Perrotti, Senior Legislative Financial
 Division Rebecca Chasan, Assistant Counsel, Finance

LEGISLATIVE HISTORY: Intro. No. 131-A was introduced by the Council on March 12, 2014 and referred to the Committee on Education. The Committee on Education held a hearing on June 12, 2014 and the legislation was laid. An amended version of the legislation, Proposed Intro. No. 131-A, will be considered by the Committee on Education on July 23, 2014 and, upon successful vote of the Committee, the bill will be submitted to the full Council for a vote on July 24, 2014.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 131-A:)

Int. No. 131-A

By Council Members Cornegy, Deutsch, Constantinides, Johnson, Vallone, Ferreras, Lancman, Vacca, Espinal, Menchaca, Greenfield, Reynoso, Treyger, Gentile, Maisel, Cumbo, Eugene, Rosenthal, Lander, Levin, Barron, Arroyo, Palma, Koslowitz, Williams, Koo, Dickens, Chin, King, Levine, Miller, Richards, Rose, Torres, Van Bramer, Dromm, Cabrera, Cohen, Mealy, Mendez, Kallos, Rodriguez, Gibson, Crowley, Ulrich, Ignizio, Matteo and the Public Advocate (Ms. James).

A Local Law to amend the New York city charter, in relation to door alarms in school buildings.

Be it enacted by the Council as follows:

Section 1. Section 528 of the New York city charter, as added by local law number 52 for the year 2004, is amended to read as follows:

§ 528. The installation and operation of security cameras *and other security measures* in New York [City] city public schools. a. Installation of [Security Cameras] *security cameras and door alarms*. The [New York City] department of education, in consultation with the [New York City] police department, shall install security cameras *and door alarms* at schools and consolidated school locations operated by the department of education where the chancellor, in consultation with the [New York City] police department, deems such cameras *and door alarms* appropriate for safety purposes. Such cameras may be placed at the entrance and exit doors of each school and may be placed in any area of the school where individuals do not have a reasonable expectation of privacy. The number, type, placement, and location of such cameras within each school shall be at the discretion of the department of education, in consultation with the principal of each school and the police department. *Door alarms may be placed at the discretion of the department of education, in consultation with the police department, at the exterior doors of school buildings under the jurisdiction of the department of education, including buildings serving grades pre-kindergarten through five or a district 75 program. Such alarms should provide an audible alert indicating an unauthorized departure from the school building. For the purposes of this section, "district 75 program" shall mean a department of education program that provides educational, vocational, and behavioral support programs for students with severe disabilities from pre-kindergarten through age twenty-one.*

b. Schedule of [Installation] *installation for cameras*. The department of education, in consultation with the police department, shall set the priorities for installation of cameras as set forth in subdivision a to include among other appropriate factors consideration of the level of violence in schools, as determined by the police department and the department of education. By the end of [2006] *two thousand six*, the potential installation of cameras shall have been reviewed for all schools under the jurisdiction of the department of education, including elementary schools. At the end of [2006] *two thousand six*, the department of education shall submit a report to the city council indicating, for each school under its jurisdiction, the findings of the review and the reasons for the findings contained therein.

c. *Schedule of installation for door alarms. The department of education, in consultation with the police department, shall evaluate and set priorities for the installation of door alarms, as set forth in subdivision a. By May thirtieth, two thousand fifteen, the department of education shall complete such evaluation for all schools under its jurisdiction, including buildings serving grades pre-kindergarten through five or a district 75 program. By such date, the department of education shall submit a report to the speaker of the council that describes the results of the evaluation conducted pursuant to this subdivision, including, but not limited to, a list of the school buildings where the installation of door alarms has been deemed to be an appropriate safety measure and a timeline for such installation.*

d. *Training. Not later than May thirtieth, two thousand fifteen, and annually thereafter, the department of education shall submit to the speaker of the council a report regarding training on student safety protocols for department of education personnel. Such report shall include, but need not be limited to: (1) general details on the type and scope of the training administered, (2) the intended audience for each training, and (3) whether such training was mandatory for certain personnel.*

§ 3. This local law shall take effect immediately.

DANIEL DROMM, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, MARGARET S. CHIN, DEBORAH L. ROSE, MARK S. WEPRIN, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO; Committee on Education, July 23, 2014. *Other Council Members Attending: Cornegy*

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

Reports of the Committee on Finance

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

Report for Res. No. 352

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on July 24, 2014, respectfully

REPORTS:

Introduction. The Council of the City of New York (the "Council") annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the "Fiscal 2015 Expense Budget"). On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the "Fiscal 2014 Expense Budget").

Analysis. This Resolution, dated July 24, 2014, approves new designations and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget and approves new designations and changes in the designation of certain organizations to receive funding pursuant to local and youth discretionary funding in the Fiscal 2014 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local, aging and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in the Fiscal 2015 Expense Budget, as well as new designations and/or changes in the designation of certain organizations to receive funding pursuant to local and youth discretionary funding in the Fiscal 2014 Expense Budget.

This resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 1; sets forth the new designation and changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 2; sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of certain organizations that will receive funding pursuant to certain initiatives in the Fiscal 2015 Expense Budget, as described in Charts 4 and 5; amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives pursuant to the Fiscal 2015 Expense Budget as described in Chart 6; sets forth the changes in the designation of a certain organization that will receive local discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 7; and sets forth the new designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 8.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014, and Adjustments Summary/Schedule C/Fiscal 2014 Expense Budget, dated June 27, 2013.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget.

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

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

Chart 4 sets forth the changes in the designation, specifically the amount, of certain organizations receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 5 sets forth the changes in designation of a certain initiative receiving funding within the Department of Health and Mental Hygiene in accordance with the Fiscal 2015 Expense Budget. Funding for this initiative will be provided to the Department of Youth and Community Development which will be effectuated upon a budget modification.

Chart 6 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget.

Chart 7 sets forth changes in the designation, specifically the addition of fiscal conduit information, of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 8 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2014 and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 352:)

Res. No. 352

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

By Council Member Ferreras.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 2; and be it further

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

Resolved, That the City Council approves the changes in the designation, specifically the amount, of certain organizations receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in designation of the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services, specifically funding removed from within the Department of Health and Mental Hygiene, in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new Description/Scope of Services for a certain organization receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the changes in the designation, specifically the addition of fiscal conduit information, of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 8.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Aggr #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Barron	Fort Greene Council, Inc. - Boulevard Senior Center	11-2300840	DFTA	(\$40,000.00)	125	003		
Barron	Wayside Out-Reach Development, Inc. (WORD) - Boulevard Senior Center	11-3529680	DFTA	\$80,000.00	125	003		
King	IRAISE Girls & Boys International Corporation	46-3298217	DYCD	(\$2,500.00)	260	312		
King	Faith at Work Christian Church	27-0172715	DYCD	\$2,500.00	260	312		
Vacca	AAARP Fort Schuyler Chapter #1242	23-7247809	DFTA	(\$1,000.00)	125	003	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vacca	AAARP Fort Schuyler Chapter #1242	23-7247809	DFTA	\$1,000.00	125	003	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vacca	Catholic Widows and Widowers of the Bronx	13-3715149	DYCD	(\$1,000.00)	260	005	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Vacca	Catholic Widows and Widowers of the Bronx	13-3715149	DYCD	\$1,000.00	260	005	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811
Crowley	78th Street Block Association, Inc. **	11-3442596	DFTA	(\$1,000.00)	125	003		
Crowley	Allied Veterans Memorial Committee of Greater Ridgewood and Glendale	11-3238754	DYCD	\$1,000.00	260	005	Maspeth Town Hall	23-7259702
Crowley	Allied Veterans Memorial Committee of Greater Ridgewood and Glendale	11-3238754	DYCD	(\$2,500.00)	260	005		
Crowley	United Veterans Memorial Committee of Greater Ridgewood and Glendale	38-3653340	DYCD	(\$2,500.00)	260	005	Maspeth Town Hall	23-7259702
Crowley	United Veterans Memorial Committee of Greater Ridgewood and Glendale	38-3653340	DYCD	\$2,500.00	260	005	Maspeth Town Hall	23-7259702
Crowley	Feathered Friends Parrot Adoption Services, Inc.	20-0812059	DYCD	(\$2,000.00)	260	005	Maspeth Town Hall	23-7259702
Crowley	Feathered Friends Parrot Adoption Services, Inc.	20-0812059	DYCD	\$2,000.00	260	005	Maspeth Town Hall	23-7259702
Crowley	Glendale Volunteer Ambulance Corps, Inc.	23-7348786	FDNY	(\$4,000.00)	057	005		
Crowley	Glendale Volunteer Ambulance Corps, Inc.	23-7348786	FDNY	\$4,000.00	057	005	Greater Ridgewood Youth Council	11-2518141
Crowley	Ridgewood Volunteer Ambulance Corp., Inc.	23-7405104	FDNY	(\$4,000.00)	057	005	Greater Ridgewood Youth Council	11-2518141
Crowley	Ridgewood Volunteer Ambulance Corp., Inc.	23-7405104	FDNY	\$4,000.00	057	005	Greater Ridgewood Youth Council	11-2518141
Crowley	Middle Village Volunteer Ambulance Corp., Inc.	11-2330754	FDNY	(\$4,000.00)	057	005	Greater Ridgewood Youth Council	11-2518141
Crowley	Middle Village Volunteer Ambulance Corp., Inc.	11-2330754	FDNY	\$4,000.00	057	005	Greater Ridgewood Youth Council	11-2518141
Crowley	United Presbyterian Church of Ridgewood	11-3238059	DYCD	(\$5,000.00)	260	005	Greater Ridgewood Youth Council	11-2518141
Crowley	United Presbyterian Church of Ridgewood	11-3238059	DYCD	\$5,000.00	260	005	Greater Ridgewood Youth Council	11-2518141
Vallone	Korean American Senior Citizens Society of Greater New York, Inc.	11-3515647	DFTA	(\$3,500.00)	125	003		
Vallone	Korean American Senior Citizens Society of Greater New York, Inc.	11-3515647	DFTA	\$3,500.00	125	003		
CC - Miller	Greater Bethel Community Development Corp.	32-0000557	DYCD	(\$50,000.00)	260	005		
CC - Miller	Greater Bethel Community Development Corp.	32-0000557	DYCD	\$50,000.00	260	005		
Rosenthal	Greater Bethel Interdenominational Church, Inc.	51-0153883	DYCD	\$50,000.00	260	005		
Rosenthal	Greater Bethel Interdenominational Church, Inc.	51-0153883	DYCD	(\$50,000.00)	098	002		
Rosenthal	New York City Housing Authority - WSURA Brownstones	13-6400434	NYCHA	(\$500.00)	098	002		
Rosenthal	New York City Housing Authority - WSURA B	13-6400434	NYCHA	\$500.00	098	002		
Rosenthal	Common Goals New York, Inc. **	13-8613228	DYCD	(\$3,500.00)	260	312		
Rosenthal	Common Goals New York, Inc. **	13-8613228	DYCD	\$3,500.00	260	312		
Constaninides	Pride Not Prejudice, Inc. **	46-1336529	DOE	(\$3,500.00)	040	402		
Constaninides	Pride Not Prejudice, Inc. **	46-1336529	DOE	(\$4,000.00)	071	200		
Constaninides	Community Word Project **	13-4114145	DHS	\$4,000.00	128	003		
Barron	Research Foundation CUNY - Medgar Evers College	13-0888190	CUNY	(\$15,000.00)	042	001		
Barron	Research Foundation of the City University of New York - Medgar Evers College Center for Black Literature	13-0888190	CUNY	\$15,000.00	042	001		

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

CHART 4: Communities of Color Nonprofit Stabilization Fund - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agy #	UJA *
Coalition for Asian American Children and Families	13-3662471	DYCD	(\$633,333.00)	260	005
Hispanic Federation	13-3573852	DYCD	(\$633,333.00)	260	005
New York Urban League	13-1671035	DYCD	(\$633,334.00)	260	005
Coalition for Asian American Children and Families	13-3662471	DYCD	\$600,000.00	260	005
Hispanic Federation	13-3573852	DYCD	\$1,000,000.00	260	005
New York Urban League	13-1671035	DYCD	\$1,000,000.00	260	005

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

CHART 3: Youth Discretionary - Fiscal 2015 (continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *	Fiscal Conduit/Sponsoring Organization	Conduit EIN *
Rosenthal	Pride Not Prejudice, Inc.	46-1334329	DYCD	(\$3,500.00)	260	312		
Lancman	Common Cents New York, Inc.	13-3613229	DYCD	\$3,500.00	260	312		
Lancman	Kehilat Saphardim of Ahavat Achim	11-3101774	DYCD	(\$47,000.00)	260	312		
Lancman	Queens Community House, Inc.	11-2375593	DYCD	\$47,000.00	260	312		
Lancman	Young Israel of Jamaica Estates	11-2518593	DYCD	(\$8,600.00)	260	312		
Lancman	Queens Community House, Inc.	11-2375593	DYCD	\$8,600.00	260	312		
Cornegy	SCO Family of Services	11-2777066	DYCD	(\$1,000.00)	260	312		
Cornegy	Brooklyn Pitbulls Youth Football, Inc.	77-9611633	DYCD	\$1,000.00	260	312		
Cornegy	SCO Family of Services	11-2777066	DYCD	(\$1,500.00)	260	312		
Cornegy	CodyCare for Kids, Inc.	54-2167738	DYCD	\$1,500.00	260	312		
Cornegy	SCO Family of Services	11-2777066	DYCD	(\$2,000.00)	260	312		
Cornegy	DIVAS for Social Justice	30-0476160	DYCD	\$2,000.00	260	312		
Eugene	Crown Heights Youth Collective, Inc.	11-2506422	DYCD	(\$10,000.00)	260	312		
Eugene	Trail Blazers Camps	13-1771421	DYCD	\$5,000.00	260	312		
Eugene	Arthur Ashe Institute For Urban Health, Inc.	11-3185372	DYCD	\$5,000.00	260	312		
Koo	Community Senior Center of Flushing, Inc.	27-4868874	DYCD	(\$3,500.00)	260	312		
Koo	Chinese Community Center of Flushing	27-4868874	DYCD	\$3,500.00	260	312		

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

CHART 5: Anti-Gun Violence Initiative - Mental Health/Therapeutic Services - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	(\$4,000.00)	260	005
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	\$1,000.00	260	005
LOCAL	King	Learning Tree Cultural Center Inc. The	13-3313723	DYCD	(\$10,000.00)	260	005
LOCAL	King	Learning Tree Cultural Center Inc. The	13-3313723	DYCD	\$10,000.00	260	005
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	(\$40,000.00)	260	005
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	\$40,000.00	260	005
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	(\$15,000.00)	260	005
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	\$15,000.00	260	005
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	(\$250,000.00)	260	005
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	\$250,000.00	260	005

CHART 6: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	(\$4,000.00)	Funding will support Leaders and Scholars After-school Hub (LSAH). LSAH is a program designed to specifically assist grades K-8 in preparing for and successfully enrolling on NY's Standardized Tests and to gain a fuller understanding of the new Common Core Standards. This program will provide after-school enrichment, homework assistance, and hands-on homework assistance. The requested funding would be used to provide after-school enrichment, maintain technology programs used, provide snacks and underwrite some of the cost of using the computer laboratory of the church (SCA). LSAH is a program designed to specifically assist grades K-8 in preparing for and successfully enrolling on NY's Standardized Tests and to gain a fuller understanding of the new Common Core Standards. This program will provide after-school enrichment, homework assistance, and hands-on homework assistance. The requested funding would be used to provide after-school enrichment, maintain technology programs, upgrade software used and provide snacks. Funding will be used to become responsible and clean in financial word and deed. It will develop exemplary character, become a competent member of the community and have a desire for lifelong learning.
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	\$1,000.00	Funds will be devoted to academic workshops, seminars and a variety of events for students and their families. The program will include a variety of activities such as academic school year - September through June and Summer Program July and August. The program will include a variety of activities such as academic school year - September through June and Summer Program July and August. The program will include a variety of activities such as academic school year - September through June and Summer Program July and August.
LOCAL	King	Learning Tree Cultural Center Inc. The	13-3313723	DYCD	(\$10,000.00)	Funding will provide homeworking education to Bronx families, help new families to become homeworkers, help families to prevent foreclosure by obtaining new loan modifications, and provide emergency rehabilitation grants and low interest rate modifications. Funding will be used to become responsible and clean in financial word and deed. It will develop exemplary character, become a competent member of the community and have a desire for lifelong learning.
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	(\$40,000.00)	Funding will provide homeworking education to Bronx families, help new families to become homeworkers, help families to prevent foreclosure by obtaining new loan modifications, and provide emergency rehabilitation grants and low interest rate modifications. Funding will be used to become responsible and clean in financial word and deed. It will develop exemplary character, become a competent member of the community and have a desire for lifelong learning.
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	\$40,000.00	Funding will provide homeworking education to Bronx families, help new families to become homeworkers, help families to prevent foreclosure by obtaining new loan modifications, and provide emergency rehabilitation grants and low interest rate modifications. Funding will be used to become responsible and clean in financial word and deed. It will develop exemplary character, become a competent member of the community and have a desire for lifelong learning.
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	(\$15,000.00)	Funds will support the implementation (cost of seminars, technology and equipment) of the program. The program will include a variety of activities such as academic school year - September through June and Summer Program July and August. The program will include a variety of activities such as academic school year - September through June and Summer Program July and August.
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	\$15,000.00	Funds will support the implementation (cost of seminars, technology and equipment) of the program. The program will include a variety of activities such as academic school year - September through June and Summer Program July and August. The program will include a variety of activities such as academic school year - September through June and Summer Program July and August.
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	(\$250,000.00)	The funding would support the Child Mind Institute's Teacher-Child Interaction Training (TCIT). The project aims to provide teachers in public schools with a specific set of skills so they can better manage disruptive behaviors in the classroom.
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	\$250,000.00	This allocation supports the Child Mind Institute's Stress and Resilience Program, which promotes healthy child development and prevents serious, trauma-related psychological problems. The program will provide after-school enrichment, homework assistance, and hands-on homework assistance. The requested funding would be used to provide after-school enrichment, maintain technology programs, upgrade software used and provide snacks. Funding will be used to become responsible and clean in financial word and deed. It will develop exemplary character, become a competent member of the community and have a desire for lifelong learning.

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

CHART 7: Anti-Gun Violence Initiative - Mental Health/Therapeutic Services - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	(\$4,000.00)	260	005
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	\$1,000.00	260	005
LOCAL	King	Learning Tree Cultural Center Inc. The	13-3313723	DYCD	(\$10,000.00)	260	005
LOCAL	King	Learning Tree Cultural Center Inc. The	13-3313723	DYCD	\$10,000.00	260	005
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	(\$40,000.00)	260	005
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	\$40,000.00	260	005
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	(\$15,000.00)	260	005
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	\$15,000.00	260	005
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	(\$250,000.00)	260	005
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	\$250,000.00	260	005

CHART 8: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	(\$4,000.00)	260	005
LOCAL	King	Faith at Work Christian Church	27-017215	DYCD	\$1,000.00	260	005
LOCAL	King	Learning Tree Cultural Center Inc. The	13-3313723	DYCD	(\$10,000.00)	260	005
LOCAL	King	Learning Tree Cultural Center Inc. The	13-3313723	DYCD	\$10,000.00	260	005
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	(\$40,000.00)	260	005
LOCAL	King	Neighborhood Housing Services of the North Bronx, Inc.	13-3096397	HPD	\$40,000.00	260	005
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	(\$15,000.00)	260	005
LOCAL	King	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	\$15,000.00	260	005
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	(\$250,000.00)	260	005
Child Mind Institute	Child Mind Institute	Child Mind Institute	80-078643	DOE	\$250,000.00	260	005

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

CHART 7: Local Initiatives - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	UA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Reynoso	St. Matthias Sports Association	11-1886928	DYCD	\$5,000.00	280	312	Greater Ridgewood Youth Council	11-2518141
Reynoso	St. Matthias Sports Association	11-1886928	DYCD	\$5,000.00	280	312	Greater Ridgewood Youth Council	11-2518141

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

CHART 8: Youth Discretionary - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	UA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Rodriguez	Juan Pablo Duarte Foundation	14-1840245	DYCD	\$5,000.00	280	312		
Rodriguez	College Summit, Inc.	52-2007208	DYCD	\$5,000.00	280	312		
Rodriguez	Hispanic Federation, Inc.	13-3573852	DYCD	\$10,000.00	280	312		

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

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, July 24, 2014. *Other Council Members Attending: Wills, Cohen and Vallone.*

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

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

Report for L.U. No. 101

Report of the Committee on Finance in favor of Sebco/VIP HDFC, 1876 BELMONT AVENUE, Bronx 10457, Bronx, Block 2946, Lot 1, Council District No. 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on July 24, 2014, which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

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

July 24, 2014

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

FROM: Sarah Gastelum, Finance Division

RE: Finance Committee Agenda of July 24, 2014- Resolutions approving tax exemptions for three Land Use Items (Council Districts 17 and 28)

Sebco/VIP Housing Development Fund Company, Inc. (“HDFC”) located at 1876 Belmont Avenue (Block 2946, Lot 1) in Council District 17 consists of one multi-family residential building with 91 units of rental housing for elderly persons of low income. The HDFC developed the project using a federally-aided mortgage and tax exemption from the City of New York. On July 30, 1991 (Reso No. 1157), the City Council approved a tax exemption pursuant to Section 422 of the Real Property Tax Law for the Exemption Area for a forty year period (“Prior Resolution”). The Prior Resolution provided for a full exemption from real property taxation for the construction period and, thereafter, a payment of ten percent of the annual shelter rent for the balance of the exemption term (“Shelter Rent Payments”). The HDFC was never billed for the Shelter Rent Payments and does not have sufficient resources to pay accrued Shelter Rent Payments. Accordingly, HPD is requesting that the Council amend the Prior Resolution in order to provide the Exemption Area with a full exemption from real property taxation for the full 40 year post-construction term approved by the Council. This action will allow the HDFC to continue to operate the Exemption Area as rental housing for elderly persons of low income.

This item has the approval of Council Member Arroyo.

Pio Mendez Housing Development Fund Company, Inc. (“HDFC”) located at 1291 Lafayette Avenue (Block 2762, Lot 1) in Council District 17 consists of one multi-family residential building with 91 units of rental housing for elderly persons of low income. The HDFC developed the project using a federally-aided mortgage and tax exemption from the City of New York. On June 30, 1987 (Cal No. 371), the Board of Estimate approved a tax exemption pursuant to Section 422 of the Real Property Tax Law for the Exemption Area for a forty year period (“Prior Resolution”). The Prior Resolution provided for a full exemption from real property taxation for the construction period and, thereafter, a payment of ten percent of the annual shelter rent for the balance of the exemption term (“Shelter Rent Payments”). The HDFC was never billed for the Shelter Rent Payments and does not have sufficient resources to pay accrued Shelter Rent Payments. Accordingly, HPD is requesting that the Council amend the Prior Resolution in order to provide the Exemption Area with a full exemption from real property taxation for the full 40 year post-construction term approved by the Council. This action will allow the HDFC to continue to operate the Exemption Area as rental housing for elderly persons of low income

This item has the approval of Council Member Arroyo.

Northeastern Conference House located at 131-10 Guy R Breyer Boulevard (Block 12277, Lot 1) in Council District 28 consists of one multi-family residential building with 111 units of rental housing for elderly persons of low income. Northeastern Conference House Housing Development Fund Company (“HDFC”) developed the project under the Section 202 Supportive Housing Program for the Elderly, with financing and operating subsidies from the United States Department of Housing and Urban Development (“HUD”) and tax exemption from the City. The HDFC now wishes to refinance its original HUD mortgage in order to fund needed repairs, decrease debt service, and meet other financial obligations. In order to facilitate the project, the Prior Tax Exemption must be terminated and replaced with a new exemption that is coterminous with the new, 35-year term of the new HUD mortgage. As such, HPD is requesting that the Council approve a new, 35 year tax exemption under the same terms pursuant to Section 577 of the Private Housing Finance Law.

This item has the approval of Council Member Wills.

(For the coupled resolutions of LU No. 102 and LU No. 103, please see, respectively, the Reports of the Committee on Finance for LU Nos. 102 and 103 printed below in these Minutes; for the coupled resolution of LU No. 101, please see immediately below)

Accordingly, this Committee recommends the adoption of LU Nos. 101, 102, and 103.

(The following is the text of Res. No. 362:)

Res. No. 362

Resolution approving a full exemption from real property taxes for property located at (Block 2946, Lot 1) the Bronx, pursuant to Section 422 of the Real Property Tax Law (Preconsidered L.U. No. 101).

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 28, 2014 that the Council take the following action regarding a housing project located at (Block 2946, Lot 1) the Bronx (“Exemption Area”) that was granted a tax exemption pursuant to Section 422(1)(a) of the Private Housing Finance Law by the City Council on July 30, 1991 (Resolution No. 1157) (“Prior Resolution”):

Amend the Prior Resolution in order to provide the Exemption Area with a full exemption from real property taxation for the full forty year post-construction term approved by the Council.

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

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

RESOLVED:

That the Prior Resolution is amended by deleting all of paragraph (b), including subparagraphs (a) and (b) thereof, on page two, as well as the first two unnumbered paragraphs that follow subparagraph (b) of paragraph (b) on such page, and replacing them with the following:

b. from the Effective Date, as hereinafter defined, and for so long as the HUD mortgage remains outstanding, but in no event for a period of more than forty (40) years commencing as of the Effective Date. For purposes hereof, “Effective Date” shall mean the date of issuance of the Certificate of Occupancy, temporary or permanent, whichever first occurs, for the housing project, or, if the housing project is constructed in stages, the date of issuance of the Certificate of Occupancy, temporary or permanent, whichever first occurs, for each stage.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, July 24, 2014. *Other Council Members Attending: Wills, Cohen and Vallone.*

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

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

Report for L.U. No. 102

Report of the Committee on Finance in favor of Pio Mendez HDFC, 1291 LAFAYETTE AVENUE, Bronx, 10474, Bronx, Block 2762, Lot 1, Council District No. 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on July 24, 2014, which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

(For text of Memo, please see the Report of the Committee on Finance for LU No. 101 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 363:)

Res. No. 363

Resolution approving a full exemption from real property taxes for property located at (Block 2762, Lot 1) the Bronx, pursuant to Section 422 of the Real Property Tax Law (Preconsidered L.U. No. 102).

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 28, 2014 that the Council take the following action regarding a housing project located at (Block 2762, Lot 1) the Bronx (“Exemption Area”) that was granted a tax exemption pursuant to Section 422(1)(a) of the Private Housing Finance Law by the Board of Estimate on June 30, 1987 (Cal No. 371) (“Prior Resolution”):

Amend the Prior Resolution in order to provide the Exemption Area with a full exemption from real property taxation for the full forty year post-construction term approved by the Board of Estimate.

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

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

RESOLVED:

That the Prior Resolution is amended by deleting paragraphs 3 and 4 thereof and replacing them with the following:

3. That the Board of Estimate, pursuant to subdivision 1(a) of Section 422 of the RPTL does hereby approve an exemption from local and municipal taxes, other than assessments for local improvements, to the extent of all of the value of the property included in the Housing Project (excluding those portions, if any, devoted to business or commercial use). The exemption approved herein shall operate and continue for so long as the HUD Mortgage is outstanding, but in no event for a period of more than forty (40) years commencing as of the Effective Date.

4. That for purposes of paragraph 3 hereof, “Effective Date” shall mean the date of issuance of the Certificate of Occupancy, temporary or permanent, whichever occurs first, for the Housing Project, or, if the Housing Project is constructed in stages, the real property tax exemption provided for in paragraph 3 hereof shall become effective on the date of issuance of the Certificate of Occupancy, temporary or permanent, whichever occurs first, for each such stage;

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, July 24, 2014. *Other Council Members Attending: Wills, Cohen and Vallone.*

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

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

Report for L.U. No. 103

Report of the Committee on Finance in favor of Northeastern Conference House, 131-10 GUY R BREWER BLVD, Queens 11434, Queens, Block 12277, Lots 1, Council District No. 28.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on July 24, 2014, which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

(For text of Memo, please see the Report of the Committee on Finance for LU No. 101 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 364:)

Res. No. 364

Resolution approving a partial exemption from real property taxes for property located at (Block 12277, Lot 1) Queens, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 103).

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated June 23, 2014 that the Council take the following action regarding a housing project located at (Block 12277, Lot 1) Queens ("Exemption Area"):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - (a) "Effective Date" shall mean the date of repayment or refinancing of the HUD Mortgage.
 - (b) "Exemption Area" shall mean the real property located in the Borough of the Queens, City and State of New York, identified as Block 12277, Lot 1 on the Tax Map of the City of New York.
 - (c) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - (d) "HDFC" shall mean Northeastern Conference House Housing Development Fund Company, Inc.
 - (e) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - (f) "HUD" shall mean the Department of Housing and Urban Development of the United States of America.
 - (g) "HUD Mortgage" shall mean the original loan made by HUD to the HDFC in connection with the Section 202 Supportive Housing Program for the Elderly, which loan was secured by a mortgage on the Exemption Area.
 - (h) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - (i) "Owner" shall mean the HDFC or any future owner of the Exemption Area.
 - (j) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on April 9, 1981 (Cal. No. 150).

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

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

2. The Prior Exemption shall terminate upon the Effective Date.
3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the HDFC shall make real property tax payments in the sum of (i) \$212,614, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the housing project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the HDFC shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.
5. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (iv) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall not apply to any building constructed on the Exemption Area which did not have a permanent certificate of occupancy on the Effective Date.
 - c. Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked.
6. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, July 24, 2014. *Other Council Members Attending: Wills, Cohen and Vallone.*

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

Reports of the Committee on Governmental Operations

Report for Int. No. 149-A

Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the online publication of city laws.

The Committee on Governmental Operations, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 657), respectfully

REPORTS:

INTRODUCTION

Today, the Committee on Governmental Operations, chaired by Council Member Benjamin Kallos, will meet to vote on Proposed Int. No. 148-A and Proposed Int. No. 363-A, both of which relate to publishing information online with the goal of making City government more accessible and transparent. The Committee previously heard these bills jointly with the Committee on Technology on June 9 of this year, and received testimony from the Counsel to the Mayor, good government groups, and other interested parties.

BACKGROUND

Proposed Int. No. 149-A

The Charter of the City of New York, the New York City Administrative Code, and the Rules of the City of New York are all available through the City’s website via “Laws of the City of New York” link on the Law Department’s homepage.¹

Proposed Int. No. 363-A

The City Record, published during business days by the Department of Citywide Administrative Services (“DCAS”), calls itself the “Official Journal of The City of New York.” According to a 2008 report of the New York Times, the circulation of the City Record is approximately 1,400, and the paper has been published since 1873.² The City Record is a repository for a vast array of official City notices – public hearings and meetings of agencies and the Council, procurement notices, rulemaking proposals, and notices of hirings, terminations, and changes in salary for City employees are some of the categories commonly found in the paper. Certain information is required by state law to be published in an official newspaper, and is therefore published in the City Record.³ It is a dense document, however, and its online edition consists of daily Adobe Acrobat files that are not searchable across issues. This makes it difficult to find a specific notice if one does not know the exact date of the notices’ publication, or to usefully browse notices that may be of interest. In order to find a specific notice, it would be necessary to download all the editions from the range of possible dates and look through each day’s edition until the desired notice was located. An exception is procurement notices, which are published online in a format searchable by due date, publication date and agency.

ANALYSIS OF, AND AMENDMENTS TO, PROP. INT. NO. 149-A

Proposed Int. No. 149-A would require the Corporation Counsel to make the entirety of the New York City Charter, the Administrative Code of the City of New York, and the Rules of the City of New York available to the public online through the City’s website. The bill would require the text of these compilations to be searchable, capable of being downloaded “in bulk” (i.e. downloading the entirety of the Charter, for example, as one action), and published in formats chosen to maximize their usefulness to both the general public and computer programmers. The compilations would be required to be updated at least every four weeks. This bill would build on the Law Department’s existing practice of contracting with the New York Legal Publishing Corporation to publish these materials, which are currently published on a site linked to through the Law Department’s website. It would make these publications more user friendly, much like the model website of the United States House of Representatives Office of Law Revision Counsel, which publishes the U.S. Code in a variety of formats.⁴ This bill would take effect one year after its enactment.

Since its initial hearing, this bill was amended to require that the compilations be updated every four weeks rather than on an indefinite schedule. Language was added requiring the publication in formats designed to maximize the usefulness of the publications to the public and programmers by requiring attributes like machine readability and bulk download capability. The enactment date was changed from immediately to one year after enactment.

ANALYSIS OF, AND AMENDMENTS TO, PROP. INT. NO. 363-A

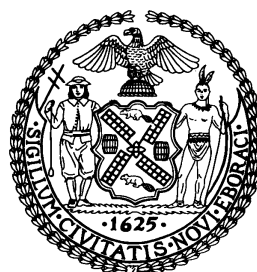
Int. No. 363 would require the City Record, the official City newspaper published by the Department of Citywide Administrative Services (“DCAS”), to be published online in addition to the existing print requirement. All the information in the City Record published online would be required to be available in human- and machine-readable formats, free of charge, and data in the City Record would be required to be published on the City’s open data portal.⁵ It would be searchable across issues, by agency, by keyword, and by category. The bill would go into effect one year after its enactment.

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¹ The linked page links to the charter, code, and rules themselves, which are housed outside of nyc.gov at <http://72.0.151.116/nycnew/>.
² Corey Kilgannon, “A Little-Noticed Daily Newspaper of Notices,” NEW YORK TIMES CITY ROOM BLOG (Nov. 18, 2008), available at <http://cityroom.blogs.nytimes.com/2008/11/18/boring-news-for-abnormal-people-printed-daily/>
³ See, e.g., Gen. Mun. Law §103(b) (requiring procurement notices to be “published in the official newspaper or newspapers, if any, or otherwise in a newspaper or newspapers designated for such purpose.”)
⁴ The website is at <http://uscode.house.gov/browse.xhtml>.
⁵ The open data portal was created pursuant to Local Law 11 of 2012.

Since its initial hearing, the bill was amended to ensure that the print edition continues to be published. A requirement that the data in the City Record be published on the open data portal was added. The enactment date was changed from 180 days for the full online version to one year after enactment.

(The following is the text of the Fiscal Impact Statement for Int. No. 149-A:)



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

PROPOSED INTRO. NO: 149-A
 COMMITTEE:
 Governmental Operations

TITLE: A Local Law to amend the New York City charter, in relation to the online publication of city laws.
SPONSOR(S): By Council Members Lander, Kallos, Chin, Cohen, Constantinides, Koo, Lancman, Rose, Van Bramer, Koslowitz and Vacca

SUMMARY OF LEGISLATION Proposed Int. No. 149-A would require the Corporation Counsel to make the entirety of the New York City Charter, the Administrative Code of the City of New York, and the Rules of the City of New York available to the public online via the City’s website. The bill would require the text of these compilations to be searchable, capable of being downloaded “in bulk” (i.e. downloading the entirety of the Charter, for example, as one action), and published in formats chosen to maximize their usefulness to both the general public and computer programmers. The compilations would be required to be updated at least every four weeks.

EFFECTIVE DATE This local law will take effect one year after its enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

	Effective FY 15	FY Succeeding Effective FY 16	Full Fiscal Impact FY 15
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: This legislation would have no impact on expenditures, as budgeted, because the Law Department already contracts with a vendor to publish these materials online.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division, Office of Mangement and Budget

ESTIMATE PREPARED BY: John Russell, Principal Financial Legislative Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Finance Counsel and Tanisha Edwards Finance Counsel

LEGISLATIVE HISTORY: This legislation was introduced on March 12, 2014 as Intro. 149 and referred to the Committee on Governmental Operations. The Committee on Governmental Operations and the Committee on Technology held a joint hearing on Intro. 149 on June 9, 2014 and the legislation was laid over. An amended version of the legislation, Proposed Intro. 149-A, will be considered by the Committee on Governmental Operations on July 22, 2014, and upon successful vote of the Committee, Proposed Intro. 149-A will be submitted to the Full Council for a vote on July 24, 2014.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 149-A:)

Int. No. 149-A

By Council Members Lander, Kallos, Chin, Cohen, Constantinides, Koo, Lancman, Rose, Van Bramer, Koslowitz, Vacca, Rosenthal, Rodriguez, Barron, Dromm and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to the online publication of city laws.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 7 of the administrative code of the city of New York is amended by adding a new section 7-111 to read as follows:

§7-111. *Online publication of city laws. The corporation counsel shall make available through the city's website a true and complete compilation of the charter, the administrative code, and the rules of the city of new york. Such compilation shall be in a searchable, machine-readable format or formats that are capable of being downloaded in bulk, and which are chosen for the purpose of making such compilations available to the greatest number of users and for the greatest number of applications. Such compilation shall be updated to reflect changes to such compilation no later than four weeks after such changes are made.*

§ 2. This local law shall take effect one year after its enactment.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, RITCHIE J. TORRES, STEVEN MATTEO; Committee on Governmental Operations, July 22, 2014.

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

Report for Int. No. 363-A

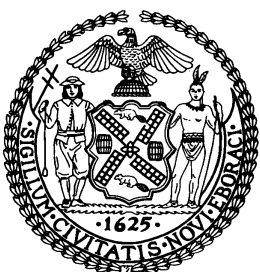
Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to publishing the city record online.

The Committee on Governmental Operations, to which the annexed amended proposed local law was referred on May 29, 2014 (Minutes, page 1917), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 149-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 363-A:



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

PROPOSED INTRO. NO: 363-A
COMMITTEE:
Governmental Operations

TITLE: A Local Law to amend the New York city charter, in relation to publishing the city record online.
SPONSOR(S): By Council Members Kallos, Chin, Constantinides, Cornegy, Gentile, Koo, Lancman, Rose, Vacca, Rodriguez and Mendez

SUMMARY OF LEGISLATION: Proposed Int. No. 363-A would require the City Record, the official City newspaper published by the Department of Citywide Administrative Services (DCAS), to be published online in addition to the existing print requirement. All the information in the City Record published online would be required to be available in human- and machine-readable formats, free of charge, and data in the City Record would be required to be published on the City's open data portal. It would be searchable across issues, by agency, by keyword, and by category.

EFFECTIVE DATE: This local law will take effect one year after its enactment, provided, that DCAS will take actions prior to that time, that are necessary for timely implementation of this local law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2015

FISCAL IMPACT STATEMENT:

	Effective FY 15	FY Succeeding Effective FY 16	Full Fiscal Impact FY 15
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$100,000	\$0	\$100,000
Net	\$100,000	\$0	\$100,000

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

IMPACT ON EXPENDITURES: DCAS would require one-time funding estimated at \$100,000 to hire a consultant to develop the technical infrastructure required to comply with this local law. Because this legislation will take effect one year after enactment, it will allow time for DCAS to develop a plan to reorganize its existing resources, including those currently dedicated to publishing the City Record in its current online format, in order to be in compliance. Therefore, because existing resources would be used, this legislation would have no impact on expenditures other than the initial start-up costs of \$100,000.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: New York City's General Fund

SOURCE OF INFORMATION: New York City Finance Division

ESTIMATE PREPARED BY: John Russell, Principal Financial Legislative Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Finance Counsel
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on May 29, 2014 as Intro. 363 and referred to the Committee on Governmental Operations. The Committee on Governmental Operations and the Committee on Technology held a joint hearing on Intro. 363 on June 9, 2014 and the legislation was laid over. An amended version of the legislation, Proposed Intro. 363-A, will be considered by the Committee on Governmental Operations on July 22, 2014, and upon successful vote of the Committee, Proposed Intro. 363-A will be submitted to the Full Council for a vote on July 24, 2014.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 363-A:)

Int. No. 363-A

By Council Members Kallos, Chin, Constantinides, Cornegy, Gentile, Koo, Lancman, Rose, Vacca, Rodriguez, Mendez, Rosenthal, Koslowitz, Lander, Van Bramer, Barron and Mealy.

A Local Law to amend the New York city charter, in relation to publishing the city record online.

Be it enacted by the Council as follows:

Section 1. Section 1066 of the New York city charter is amended by adding a new subdivision g to read as follows:

g. All information published in the City Record after the effective date of the local law that created this subdivision shall be available as soon as possible, but no later than 24 hours of publishing, at no charge on a website maintained by or on behalf of the city of New York as well as on a single web portal that is linked to nyc.gov or any successor website maintained by, or on behalf of, the city of New York created pursuant to section 23-502 of the administrative code. Such information shall be available in both a non-proprietary, machine-readable format and a human-readable format and shall be capable of being downloaded in bulk. Such information shall be searchable by, at minimum, date of publication, relevant agency, keyword, and category, such as public hearings, procurement notices, and changes in personnel.

c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, changing from M1-4 to M1-5/R7X and establishing the Special Long Island City District on Block 61, Lots 50, 55 and p/o 5, and Block 72, Lot p/o 1, Borough of Queens, Community Board 2, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on June 26, 2014 (Minutes, page 2803) which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB – 2

C 140275 ZMQ

City Planning Commission decision approving an application submitted by Hunters Point 49, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9b:

1. changing from an M1-4 District to an M1-5/R7X District property bounded by the northerly centerline prolongation of 11th Place, a northerly and northwesterly boundary line of the Long Island Rail Road Right-Of-Way, and its northeasterly prolongation, 21st Street, and 49th Avenue; and
2. establishing a Special Long Island City Mixed Use District (LIC) bounded by the northerly centerline prolongation of 11th Place, a northerly and northwesterly boundary line of the Long Island Rail Road Right-Of-Way, and its northeasterly prolongation, 21st Street, and 49th Avenue;

as shown on a diagram (for illustrative purposes only) dated February 18, 2014, and subject to the conditions of CEQR Declaration E-335.

INTENT

This zoning map amendment, along with its related action, would expand the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District (LIC District); allow unenclosed sidewalk cafés along 49th Avenue between 11th Street and 21st Street in Hunter's Point area of Queens; and facilitate the construction of a multi-use building with 140 residential units, ground-floor commercial use, and a 100-space accessory off-street parking garage.

PUBLIC HEARING

DATE: July 21, 2014

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: July 22, 2014

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

In Favor: Weprin, Gentile, Garodnick, Williams, Wills, Richards, Reynoso, Torres, Ignizio

Against: None

Abstain: None

COMMITTEE ACTION

DATE: July 22, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Dickens, Garodnick, **Cont'd.** Mealy, Mendez, Rodriguez, Koo, Lander, Weprin, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: None

Abstain: Williams, Barron

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

Res. No. 366

Resolution approving the decision of the City Planning Commission on ULURP No. C 140275 ZMQ, a Zoning Map amendment (L.U. No. 98).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on June 13, 2014 its decision dated June 11, 2014 (the "Decision"), on the application submitted by Hunters Point 49 LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 9b, changing from M1-4 to M1-5/R7X and to establish the LIC District on Block 61, Lot 50 and portions of Lots 5 and 55 and Block 72, a portion of Lot 1, which in conjunction with the related action, would facilitate the construction of a multi-use building with 140 residential units, ground-floor commercial use, and a 100-space accessory off-street parking garage at 11-55 49th Avenue (Block 61, Lot 55) within the Hunters Point area of Queens, (ULURP No. C 140275 ZMQ), Community District 2, Borough of Queens (the "Application");

WHEREAS, the Application is related to application N 140274 ZRQ (L.U. No. 99), a zoning text amendment to enlarge the Special Long Island City Mixed Use District, extend the boundary of the Hunters Point Subdistrict and to allow unenclosed sidewalk cafes along both sides of 49th Avenue between 11th Street and 21st Street;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on July 21, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues including the negative declaration (CEQR No. 14DCP066Q) dated February 18, 2014, which is subject to the conditions of CEQR Declaration E-335 for air quality impacts (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140275 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 9b:

1. changing from an M1-4 District to an M1-5/R7X District property bounded by the northerly centerline prolongation of 11th Place, a northerly and northwesterly boundary line of the Long Island Rail Road Right-Of-Way, and its northeasterly prolongation, 21st Street, and 49th Avenue; and
2. establishing a Special Long Island City Mixed Use District (LIC) bounded by the northerly centerline prolongation of 11th Place, a northerly and northwesterly boundary line of the Long Island Rail Road Right-Of-Way, and its northeasterly prolongation, 21st Street, and 49th Avenue;

as shown on a diagram (for illustrative purposes only) dated February 18, 2014, and subject to the conditions of CEQR Declaration E-335, Community District 2, Borough of Queens.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, July 22, 2014.

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

Report for L.U. No. 99

Report of the Committee on Land Use in favor of approving Application no. 140274 ZRQ submitted by Hunters Point 49 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to enlarge the Special Long Island City Mixed Use District, and to modify sidewalk café provisions and expand the Hunters Point Subdistrict boundaries therein, Borough of Queens, Community Board 8, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on June 26, 2014 (Minutes, page 2803) which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 2

N 140274 ZRQ

City Planning Commission decision approving an application submitted by Hunters Point 49, LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to enlarge the Special Long Island City Mixed Use District; to expand the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District; and to modify certain provisions related to sidewalk cafes.

INTENT

This zoning text amendment, along with its related action, would expand the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District (LIC District); allow unenclosed sidewalk cafés along 49th Avenue between 11th Street and 21st Street in Hunter’s Point area of Queens; and facilitate the construction of a multi-use building with 140 residential units, ground-floor commercial use, and a 100-space accessory off-street parking garage.

PUBLIC HEARING

DATE: July 21, 2014

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: July 22, 2014

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

In Favor: Weprin, Gentile, Garodnick, Williams, Wills, Richards, Reynoso, Torres, Ignizio

Against: None

Abstain: None

COMMITTEE ACTION

DATE: July 22, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: None

Abstain: Williams, Barron

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

Res. No. 367

Resolution approving the decision of the City Planning Commission on Application No. N 140274 ZRQ, for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7, to enlarge the Special Long Island City Mixed Use District and to modify certain provisions related to sidewalk cafes and to expand the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District, Borough of Queens (L.U. No. 99).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on June 13, 2014 its decision dated June 11, 2014 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Hunters Point 49, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7, to enlarge the Special Long Island City Mixed Use District (“LIC”), to expand the boundary of the Hunters Point Subdistrict of the Special Long Island City Mixed Use District and to modify certain provisions related to sidewalk cafés (Application No. N 140274 ZRQ), Borough of Queens (the "Application");

WHEREAS, the Application is related to application C 140275 ZMQ (L.U. No. 98), an amendment to the Zoning Map, changing from M1-4 to M1-5/R7X and to establish the LIC District on Block 61, Lot 50 and portions of Lots 5 and 55 and Block 72, a portion of Lot 1;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on July 21, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues including the negative declaration (CEQR No. 14DCP066Q) dated February 18, 2014, which is subject to the conditions of CEQR Declaration E-335 for air quality impacts (the “Negative Declaration”);

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140274 ZRQ, incorporated by reference herein, the Council approves the Decision.

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

Matter Underlined is new, to be added;

Matter in ~~Strikeout~~ is old, to be deleted;

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

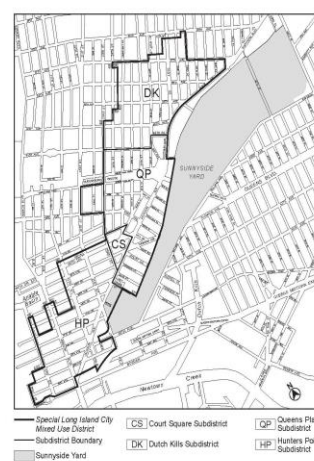
* * * indicate where unchanged text appears in the Zoning Resolution

* * *

District and Subdistricts

Map to be Deleted

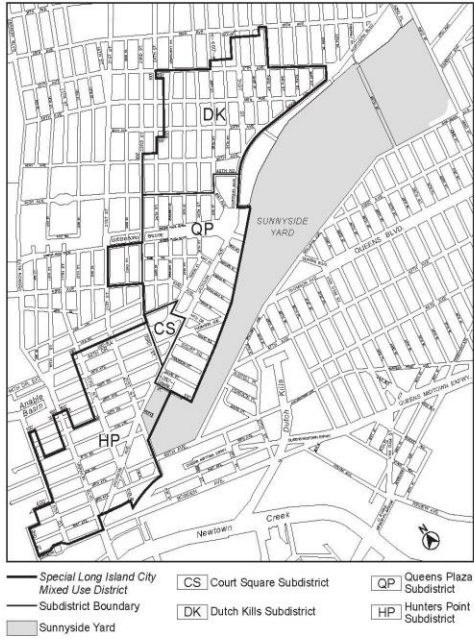
117A 2/2/11
Appendix A
Special Long Island City Mixed Use District and Subdistricts



District and Subdistricts

Map to be Added

117A 9/25/13
Appendix A
Special Long Island City Mixed Use District and Subdistricts



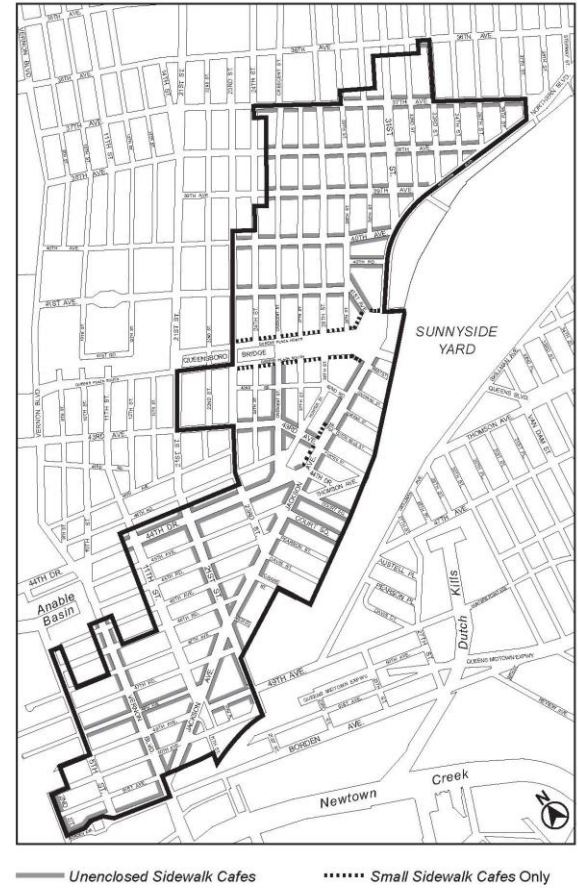
Permitted Sidewalk Café Locations
Map to be Deleted

117A.1 5/22/13
Appendix A
Special Long Island City District Permitted Sidewalk Cafe Locations



Permitted Sidewalk Café Locations
Map to be Added

117A.1 9/25/13
Appendix A
Special Long Island City District Permitted Sidewalk Cafe Locations



DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, July 22, 2014.

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

Report for L.U. No. 100

Report of the Committee on Land Use in favor of approving Application no. 20145586 HKM (N 140373 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Park Avenue Historic District (Designation List 472, LP-2547), Borough of Manhattan, Community Board 8, Council District 5, as a historic district.

The Committee on Land Use, to which the annexed Land Use item was referred on June 26, 2014 (Minutes, page 2804) which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 8

20145586 HKM (N 140373 HKM)

Designation by the Landmarks Preservation Commission (Designation List No. 472, LP-2547), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the Park Avenue Historic District which contains approximately 64 buildings and is located on the upper eastside of Manhattan. The Park Avenue Historic District extends along Park Avenue from the northeast corner of 79th Street to 91st Street.

PUBLIC HEARING

DATE: July 21, 2014

Witnesses in Favor: Seventeen

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: July 21, 2014

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

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

COMMITTEE ACTION

DATE: July 22, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 368

Resolution affirming the designation by the Landmarks Preservation Commission of the Park Avenue Historic District, Borough of Manhattan, Designation List No. 472, LP-2547 (L.U. No. 100; 20145586 HKM; N 140373 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on May 6, 2014 a copy of its designation dated April 29, 2014 (the "Designation"), of the Park Avenue Historic District, Community District 8, Borough of Manhattan.

The Park Avenue Historic District boundaries consists of the properties bounded by a line beginning at the southeast corner of Park Avenue and East 79th Street, extending northerly across East 79th Street and along the eastern curblineline of Park Avenue to a point formed by its intersection with a line extending easterly from the southern property line of 908 Park Avenue, then westerly across Park Avenue and along said property line, northerly along the western property line of 908 Park Avenue and across East 80th Street to its northern curblineline, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 920 Park Avenue, northerly along said property line, easterly along the northern property line of 920 Park Avenue, northerly along the western property line of 930 Park Avenue and across East 81st Street to its northern curblineline, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 940 Park Avenue, northerly along the western property lines of 940, 944 and 950 Park Avenue and across East 82nd Street to its northern curblineline, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 960 Park Avenue, northerly along said property line, easterly along the northern property line of 960 Park Avenue, northerly along the western property line of 970 Park Avenue and across East 83rd Street to its northern curblineline, westerly along said curblineline to the westernmost edge of the 1899-1901 wing of the Loyola School at 978 Park Avenue (Block 1495, Lot 32 in part), northerly along a line following the westernmost edge of the 1899-1901 wing of the Loyola School, westerly along the southern property line of Block 1495, Lot 33 to a point formed by its intersection with a line extending southerly from the westernmost edge of the 1885-1900 Church of St. Ignatius Loyola at 990 Park Avenue (Block 1495, Lot 33 in part), northerly along said line to the southern curblineline of East 84th Street, easterly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 1000 Park Avenue, northerly across East 84th Street and along said property line, easterly along the northern property line of 1000 Park Avenue, northerly along the western property line of 1012 Park Avenue to the southern curblineline of East 85th Street, easterly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 1020 Park Avenue, northerly across East 85th Street and along said property line, westerly along a portion of the southern property line of 1036 Park Avenue, northerly along the western property line of 1036 Park Avenue and across East 86th Street to its northern curblineline, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 1040 Park Avenue, northerly along the western property lines of 1040 and 1050 Park Avenue to the southern curblineline of East 87th Street, easterly along said curblineline to a point formed by its intersection with a line extending southerly from the western

property line of 1060 Park Avenue, northerly across East 87th Street and along said property line, westerly along a portion of the southern property line of 1070 Park Avenue, northerly along a portion of the western property line of 1070 Park Avenue, westerly along a portion of the southern property line of 1070 Park Avenue, northerly along a portion of the westerly property line 1070 Park Avenue and across East 88th Street to its northern curblineline, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 1088 Park Avenue, northerly along said property line and cross East 89th Street to its northern curblineline, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 1100 Park Avenue, northerly along said property line, easterly along the northern property line of 1100 Park Avenue, northerly along the western property line of 1112 Park Avenue to the southern curblineline of East 90th Street, westerly along said curblineline to a point formed by its intersection with a line extending southerly from the western property line of 1120 Park Avenue, northerly across East 90th Street and along said property line, easterly along the northern property line of 1120 Park Avenue, northerly along the western property line of 1128 Park Avenue to the centerline of East 91st Street, westerly along said centerline to a point formed by its intersection with a line extending southerly from the western property line of 1144 Park Avenue, northerly along said line to the northern curblineline of East 91st Street, easterly along said curblineline and across Park Avenue to a point formed by its intersection with a line extending northerly from the eastern property line of 1133 Park Avenue, southerly across East 91st Street and along said property line and a portion of the eastern property line of 1125 Park Avenue, easterly along a portion of the northern property line of 1125 Park Avenue, southerly along a portion of the eastern property line of 1125 Park Avenue and across East 90th Street to its southern curblineline, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 1111 Park Avenue, southerly along said property line, westerly along the southern property line of 1111 Park Avenue, southerly along the eastern property line of 1105 Park Avenue and across East 89th Street to its southern curblineline, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 1095 Park Avenue, southerly along said property line, westerly along the southern property line of 1095 Park Avenue, southerly along the eastern property line of 1085 Park Avenue and across East 88th Street to its southern curblineline, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 1075 Park Avenue, southerly along said property line, westerly along the southern property line of 1075 Park Avenue, southerly along the eastern property lines of 1067 and 1061 Park Avenue and across East 87th Street to its southern curblineline, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 100 East 87th Street, southerly along the eastern property lines of 100 East 87th Street and 1049 Park Avenue, westerly along the southern property line of 1049 Park Avenue, southerly along the eastern property line of 1041 Park Avenue and across East 86th Street to its southern curblineline, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 1031 Park Avenue, southerly along said property line, easterly along the northern property lines of 1025 and 1021 Park Avenue, southerly along the eastern property line of 1021 Park Avenue to the northern curblineline of East 85th Street, westerly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 1015 Park Avenue, southerly across East 85th Street and the eastern property lines of 1015 and 1009 Park Avenue, westerly along the southern property line of 1009 Park Avenue, southerly along the eastern property of 1001 Park Avenue and across East 84th Street to its southern curblineline, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 993 Park Avenue, southerly along said property line, easterly along the northern property line of 983 Park Avenue, southerly along the eastern property line of 983 Park Avenue and across East 83rd Street to its southern curblineline, westerly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 975 Park Avenue, southerly along said property line, westerly along a portion of the southern property line of 975 Park Avenue, southerly along the eastern property line of 969 Park Avenue, across East 82nd Street, and continuing along the eastern property lines of 957 and 951 Park Avenue, easterly along the northern property line of 941 Park Avenue, southerly along the eastern property line of 941 Park Avenue to the northern curblineline of East 81st Street, westerly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 935 Park Avenue, southerly across East 81st Street and along the eastern property lines of 935, 929, and 925 Park Avenue to the northern curblineline of East 80th Street, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 911 Park Avenue, southerly across East 80th Street and along said property line, westerly along the southern property line of 911 Park Avenue, southerly along the eastern property line of 903 Park Avenue and across East 79th Street to its southern curblineline, and westerly along said curblineline to the point of the beginning.

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

WHEREAS, the City Planning Commission submitted to the Council on June 27, 2014 its report on the Designation dated June 25, 2014 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on July 21, 2014; and

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

RESOLVED:

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, July 22, 2014.

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

Report of the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services

At this point the Speaker (Council Member Mark-Viverito) announced that the following items had been **preconsidered** by the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services and had been favorably reported for adoption.

Report for Int. No. 422

Report of the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services in favor of approving and adopting a Local Law to amend the administrative code of the city of New York, in relation to increasing the maximum income level qualifying for exemption from rent increases granted to certain persons with disabilities.

The Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services, to which the annexed preconsidered proposed local law was referred on July 24, 2014, respectfully

REPORTS:

INTRODUCTION

On July 24, 2014, the Committee on Mental Health, Developmental Disability, Alcoholism, Drug Abuse and Disability Services, chaired by Council Member Andrew Cohen, will hold a hearing on Preconsidered Int. No. 422, a Local Law to amend the administrative code of the city of New York, in relation to increasing the maximum income level qualifying for exemption from rent increases granted to certain persons with disabilities. The first hearing on this legislation was held on July 22, 2014.

BACKGROUND

The disability rent increase exemption (DRIE) program helps shield certain eligible disabled individuals with low incomes from rising housing costs by freezing their rent at an affordable level.¹ In return, the landlord receives property tax abatement equal to the amount of the rent forgiven. The DRIE program was established in 2005 and is modeled upon the senior citizens rent increase exemption (SCRIE) program, which allows certain senior citizens living rent regulated housing with low incomes to avoid rent increases.² DRIE was established as an optional program under State law and localities must affirmatively choose to offer DRIE benefits to its residents and whether or not to adopt changes to program eligibility authorized by State law. In New York City, DRIE benefits are administered by the New York City Department of Finance.³

Currently, individuals that receive State or federal disability related assistance are eligible to be exempted from future rent increases under the DRIE program if they: 1) have an annual household income no greater than \$20,412 for a single-person household or \$29,484 for households comprised of two or more people; 2) reside in a rent controlled or rent stabilized apartment, rent regulated hotel, or an apartment owned by a Mitchell-Lama development; and 3) spend more than one-third of their monthly income on rent.⁴ The maximum income level is determined by the amount at which an individual or household would be eligible to receive cash supplemental security income benefits under federal law during the applicable tax year.⁵

For Fiscal Year 2014, 11,293 households received DRIE benefits, resulting in tax expenditures by the City of \$18.6 million.⁶ The number of DRIE enrollees and costs disaggregated by borough are as follows:⁷

	Population Served	Cost to City
Bronx	2,553	\$3.4M
Brooklyn	3,299	\$5.6M
Manhattan	3,477	\$5.7M
Queens	1,870	\$3.7M
Staten Island	94	\$0.2M

The income threshold for DRIE eligibility has not been adjusted since the program's inception in 2005. As part of the 2014-2015 Executive Budget, the State raised the maximum income level for SCRIE program from \$29,000 to \$50,000, however, the eligibility requirements for DRIE were left unchanged.⁸ The Council passed a local law adopting the new income level for SCRIE, which took effect July 1, 2014.⁹ Following the implementation of the SCRIE income level increase, the State Legislature approved legislation allowing for an increase in the DRIE income threshold to mirror the SCRIE increase.¹⁰ The bill was delivered to Governor Andrew Cuomo on July 11, 2014 and is currently awaiting his signature.¹¹

As the Council must amend various sections of the Administrative Code in order for changes in eligibility for the DRIE program to take effect locally, Preconsidered Int. No. 422 would provide for implementation of the rent threshold increase for DRIE applicants residing in New York City. The increase would be in effect for those applying to the DRIE program for a two year period, beginning July 1, 2014. Without further action by the State, the maximum income level qualifying for DRIE would revert back to the amount at which an individual or household would be eligible to receive cash supplemental security income benefits under federal law during the applicable tax year in 2016.

ANALYSIS

Section one of Preconsidered Int. No. 422 would amend subparagraph (iii) of paragraph 2 of subdivision m of section 26-405 of the Administrative Code (the Code) to provide that in order to be eligible for the disabled rent increase exemption (DRIE) program, the maximum aggregate disposable income for all members of the household residing in a rent controlled unit must not exceed \$50,000, beginning July 1, 2014.

Section two of the bill would amend subparagraph (iii) of paragraph b of section 26-509 of the Code to provide that in order to be eligible for the DRIE program and to be provided a rent exemption order, the maximum aggregate disposable income for all members of the household residing in a rent stabilized unit must not exceed \$50,000, beginning July 1, 2014.

Section three of the bill would amend subdivision d of section 26-601 of the Code to provide that in order to be eligible for the DRIE program and to be provided a rent exemption order, the maximum aggregate disposable income for all members of the household residing in Mitchell-Lama and Redevelopment Company developments, Article XI co-ops established under the Private Financing Housing Law, and Federally-assisted cooperatives must not exceed \$50,000, beginning July 1, 2014.

Section four of the bill would amend section 26-617 of the Code to provide that in order to be qualify as a person with a disability for the DRIE program, an individual must submit to the City information regarding disability assistance benefits they are receiving and proof the income of all members of such individual's household does not exceed \$50,000, beginning July 1, 2014.

Section five of the bill provides that the local law would take effect on the same date as A.9744, state legislation authorizing the City to enact the local law, takes effect and be repealed on July 1, 2016, provided that any DRIE renewal applications received before the effective date of this local law that would have been timely if received after the effective date, will be deemed received on or after the effective date. Section five also provides that amendments to section 26-509 of the Code made by section two of this bill would not impact the expiration of that section.

¹ N.Y. Real Property Tax Law § 467-b.

² Int. 667-2005, L.L. 2005/076.

³ N.Y.C. Department of Finance, Disability Rent Increase Exemption (DRIE) Program Information for Tenants, http://www.nyc.gov/html/dof/html/property/property_tax_reduc_drie_dr_te.shtml (last accessed Jul. 16, 2014).

⁴ N.Y.C. Admin. Code §§ 26-405(m), 26-509, 26-601, and 26-617; N.Y.C. Department of Finance, *supra* note 3.

⁵ *Id.*

⁶ N.Y.C. Department of Finance, *Annual Report of New York City Tax Expenditures – Fiscal Year 2014* 10 (Feb. 2014), available at http://www.nyc.gov/html/dof/downloads/pdf/reports/reports%20-%20tax_expenditure/ter_2014_final.pdf.

⁷ *Id.* at 12-13.

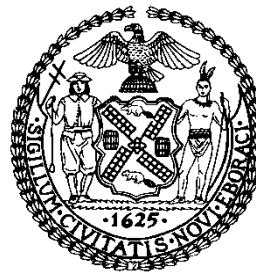
⁸ N.Y. Chapter Law 55 of 2014.

⁹ Int. 243-A; L.L. 2014/019.

¹⁰ S.7640/A.9744 (2014).

¹¹ *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 422:)



**THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION**

**LATONIA MCKINNEY, ACTING
DIRECTOR**

FISCAL IMPACT STATEMENT

**PRECONSIDERED INTRO. NO:
422**

**COMMITTEE:
Mental Health,
Developmental
Disability,
Alcoholism,**

Substance Abuse and Disability Services

TITLE: A local law to amend the administrative code of the city of New York, in relation to increasing the maximum income level qualifying for exemption from rent increases granted to certain persons with disabilities.

SPONSOR(S): Council Members Rosenthal, Williams, Dickens, Ulrich and Vacca

ESTIMATED REVIEWED BY:
Raymond Majewski, Deputy Director/Chief Economist, New York City Council Finance Division, Rebecca Chasan, Assistant Counsel, New York City Council Finance Division

SUMMARY OF LEGISLATION: On July 11, 2014 the Legislature delivered to Governor Cuomo for signature A.9744/S.7640, a measure authorizing localities throughout the State of New York to adopt a local law increasing the maximum income level qualifying for the Disability Rent Increase Exemption (DRIE) to \$50,000. Currently, the qualifying income level is equal to the maximum income level allowed to receive federal Supplemental Security Income benefits, a level that changes with time and is currently reported by the city Department of Finance at \$20,148 for one-person qualifying households and \$29,100 for qualifying households with two or more residents. This legislation would amend the administrative code of the City of New York to allow the higher income threshold of \$50,000 for disabled citizens to qualify for DRIE in New York City.

This maximum income qualifying level increase would be in effect until July 1, 2016, at which time the maximum income qualifying level for DRIE would revert back to the current limit of the maximum income level allowed to receive federal Supplemental Security Income.

EFFECTIVE DATE: This local law shall take effect on the same date as the chapter amendment that authorizes this local law, as set forth in A.9744/S.7640.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	(\$204,000)	(\$1,440,000)	(\$204,000)
Expenditures	\$0	\$0	\$0
Net	(\$204,000)	(\$1,440,000)	(\$204,000)

IMPACT ON REVENUES: The impact on revenues would occur following the effective date of the local law provided for in the bill and households would benefit from the increased maximum qualifying income level upon lease renewal. The New York City Council Finance Division estimates that this legislation would reduce revenues by \$204,000 in Fiscal 2015. Households benefitting from DRIE under this expansion are expected to average \$71 in rent savings per household in Fiscal 2015 and more the following year. The increased average benefit in Fiscal 2016 will be greater than Fiscal 2015 because 1) more leases will be up for renewal as the first year advances producing a phased implementation of the expanded benefit; and 2) as overall rents increase over time and the amount of rent paid by a qualifying DRIE household remains the same, the amount of the benefit increases thereby increasing the amount of potential revenue that is not being collected by the city.

The expansion would sunset in two years. If, however, new State legislation is introduced and enacted to extend the State law beyond the two-year sunset date, the average per-household benefit for households joining the program under the expansion would grow with time, and the fiscal impact with thus grow with each subsequent year. The extended program would be expected to reduce revenues, for example, by an estimated \$5.4 million, or \$1,788 per beneficiary household, in Fiscal 2019, a level close to the per-household benefit distributed to current beneficiaries.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Finance
New York City Office of Management and Budget
US Census Bureau

ESTIMATE PREPARED BY: Christopher Eshleman, Senior Legislative Financial Analyst

Sarah Gastelum, Legislative Financial Analyst

LEGISLATIVE HISTORY: The Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services held a hearing on this Preconsidered Intro. on July 22, 2014 and the legislation was laid over. The Preconsidered Intro. will be considered by the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services on July 24, 2014 and, upon successful vote by the committee, the Preconsidered Intro. will be introduced and submitted to the full Council for a vote on July 24, 2014.

DATE SUBMITTED TO COUNCIL: JULY 24, 2014

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered bill, please see the Introduction and Reading of Bills section printed in these Minutes).

ANDREW COHEN, *Chairperson*; ELIZABETH S. CROWLEY, RUBEN WILLS, COREY D. JOHNSON, PAUL A. VALLONE. Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services, July 24, 2014. *Other Council Members Attending: Rosenthal.*

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

Reports of the Committee on Rules, Privileges and Elections

Report for M-80

Report of the Committee on Rules, Privileges and Elections approving the appointment of Cheryl Cohen Efron as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor’s Message was referred on June 26, 2014 (Minutes, page 2601) which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

Topic: *New York City Planning Commission – (Candidates nominated by the Mayor for appointment, upon the advice and consent of the Council)*

- **CHERYL COHEN EFFRON [M - 80]**
- **BOME E JUNG [M - 81]**
- **LARISA ORTIZ [M - 83]**

In a letter dated June 23, 2014, Mayor Bill de Blasio formally submitted the names of Cheryl Cohen Efron, Bomee Jung, and Larisa Ortiz to the Council of the City of New York, for its advice and consent, regarding their appointment to the City Planning Commission (“CPC”).

Pursuant to the *New York City Charter* (“*Charter*”) §192, there shall be a thirteen-member City Planning Commission, with seven appointments made by the Mayor (including the Chair), one by the Public Advocate, and one by each Borough President. [*Charter* §192(a)] All members, except the Chair, are subject to the advice and consent of the Council. [*Charter* §192(a)] Further, the *Charter* states that members are to be chosen for their independence, integrity, and civic commitment. [*Charter* §192(a)]

The *Charter* provides that CPC members shall serve for staggered five-year terms, except for the Chair, who as Director of the Department of City Planning (*Charter* §191), serves at the pleasure of the Mayor. [*Charter* §192(a)] For purposes of Chapter 68 of the *Charter* (Conflicts of Interest), CPC members, other than the Chair, shall not be considered regular employees of the City. [*Charter* §192(b)] There is no limitation on the number of terms a CPC member may serve. [*Charter* §192(a)] CPC members are prohibited from holding any other City office while they serve on the CPC. [*Charter* §192(b)] The Chair receives an annual salary of \$205,180. The CPC member designated to serve as the Vice-Chair receives an annual salary of \$62,271. The other CPC members receive an annual salary of \$54,150.

CPC is responsible for the following:

- CPC must engage in planning focused on the City's orderly growth, improvement, and future development, which includes consideration of appropriate resources for housing, business, industry, recreation, and culture. [Charter §192(d)];
- CPC assists the Mayor and other officials in developing the ten-year capital strategy, the four-year capital program, as well as the annual *Statement of Needs*. [Charter §192(f)];
- CPC oversees and coordinates environmental reviews under the *City Environmental Quality Review* ("CEQR"), as mandated by state law (*Environmental Conservation Law* – Article 8). [Charter §192(e)];
- Every four years, the CPC must prepare and file with the Mayor, Council, Public Advocate, Borough Presidents and Community Boards, a zoning and planning report containing CPC's Planning Policy, and in light of this policy, provide a proposal for implementing the policy, along with any associated recommended amendments, if any, to the Zoning Resolution. The report must also include the plans and studies CPC undertook or completed in the previous four years. [Charter §192(f)]; and
- CPC must review, and either approve or deny, any City proposal involving the City's request to make acquisitions for office space and any requests for existing buildings for office use. [Charter §195]

CPC is also responsible for promulgating various rules, some of which consists of the following:

- It is CPC's responsibility to establish minimum standards for certifying the *Uniform Land Use and Review Procedure* ("ULURP") applications, which includes providing specific time periods for pre-certification review. [Charter §197-c (i)];
- The criteria associated with the selection of sites for capital projects is also established by CPC. [Charter §218 (a)];
- CPC establishes the minimum standards for the form and content of plans for the development of the City and boroughs. [Charter §197-a (b)]; and
- CPC also adopts rules that either list major concessions or establishes a procedure for determining whether a concession is defined as a *major concession*, as it relates to the act of City Agencies granting concessions. [Charter §374 (b)].

On Tuesday, July 22, 2014, Cheryl Cohen Effron, Bomee Jung, and Larisa Ortiz appeared before the Committee on Rules, Privileges, and Elections, during which each candidate provided testimony and fielded questions from the Committee.

On July 24, 2014, the Committee on Rules, Privileges, and Elections will hold a hearing to administer a vote, at which time the Committee members will decide whether to give their advice and consent for these candidates. If the candidates receive the advice and consent of the Committee members, another vote will be held concerning these candidates, allowing the full Council to decide whether to give its advice and consent for the appointment of these candidates, during the Stated Meeting scheduled for July 24, 2014.

If these candidates receive the advice and consent of the Council and are subsequently appointed to CPC, Cheryl Cohen Effron, a resident of Manhattan, will succeed Maria Del Toro and become eligible to serve the remainder of her five-year term, expiring on June 30, 2019; Bomee Jung, a resident of Brooklyn, will succeed Betty Y. Chen and become eligible to serve the remainder of her five-year term, expiring on

June 30, 2018; and Larisa Ortiz, a resident of Queens, will succeed Angela Battaglia and become eligible to serve the remainder of her five-year term, expiring on June 30, 2017.

Copies of the following for each candidate are annexed to this briefing paper: the candidate's résumés, questions with the candidate's associated answers concerning this proposed appointment to the CPC, as well as the related message.

PROJECT STAFF

Amatullah Booth, Esq., Counsel to the Committee on Rules, Privileges, and Elections
 Charles W. Davis III, Director of Investigations
 Diandra Johnson, Senior Legislative Investigator
 Alycia Vassell, Legislative Clerk

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominee

Bomee Jung [M-81] and nominee Larisa Ortiz [M-83], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-81 and 82 printed below in these Minutes; For nominee Cheryl Cohen Effron [M-80], please see immediately below:)

Pursuant to §§ 31 and § 192 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Cheryl Cohen Effron as a member of the New York City Planning Commission to serve for the remainder of a five-year term that expires on June 30, 2019.

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

Res. No. 371

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF CHERYL COHEN EFFRON AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Lander.

RESOLVED, that pursuant to §§ 31 and § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Cheryl Cohen Effron as a member of the New York City Planning Commission for the remainder of a five-year term, which will expire on June 30, 2019.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, July 24, 2014. *Other Council Members Attending: Weprin, Greenfield 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 for M-81

Report of the Committee on Rules, Privileges and Elections approving the appointment of Bomee Jung as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on June 26, 2014 (Minutes, page 2602) which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-80 printed in these Minutes)

The Committee on Rules, Privileges and Elections which was referred to on June 26, 2014 respectfully reports:

Pursuant to §§ 31 and § 192 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Bomee Jung as a member of the New York City Planning Commission to serve for the remainder of a five-year term that expires on June 30, 2018.

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

Res. No. 372

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF BOMEE JUNG AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Lander.

RESOLVED, that pursuant to §§ 31 and § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Bomee Jung as a member of the New York City Planning Commission for the remainder of a five-year term, which will expire on June 30, 2018.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L.

ROSE, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, July 24, 2014. *Other Council Members Attending: Weprin, Greenfield 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 for M-83

Report of the Committee on Rules, Privileges and Elections approving the appointment of Larisa Ortiz as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor’s Message was referred on June 26, 2014 (Minutes, page 2603) which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-80 printed in these Minutes)

The Committee on Rules, Privileges and Elections which was referred to on June 26, 2014 respectfully reports:

Pursuant to §§ 31 and § 192 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Larisa Ortiz as a member of the New York City Planning Commission to serve for the remainder of a five-year term that expires on June 30, 2017.

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

Res. No. 373

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF LARISA ORTIZ AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Lander.

RESOLVED, that pursuant to §§ 31 and § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Larisa Ortiz as a member of the New York City Planning Commission for the remainder of a five-year term, which will expire on June 30, 2017.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, July 24, 2014. *Other Council Members Attending: Weprin, Greenfield 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).

GENERAL ORDER CALENDAR

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

Approved New Applicant’s Report

<u>Name</u>	<u>Address</u>	<u>District #</u>
Rene Collado	30 Avenue D #8H New York, N.Y. 10009	2
Yvonnemarie Hassan	204 Spring Street New York, N.Y. 10012	3
Heidy Grullon	1909 Amsterdam Avenue #9A New York, N.Y. 10032	7

Kin Lung Ko	333 East 102nd Street #236 New York, N.Y. 10029	8
Duane Saunders	2160 Madison Avenue #10F New York, N.Y. 10037	9
Maria DeLance	500 Fort Washington Avenue #C43 New York, N.Y. 10033	10
Khaalid Ware	239 E. Mosholu Pkwy N #5B Bronx, N.Y. 10467	11
Mabel Luna	940 East 174th Street #F Bronx, N.Y. 10460	17
Derrick Thomas	1501 Metropolitan Avenue #2G Bronx, N.Y. 10462	18
William Breland	31-30 138th Street #1C Queens, N.Y. 11354	20
Tashmin Rahman	34-16 41st Street #3E Long Island City, N.Y. 11101	26
Cordece Burgess	112-12 204th Street Queens, N.Y. 11442	27
Evelyn Francis	174-16 108th Avenue Queens, N.Y. 11433	27
Daphne Henry-Fleming	134-66 Bedell Street Queens, N.Y. 11434	28
Jennifer Escobar	51-71 47 Street Woodside, N.Y. 11377	30
Jeannette LeBron	306 Beach 56th Street #2D Queens, N.Y. 11692	31
Akinwole A. Killanin	49 Crown Street #7M Brooklyn, N.Y. 11225	35
Kan'en Gikes	33 Pine Street Brooklyn, N.Y. 11208	37
Ricky Cyrus	904 Winthrop Street #D11 Brooklyn, N.Y. 11203	41
Beverly T. Jones	43 Legion Street Brooklyn, N.Y. 11212	41
Jillian White	2252 Linden Blvd #10 Brooklyn, N.Y. 11208	42
Henry K. Der	7017 11th Avenue Brooklyn, N.Y. 11228	43
Tetyana Dalko	1623 West 9th Street #2F Brooklyn, N.Y. 11223	44
Christopher M. Bauer	298 St. Pauls Avenue Staten Island, N.Y. 10304	49
Sofia Gervits	19 Cooper Avenue Staten Island, N.Y. 10305	50
Vanessa Saulo	55 Dongan Avenue Staten Island, N.Y. 10314	50
Jody A. Schembari	172 Hickory Avenue Staten Island, N.Y. 10305	50

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Arleen Joan Soberman	500 Grand Street #B7D New York, N.Y. 10002	1
Mary M. Iacono	529 Second Avenue New York, N.Y. 10016	2
Nina L Iacono	529 Second Avenue New York, N.Y. 10016	2
Julio J. Castro	1288 First Avenue #2RS New York, N.Y. 10021	5
LaShawn Miller	545 West 158 th Street #41 New York, N.Y. 10032	7
Margarita Batista	215 Alexander Avenue #3G Bronx, N.Y. 10454	8
Sharmaine Bratcher	2070 7 th Avenue #4F New York, N.Y. 10027	9
Danette Moody	1274 5 th Avenue #404 New York, M.Y. 10029	9
Cherry Paulin	2123 Fredrick Douglas Blvd #2A New York, N.Y. 10026	9
Facunda Hernandez	17 Fort George Hill #21F New York, N.Y. 10040	10
Teisha Lawrence	555 Kappock Street #21F	11

Christopher J. Villaverde	Riverdale, N.Y. 10463 210 West 262 nd Street #5J Bronx, N.Y. 10471	11	Indira Bruce	1106 President Street #2H Brooklyn, N.Y. 11225	33
Roxanne Gair	3909 Secor Avenue Bronx, N.Y. 10466	12	Shevani Patel	453 Washington Avenue #3A Brooklyn N.Y. 11238	35
Marsha Henry	120 Erskine Place #22B Bronx, N.Y. 10475	12	Cindy Daniels	220 Montgomery Street #23D Brooklyn, N.Y. 11225	35
Kathleen Hopkins	954 East 220 th Street Bronx, N.Y. 10469	12	Herbert Williams	210 Clinton Avenue #1G Brooklyn, N.Y. 11205	35
Naomi Pacheco	120 Elgar Place #3B Bronx, N.Y. 10475	12	Richard R. Rathbun	297 Himrod Street #2 Brooklyn, N.Y. 11237	35
Allison Mareyev	2019 Colden Avenue Bronx, N.Y. 10462	13	Hazleann Smith	292 Macon Street Brooklyn, N.Y. 11236	35
Corissa Martinez	2465 Tratman Avenue #6H Bronx, N.Y. 10461	13	Ralph P. Albanese	190 Pacific Street #3 Brooklyn, N.Y. 11201	36
Teresa E. Powe	2756 Mickle Avenue #2 Bronx, N.Y. 10469	13	Irma A. Lugo	297 Columbia Street Brooklyn, N.Y. 11231	39
Richard Soto	300 East Tremont Avenue Bronx, N.Y. 10457	15	Yvette M. Simmons	481 Decatur Street Brooklyn, N.Y. 11233	39
Angel Caballero	1265 College Avenue #2A Bronx, N.Y. 10456	16	Alisha Finley	620 East 108 th Street #4B Brooklyn, N.Y. 11236	41
Kathie L.P. Young	1460 Macombs Road #1C Bronx, N.Y. 10452	16	Vivian A. Johnson	763 Lincoln Avenue Brooklyn, N.Y. 11208	42
Jaime Ciprian	1567 Watson Avenue Bronx, N.Y. 10472	18	Helena Therezo	705 Bristol Street Brooklyn, N.Y. 11236	42
Ada J. Fernandez	937 Thieriot Avenue Bronx, N.Y. 10473	18	Marlo Sullivan	30 Lake Street Brooklyn, N.Y. 11223	44
John P. Gordon	1226 Rosedale Avenue Bronx, N.Y. 10472	18	Yana Faydyah	1520 Ocean Avenue #2C Brooklyn, N.Y. 11230	45
Josephine A. Falci	21-26 154 th Street Queens, N.Y. 11357	19	Ruvyn Itsoovich	2266 East 74 th Street Brooklyn, N.Y. 11234	46
Rudolph S. Giuliani	40-24 193 rd Street #23 Flushing, N.Y. 11358	19	Marie A. Menard	2065 East 57 th Street #2C Brooklyn, N.Y. 11234	46
Owen Godshall	30-74 23 rd Street #1 Queens, N.Y. 11102	22	Joseph Totillo	15 Georgetown Lane Brooklyn, N.Y. 11234	46
Helen Theris	21-38 24 th Street Queens, N.Y. 11105	22	Natasha D. Alfreoff	2053 74 th Street #2 Brooklyn, N.Y. 11204	47
Anne Cody	252-82 63 rd Avenue Little Neck, N.Y. 11362	23	Joan Gonzalez	8200 Bay Parkway #D3 Brooklyn, N.Y. 11214	47
Angela D. Ferrell	87-19 204 th Street Queens, N.Y. 11423	23	Andrew S. Kent	150 West End Avenue #5P Brooklyn, N.Y. 11235	48
Harold Flinkelstein	70-05 Kissena Blvd #1C Flushing, N.Y. 11367	24	Valiery Tolstenyuk	1614 Avenue M #2 Brooklyn, N.Y. 11230	48
Michael Sidell	147-26B 72 nd Avenue #2 Queens, N.Y. 11367	24	Yvette Berry	142 Brabant Street #2B Staten Island, N.Y. 10303	49
Suela Asameni	44-15 43 rd Avenue #L1 Queens, N.Y. 11104	26	Arlene T. Gary	190 Dixon Avenue #A Staten Island, N.Y. 10303	49
Hattie Jackman	178-38 134 th Avenue Jamaica, N.Y. 11434	27	Marianne Amato	31 Morgan Lane Staten Island, N.Y. 10314	50
Jack Tennyson	194-44 111 th Road Jamaica, N.Y. 11412	27	Lena Borelli	242 Sand Lane Staten Island, N.Y. 10305	50
Catherine Weathers	188-01 Liberty Avenue Queens, N.Y. 11412	27	Andrea DeRosa	69 Hickory Avenue Staten Island, N.Y. 10305	50
Delores Peters	168-44 127 th Avenue #8A Queens, N.Y. 11434	28	Jessica S. Gaeta-Crupi	11 Alberta Avenue Staten Island, N.Y. 10314	50
Sheila J. Saleem	168-34 127 th Avenue Jamaica, N.Y. 11434	28	Anselmo Genovese	131 Ridge Avenue Staten Island, N.Y. 10304	50
LaShunn S. Spriggs	115-31 126 th Street Queens, N.Y. 11420	28	Anna Nesvizhsky	33 Portage Avenue Staten Island, N.Y. 10314	50
Koyen Aminov	95-17 67 th Avenue Queens, N.Y. 11374	28	Denise Price	188 Constant Avenue Staten Island, N.Y. 10314	50
Karen Koslowitz	69-39 Yellowstone Blvd Queens, N.Y. 11375	29	Gira Amorose	34 Lerer Lane Staten Island, N.Y. 10307	51
Dorothy Alston	134-21 233 rd Street Rosedale, N.Y. 11422	29	Ingrid Campione	63 Wheeling Avenue Staten Island, N.Y. 10303	51
Bessie G. DeBetham	134-14 230 th Street Queens, N.Y. 11413	31	Robert D'Amico	244 Barclay Avenue Staten Island, N.Y. 10312	51
Sandra Diodonet	190 Beach 99 th Street Rockaway Park, N.Y. 11694	31	Lauren lacearino	140 Greaves Avenue Staten Island, N.Y. 10308	51
Lynn Barris	99 Douglas Street Brooklyn, N.Y. 11231	32	Veralia Malliotakis	36 Trent Street Staten Island, N.Y. 10308	51
Jeanette M. Cruz	284 Willoughby Avenue Brooklyn, N.Y. 11205	33	James Mitchell	27 Osborn Avenue Staten Island, N.Y. 10308	51

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

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

- (1) **M 80 & Res 371 - Cheryl Cohen Effron** - as a member of the New York City Planning Commission.
- (2) **M 81 & Res 372 - Bomee Jung** - as a member of the New York City Planning Commission.
- (3) **M 83 & Res 373 - Larisa Ortiz** - as a member of the New York City Planning Commission.
- (4) **Int 131-A - Door alarms** in school buildings.
- (5) **Int 149-A - Online publication** of city laws.
- (6) **Int 363-A - Publishing** the city record online.
- (7) **Int 422 - Increasing** the maximum income level qualifying for exemption from rent increases granted to certain persons with disabilities.
- (8) **Res 352 - Approving** the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).
- (9) **L.U. 89 & Res 365 - App. 20145651 HAX** and 745 Brook Avenue, Bronx, Community District 1, Council District 17.
- (10) **L.U. 98 & Res 366 - App. 140275 ZMQ** Queens, Community Board 2, Council District 26.
- (11) **L.U. 99 & Res 367 - App. 140274 ZRQ** Hunters Point Subdistrict boundaries therein, Queens, Community Board 8, Council District 26.
- (12) **L.U. 100 & Res 368 - App. 20145586 HKM (N 140373 HKM)**, Manhattan, Community Board 8, Council District 5, as a historic district.
- (13) **L.U. 101 & Res 362 - Sebco/VIP HDFC**, 1876 BELMONT AVENUE, Bronx 10457, Bronx, Block 2946, Lot 1, Council District No. 17.
- (14) **L.U. 102 & Res 363 - Pio Mendez HDFC**, 1291 LAFAYETTE AVENUE, Bronx, 10474, Bronx, Block 2762, Lot 1, Council District No. 17.
- (15) **L.U. 103 & Res 364 - Northeastern Conference House**, 131-10 GUY R BREWER BLVD, Queens 11434, Queens, Block 12277, Lots 1, Council District No. 28.
- (16) **L.U. 108 & Res 369 - App. M 770445 (D) ZMK** 11000 Flatlands Avenue Brooklyn, Community Board 18, Council District 42.
- (17) **L.U. 109 & Res 370 - App. 20145706 HAM** 801-05 St. Nicholas Avenue Manhattan, Community Board 9, Council District 9.
- (18) **Resolution approving various persons Commissioners of Deeds.**

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

Affirmative – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

The General Order vote recorded for this Stated Meeting was 49-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **LU No. 98 & Res No. 366 and LU No. 99 & Res No. 367**:

Affirmative – Arroyo, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

Abstention – Barron and Williams – **2**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 131-A, 149-A, 363-A, and 422.

For **Introduction and Reading of Bills**, see the material following the **Resolutions** section below:

RESOLUTIONS

Presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

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

Report for voice-vote Res. No. 357

Report of the Committee on Immigration in favor of approving a Resolution urging the President of the United States to include comprehensive immigration reform, and issues of importance to African immigrants and the African Diaspora, on the agenda for the 2014 U.S.-Africa Leaders' Summit.

The Committee on Immigration, to which the annexed preconsidered resolution was referred on July 24, 2014, respectfully

REPORTS:

I. Introduction

On July 22, 2014, the Committee on Immigration, chaired by Council Member Carlos Menchaca, will hear and vote on Preconsidered Resolution Number 357 ("Preconsidered Res. No. 357"), which urges the President of the United States to include comprehensive immigration reform and issues of importance to African immigrants and the African Diaspora on the agenda for the 2014 U.S.-Africa Leaders Summit. Those invited to testify include immigrant advocates, community-based organizations and other interested parties.

II. Background

As of 2010, there were approximately 1.6 million African immigrants living in the United States.¹ New York State has the second largest African immigrant population in the nation, most of whom call New York City their home.² According to the New York City Department of City Planning ("City Planning"), more than four percent of the City's foreign-born population is from Africa.³ Treated as a single source country, City Planning identified West African immigrants as the fastest growing foreign-born population in New York City, increasing by 60 percent since 2000.⁴ African immigrant business owners have successfully operated many businesses that contribute to the City's economy.⁵ Additionally, African immigrants deliver significant remittances to their home countries.⁶

III. 2014 U.S.-African Leaders Summit

In August, President Barack Obama will host the first United States-Africa Leaders Summit ("Summit")⁷ The theme of the Summit is "Investing in the Next Generation." The Summit will highlight the Obama Administration's commitment to Africa's people and will allow the United States and the leaders of 48 African nations⁸ the opportunity to "discuss ways of stimulating growth, unlocking opportunities, and creating an enabling environment for the next generation."⁹ The Summit will mark the largest event ever held by a U.S. President with the leaders of African nations in the nation's capital.¹⁰

The National African Immigrants and Refugees Health Advocate Program, an African immigrant advocacy organization based in Washington, D.C.,¹¹ organized a petition urging President Obama to include immigration reform on the Summit agenda.¹² The petition highlights the significant contributions Africans make to both the U.S. and African economies, and notes that the White House has engaged other countries on immigration reform.¹³

Additionally, Representatives Jose Serrano and Yvette Clarke of New York City led 35 of their fellow Members of Congress in a letter to President Obama urging the President to add immigration topics to the Summit's agenda.¹⁴ The Congress Members cited the problems faced by African immigrants as a result of current immigration policies as the need for these topics to be added to the Summit's agenda and noted family immigrant visa backlogs, issues in the asylum and refugee processes, student visa issues, and concerns over ongoing deportation policies.¹⁵

IV. Preconsidered Res. No. 357

The resolution urges the President of the United States to include comprehensive immigration reform on the agenda for the 2014 U.S.-Africa Leaders Summit. It describes the contributions that African immigrants make to both the U.S. and African economies and highlights a petition led by National African Immigrants and Refugees Health Advocate Program that provides the rationale regarding why immigration reform should be added to the Summit agenda. Finally, the resolution cites examples of the President engaging other foreign leaders on comprehensive immigration reform.

V. Conclusion

New York City is home to over three million immigrants.¹⁶ Although, the contributions made by all immigrants to New York City are well documented, it is difficult for them to survive without lawful immigration status. The lack of comprehensive immigration reform forces many immigrants to live in society's shadows constantly in fear of deportation. Having an opportunity to discuss immigration reform at the Summit is important to the nation's African immigrants whose population has seen tremendous growth since 2000.¹⁷

¹ Immigration Policy Center, *African Immigrants in America: A Demographic Overview*, (June 28, 2012), <http://immigrationpolicy.org/just-facts/african-immigrants-america-demographic-overview> (last visited July 18, 2014).

² See *id.*; Kristin McCabe, *African Immigrants in the United States*, Migration Policy Institute (July 21, 2011), <http://www.migrationpolicy.org/article/african-immigrants-united-states>.

³ New York City Department of City Planning, *The Newest New Yorkers: Characteristics of the City's Foreign-born Population, 2013 edition*, 12, available at http://www.nyc.gov/html/dcp/pdf/census/nyy2013/nyy_2013.pdf.

⁴ *Id.* at 87.

⁵ See, e.g., Press Release, Office of the New York State Comptroller, DiNapoli: Immigrants Continue to Play Key Role in New York City Economy, (Nov. 7, 2013), <http://www.osc.state.ny.us/press/releases/nov13/110713a.htm> (last visited on July 18, 2014).

⁶ Letter from the National African Immigrants & Refugees Health Advocate Program Petition to the President of the United States, (2014), <http://www.change.org/petitions/president-of-the-united-states-include-immigration-reform-on-the-agenda-of-the-white-house-s-us-africa-leaders-summit-slated-for-august-2014-in-dc> (last visited on July 18, 2014).

⁷ The White House, U.S.-Africa Leaders Summit 2014, <http://www.whitehouse.gov/us-africa-leaders-summit> (last visited on July 18, 2014).

⁸ According to the White House, the United States invited 48 out of the 54 countries in African because they selected countries who are recognized by the African Union and leaders who are not facing U.S. or United Nation sanctions. Julian Pecquet, Obama excludes Egypt, six others from Africa summit, *The Hill*, Jan. 22, 2014, <http://thehill.com/policy/international/196128-obama-excludes-egypt-six-others-from-africa-summit>.

⁹ The White House, U.S.-Africa Leaders Summit 2014, <http://www.whitehouse.gov/us-africa-leaders-summit> (last visited on July 18, 2014).

¹⁰ The White House, *supra* note 7.

¹¹ Press Release, The Cameroon American Council, Seeking Senate Judiciary Committee to Sponsor an Amendment NOT to Repeal of the Diversity Visa Program (section 2303), 3 (May 6, 2013), http://www.cameroon-info.net/img/news/cac_press_release.pdf (last visited on July 18, 2014).

¹² The National African Immigrants and Refugees Health Advocate Program *supra* note 6

¹³ *Id.*

¹⁴ Press Release, Congressman José E. Serrano, Serrano, Clarke Lead Congressional Letter on Africa Immigration Issues (June 17, 2014), <http://serrano.house.gov/press-release/serrano-clarke-lead-congressional-letter-africa-immigration-issues#U6DIy6HUqVE.facebook> (last visited Jul. 18, 2014).

¹⁵ *Id.*

¹⁶ New York City Department of City Planning, *The Newest New Yorkers: Characteristics of the City's Foreign-born Population, 2013 edition*, 2, available at http://www.nyc.gov/html/dcp/pdf/census/nyy2013/nyy_2013.pdf.

¹⁷ Immigration Policy Center, *supra* note 1.

Accordingly, this Committee recommends its adoption.

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

CARLOS MENCHACA, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, PETER A. KOO, RAFAEL L. ESPINAL, Jr.; Committee on Immigration, July 22, 2014.

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted.

The following 2 Council Members formally abstained to vote on this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 409

By The Speaker (Council Member Mark-Viverito), Council Members Reynoso, Dromm, Gentile, Koo, Menchaca, Espinal, Greenfield, Chin, Constantinides, Eugene, Johnson, Levine, Miller, Richards, Torres, Vallone, Williams, Rodriguez, Weprin, Rosenthal and Ulrich (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to regulating publicly accessible collection bins.

Be it enacted by the Council as follows:

Section 1. Section 10-169 of the administrative code of the city of New York, as renumbered by local law number 30 for the year 2013, is amended to read as follows:

§ 10-169 Regulation of publicly accessible collection bins.

a. [Definition] *Definitions.* For purposes of this section[.]:

“Commissioner” shall mean the commissioner of sanitation.

“Department” shall mean the department of sanitation.

“Publicly accessible collection bin” shall mean any outdoor container, other than any container placed by any government or governmental agency, or its contractors or licensees, that allows for any member of the public to deposit items into the container for the purpose of collection by the [provider] owner of such container.

b. Requirements. All publicly accessible collection bins shall comply with the following provisions:

1. Each individual publicly accessible collection bin shall prominently display on the front and on at least one other side of the bin, the name, address and telephone number of the [provider] owner of the bin. This information shall be printed in characters that are plainly visible. In no event shall a post office box be considered an acceptable address for purposes of this paragraph.

2. No publicly accessible collection bin may be placed on any city property, or property maintained by the city, or on any public sidewalk or roadway.

3. No publicly accessible collection bin shall be placed on any private property without the written permission of the property owner or the property owner's designated agent.

4. *The owner of a publicly accessible collection bin placed on private property in accordance with paragraph three of this subdivision and the owner of the property where the bin is located shall be responsible for maintaining such bin in a clean and neat condition.*

5. *All owners of publicly accessible collection bins that are placed on private property in accordance with paragraph three of this subdivision shall be required to register with the department. Such registration, at a minimum, shall include the location of the publicly accessible collection bin, the type of material collected in the bin, and the name, address, and telephone number of the owner. On or before August first, two thousand fifteen, and annually thereafter, each such owner shall submit a report to the commissioner identifying, by weight, each type of material collected during the period beginning on July first of the year preceding the year the report is due and ending on June thirtieth of the year the report is due. It shall be unlawful for the owner of any publicly accessible bin to fail to submit a report in accordance with this paragraph or to submit a report containing false or misleading information.*

6. In addition to penalties provided for in any other provisions of law, in the event that a publicly accessible collection bin is placed on any city property, or property maintained by the city, or on any public sidewalk or roadway, [the owner of the publicly accessible collection bin, if] *the department shall have the authority to remove such bin. Any publicly accessible collection bin placed on any city property, or property maintained by the city, or on any public sidewalk or roadway, shall be presumed to have been placed there intentionally. If the name and address of [such] the owner of such publicly accessible collection bin [is ascertainable,] are located on the bin and are legible, such owner shall be notified by the department [of sanitation] by certified mail, return receipt requested, that such publicly accessible collection bin [must be removed within thirty days from the mailing of such notice. A copy of such notice, regardless of whether the address of such owner is ascertainable, shall also be affixed to the publicly accessible collection bin. This notice shall state that if the address of the owner is not ascertainable and notice is not mailed by the department of sanitation, such publicly accessible collection bin must be removed within thirty days from the affixation of such notice. This notice shall also state that the failure to remove the publicly accessible collection bin within the designated time period will result in the removal and disposal of the publicly accessible collection bin by the department of sanitation. This notice shall also state that if the owner objects to removal on the grounds that the bin is not on city property, or property maintained by the city, or on any public sidewalk or roadway, such owner may send written objection to the department of sanitation at the address indicated on the notice within twenty days from the mailing of such notice or, if the address of such owner is not ascertainable and notice is not mailed by the department of sanitation, within twenty days from the affixation of such notice, with proof that the bin is on private property. Proof that the bin is on private property shall include, but not be limited to, a survey of the property prepared by a licensed surveyor that is certified to the record owner of such property.] was removed by the department and that the owner can claim such bin through the procedure established by rule. If the name and address of the owner of such publicly accessible collection bin are not located on the bin or are not legible, the commissioner may dispose of such bin in accordance with applicable law and rules thirty days after removal. Any owner who seeks to claim a publicly accessible collection bin that has been removed by the department shall pay the penalty established by this section and the costs of removal and storage, unless, after adjudication by the environmental control board, the owner is found not liable for violating this section, in which case such bin shall be released forthwith, and no removal or storage costs shall be imposed as a condition of such release. If any publicly accessible collection bin is not claimed within thirty days of the mailing of notice to the owner, the commissioner may dispose of such bin in accordance with applicable law and rules. The commissioner shall promulgate rules detailing the procedures for claiming publicly accessible collection bins that are removed by the department.*

c. Any person who violates the provisions of paragraph two of subdivision b of

this section shall be liable for a civil penalty recoverable in a proceeding before the environmental control board of two hundred fifty dollars for the first offense and five hundred dollars for each subsequent offense within any eighteen-month period. For purposes of this section, each publicly accessible collection bin placed on any city property, or property maintained by the city, or on any public sidewalk or roadway, shall be deemed a separate violation.

d. Any person who violates the provisions of paragraphs one, four or five of subdivision b of this section shall be liable for a civil penalty recoverable in a proceeding before the environmental control board of fifty dollars for the first offense and one hundred dollars for each subsequent offense within any eighteen-month period.

e. The commissioner may promulgate such rules as are necessary to implement the provisions of this section including but not limited to rules relating to:

1. payment, by the owner, of removal and storage costs incurred by the commissioner,

2. registration and reporting requirements for publicly accessible collection bins placed on private property, and

3. the disposal of publicly accessible collection bins that have been removed by the department and claimed by an owner in cases where there is a subsequent failure to collect such bins.

§ 2. This local law shall take effect 90 days after its enactment into law, except that the commissioner of sanitation may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Sanitation and Solid Waste Management

Res. No. 348

Resolution calling upon the New York State Legislature to pass and the Governor to sign, A.8859/S.4469A, to amend the Education Law, in relation to hazing, serving alcohol to minors and illegal drug offenses.

By Council Members Cohen, Dickens, Gentile, Koo, Mendez, Torres, Rodriguez, Williams, Wills and Ulrich.

Whereas, Hazing has been banned by 44 states, according to *Diverse Education* magazine; and

Whereas, Many colleges have taken measures to address hazing, but despite such efforts, it remains prevalent on college campuses; and

Whereas, A comprehensive study by the University of Maine found that 55 percent of students nationwide who joined fraternities, sororities, sports teams, clubs, or other student groups have experienced hazing; and

Whereas, The study also found that half of those who reported hazing experiences were aware of anti-hazing policies at their school; and

Whereas, In addition, the study found that alcohol consumption, humiliation, isolation, sleep-deprivation, and sexual acts are common hazing practices; and

Whereas, An increase in the number of reported hazing incidents, some of which have resulted in death, has reignited efforts by higher education institutions and states to take action against such dangerous practices, according to *USA Today*; and

Whereas, New York Penal Law prohibits hazing in the State; and

Whereas, Postsecondary institutions in New York State, including New York City, have implemented anti-hazing policies and procedures, as required by State law; and

Whereas, New York Education Law requires colleges to create and implement policies and procedures to address instances involving endangerment of mental or physical health, or forced consumption of liquor or drugs for initiation into or affiliation with any organization; and

Whereas, Several New York State laws including the Penal Law, the New York General Obligations Law and the New York Alcohol and Beverage Control Law prohibit underage drinking, serving alcohol to minors, and the possession, sale or unauthorized use of certain drugs; and

Whereas, A 2009 study in the *Journal of Studies on Alcohol and Drugs* titled, "Magnitude of and Trends in Alcohol-Related Mortality and Morbidity Among U.S. College Students Ages 18-24, 1998-2005," determined that in 2005, 1,825 college students died from alcohol related injuries, and nearly 600,000 college students were directly impacted by alcohol-related injuries, and nearly 700,000 were assaulted, and almost 100,000 were sexually abused by a drinking college student, which were all significant increases from 1998; and

Whereas, According to a 2010 study in the *Journal of Addictive Behaviors*, alcohol education programs have had positive effects on students' alcohol use and alcohol-related consequences; and

Whereas, Effective elimination or reduction of hazing, underage drinking, and illegal drug use would create a safer and more productive environment for students on college and university campuses; and

Whereas, A.8859, by Assembly Member David I. Weprin, and S.4469A, by Senator Kenneth P. LaValle, would expand the authority of New York State colleges to regulate the conduct of student organizations, establish penalties and additional policy requirements regarding hazing, underage drinking and illegal drug use on campus and within school clubs, sports teams and social organizations; and

Whereas, Those engaged in such activities would face more serious consequences and disciplinary charges through the college; and

Whereas, This legislation would also require colleges to educate their campus communities, including training appropriate campus staff, on hazing, underage drinking, illegal drug use, bias-related crime and sexual assault; and

Whereas, This legislation would help bring the necessary changes needed to ensure campus safety and deter such harmful behavior; 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.8859/S.4469A, to amend the Education Law, in relation to hazing, serving alcohol to minors and illegal drug offenses.

Referred to the Committee on Higher Education.

Res. No. 349

Resolution calling on the New York State Senate to pass S.5740 and the Governor to sign such legislation into law, which would amend the New York State Correction Law by enhancing training for staff in residential mental health treatment unit programs inside correctional facilities.

By Council Members Cohen, Crowley, Constantinides, Cumbo, Dickens, Eugene, Gentile, Koo, Mendez, Torres and Rodriguez.

Whereas, In 2010, there were 20 suicides in state correctional facilities alone, double the number in 2009 and the highest rate of suicides since 1982; and

Whereas, CBS News New York reports that suicide is the leading cause of death in jails nationally after illnesses; and

Whereas, Additionally, in 2013, New York City's rate of inmate suicide is 17 suicides per 100,000 inmates; and

Whereas, According to the *New York Daily News*, nearly 40% of the approximately 11,000 daily inmates at Rikers are diagnosed with a mental illness; and

Whereas, According to a 2013 article in *The New York Times*, mentally ill inmates stay in jail nearly twice as long as people without mental illness, an average of 112 days compared with 61 days; and

Whereas, It is critical to the well-being of inmates to ensure that those individuals who work in the correctional system are trained to recognize symptoms and indicators that may result in suicide, or other forms of self-harm or harm to others, and refer such inmates to appropriate treatment; and

Whereas, S.5740, introduced by New York State Senator David Carlucci and pending in the New York State Senate, seeks to amend the New York State Correction Law by increasing the training for staff in residential mental health treatment unit programs inside correctional facilities; and

Whereas, Companion bill A.7659, introduced by New York State Assemblymember Aileen M. Gunther, passed the New York State Assembly on June 12, 2014 and was delivered to the Senate the same day; and

Whereas, S.5740 would help reduce the number of suicides in New York correctional facilities by providing additional training to corrections officers and staff; and

Whereas, New York should help ensure that inmates in correction facilities are provided the best possible mental health treatment while incarcerated; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Senate to pass S.5740 and the Governor to sign such legislation into law, which would amend the New York State Correction Law by enhancing training for staff in residential mental health treatment unit programs inside correctional facilities.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 350

Resolution calling upon the New York City Department of Education to enforce Chancellor's Regulation A-801, which requires that students on school buses wear seat belts until the bus comes to a destination stop.

By Council Members Crowley, Constantinides, Arroyo, Eugene, Gentile, Koo, Mendez, Richards, Torres, Rodriguez and Rosenthal.

Whereas, The Department of Education's Office of Pupil Transportation (OPT), provides public schools and non-public schools located within the five boroughs and neighboring counties with student transportation; and

Whereas, New York State law requires that large school buses be manufactured with seat belts; and

Whereas, According to Chancellor's Regulation A-801, students must keep their seat belts on until the bus comes to a destination stop at the school or home; and

Whereas, There are numerous benefits to wearing seat belts, including minimizing the risk of serious injury or death; and

Whereas, Seat belts absorb the force of impact and prevent students from being thrown from their seats; and

Whereas, According to the New York Board of Cooperative Educational Services, seat belts are more effective in side impact and rollover accidents; and

Whereas, According to the National Coalition for School Bus Safety, students who wear seat belts while on a school bus tend to be less distracting to drivers; and

Whereas, School districts with strict seat belt policies report significant compliance at all grade levels with the seat belt policies, according to the New York

Board of Cooperative Educational Services; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to enforce Chancellor's Regulation A-801, which requires that students on school buses wear seat belts until the bus comes to a destination stop.

Referred to the Committee on Education.

Res. No. 351

Resolution calling upon the Department of Education to calculate salaries of teachers in the New York City public school system based on the Department's central budget rather than an individual school's budget.

By Council Members Crowley, Mendez and Rodriguez.

Whereas, The Department of Education (the "Department") provides primary and secondary education to approximately 1.1 million students across more than 1,800 schools throughout New York City, and employs approximately 75,000 teachers; and

Whereas, The Department prepares students to meet grade level standards in English language arts and math, and prepares high school students to meet graduation requirements and pass Regents examinations; and

Whereas, The Department also operates a school food service program, maintains public school buildings and offices, and provides transportation services to students; and

Whereas, Additionally, the Department provides special education instructional services and related services to students enrolled in both public and private school settings; and

Whereas, The Department distributes categorical supports to non-public schools and service providers; and

Whereas, The Department's Fiscal Year 2015 \$20.6 billion Operating Budget (the total budget less pension and debt service costs) includes funding for principals, teachers, textbooks and supplies, transportation, food, safety, universal pre-kindergarten, and after-school programs; and

Whereas, The Department also pays for central administration and field support offices, which work with schools to provide support and help improve student achievement; and

Whereas, The City's more than 1,800 public schools each have an individual school budget that is funded by the Department through a variety of allocation formulas and pass-through entities; and

Whereas, The Department's total budget is divided into 27 units of appropriation ("UAs"), each of which contains funding to support either personal services (wages and salaries) or other than personal services spending related to a particular service area or function; and

Whereas, All of the funding allocated to schools to support their operations is budgeted centrally within UAs 401, 402, 403, 404, 481, and 482 (although not all of the money budgeted in these UAs funds schools' budgets); and

Whereas, The City's budget does not include information on how much money any individual school receives, and it does not show how many employees are assigned to any particular school, or which specific courses of study are available at any particular school; and

Whereas, Beginning in the 2007-2008 school year, the Department began using the Fair Student Funding ("FSF") formula to distribute most of the city and unrestricted state funds needed to operate the schools; and

Whereas, The per-pupil FSF allocation, which totals approximately \$5 billion for the 2014-2015 school year, is the core of a school's total budget; and

Whereas, The FSF allocation covers basic instructional needs, including teachers' salaries, and is allocated to each school based on the number and need-level of students enrolled at that school and is spent at the principal's discretion; and

Whereas, Currently, most teachers' salaries within a school building are calculated against an individual school's budget, over which the school's principal has control, rather than the Department's central administrative budget; and

Whereas, Accordingly, funding for school-based resources, such as textbooks, after-school programs, technology, staff development, and specialty programs, must compete with funding for resources needed for wages and salaries within an individual school; and

Whereas, Teachers' salaries, reflected in a salary schedule, are determined by the collective bargaining agreement entered into between the United Federation of Teachers and the City; and

Whereas, The salary schedule provides for proportional increases in salary when there is an increase in seniority and education level; and

Whereas, As a result, principals often must make the tough decision of hiring and retaining newly hired, and therefore, less expensive teachers, rather than hiring and retaining more experienced, and therefore, more expensive, teachers, to ensure that the individual school has sufficient resources to allow students to get a sound education; and

Whereas, Prior to the FSF, the amount of money allocated to an individual school was determined mostly by student enrollment and the salaries of the teachers at the school, rather than student need; and

Whereas, In preparation for the transition to the FSF, it was assumed that many teachers would be adversely affected in terms of obtaining or maintaining employment so, in April 2007, the Department began providing a Legacy Teacher

Supplement ("LTS") to schools as a separate allocation for the difference in teachers' salaries resulting from seniority and higher education levels; and

Whereas, The LTS is provided only for teachers who were on a school's budget prior to the implementation of the FSF; and

Whereas, While LTS is a tremendous resource in preserving existing teachers, it does not safeguard against the reluctance to hire more experienced teachers whose salary would be counted against an individual school's budget; and

Whereas, Schools opened after April 2007 are most significantly disadvantaged because they are ineligible to receive any LTS funding, and therefore, such schools are likely staffed with new, inexperienced teachers; and

Whereas, By allowing the salaries of teachers to be calculated against the Department's Operating Budget as a whole, rather than an individual school's budget, the competition felt by principals to sacrifice experienced teachers for less expensive inexperienced teachers would be diminished; now, therefore be it

Resolved, That the Council of the City of New York calls upon the Department of Education to calculate salaries of teachers in the New York City public school system based on the Department's central budget rather than an individual school's budget.

Referred to the Committee on Finance.

Int. No. 410

By Council Members Deutsch and Cumbo.

A Local Law to amend the administrative code of the city of New York, in relation to arterial roadway towing.

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-155 to read as follows:

§14-155. Arterial Roadway Tow Program.

a. Definitions. For the purposes of this section the following terms shall have the following means:

1. "Arterial roadways" shall mean all parkways, expressways, drives, highways, interstate routes, thruways, and bridges listed in subdivision i of section 4-07 of title 34 of the rules and regulations of the city of New York, or any rules or regulations promulgated to succeed such section;

2. "GPS tracking device" shall mean a device that communicates with global positioning satellites to determine the physical location of a vehicle and transmits such location to a remote server.

b. Program Requirements.

1. The department shall administer a program for the towing of vehicles on arterial roadways pursuant to local law 58 of the year 1996 and to the traffic rules of the department of transportation. Under such program, pursuant to the traffic rules of the department of transportation and section 20-520 of the administrative code of the city of New York, no person shall cause or permit a disabled vehicle to be towed from an arterial roadway except by a tow truck under permit issued by the commissioner of the department.

2. Under such program, the commissioner of the department must issue permits to no less than two tow providers per arterial roadway, or segments thereof as determined by the commissioner of the department or the commissioner of the department of transportation. The permitted tow providers for a particular arterial roadway shall be dispatched to remove a disabled vehicle from such arterial roadway after the department has determined which tow provider has an available tow vehicle that is nearest to the disabled vehicle, as determined by GPS tracking devices.

3. Within six months of the enactment of the law creating this section, the commissioner of the department shall promulgate rules and regulations detailing the arterial towing program as he or she deems necessary to effectuate the purposes of this section. Such rules and regulations shall include but not be limited to:

(i) the minimum number of tow providers to be issued permits for each arterial roadway, or segment thereof as determined by the commissioner of the department or the commissioner of the department of transportation, which shall be no less than two tow providers per arterial roadway or segment thereof;

(ii) the criteria tow providers must meet to be eligible for a permit for the arterial towing program, including the details of the GPS tracking capabilities that a tow provider's tow vehicles must be equipped with;

(iii) the details of how the department will utilize the GPS tracking capabilities to ensure that disabled vehicles on arterial roadways are towed by the permitted tow provider with a tow vehicle nearest to the disabled vehicle;

(iv) the details of how the department will ensure that a permitted tow provider with a tow vehicle nearest to a disabled vehicle will only be dispatched if such tow vehicle is available and not in the process of removing another disabled vehicle; and

(v) the details of how the department will dispatch permitted tow providers to disabled vehicles when location is either unable to be determined or when multiple permitted tow providers have tow vehicles equidistant from the disabled vehicle.

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

Referred to the Committee on Public Safety.

Int. No. 411

By Council Members Dromm, Vacca, Garodnick, Koo and Mendez.

A Local Law to amend the administrative code of the city of New York in relation to requirements and enforcement of newsrack provisions.

Be it enacted by the Council as follows:

Section 1. Subdivisions e and f of section 19-128.1 of the administrative code of the city of New York are amended to read as follows:

e. Maintenance, continuous use, repair and removal. 1. [Any person who owns or is in control of a newsrack shall certify once every four months to the commissioner on forms prescribed by the commissioner that each newsrack under his or her ownership or control has been repainted, or that best efforts have been made to remove graffiti and other unauthorized writing, painting, drawing, or other markings or inscriptions at least once during the immediately preceding four month period. Such person] (a) *Each newsrack shall be kept in good repair and shall be maintained in a clean and neat condition by removing graffiti and other unauthorized writing, painting, drawing, or other markings or inscriptions.*

(b) *The owner shall maintain a log in which the maintenance and repair measures required by subparagraph a of this paragraph and the dates and times when they are taken are recorded in accordance with a format approved or set forth by the commissioner. [Such person] Owners shall maintain records for a period of three years documenting the use of materials, employees, contractors, other resources and expenditures utilized for the purpose of demonstrating the [repainting or best efforts of such person to remove] removal of such graffiti or other unauthorized writing, painting, drawing, or other markings or inscriptions. [Such person] Owners shall, solely for the purposes of complying with the provisions of this paragraph, make such log and such records, and only such log and such records, available to the department for inspection and copying during normal and regular business hours and shall deliver copies to the department upon its request. [Such inspection may only be conducted by the department once per certification period.] If the department determines that such [certification,] log and records do not accurately demonstrate [that an owner or person in control of a newsrack has repainted or used best efforts for such purposes] the removal of graffiti and other unauthorized writing, painting, drawing, or other markings or inscriptions as required by this paragraph, or upon a determination by the department that an owner [or such person] failed to comply with any other provision of this paragraph, the department shall issue a notice of violation in accordance with subparagraph b-1 of paragraph one of subdivision f of this section.*

2. [Any person who owns or is in control of a newsrack shall use best efforts to ensure that each newsrack under his or her ownership or control is not] *In order to prevent newsracks from being used as a depository for [the placement of] refuse [and], the owner shall [be required to] remove any refuse placed within such newsrack within forty-eight hours of receipt of a notice of correction from the commissioner as provided in subparagraph a of paragraph one of subdivision f of this section regarding such condition.*

3. [In no event shall the owner or person in control of a newsrack fail to keep such newsrack supplied with written matter for a period of more than seven consecutive days without securing the door so as to prevent the deposit of refuse therein. In no event shall such newsrack remain empty for a period of more than thirty consecutive days.] *The owner shall maintain the supply of the publication offered for distribution in such newsrack consistent with the publication delivery schedule submitted pursuant to subdivision c of this section. If the department finds upon inspection that a single newsrack does not contain the publication offered for distribution in such newsrack and contains refuse within a twenty-four-hour period before and a twenty-four-hour period after the publication delivery date as listed in the delivery schedule, the department shall issue a notice of violation in accordance with subparagraph b-1 of paragraph one of subdivision f of this section.*

4. Any newsrack that has been damaged or is in need of repair shall be repaired, replaced or removed by the owner [or person in control of such newsrack] within seven business days of receipt of a notice of correction from the commissioner as provided in subparagraph a of paragraph one of subdivision f of this section regarding such damage or need for repair. If such newsrack has been damaged, or if it is in a state of disrepair, such that it constitutes a danger to persons or property, it shall be made safe within [a reasonable time following receipt of such] *forty-eight hours of receipt of a notice of correction from the commissioner regarding such condition.*

5. [Any] *The owner shall promptly repair any damage to city property resulting from the placement, installation, maintenance or removal of [a newsrack shall be repaired promptly by the owner or person in control of such newsrack] any of such owner's newsrack.* If a newsrack is removed from its location on a sidewalk, the owner [or person in control] of such newsrack shall be responsible for restoring the sidewalk and any other affected city property to the condition existing prior to installation of that newsrack.

f. Enforcement. 1. (a) *Notice of correction.* Whenever any newsrack is found to be in violation of any provision of (i) [subdivision] *subdivisions b, g, k, n, or o* [of this section or]; (ii) *subparagraph a of paragraph one of subdivision e*; (iii) paragraphs two, [three,] four, or five of subdivision e [of this section]; or (iv) *paragraph one of subdivision l of this section*, the commissioner shall issue a notice of correction specifying the date and nature of the violation and shall send written notification, by

regular mail, to the owner [or person in control] of the newsrack. In addition, the commissioner may send a copy of [such] *the notice of correction by electronic mail to the owner and/or* to a person designated by such owner [or person] to receive such notice[, and/or the commissioner may send such notice by electronic mail to such owner or such person specifying the date and nature of the violation]. However, failure to send [a] *such copy* [by regular or electronic mail] will not extend the time period within which such owner [or other person] is required by any provision of this section to take action, nor will such failure result in the dismissal of a notice of violation issued pursuant to any provision of this section. The commissioner shall cause photographic evidence of [such] *the violation* to be taken *except for violations of paragraph one of subdivision l or subdivision o of this section.* Such evidence shall be sent by regular mail together with the notice of correction. Except as otherwise provided for the removal of refuse in paragraph two of subdivision e of this section *and the making safe of newsracks that are damaged or in need of repair pursuant to paragraph four of subdivision e of this section*, [such person] *the owner* shall within seven business days from the date of receipt of notification via regular mail cause the violation to be corrected. For the purposes of this section, a notice of correction shall be deemed to have been received five days from the date on which it was mailed by the commissioner.

(b) *Notice of violation.* If an owner [or other person in control of a newsrack] fails to comply with a notice of correction issued pursuant to subparagraph a of this paragraph [or an order by the commissioner to remove served pursuant to paragraph three of this subdivision], a notice of violation returnable to the board shall be served on such owner [or person in control of such newsrack]. No notice of violation shall be issued for the failure to comply with a notice of correction issued pursuant to subparagraph a of *this paragraph* [one of this subdivision] unless the commissioner has caused [a second] *an* inspection of the violation to take place within a period of time that commences on the day after the applicable period for correcting such violation expires and ends fourteen days after such day. In addition, the commissioner may send to such owner [or other person in control of such newsrack], by electronic mail, photographic evidence of [such] *the violation* taken at such [second] inspection. Failure to send such photographic evidence by electronic mail will not result in the dismissal of a notice of violation issued pursuant to any provision of this section.

(b-1) Failure by an owner [or a person in control of a newsrack] to comply with subdivision c or d [of this section, failure by such owner or person to certify or failure to accurately demonstrate that such owner or person has repainted or used best efforts to remove graffiti and other unauthorized writing, painting, drawing, or other markings or inscriptions, as required by], *subparagraph b of paragraph one of subdivision e, or paragraph three of subdivision e of this section, or failure to remove any newsrack as ordered pursuant to paragraph three of this subdivision* shall be a violation and shall be subject to the applicable penalties provided in paragraph six of this subdivision. A proceeding to recover any civil penalty authorized by this subparagraph shall be commenced with service on such owner [or person] of a notice of violation returnable to the board. The commissioner shall not be required to issue a notice of correction before issuing or serving a notice of violation pursuant to this subparagraph.

(c) *Violation hearing.* If the return date of a notice of violation issued pursuant to subparagraph b or b-1 of this paragraph is more than five business days after the service of such notice, the board shall, upon the request of the [respondent] *owner*, in person at the office of the board, provide a hearing on such violation prior to such return date and no later than five business days after the date of such request. At the time set for such hearing, or at the date to which such hearing is continued, the board shall receive all evidence relevant to the occurrence or non-occurrence of the specified violation(s), the compliance or noncompliance with any of the provisions of this section, and any other relevant information. Such hearing need not be conducted according to technical rules relating to evidence and witnesses. Oral evidence shall be taken only on oath or affirmation. Within five business days after the conclusion of the hearing, the board shall render a decision, based upon the facts adduced at said hearing, whether any violations of this section have occurred. The decision shall be in writing and shall contain findings of fact and a determination of the issues presented. The board shall send *a copy of its decision and order* to the owner [or person in control of the newsrack] by regular mail[, a copy of its decision and order].

2. (a) [If] *Except as otherwise provided in this paragraph, if* the board renders a decision upholding the finding of a violation against the [respondent] *owner* upon default or after a hearing held pursuant to paragraph one of this subdivision[, other than a decision finding a violation of the provisions of paragraph one of subdivision e of this section,] and the violation is not remedied within seven days of receipt of the decision of the board, the commissioner or his or her designee is authorized to provide for the removal of such newsrack and any contents thereof to a place of safety. For purposes of this subparagraph, a decision shall be deemed to have been received five days from the date on which it was mailed. If such newsrack and any contents thereof are not claimed *by their owner* within thirty days after their removal [by a person entitled to their return], they shall be deemed to be abandoned and [may be either sold at a public auction after having been advertised in the City Record, the proceeds thereof being paid into the general fund, used or converted for use by the department or another city agency, or otherwise disposed of] *the provisions contained in paragraph four of this subdivision shall apply*, and the owner [or person in control shall be liable to the City for the costs of removal and storage and] shall be subject to a civil penalty pursuant to subparagraph a of paragraph six of subdivision f of this section. Newsracks and the contents thereof that are removed pursuant to this subparagraph shall be released to the owner [or other person lawfully entitled to possession] upon payment of the costs for removal and storage and any civil penalty

or, if an action or proceeding concerning the violation is pending, upon the posting of a bond or other form of security acceptable to the department in an amount that will secure the payment of such costs and any penalty that may be imposed hereunder.

(b) If the board renders a decision upholding the finding of a violation against the [respondent] *owner* for having failed to [certify, or having failed to] accurately demonstrate that such [respondent] *owner* [repainted or used best efforts to remove graffiti] *removed graffiti* and other unauthorized writing, painting, drawing, or other markings or inscriptions or having failed to comply with any other provision of paragraph one of subdivision e of this section, the board shall impose a penalty in accordance with subparagraph b of paragraph six of this subdivision.

(c) *If the board renders a decision upholding the finding of a violation of subdivision o of this section against the owner for unlawfully charging a fee for use of its modular newsrack, the board shall direct such owner to refund all improperly charged fees and the board shall impose penalties in accordance with paragraph six of this subdivision.*

(d) *If the board renders a decision upholding the finding of a violation of subdivision k of this section against the owner, the department shall suspend or revoke the owner's modular newsrack plan and may request the removal of all modular newsracks installed pursuant to such plan. If the board renders a decision upholding the finding of a violation of paragraph one of subdivision l of this section against the owner, the department may modify, suspend, or revoke the owner's modular newsrack plan. Upon the suspension or revocation of the modular newsrack plan, the restrictions on the placement of single newsracks contained in subdivision n of this section shall not apply to the part of the community district or business improvement district to which the plan applies.*

3. *Order to remove newsrack.* The commissioner may, upon notice, serve an order upon the owner [or other person in control of a newsrack] requiring such [person] *owner* to remove or cause to be removed such newsrack within seven business days of receipt of such order where such removal is required because the site or location at which such newsrack is placed is used or is to be used for public utility purposes, public transportation, or public safety purposes, or when such newsrack unreasonably interferes with construction activities in nearby or adjacent buildings, or if removal is required in connection with a street widening or other capital project or improvement. If such [person] *owner* does not remove such newsrack within seven business days of receipt of such order, *the commissioner or his or her designee may provide for the removal of such newsrack to a place of safety and the provisions contained in subparagraphs b-1 and c of paragraph one of this subdivision [and subparagraph a of paragraph two of this subdivision regarding issuance of a notice of violation and alternatives for removal, storage, abandonment, disposal, and release,] shall apply. If a decision is rendered at an administrative hearing brought pursuant to subparagraph c of paragraph one of this subdivision in favor of such owner, such newsrack shall be returned within ten days to the location from which it was removed by the commissioner or his or her designee and the owner shall not be charged with the reasonable costs of removal and storage payable prior to the release of such newsrack and the contents thereof. If a decision is rendered against the owner, including upon default, such newsrack and any contents thereof not claimed within thirty days after the date of removal by its owner shall be deemed to be abandoned and the provisions contained in paragraph four of this subdivision shall apply.*

4. *Abandoned newsracks.* Notwithstanding any other provision of law to the contrary, if a newsrack has been deemed to have been abandoned in accordance with this paragraph, the commissioner, his or her designee, an authorized officer or employee of any city agency or a police officer is authorized to provide for the removal of such newsrack and it may [either] be sold at public auction after having been advertised in the City Record, the proceeds thereof being paid into the general fund, used or converted for use by the department or another city agency, or otherwise disposed of, *and the owner shall be liable to the city for the costs of removal and storage.* A newsrack shall be deemed to have been abandoned for purposes of this paragraph if the name, address or other identifying material of the owner [or other person in control of such newsrack] is not affixed to such newsrack as required by paragraph four of subdivision b of this section and such owner [or other person] has not submitted to the commissioner the information required in [clauses (ii) and (iii) of] subparagraph a of paragraph one of subdivision c of this section; *or as otherwise provided in this section or department rules.*

5. *Removal for emergency circumstances.* (a) Where emergency circumstances exist and the commissioner or his or her designee gives notice to the owner [or other person in control of a newsrack] to remove such newsrack, such [person] *owner* shall comply with such notice. For the purposes of this paragraph, emergency circumstances shall mean circumstances which present an imminent threat to public health or safety.

(b) If any owner [or other person in control of a newsrack] does not remove such newsrack when directed to do so pursuant to the provisions of subparagraph a of this paragraph, or if circumstances are such that public safety requires the immediate removal of a newsrack and it is not reasonable to give the owner [or other person in control of such newsrack] notice prior to removal, the commissioner or his or her designee may provide for the removal of such newsrack to a place of safety. Unless an administrative proceeding brought pursuant to subparagraph c of this paragraph has terminated in favor of such owner [or other person in control of such newsrack], such owner [or other person in control of such newsrack] may be charged with the reasonable costs of removal and storage payable prior to the release of such newsrack and the contents thereof.

(c) If an owner [or other person in control of a newsrack] fails to comply with a notice issued pursuant to subparagraph a of this paragraph to remove such newsrack, a notice of violation returnable to the board shall be served on such owner [or person in control of such newsrack]. If the newsrack has been removed by the city pursuant to subparagraph b of this paragraph, such notice of violation shall be served immediately after removal, and, if the return date of the notice of violation is more than five business days after the service of such notice, the board shall, upon the request of the [respondent] *owner*, in person at the office of the board, provide a hearing on such violation prior to such return date and no later than five business days after the date of such request. The hearing shall take place under the provisions set forth in [subparagraphs b and] *subparagraph c* of paragraph one of this subdivision and a decision shall be rendered by the board within five business days after the conclusion of the hearing. If a decision is rendered at such hearing that emergency circumstances did not exist, such newsrack shall be returned within ten days to the location from which it was removed by the commissioner or his or her designee. If a decision is rendered against the [respondent] *owner* upon default or after a hearing that such emergency circumstances existed, such newsrack and the contents thereof shall be released to [the] *such* owner [or other person lawfully entitled to possession]. If, after a board decision that removal was proper, such newsrack and any contents thereof are not claimed within thirty days after the date of removal by [a person entitled to their return] *the owner*, such newsrack and any contents thereof shall be deemed abandoned and [may be either sold at a public auction after having been advertised in the City Record, the proceeds thereof being paid into the general fund, used or converted for use by the department or another city agency, or otherwise disposed of] *the provisions contained in paragraph four of this subdivision shall apply.*

6. *Civil penalties.* (a) Any owner [or person in control of a newsrack] found to be in violation of any provision of this section shall, after a board decision has been issued upon default or after a hearing, be subject to a civil penalty in the amount of (i) no less than fifty dollars and no more than one hundred dollars for each violation for a specific newsrack of any of the provisions of paragraphs two, three, four or five of subdivision e of this section or paragraph four of subdivision b of this section, except that [a person] *an owner* found in violation of any of such provisions after a decision of the board issued on default shall be subject to a penalty of no less than one hundred dollars and no more than five hundred dollars; (ii) no less than five hundred dollars and no more than four thousand dollars for each violation of paragraph one of subdivision c of this section; [and] (iii) no less than one hundred dollars and no more than five hundred dollars for each violation of paragraphs one, two, three, five, six [and], *or seven of subdivision b of this section, and for each violation of subdivision g, k, l, n or o of this section.*

(b) Any owner [or person in control] of one or more newsracks found by the board to have failed to [certify, or to have failed to] accurately demonstrate that such owner or person [repainted or used best efforts to remove graffiti] *the removal of graffiti* and other unauthorized writing, painting, drawing, or other markings or inscriptions, as required by paragraph one of subdivision e of this section, or failed to comply with any other requirements of such paragraph, or failed to comply with any provision of paragraph two or three of subdivision c of this section, or failed to maintain insurance as required by subdivision d of this section, shall be liable for a civil penalty determined in accordance with the number of *such owner's* newsracks [such person owns or controls] as follows:

Number of newsracks [owned or controlled by such person] A violation of paragraph one of subdivision e, paragraph two *or three* of subdivision c, or subdivision d of this section

Up to and including ninety-nine [newsracks] *newsracks* Two hundred fifty to five hundred dollars

More than ninety-nine and less than two hundred fifty newsracks Three hundred seventy-five to seven hundred fifty dollars

More than two hundred forty-nine and less than five hundred newsracks Seven hundred fifty to one thousand five hundred dollars

More than four hundred ninety-nine and less than seven hundred fifty newsracks One thousand one hundred twenty-five to two thousand two hundred fifty dollars

More than seven hundred forty-nine and less than one thousand newsracks One thousand five hundred to three thousand dollars

One thousand or more newsracks Two thousand to four thousand dollars

7. *Repeat violations.* The commissioner shall remove or cause to be removed from any sidewalk for a period of three consecutive months, every newsrack and the contents thereof [under the ownership or control] of any [person who] *owner deemed to have repeatedly* [violates] *violated* any provision or provisions of this [subdivision] *section*. For purposes of this paragraph, [a person] *an owner* shall be deemed to have repeatedly violated this section if such [person] *owner* has been determined by the board, upon default or after a hearing, to have violated the provisions of this section ten or more times within any six-month period [and that] *or if* such [person] *owner* has failed to pay three or more civil penalties imposed during that same time period. [For purposes of this paragraph, a person shall also be deemed to have repeatedly violated this section if such person is determined by the board, upon default or after a hearing, to have failed to make the certification required by paragraph one of subdivision e of this section or to have failed to accurately demonstrate that such person repainted or used best efforts to remove graffiti and other unauthorized writing, painting, drawing, or other markings or inscriptions as

required by such paragraph in each of two consecutive certification periods in any two year period or three times in any two-year period.] The department shall maintain a record of all [persons] *owners* who repeatedly violate any provision or provisions of this [subdivision] *section*. In the event that the commissioner removes or causes to be removed all *of an owner's* newsracks and the contents thereof [under the ownership or control of any person] based upon this paragraph, such [person] *owner* shall be permitted to replace all such newsracks at the locations from which they were removed upon payment in full of all outstanding civil penalties imposed for violations of this section and the reasonable costs of removal and storage, provided that such newsracks meet the requirements of this section. If any newsracks or contents thereof removed pursuant to this paragraph are not claimed within thirty days after the expiration of the three-month removal period, such newsracks or the contents thereof shall be deemed abandoned and [may be either sold at public auction after having been advertised in the City Record, the proceeds thereof being paid into the general fund, used or converted for use by the department or another city agency or otherwise disposed of] *the provisions contained in paragraph four of this subdivision shall apply*.

8. In giving any notice of correction or serving any [commissioners] order required under this section, except as otherwise provided by law, the commissioner may rely on the validity of any address (a) posted on the newsrack pursuant to paragraph four of subdivision b of this section as the address of the owner [or person in control of the newsrack] or (b) submitted to the department pursuant to subdivision c of this section, and shall provide such notice by regular mail. If the owner [of a newsrack or person in control of a newsrack] shall have failed to comply with paragraph four of subdivision b or with subdivision c of this section, the commissioner shall make reasonable efforts to ascertain the identity and address of the owner [or person in control of such newsrack] for the purpose of giving any required notice, and having done so, may take action as if any required notice had been given.

9. Nothing in this section shall preclude the immediate removal of a newsrack when otherwise authorized by law.

§ 2. If any portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which shall continue in full force and effect.

§ 3. This local law shall take effect ninety days after it shall have become a law, except that the commissioner of the department of transportation may take all actions necessary, including the promulgation of rules, to implement this local law on or before the date upon which it shall take effect.

Referred to the Committee on Transportation.

Preconsidered Res. No. 352

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

By Council Member Ferreras.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 2; and be it further

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

Resolved, That the City Council approves the changes in the designation, specifically the amount, of certain organizations receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in designation of the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services, specifically funding removed from within the Department of Health and Mental Hygiene, in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new Description/Scope of Services for a certain organization receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the changes in the designation, specifically the addition of fiscal conduit information, of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 8.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 352 printed in these Minutes).

Int. No. 412

By Council Member Garodnick, Dromm, Vacca, Koo and Mendez.

A Local Law to amend the administrative code of the city of New York in relation to modular newsracks.

Be it enacted by the Council as follows:

Section 1. Subdivisions c and g of section 19-128.1 of the administrative code of the city of New York is amended to read as follows:

c. Notification to city [of location of newsrack]. 1. (a) [Where a newsrack has been placed or installed on a sidewalk before the effective date of this section, the owner or person in control of such newsrack shall, within sixty days after such effective date,] *The owner shall, prior to placing or installing any newsrack on a sidewalk, submit the following information to the commissioner on a form [identifying] or in a manner prescribed by the commissioner:* (i) the address of such newsrack; (ii) the name, address, telephone number, and email address of the [newspaper(s) or written matter] *publication(s)* to be offered for distribution in such newsrack; [and] (iii) the *owner's* name, address, telephone number, and email address [of the owner or person in control of such newsracks]; (iv) *the delivery schedule for the publication(s) to be offered for distribution in such newsrack;* and [representing] (v) *a certification that such [newsracks comply] newsrack complies with the provisions of this section.*

(b) [Any other owner or person in control of a newsrack shall, prior to placing or installing such newsrack on a sidewalk, submit to the commissioner a form providing the information in clauses (ii) and (iii) of subparagraph (a) of this paragraph.] *Within two business days of receipt of the information required in subparagraph a of this paragraph, the department shall provide the owner with a unique identification number for each newsrack. The owner shall affix the unique identification number in a readily visible location on the front or sides of the newsrack within ten days of receipt from the department.*

(c) *Subsequent to the initial notification requirements set forth in subparagraph a of this paragraph, the owner shall resubmit the information set forth in subparagraph a of this paragraph once a year to the commissioner in accordance with a notification schedule to be established by the commissioner.*

2. [Subsequent to the initial notification requirements set forth in paragraph one of this subdivision, the owner or person in control of any newsrack shall submit the information set forth in subparagraph a of such paragraph once a year to the commissioner in accordance with a notification schedule to be established by the commissioner. However, if the number of newsracks owned or controlled by such owner or person increases or decreases by ten percent or more of the number of newsracks that have been included in the most recent notification required to be submitted by such owner or person, such owner or person shall also be required to submit the information set forth in such paragraph within seven days of such change, and provided, further, that such owner or person shall advise the department of any change in his or her name or address] *Notwithstanding any other notification requirement herein, if there is a change to any of the information required to be submitted pursuant to subparagraph a of paragraph one of this subdivision, the owner shall submit the information required by such subparagraph with the relevant updated information within seven days of such change.*

3. [Notification to the city, as required by paragraphs 1 and 2 of this subdivision, may be submitted to the department electronically.] *If an owner removes any newsrack, such owner shall notify the department within seven days of such removal of the number of newsracks removed, the unique identification number of each newsrack removed, and the number of newsracks remaining, and shall certify that the sidewalk and any other affected city property is restored pursuant to paragraph five of subdivision e of this section.*

4. *Notification to the city, as required by paragraphs one, two, and three of this subdivision, may be submitted to the department electronically.*

g. [Severability. If any subdivision, paragraph, subparagraph, sentence or clause of this section is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.] *Submission of modular newsrack plan. 1. No modular newsrack shall be placed or installed on a sidewalk after January 1, 2015 unless such newsrack has been included in a modular newsrack plan approved by the department pursuant to this section.*

2. Any person or entity may submit a modular newsrack plan to the department to request replacement of single newsracks with one or more modular newsracks in all or part of a community district or business improvement district. Such plan shall set forth:

(a) each sidewalk block where at least one modular newsrack is being proposed for installation;

(b) the number of different historically present publications on each sidewalk block identified in the plan, and the title of each such publication;

(c) the number of historically present publications that are offered at more than one single newsrack on each sidewalk block identified in the plan, and the title of each such publication;

(d) the number of publications that will be accommodated by modular newsrack on each sidewalk block identified in the plan, which number shall not be less than the number of different historically present publications identified in subparagraph b of this paragraph;

(e) the proposed location on each sidewalk block of each modular newsrack;

(f) the proposed schedule for implementing the plan, including installation of the modular newsrack(s), should the plan be approved by the department;

(g) a mechanism that allows non-historically present publications to apply to the owner for, and without unreasonable delay, be granted, space within a modular newsrack on the sidewalk block(s) identified by such owner, if space exists within such modular newsrack; and

(h) any other information that the department considers necessary to assess the plan.

3. Any person or entity submitting a modular newsrack plan to request replacement of single newsracks with one or more modular newsracks pursuant to this subdivision shall provide a copy of such modular newsrack plan to the community board for each community district in which a modular newsrack is proposed to be located within such plan. Within forty-five days of the receipt of the plan, the community board shall forward any comments on such plan to the department.

4. Any owner that has already obtained approval from the department prior to January 1, 2015 to install modular newsracks need not submit a new modular newsrack plan pursuant to this subdivision, provided, however, that the restrictions on the placement of single newsracks contained in subdivision n of this section shall not take effect in such community district or business improvement district until such owner submits a modular newsrack plan for department approval pursuant to this section, and provided further that such owner must submit a modular newsrack plan in order to install any additional modular newsracks.

§ 2. Section 19-128.1 of the administrative code of the city of New York is amended by adding new subdivisions h through p to read as follows:

h. *Consultation with publications.* Any person or entity submitting a modular newsrack plan to request replacement of single newsracks with modular newsracks pursuant to subdivision g of this section shall contact all of the historically present publications in the plan in order to discuss the proposed location of each modular newsrack on the identified sidewalk block(s), and to offer such publications first access to a space within a modular newsrack. Proof of such communication shall be submitted to the department along with the modular newsrack plan.

i. *Review of modular newsrack plan.* The department shall take into consideration any comments received from a community board on a modular newsrack plan and shall review the modular newsrack plan for its conformity to the following criteria:

1. sufficient modular newsrack space exists to accommodate all historically present publications identified in the plan;

2. every historically present publication identified in the plan was offered a space within a modular newsrack on that same sidewalk block;

3. implementation of such plan will not violate subdivision b of this section;

4. the plan contains a mechanism that allows non-historically present publications to apply for and, without unreasonable delay, be granted space within a modular newsrack on the identified sidewalk block(s) in accordance with the provisions of this section, if space exists within such modular newsrack;

5. the plan was submitted to the applicable community board(s) as required; and

6. the plan includes any other information that the department considers necessary to assess the plan.

j. *Modification of modular newsrack plan.* The department may require modification of a modular newsrack plan based on comments received from a community board on such plan and in order to ensure that the criteria contained in subdivision i of this section are satisfied.

k. *Compliance with modular newsrack plan.* Modular newsrack plans shall be implemented in compliance with their terms and the provisions of subdivision i of this section. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph one of subdivision f of this section.

l. *Allocation of publication space. 1.* The modular newsrack owner must accommodate a publication's request for space within its modular newsrack(s) within ninety days of receipt of such request, if space is available in such modular newsrack. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph one of subdivision f of this section.

2. A publication shall not be placed in more than one space in any modular newsrack. A publication may be placed in two modular newsracks upon the same sidewalk block, provided that all other publications seeking a space in a modular newsrack on such sidewalk block have been offered a space. If a publication is placed in two modular newsracks on the same sidewalk block and another publication seeks a space on such sidewalk block, the publication with two spaces on such sidewalk block must promptly vacate one of the two modular newsracks.

m. *Notice by modular newsrack owner.* Upon department approval of a modular newsrack plan, modular newsrack owners must submit written notice to all owners of single newsracks located on the sidewalk block(s) identified in an approved modular newsrack plan. Such notice shall state that modular newsracks have been approved by the department for operation on such sidewalk block(s) in accordance with such plan. A copy of such notice, along with proof of notice to all owners of single newsracks located on the sidewalk block(s) identified in an approved modular newsrack plan, shall be submitted to the department prior to installation of the modular newsracks.

n. *Distance restriction. 1.* No single newsrack shall be placed on a sidewalk block containing a modular newsrack except as provided in this subdivision. The owner of any single newsrack located on the sidewalk block(s) identified in an approved modular newsrack plan shall remove such single newsracks within thirty days after receiving the written notice provided by the modular newsrack owner pursuant to subdivision m of this section. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph one of subdivision f of this section.

2. Single newsracks may only be placed on a sidewalk block containing a modular newsrack when insufficient modular newsrack space exists for the publication to be contained in such modular newsrack.

o. *Modular newsrack cost and fees.* The modular newsrack owner shall bear the entire cost of maintaining its newsrack and shall not charge any fee to publications occupying space in its modular newsrack(s), except for reasonable fees as set forth by the department relating to the initial purchase of newsrack doors, including any coin mechanisms, and repair or replacement of newsrack doors and door parts. In the event of non-compliance, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph one of subdivision f of this section. The department shall make available on its website, and annually update, a schedule of fees relating to the initial purchase of newsrack doors and repair or replacement of newsrack doors and door parts.

p. *Severability.* If any subdivision, paragraph, subparagraph, sentence or clause of this section is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

§ 3. If any portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which shall continue in full force and effect.

§ 4. This local law shall take effect ninety days after it shall have become a law, except that the commissioner of the department of transportation may take all actions necessary, including the promulgation of rules, to implement this local law on or before the date upon which it shall take effect.

Referred to the Committee on Transportation.

Int. No. 413

By Council Members Greenfield, Cumbo, Gentile, Koo, Mendez, Richards and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring restaurants to disclose when gratuity is included in the total cost of services.

Be it enacted by the Council as follows:

Section 1. Chapter five of title twenty of the administrative code of the city of New York is amended by adding a new subchapter nineteen to read as follows:

SUBCHAPTER 19

RESTAURANT GRATUITY DISCLOSURE

§ 20-824. *Disclosure requirements.*

§ 20-825. *Penalties.*

§ 20-826. *Enforcement.*

§ 20-824. *Disclosure requirements.* When the owner, operator or employee of a restaurant adds a gratuity to the amount a paying customer owes, such restaurant owner, operator or employee must disclose the amount of such added gratuity to the paying customer. Such disclosure must be written, state clearly and conspicuously that a gratuity has been included in the total cost of services, and be made in a manner to be determined by the commissioner. Such disclosure must appear on the customer's final bill and on the customer's credit card receipt if such customer is paying with a credit card. For the purposes of this subchapter, "restaurants" shall include any "bar," "restaurant," or "restaurant bar" as defined in section 17-502 of title seventeen of the administrative code of the City of New York.

§ 20-825. *Penalties.* Where the owner, operator or employee of a restaurant violates section 20-824 of this code the person, firm, corporation or association that owns such restaurant shall be punished by a fine of not more than two hundred and fifty dollars.

§ 20-826. *Enforcement.* The department and other agencies designated by the commissioner are authorized to enforce the provisions of this subchapter.

§ 2. This local law shall take effect one hundred and twenty days after it shall have been enacted into law; provided that the commissioner may take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, promulgating rules.

Referred to the Committee on Consumer Affairs.

Int. No. 414

By Council Members Johnson, Cumbo, Koo, Richards and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to information required to be posted by owners of residential dwellings during utility outages and other emergencies.

Be it enacted by the Council as follows:

Section 1. Section 27-2051.1 of the administrative code of the city of New York, as added by local law 98 for the year 2013, is amended to read as follows:

§ 27-2051.1 *Temporary posting of emergency information.* Prior to the [expectant] *expected* arrival of a weather emergency[,] or a natural disaster event, or as soon as practicable after being informed about [a] *property damage that poses a safety risk or an unplanned* utility outage [which] *that* is expected to last for more than twenty-four hours or an *indeterminate period of time*, the owner of a residential dwelling where at least one dwelling unit is [not] occupied by a *person other than* such owner shall post the following information in common areas of the residential dwelling on signs of sufficient size to be seen: (i) whether the [building] *dwelling* is located in a hurricane evacuation zone as defined by the office of emergency management and, if applicable, *the zone in which* [zone] the [building] *dwelling* is located [in]; (ii) the address of the nearest designated evacuation center; (iii) when a person should contact 911 and 311 during a weather emergency, a natural disaster event or the utility outage; (iv) whether, during the utility outage, services such as potable water, corridor, egress, and common area lighting, fire safety and fire protection, elevators, charging locations for cellular telephones, domestic hot water, or heating and cooling will be provided; (v) contact information for building personnel in the event of an emergency, including email addresses, [phone] *telephone* numbers and other methods of communication; (vi) instructions on removing furniture from rooftops and balconies during high wind events; and[;] (vii) for buildings that utilize pumps, instructions on reducing water consumption during the utility outage. Such signs shall be updated by the owner of the residential [building] *dwelling* as needed and must be removed after the passage of the weather emergency[, the] or natural disaster event or the restoration of utility services. The department shall determine the form of such signs including publishing a template that may be used by *owners of residential* [buildings] *dwellings* for the purposes of this section.

§ 2. Article 12 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2051.2 to read as follows:

§ 27-2051.2 *Temporary posting of information before planned utility outages.*
a. *At least forty-eight hours before a planned utility outage, or as soon as possible before such an outage if notified less than forty-eight hours before it is scheduled to begin, the owner of a residential dwelling in which at least one dwelling unit is occupied by a person other than such owner shall post the following information in a conspicuous manner in common areas of such dwelling:*

1. *The nature of the utility outage, including the utility or utilities to be interrupted.*

2. *The scheduled start date and anticipated end date of the utility outage.*

3. *If the utility outage is expected to last longer than six hours, whether services such as potable water; corridor, egress and common area lighting; fire safety and*

fire protection; elevators; charging locations for cellular telephones; domestic hot water or heating and cooling will be provided.

4. *Contact information for building personnel.*

5. *Recommended actions or precautions that residents of the dwelling should take with respect to the utility outage, if applicable.*

b. *An owner of a residential dwelling shall cause any sign posted pursuant to subdivision a of this section to be removed after the restoration of utility services.*

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

Referred to the Committee on Housing and Buildings

Int. No. 415

By Council Members Kallos, Koo, Mendez and Koslowitz (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter, in relation to requiring that no videotape, or its contents, produced by an agency be destroyed or otherwise disposed of and that the head of each agency transmit to the municipal reference and research center such material in a timely manner.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 1133 of the New York city charter is amended, and a new subdivision e is added to such section, to read as follows:

d. *No videotape, or its contents, produced by or on behalf of any city agency, shall be destroyed or otherwise disposed of by any agency, officer, employee, or independent contractor of the city unless the contents of such videotape are transferred to an alternative video format. The head of each agency shall transmit to the department of records and information services at least one copy of each such videotape produced by or on behalf of such agency as soon as practicable after such videotape has been produced or distributed. This subdivision shall not apply to any videotape, or its contents, prepared by, or on behalf of, a law enforcement, investigatory, or prosecutorial agency.*

e. Other materials not included within the definition of records in this charter may be destroyed, if not otherwise prohibited by law, at any time by the agency in possession of such materials without the approval of the commissioner of records and information services. Such commissioner may, however, formulate procedures and interpretations to guide in the disposition of such materials.

§2. Subdivision two of section 3011 of the New York city charter is amended to read as follows:

2. "Records" means any documents, books, papers, photographs, sound recordings, *video recordings*, machine readable materials or any other materials, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official city business. Library and museum materials made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of publications are not included within the definition of records as used in this chapter.

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

Referred to the Committee on Governmental Operations

Int. No. 416

By Council Members Kallos, Constantinides, Gentile, Koo, Mendez, Vallone, Rodriguez and Koslowitz (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter, in relation to notification of community boards of changes of regulations relating to traffic.

Be it enacted by the Council as follows:

Section 1. Paragraph (2) of subdivision a of section 2903 of the New York city charter is amended to read as follows:

(2) establish, determine, control, install and maintain, the design, type, size and location of any and all signs, signals, marking, and similar devices indicating the names of the streets and other public places and for guiding, directing or otherwise regulating and controlling vehicular and pedestrian traffic in the streets, squares, parks, parkways, highways, roads, alleys, marginal streets, bridges and other public ways of the city; *except that where there are any changes in traffic patterns, parking regulations or in the installation or removal of parking meters there must be prior consultation with the community boards; in such instances, the commissioner must notify such boards in writing thirty days before any change takes effect and if requested by such board, grant an extra thirty days for the community board to call a public hearing;*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 417

By Council Members Kallos, Gentile, Koo and Rodriguez (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter, in relation to providing public notice of production permits.

Be it enacted by the Council as follows:

Section 1. Paragraph r of subdivision 1 of section 1301 of chapter 56 of the New York city charter is amended to read as follows:

r. to issue permits for the taking of motion pictures, and for the taking of photographs and for the use or operation of television cameras and/or any other transmitting television equipment in or about city property, or in or about any street, park, marginal street, pier, wharf, dock, bridge or tunnel within the jurisdiction of any city department or agency or involving the use of any city owned or maintained facilities or equipment. *Notice of permits issued pursuant to this paragraph shall be made available to the public on the website of the city of New York as early as practicable prior to production. Such notice shall include the beginning and ending times of production, as well as its location, and shall be searchable and sortable by community board district.*

§2. This local law shall take effect one hundred and twenty days after its enactment.

Referred to the Committee on Technology.

Res. No. 353

Resolution supporting a statewide and national ban on nontherapeutic uses of antibiotics in livestock production and calling upon the United States Congress to pass and the President to sign the Preventing Antibiotic Resistance Act (S. 1256) and the Preservation of Antibiotics for Medical Treatment Act (H.R. 1150).

By Council Members Kallos, Koo, Cohen, Constantinides, Koslowitz, Espinal and Dromm.

Whereas, Seventy-three percent of all antibiotics sold in the United States (U.S.) are used in livestock production, according to the Pew Campaign on Human Health and Industrial Farming; and

Whereas, A majority of antibiotics given to livestock are being used irresponsibly, according to the Centers for Disease Control and Prevention (CDC); and

Whereas, Antibiotics are routinely fed to livestock for growth promotion and to avoid diseases caused by overcrowded and unsanitary conditions, a practice known as “non-therapeutic use”; and the non-therapeutic use of antibiotics creates ideal conditions for the development of antibiotic resistant bacteria; and

Whereas, The American Medical Association, the American Academy of Pediatrics, and other leading scientists and medical experts warn that the widespread, excessive, and inappropriate use of these drugs in food animals increases the likelihood that bacteria will become resistant to antibiotics; and

Whereas, Doctors are treating an increasing number of bacterial infections in humans that fail to respond to routine antibiotic treatment, according to the CDC; and

Whereas, The CDC found that Methicillin-resistant Staphylococcus aureus, commonly known as MRSA, infected approximately 80,500 people and killed over 11,000 in the United States in 2011; and

Whereas, Antibiotic resistant bacteria have caused several food-borne illness outbreaks, including a 2011 outbreak of antibiotic-resistant salmonella that led to one of the largest meat recalls in United States Department of Agriculture history; and

Whereas, The CDC estimates that in the U.S., more than two million people fall ill every year with antibiotic-resistant infections, with 23,000 Americans dying from those infections; and

Whereas, The issue of antibiotic resistance is of particular concern for children, who, according to the CDC, have both the highest rates of antibiotic use and the highest rates of infections caused by antibiotic resistant pathogens; and

Whereas, Antibiotic resistant infections can require prolonged and more costly treatments, extended hospital stays, and result in greater disability and higher death rates compared with infections that are easily treatable with antibiotics; and

Whereas, A 2009 article in the journal *Clinical Infectious Diseases* concluded that the combined hospital and societal costs from patients with antibiotic-resistant infections at just one hospital amounted to more than \$13 million in one year; and

Whereas, The CDC deemed the non-therapeutic use of antibiotics to promote livestock growth unnecessary and recommends phasing out the practice; and

Whereas, Two bills are currently before Congress, the Preventing Antibiotic Resistance Act (S. 1256) and the Preservation of Antibiotics for Medical Treatment Act (H.R. 1150), that would prohibit the nontherapeutic feeding of medically important antibiotics to livestock and would withdraw Food and Drug Administration (FDA) approval of antibiotics for non-therapeutic use, unless the manufacturer can demonstrate such use will not harm human health due to antibiotic resistance; and

Whereas, More than 375 public, consumer and environmental health groups, including the American Medical Association, the American Public Health Association, the World Health Organization, the Infectious Disease Society of America, and Food & Water Watch support the legislation; and

Whereas, On December 11, 2013, the FDA announced that animal pharmaceutical companies will work with the agency to voluntarily remove growth enhancement and feed efficiency indications from the approved uses of their medically important antimicrobial drug products, and require veterinary oversight for the therapeutic uses of these drugs rather than over-the-counter availability; and

Whereas, The efforts by the FDA to phase out the irresponsible use of antibiotics in livestock is admirable but is completely voluntary and does not go far enough to prevent the spread of antibiotic-resistant bacteria; now, therefore, be it

Resolved, That the New York City Council supports a statewide and national ban on nontherapeutic uses of antibiotics in livestock production and calls upon the United States Congress to pass and the President to sign the Preventing Antibiotic Resistance Act (S. 1256) and the Preservation of Antibiotics for Medical Treatment Act (H.R. 1150).

Referred to the Committee on Health.

Res. No. 354

Resolution calling upon the United States Senate to pass and President to sign companion legislation to H.R. 863, which would establish a commission to study the creation of a National Women’s History Museum.

By Council Members Kallos, Cumbo, Van Bramer, Crowley, Koslowitz, Constantinides, Johnson, Koo, Mendez, Richards and Rodriguez.

Whereas, According to United States census women comprise about 51% of our nation’s population and yet it is estimated by some that they only comprise 10% of the figures represented in United States history textbooks; and

Whereas, Women deserve equal recognition for their immense contributions to our nation; and

Whereas, In response to this lack of inclusion of women’s history, Congress Member Carolyn Maloney introduced H.R. 863, legislation which would establish a Congressional Commission to Study the Potential Creation of a National Women’s History Museum in Washington D.C.; and

Whereas, The legislation would require the Commission to report recommendations for a plan of action for the establishment and maintenance of a National Women’s History Museum in Washington, D.C.; and

Whereas, H.R. 863 would also require the Commission to develop a fundraising plan to support the establishment, operation and maintenance of the Museum through public contributions; and

Whereas, The legislation would further call on the Commission to obtain an independent review of such fundraising plan, including an analysis of the resources necessary to fund the construction of the Museum, as well as its operations and maintenance in perpetuity without reliance on federal funds and would require the submission of a legislative plan of action to establish and construct the Museum; and

Whereas, The Congressional Budget Office (CBO) has reported that the Commission and the Museum would have no significant impact on federal spending; and

Whereas, H.R. 863 was passed by the House of Representatives in May 2014 with bipartisan support and was sent to the Senate for consideration; and

Whereas, A National Women’s History Museum is a long overdue tribute that would recognize the accomplishments and legacy of many past American women while inspiring future generations of Americans to follow in their footsteps; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Senate to pass and President to sign companion legislation to H.R. 863, which would establish a commission to study the creation of a National Women’s History Museum.

Referred to the Committee on Women’s Issues.

Int. No. 418

By Council Members Koslowitz, Gentile, Koo, Richards, Torres, Vallone, Rodriguez and Ulrich.

A Local Law to amend the New York city charter, in relation to written explanations by the board of standards and appeals.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 668 of the New York city charter is amended to read as follows:

b. The recommendation of a community board or borough board pursuant to subdivision a of this section shall be filed with the board of standards and appeals and a copy sent to the city planning commission. The board of standards and appeals shall conduct a public hearing and act on the proposed application. A decision of the board shall indicate whether each of the specific requirements of the zoning resolution for the granting of variances has been met and shall include findings of fact with regard to each such requirement. *Any action of the board of standards and appeals made with respect to an application for a special permit that is contrary to the recommendation filed by a community board or borough board pursuant to this*

subdivision shall be accompanied by a written explanation of its reason for such action.

§2. This local law shall take effect six months after its enactment.

Referred to the Committee on Governmental Operations.

Int. No. 419

By Council Members Levin, Van Bramer, Chin, Cumbo, Johnson, Mendez, Reynoso, Torres, Rodriguez and Wills.

A Local Law to amend the New York city charter, in relation to a comprehensive cultural plan.

Be it enacted by the Council as follows:

Section 1. Legislative Intent. The Council hereby finds that there is no comprehensive cultural plan for the City. There is no measure of what is considered an acceptable level of cultural resources and how such resources should be provided. It is important to understand the scope of cultural services throughout the City, where these services are lacking and how cultural service gaps may be filled. The cultural plan would identify the current level of service of cultural groups in each neighborhood; detail the feedback from community outreach, establish a strategy to meet the specified needs of each community; quantify the economic impact of arts and culture in the City; and ultimately put forth a targeted approach to increase cultural activity citywide, increase the economic impact of the arts and culture, and provide support to individual and emerging artists in the City.

§ 2. Chapter 67 of the charter of the city of New York is amended by adding a new section 2506 to read as follows:

§ 2506. *Cultural plan. 1. On or before July 1, 2015, the commissioner shall submit to the mayor and speaker of the council and post on the department's website a comprehensive cultural plan for New York city. The department shall be the primary agency charged with overseeing the cultural plan. All other city agencies shall submit an analysis with recommendations of how such agency's services can incorporate the arts to enhance the agency's mission while better serving the cultural needs of the city. Each agency's analysis shall be incorporated in the cultural plan.*

2. The department shall establish a working group and citizens' advisory committee to assist the department in the development of the cultural plan and assist with gathering community input for such plan. The commissioner shall determine the size of such group and such committee. The mayor shall appoint half of such members and the speaker shall appoint half of such members. The commissioner shall appoint an additional member to such group and to such committee to serve as the respective chair. The working group shall consist of individuals from the arts community and the citizens' advisory committee shall consist of members of community based organizations with relevant expertise, the business community, the real estate community, the faith community, and any other relevant community members. Any vacancies in membership shall be filled in the same manner as the original appointment.

3. The cultural plan shall include, but not be limited to:

a. an outline of how the department intends to increase participation in cultural activities throughout the city and how the department intends to address what the citizens of New York city desire in art and culture policy;

b. an outline of the city's cultural policies and how the department intends to manifest such policies and study their impact by the measurement or review of economic benefits, quality of life, community development, and cultural literacy;

c. a community decision making process to focus on neighborhoods, to engage and encourage community input, and to support access to the arts and cultural programming in such neighborhoods;

d. an analysis of whether some neighborhoods are better served than others and proposals to remedy such deficiencies;

e. an analysis of the needs of artists and how they can remain in the city and be supported in the city's real estate environment, including recommendations with regard to the creation of both long term and temporary affordable studio and rehearsal space, including but not limited to otherwise vacant spaces, as well as affordable housing for artists;

f. an analysis of the current state of arts education in department of education schools and how to improve the availability of such resources;

g. an examination of how the arts can be incorporated into community development and economic development planning processes and policies;

h. an outline of non-traditional cultural programming in the city, including but not limited to, arts education in schools and senior arts programming;

i. recommendations as to how the city can create a more arts friendly regulatory structure, specifically with regard to performances and exhibitions that seek to engage the public in a public setting; and

j. existing data sets regarding the distribution of cultural resources throughout the city, as well as any other data sets relevant to the plan.

4. The development of the cultural plan shall be conducted in a transparent and accessible fashion and shall, where feasible, utilize technology to enhance outreach and communication of the planning process.

5. All recommendations, initiatives, and priorities included in the cultural plan shall be indicated as a short, medium, or long-term timeframe and categorized by

the following budget ranges: under fifty thousand dollars; fifty thousand to two hundred fifty thousand dollars; over two hundred fifty thousand to one million dollars; and over one million dollars.

6. If feasible, conclusions and recommendations in the cultural plan shall be incorporated into the budget and programming of the department and other relevant agencies.

7. Upon completion and publication of the cultural plan, the department shall establish a cultural plan action group. Such group shall consist of an even number of representatives from the working group and the citizens' advisory committee established pursuant to subdivision 2 of this section, the mayor or his or her designee, the speaker or his or her designee, and a representative of the department. Any vacancies in membership shall be filled in the same manner as the original appointment. Such group shall oversee the follow up actions taken by the department and other agencies as part of the cultural plan. Such group shall meet with the department and representatives of other affected agencies on a quarterly basis to track the progress of the recommendations in the cultural plan.

8. Beginning one year following the release of the cultural plan and annually thereafter, the department shall submit to the mayor, the cultural plan action group and the speaker an annual report detailing progress made on all recommendations, initiatives and priorities that came out of such plan.

9. The cultural plan shall be reviewed and may be revised as appropriate every ten years.

§ 3. This local law shall take effect immediately.

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

Int. No. 420

By Council Members Levine, Chin, Gentile, Koo, Rodriguez and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to mitigation of construction noise within seventy-five feet of a school.

Be it enacted by the Council as follows:

Section 1. Section 24-220 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

(g) Such noise mitigation plan shall provide that noise shall not exceed 45 dB(a) during normal school operating hours in any receiving classroom in any public or private preschool or primary or secondary school on lots that are within seventy-five feet from the construction site, and that noise levels at such schools sites shall be continuously monitored during normal school operating hours.

§ 2. This local law shall take effect one hundred twenty days from its enactment.

Referred to the Committee on Environmental Protection.

Res. No. 355

Resolution calling on the New York City Department of Education to bring more mentoring programs into schools to combat bullying and violence, as called for in the Stop School Violence online petition campaign by Anthony Vargas, a local high school student.

By Council Members Levine, Chin, Cumbo, Koo, Mendez, Torres, Rodriguez, Koslowitz and Rosenthal.

Whereas, School violence and bullying are serious and widespread problems in schools throughout the United States (U.S.); and

Whereas, According to the Centers for Disease Control and Prevention (CDC), school violence is a public health problem because it can lead to a wide array of negative health behaviors and outcomes, including alcohol and drug use, suicide, depression, anxiety, and many other psychological problems; and

Whereas, Bullying has been found to have a negative impact on student attendance, academic outcomes and both physical and psychological well-being; and

Whereas, The national Youth Risk Behavior Survey (YRBS), conducted by the CDC every two years among 9th through 12th grade students in public and private schools throughout the U.S., found that 6.9% were threatened or injured with a weapon on school property in 2013; and

Whereas, The 2013 YRBS also reported that 8.1% of high school students were in a physical fight on school property, and 19.6% were bullied on school property; and

Whereas, In New York City, nearly one-fifth (18%) of public high school students reported they had been bullied at school, cyber-bullied or both in 2011, according to a Department of Health and Mental Hygiene study released in December 2013; and

Whereas, Anthony Vargas, an 11th grade student at Washington Heights Expeditionary Learning High School, experienced verbal, emotional and physical bullying in middle school so severe that he was forced to transfer to another school; and

Whereas, Anthony's experiences with bullying led him to launch an online campaign, called "Stop School Violence" in 2013; and

Whereas, The campaign urges local and state legislators to help reduce bullying by bringing peer-to-peer mentoring programs into City schools; and

Whereas, One such effort cited by Anthony Vargas, the Big Brothers Big Sisters Mentoring Program, has peer-to-peer programs in which older students serve as a "mentor" to a younger student, and has had a documented effect in countering many problem behaviors including bullying; and

Whereas, According to Big Brothers Big Sisters, 46% of students who get mentored are less likely to begin using drugs; 27% are less likely to begin using alcohol; 52% are less likely to skip school, 37% are less likely to skip a class, and 33% are less likely to hit someone; and

Whereas, Currently, the New York City Department of Education (DOE) partners with the iMentor program, in which students are matched one-to-one with same-gender, college-educated mentors for three to four years, however, this program was offered at just 16 schools in FY 14 ; and

Whereas, There are no other large-scale mentoring programs for students offered by the DOE, although some schools may have partnerships with mentoring organizations or operate their own mentoring programs on a smaller scale; and

Whereas, The goal of Anthony Vargas is to have peer-to-peer mentoring in all city schools, which would require older students to spend one class period per week with younger schoolmates; and

Whereas, According to a 2013 report by the Centre for Addiction and Mental Health, such mentoring programs would assist in the prevention of bullying, harassment and violence, enabling schools to better maintain supportive learning environments; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to bring more mentoring programs into schools to combat bullying and violence, as called for in the Stop School Violence online petition campaign by Anthony Vargas, a local high school student.

Referred to the Committee on Education.

Int. No. 421

By Council Members Mealy and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to the powers and duties of the commission on human rights.

Be it enacted by the Council as follows:

Section 1. Subdivision 10 of section 8-105 of the administrative code of the city of New York, as amended by local law 39 of 1991, is amended to read as follows:

(10) To submit an annual report by March 1 to the mayor and the council which shall be published in the City Record. Such annual report shall include information for the calendar year that is the subject of the report regarding: (i) inquiries received by the commission from the public; provided that such information for calendar years 2009 and 2010 must only be included in the annual report submitted by March 1, 2012, (ii) *investigations initiated by the commission*; (iii) complaints filed with the commission, and [(iii)](iv) education and outreach efforts made by the commission.

(a) The information regarding inquiries received by the commission from the public shall include, but not be limited to: (i) the total number of inquiries; (ii) the number of inquiries made by limited English proficient persons disaggregated by language; (iii) the subject matter of inquiries disaggregated by the alleged category of unlawful discriminatory practice as set forth by sections 8-107 and 8-107.1(2) of this chapter and the protected class of person, and (iv) the number of inquiries resolved by pre-complaint intervention.

(b) *The information regarding investigations initiated by the commission shall include, but not be limited to: (i) the total number of investigations initiated by the commission disaggregated by the category of unlawful discriminatory practice as set forth by sections 8-107 and 8-107.1(2) of this chapter and the protected class at issue; (ii) the total number of commission-initiated complaints filed pursuant to section 8-109 of this chapter after an investigation finding that a person or group of persons may be engaged in a pattern or practice of discrimination; (iii) the total number of investigations referred to the corporation counsel for the purpose of commencing a civil action pursuant to chapter four of this title; and (iv) the total number of publications and reports of investigations designed to promote good will and minimize or eliminate prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby.*

(c) The information regarding complaints filed with the commission shall include, but not be limited to, the number of complaints filed with the commission and shall be disaggregated by: (i) the category of unlawful discriminatory practice, as set forth by sections 8-107 and 8-107.1(2) of this chapter, alleged; (ii) the basis of the alleged discriminatory practice based on protected class of the complainant; (iii) whether the complaint was resolved by mediation and conciliation, as set forth in section 8-115 of this chapter; a determination of no probable cause, as set forth in section 8-116 of this chapter; or a hearing, as set forth by section 8-119 of this chapter; (iv) the number of days the complaint was outstanding at the time such resolution occurred; and (v) whether a fine, penalty, or cash award was imposed and, if so, the dollar amount of such fine, penalty or cash award.

[(c)](d) The information regarding the commission's education and outreach efforts as required by sections 8-105(1) and 8-105(2) of this chapter shall include, but not be limited to: (i) the types of outreach initiated; (ii) the number of people with

whom the commission made contact as a result of outreach; (iii) the number of limited English proficient persons served; and (iv) the languages in which such outreach was conducted.

§2. This local law shall take effect immediately.

Referred to the Committee on Civil Rights.

Res. No. 356

Resolution recognizing the dangers of climate change to human health and the environment and endorsing the People's Climate March NYC scheduled to precede the United Nations Summit on Climate Change that will take place on September 23, 2014, in New York City, which is "aimed at catalyzing action by governments, business, finance, industry, and civil society in areas for new commitments and substantial, scalable and replicable contributions to the Summit that will help the world shift toward a low-carbon economy."

By Council Members Richards, Chin, Constantinides, Johnson, Koo, Levine, Mendez, Reynoso, Torres, Rodriguez, Rosenthal, Lander, Espinal, Levin, Menchaca, and Lancman.

Whereas, The decade from 2001 to 2010 was the warmest on record, and the years 2005 and 2010 are tied for the hottest years on record; and

Whereas, The Environmental Protection Agency determined that current and future greenhouse gas concentrations endanger public health, and, according to the Global Humanitarian Forum, climate change already seriously affects 325 million people, and is responsible for 300,000 deaths and \$125 billion in economic losses worldwide each year; and

Whereas, Extreme weather events, most notably heat waves and precipitation extremes, are occurring with increased frequency, with deadly consequences for people and wildlife; and

Whereas, In the United States in 2011 alone, 14 weather and climate disasters occurred, including droughts, heat waves, and floods; and

Whereas, Climate change is affecting food security by negatively impacting the growth and yields of important crops, and droughts, floods, and changes in snowpack are altering water supplies; and

Whereas, Arctic summer sea ice extent has decreased by nearly 50 percent in the past several decades, with an accompanying drastic reduction in sea ice thickness and volume, which is severely jeopardizing ice-dependent animals; and

Whereas, Scientists have concluded that by the year 2100 as many as one in ten species may be on the verge of extinction due to climate change; and

Whereas, The world's land-based ice is rapidly melting, threatening water supplies in many regions and raising sea levels; and

Whereas, Sea level is rising along the East Coast of the United States faster than it has risen for the last 2,000 years, is accelerating in pace, and could rise by one to two meters this century, threatening millions of Americans with severe flooding; and

Whereas, In September, world leaders will be coming to New York City for a United Nations summit on climate change; and

Whereas, Related to this summit, there will be a People's Climate March to demand that the world respond to the climate change crises and develop an economy that works for both people and the environment to make a world with good jobs, clean air, and healthy communities for everyone; and

Whereas, This march is an opportunity to create the largest-ever demonstration to demand action on climate change; now, therefore, be it

Resolved, That the Council of the City of New York recognizes the dangers of climate change to human health and the environment and endorsing the People's Climate March NYC scheduled to precede the United Nations Summit on Climate Change that will take place on September 23, 2014, in New York City, which is "aimed at catalyzing action by governments, business, finance, industry, and civil society in areas for new commitments and substantial, scalable and replicable contributions to the Summit that will help the world shift toward a low-carbon economy."

Referred to the Committee on Environmental Protection.

Preconsidered Res. No. 357

Resolution urging the President of the United States to include comprehensive immigration reform, and issues of importance to African immigrants and the African Diaspora, on the agenda for the 2014 U.S.-Africa Leaders Summit.

By Council Members Rose, Chin, Cumbo, Koo, Mealy and Mendez.

Whereas, On January 21, 2014, the White House announced that the "United States will host the first U.S.-Africa Leaders Summit in Washington, DC" which is slated for August 4-6, 2014; and

Whereas, Further, the White House announced that the summit plans to advance the Administration's focus on trade and investment in Africa and highlight America's commitment to Africa's security and democratic development; and

Whereas, This summit could be greatly beneficial for both the United States and Africa, as long as leaders on all sides attend the summit with an efficient and well-structured strategy that includes clear objectives; and

Whereas, Given the significant number of African immigrants in the United States, the President should address the need for immigration reform and include it on the summit's agenda; and

Whereas, According to the U.S. Census, the United States is home to over 1.6 million African immigrants; and

Whereas, New York State has the largest African immigrant population in the nation, many of whom call New York City their home; and

Whereas, According to the New York City Department of City Planning, approximately four percent of the City's population are African immigrants; and

Whereas, New York City is home to a large number of African immigrants migrating from countries including Ghana, Nigeria and Liberia; and

Whereas, For example, over 27,000 Ghanaians live in the City, the majority of whom reside in the Bronx, and Staten Island has the largest community of Liberians in the nation; and

Whereas, The National African Immigrants and Refugees Health Advocate Program along with fellow African immigrants constructed a petition addressed to President Obama asking for the topic of comprehensive immigration reform to be included on the U.S. – Africa Leaders Summit agenda; and

Whereas, According to the petition, African immigrants contribute significantly to the United States and according to the World Bank, not only do African immigrants contribute greatly to the nation's economy, they also deliver significant remittances back to Africa; and

Whereas, According to the petition, the United States has a long history of engaging diaspora and foreign dignitaries on immigration in a multitude of countries, such as Mexico and South Korea; and

Whereas, For example, on May 3, 2013, President Obama delivered a speech in Mexico discussing Mexican-American relations and addressed the contributions Mexican immigrants have made in the United States and how immigration reform is essential for both countries; and

Whereas, Further, on April 25, 2014, President Obama was in South Korea, where he talked about the benefits of comprehensive immigration reform during his week-long trip throughout Asia; and

Whereas, According to advocates, if President Obama is able to discuss immigration reform in various countries throughout Latin America and Asia, he can also include this crucial topic during the 2014 U.S.-Africa Leaders Summit; and

Whereas, On behalf of the African immigrants located in New York City and beyond, President Obama should include immigration reform, African immigrant issues, and the African Diaspora on the agenda of the 2014 U.S.-Africa Leaders Summit; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the President of the United States to include comprehensive immigration reform, and issues of importance to African immigrants and the African Diaspora, on the agenda for the 2014 U.S.-Africa Leaders Summit.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Immigration).

Preconsidered Int. No. 422

By Council Members Rosenthal, Williams, Dickens, Ulrich, Vacca, Cohen, Lander, Barron, Chin, Crowley, Cumbo, Gentile, Koo, Levine, Mendez, Reynoso, Vallone and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the maximum income level qualifying for exemption from rent increases granted to certain persons with disabilities.

Be it enacted by the Council as follows:

Section 1. Subparagraph (iii) of paragraph 2 of subdivision m of section 26-405 of the administrative code of the city of New York, as amended by local law number 94 for the year 2005, is amended to read as follows:

(iii) the aggregate disposable income (as defined by regulation of such agency as the mayor shall designate) for the current income tax year of all members of the household residing in the housing accommodation whose head of the household is a person with a disability pursuant to this section does not exceed [the maximum income above which such head of the household would not be eligible to receive cash supplemental security income benefits under federal law during such tax year] *fifty thousand dollars beginning July first, two thousand fourteen*. For purposes of this subparagraph, "aggregate disposable income" shall not include gifts or inheritances, payments made to individuals because of their status as victims of Nazi persecution, as defined in P.L. 103-286, or increases in benefits accorded pursuant to the social security act or a public or private pension paid to any member of the household which increase, in any given year, does not exceed the consumer price index (all items United States city average) for such year which take effect after the date of eligibility of a head of the household receiving benefits under this subdivision whether received by the head of the household or any other member of the household.

§ 2. Subparagraph (iii) of paragraph 2 of subdivision b of section 26-509 of the administrative code of the city of New York, as amended by local law number 94 for the year 2005, is amended to read as follows:

(iii) the aggregate disposable income (as defined by regulation of such agency as the mayor shall designate) for the current income tax year of all members of the

household residing in the housing accommodation whose head of the household is a person with a disability does not exceed [the maximum income above which such head of the household would not be eligible to receive cash supplemental security income benefits under federal law during such tax year] *fifty thousand dollars beginning July first, two thousand fourteen*. For purposes of this subparagraph, "aggregate disposable income" shall not include gifts or inheritances, payments made to individuals because of their status as victims of Nazi persecution, as defined in P.L. 103-286, or increases in benefits accorded pursuant to the social security act or a public or private pension paid to any member of the household which increase, in any given year, does not exceed the consumer price index (all items United States city average) for such year which take effect after the eligibility date of the head of the household receiving benefits under this section, whether received by the head of the household or any other member of the household.

§ 3. Subdivision d of section 26-601 of the administrative code of the city of New York, as amended by local law number 19 for the year 2014, is amended to read as follows:

d. "Eligible head of the household" means a person or his or her spouse who is sixty-two years of age or older or who qualifies as a person with a disability pursuant to section 26-617 of this chapter and is entitled to the possession or to the use and occupancy of a dwelling unit, provided, however, that with respect to a dwelling which was subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended, "eligible head of the household" shall be limited to that person or his or her spouse who was entitled to possession or the use and occupancy of such dwelling unit at the time of termination of such mortgage, and whose income when combined with the income of all other members of the household whose head of household is sixty-two years of age or older does not exceed twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, twenty-nine thousand dollars beginning July first, two thousand nine, and fifty thousand dollars beginning July first, two thousand fourteen for the taxable period, or whose income for the current income tax year when combined with the income of all members of the household residing in the housing accommodation whose head of the household is a person with a disability does not exceed [the maximum income above which such head of the household would not be eligible to receive cash supplemental security income benefits under federal law during such tax year] *fifty thousand dollars beginning July first, two thousand fourteen*.

§ 4. Section 26-617 of the administrative code of the city of New York, as added by local law number 76 for the year 2005, is amended to read as follows:

Section 26-617 Eligibility for persons with disabilities. To qualify as a person with a disability for the purposes of this section, an individual shall submit to such agency as the mayor shall designate proof (as specified by regulation of such agency as the mayor shall designate) showing that such individual is currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act or disability pension or disability compensation benefits provided by the United States department of veterans affairs, or was previously eligible by virtue of receiving disability benefits under the supplemental security income program or the social security disability program and is currently receiving medical assistance benefits based on determination of disability as provided in section three hundred sixty-six of the social services law and whose income for the current income tax year, together with the income of all members of such individual's household, does not exceed [the maximum income at which such individual would be eligible to receive cash supplemental security income benefits under federal law during such tax year] *fifty thousand dollars beginning July first, two thousand fourteen*.

§ 5. This local law shall take effect on the same date as a chapter of the laws of 2014 amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by persons with disabilities; and providing for the repeal of certain provisions upon expiration thereof, as proposed in legislative bill number A. 9744, takes effect, and shall expire and be deemed repealed on July 1, 2016; provided that, notwithstanding any other provision of law, any renewal application that was received before the effective date of this local law and that would have been timely if received on or after such effective date, pursuant to paragraph (6) of subdivision m of section 26-405, paragraph (6) of subdivision b of section 26-509, or subdivision (c) of section 26-605 of the administrative code of the city of New York, shall be deemed to have been received on or after such effective date; and provided further that the amendment to section 26-509 of the administrative code of the city of New York made by section two of this local law shall not affect the expiration of such section and shall be deemed to expire therewith.

Adopted by the Council (preconsidered and approved by the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services).

Int. No. 423

By Council Members Rosenthal, Menchaca, Arroyo, Chin, Koo, Levine, Mendez, Reynoso and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to worker cooperatives.

Be it enacted by the Council as follows:

Section 1. Title 6 of the administrative code of the city of New York is amended by adding a new section 6-139 to read as follows:

§6-139. *Worker cooperatives.*

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

“Agency” shall mean a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

“City chief procurement officer” shall mean the person to whom the mayor has delegated authority to coordinate and oversee the procurement activity of mayoral agency staff, including the agency chief contracting officers and any offices that have oversight responsibility for procurement.

“Industry classification” shall mean construction, professional services, standard services, or goods.

“Worker cooperative” shall mean a business that is owned and controlled by its workers.

b. *Not later than October 1, 2014 and on the first of October each year thereafter, the city chief procurement officer shall submit to the speaker of the city council and publish on the mayor’s office of contract services website a report detailing the city’s procurement of goods and services from worker cooperatives during the prior fiscal year. Such report shall include the number and total dollar value of contracts awarded to worker cooperatives, disaggregated by agency and industry classification.*

c. *The commissioner of the department of small business services, in consultation with the city chief procurement officer, shall analyze worker cooperatives and the participation of worker cooperatives in city procurement and shall, by October 1, 2016, determine the need for a citywide program to promote opportunities in city procurement for worker cooperatives. At such time, the commissioner shall submit to the council a report setting forth such analysis, including the basis for such determination. If the commissioner determines that there is a need for such a citywide program, such report shall also contain recommendations concerning measures to enhance the opportunities of worker cooperatives with respect to city procurement, which may include but need not be limited to, outreach and notification of contract opportunities, certification, and the establishment of participation goals.*

§2. This local law shall take effect immediately.

Referred to the Committee on Community Development.

Int. No. 424

By Council Members Rosenthal, Koo, Levine and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to the food service establishment advisory board.

Be it enacted by the Council as follows:

Section 1. Subdivision h of section 17-1503 of the administrative code of the city of New York is amended to add new paragraph 3 to read as follows:

h. On January 1, 2015, and every year thereafter on January first, the advisory board shall submit a report to the mayor, the commissioner, and the speaker of the council. Such report shall include, but not be limited to:

1. an assessment of the restaurant inspection program and its effect on the restaurant industry, public health and food safety, including information on the top ten most commonly cited violations in the previous year and any change in the incidences of illness from food borne pathogens; [and]

2. specific recommendations for changes and/or improvements to the restaurant inspection program and actions, if any, taken by the department in response to such recommendations[.]; and

3. *for the report due January 1, 2016, specific recommendations for the development and implementation of an annual training program for food safety inspectors which shall include, but not be limited to, training provided by employees of food service establishments on cooking and business management techniques.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Health.

Res. No. 358

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign a law, which would amend the General Municipal Law to afford municipalities greater latitude to advance social goals through procurement.

By Council Members Rosenthal, Chin, Levine, Mendez, Reynoso, Torres and Rodriguez.

Whereas, According to the New York City Annual Procurement Indicators Report, in any given year, the City of New York spends between \$10-\$20 billion on procurement; and

Whereas, The City’s procurement rules are guided by New York State law; and

Whereas, The purpose of New York State’s procurement laws is to protect the public fisc by requiring competitive bidding to obtain the best value for goods and services and to prevent corruption, fraud and waste in the awarding of public contracts; and

Whereas, According to the Public Contracts section of the General Municipal Law, with some exceptions, the City must use a bidding process for all “public work” and “purchase contracts” over certain amounts; and

Whereas, When considering winning bids, the City must award the contract to the responsible contractor that bids the lowest price and meets the minimum qualifications; and

Whereas, However, the City cannot consider other important factors such as a vendor’s employment practices, environmental record, or business and community relations; and

Whereas, The City’s inability to consider these additional factors prevents it from using its significant purchasing power to pursue its public policy agenda, including but not limited to minimum wage and labor standards to address inequality and poverty, worker training requirements that seek to bolster the workforce, and binding non-discrimination and equal opportunity requirements to ensure that there is a level playing field for historically marginalized and oppressed groups, among others; and

Whereas, New York State should amend the General Municipal Law to give municipalities greater flexibility in making purchasing decisions so that the City has the ability to pursue its public policy agenda directly through its contracting, which can often be more effective than passing laws for which it is sometimes difficult to ensure compliance and enforce; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign a law, which would amend the General Municipal Law to afford municipalities greater latitude to advance social goals through procurement.

Referred to the Committee on Contracts.

Int. No. 425

By Council Members Treyger, Chin, Cumbo, Deutsch, Gentile, Kallos, Mendez, Reynoso, Williams, Cohen, Koslowitz, Rodriguez, Gibson, Dromm, Dickens, Vacca, Palma, Torres, Richards, Maisel, Lancman, Constantinides, Miller, Rosenthal, Levine, Eugene, Garodnick, Mealy, Menchaca, King, Koo and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to a communications access plan for certain emergency events.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 30 of the administrative code of the city of New York is amended by adding a new section 30-114 to read as follows:

§ 30-114 *Communications access plan. The commissioner shall develop, or update, no later than December first, two thousand fourteen, a communications access plan to be utilized in preparation for coastal storms and other severe weather and natural disaster events where such events may disrupt the public’s access to communications. Such plan shall include the following features, provided that nothing herein shall be construed to interfere with the ability of agencies responding to an emergency to implement plans, modify plans, or take steps not described in any written plan, in a manner appropriate to that emergency:*

a. *a description of the city’s current, and planned, communications infrastructure, both public and private, including telephone networks, mobile networks, internet service networks, both wireless and wired, and over the air broadcast, both radio and television;*

b. *an evaluation of the resiliency of all such communications infrastructure, including an assessment of neighborhood vulnerabilities to wind damage, coastal flooding or other hazards and how those vulnerabilities might affect local communications infrastructure;*

c. *an assessment of the public’s communications needs, both to communicate between themselves and to receive disseminated information, including the needs of residents, businesses and non-profits, prior to, during and after such natural disasters occur;*

d. *a mechanism for the coordination between city agencies and communication service providers to identify weather and disaster related service outages and effect the rapid reestablishment of such service;*

e. *an assessment of short and long term infrastructure improvements that can be implemented in identified vulnerable areas to improve their resiliency, including but not limited to the possible introduction of increased wireless infrastructure in place of wired infrastructure; and*

f. *a description of how the agency will coordinate with other relevant agencies, authorities and communication service providers to assist such entities in planning for resilience in future communications infrastructure and for identifying areas most in need of such infrastructure improvements.*

§ 2. Subdivision a of section 30-112 of the administrative code of the city of New York is amended to read as follows:

a. The commissioner shall provide to the city council a copy of any plan prepared by the New York city office of emergency management for the purpose of responding to coastal storms and other severe weather and natural disaster events, including but not limited to any plans created or updated in accordance with sections 30-104 through 30-111, and section 30-114, of this chapter. The commissioner shall also provide the city council with updated versions of such plans within sixty days of plan revisions.

§ 3. This local law shall take effect immediately.

Referred to the Committee on Recovery and Resiliency.

Res. No. 359

Resolution calling upon the United States Congress to pass and the President to sign legislation requiring the United States Small Business Administration to forgive disaster recovery loans made to home and business owners following Hurricane Sandy.

By Council Members Treyger, Chin, Constantinides, Cumbo, Gentile and Rosenthal.

Whereas, On Monday, October 29, 2012, the storm known as Hurricane Sandy devastated many communities in New York City, causing massive flooding and extensive property and infrastructure damage; and

Whereas, According to the United States (U.S.) National Oceanic and Atmospheric Administration (NOAA), Hurricane Sandy was the most destructive hurricane of the 2012 season and the second-costliest hurricane in United States history; and

Whereas, The New York City Comptroller's Office estimates that the storm caused roughly \$19 billion in damages throughout New York City; and

Whereas, Furthermore, according to the U.S. Federal Emergency Management Agency (FEMA), 30,000 homes and 23,000 businesses were damaged or destroyed by Hurricane Sandy citywide; and

Whereas, Many New York City home and business owners impacted by Hurricane Sandy were uninsured or underinsured, and thus affected individuals turned to government agencies and programs for financial assistance; and

Whereas, The U.S. Small Business Administration (SBA) is a federal government agency that provides loans and other support to entrepreneurs and businesses, and also assists in the economic recovery of communities after disasters; and

Whereas, The SBA accepted disaster loan applications from Hurricane Sandy survivors through April 13, 2013, and provided nearly \$550 million in loans to 10,070 New York City homeowners and roughly \$190 million in loans to 1,296 local businesses; and

Whereas, In January 2013, Congress took additional measures to assist disaster victims and enacted legislation that appropriated \$60 billion dollars for federal agencies and local initiatives to assist with recovery; and

Whereas, Pursuant to Congressional authorization, the U.S. Department of Housing and Urban Development (HUD) first allocated \$1.8 billion to New York City for Hurricane Sandy recovery in January 2013 through the Department's Community Block Grant Development (CBGD) program; and

Whereas, On February 6, 2013, former New York City Mayor Michael Bloomberg announced that the City would direct funds allocated by the federal government to rebuild homes and assist with business recovery; and

Whereas, In June, 2013, New York City consequently launched "NYC Build it Back," an initiative that provides grant assistance to property owners whose properties were damaged by Hurricane Sandy; and

Whereas, Additionally, the New York City Department of Small Business Services (SBS) in partnership with other city agencies, established low interest loans and expedited grant programs to address the local business and economic development needs following Hurricane Sandy; and

Whereas, Many New Yorkers subsequently sought grant assistance from these programs to help mitigate recovery costs, and to ease and offset the financial burdens imposed by loans; and

Whereas, Under federal law, SBA loan disbursements made prior to the distribution of CDBG funds reduced the amount borrowers could receive in the form of federally funded city grants because a duplication of federal benefits is prohibited; and

Whereas, SBA disaster loan recipients were penalized and unfairly excluded from grant opportunities that could have alleviated loan burdens and supplied much need financial relief; and

Whereas, Federal legislation requiring the SBA to forgive disaster loans would correct a perceived injustice and put more local families and small businesses on financially stable footing and a faster track toward recovery; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass and the President to sign legislation requiring the United States Small Business Administration to forgive disaster recovery loans made to home and business owners following Hurricane Sandy.

Referred to the Committee on Recovery and Resiliency.

Int. No. 426

By Council Members Ulrich, Arroyo, Dickens, Koo, Vallone, Rodriguez, Treyger, Deutsch, Cohen, Rose, Gentile, Koslowitz and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to benefits counseling services for veterans.

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter one of title 3 of the administrative code of the city of New York is amended by adding a new section 3-132 to read as follows:

§ 3-132 *Benefits counseling.* The office of veterans' affairs shall provide counseling services to veterans seeking assistance regarding benefits to which they may be entitled because of their military service offered by New York city, New York state, and the United States department of veterans affairs. Counseling services shall be provided by agents or attorneys recognized by the United States department of veterans affairs pursuant to section 5904 of title 38 of the United States. Such services shall be available in at least one location in each of the five boroughs.

§ 2. This local law shall take effect ninety days after it shall have been enacted into law.

Referred to the Committee on Veterans.

Int. No. 427

By Council Members Vacca, Dromm, Garodnick, Cumbo, Koo, Mendez and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to newsrack requirements.

Be it enacted by the Council as follows:

Section 1. Subdivisions a, b and d of section 19-128.1 of the administrative code of the city of New York are amended to read as follows:

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

1. "Newsrack" shall mean any self-service or coin-operated box, container or other dispenser installed, used or maintained for the display, sale or distribution of [newspapers or other written matter] *publications* to the general public. A *newsrack* may be modular or single.

[2. "Person" shall mean a natural person, partnership, corporation, limited liability company or other association.

3. "Sidewalk" shall mean that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines, but not including the curb, intended for the use of pedestrians.]

2. "Modular newsrack" shall mean a newsrack that is designed with multiple enclosed compartments to accommodate the display, sale or distribution of multiple publications to the general public.

3. "Single newsrack" shall mean a newsrack that is designed to accommodate the display, sale or distribution of one publication to the general public.

4. "Crosswalk" shall mean that part of a roadway, whether marked or unmarked, which is included within the extension of the sidewalk lines between opposite sides of the roadway at an intersection.

5. "Crosswalk area" shall mean that area of the sidewalk bounded by the extension of the lines of a crosswalk onto the sidewalk up to the building or property line.

6. "Corner area" shall mean that area of a sidewalk encompassed by the extension of the building lines to the curb on each corner.

7. "Board" shall mean the environmental control board of the city of New York.

8. "Close proximity" shall mean a distance adjacent to an area designed to facilitate safe ingress or egress that will reasonably permit and protect such safe ingress or egress.

9. "Owner" shall mean a natural person, partnership, corporation, limited liability company or other association in ownership of one or more newsracks.

10. "Bus stop" shall mean that area of sidewalk which begins at the bus stop sign, continues in the opposite direction of traffic, and ends at the next regulatory sign, or, if there is no sign, at the corner area.

11. "Sidewalk block" shall mean the areas of sidewalk on both sides of a roadway, spanning from one intersection to the next intersection.

12. "Modular newsrack plan" shall mean a plan submitted to the department pursuant to subdivision g of this section.

13. "Historically present publication" shall mean a publication that was offered from a single newsrack on the sidewalk block(s) identified in a modular newsrack plan within the six months immediately preceding submission of such plan to the department.

14. "Publication" shall mean a newspaper, periodical, or other similar written matter.

b. Requirements. It shall be a violation [for any person] to place, install or maintain a newsrack on any sidewalk unless such newsrack is in compliance with the provisions of this section.

1. [The maximum height of any newsrack containing a single publication shall be fifty inches. The maximum width of any such newsrack shall be twenty-four inches. The maximum depth of any such newsrack shall be twenty-four inches.] *Newsracks shall be made of materials approved by the department, and shall conform to standards developed by the department regarding the size, shape, and appearance of such newsracks.*

2. No newsrack shall be used for advertising or promotional purposes, other than announcing the name and/or website of the [newspaper or other written matter] publication offered for distribution in such newsrack. *A publication offered in a modular newsrack installed after January 1, 2015 may display its logo on the door of the space(s) in which it is offered, in a size not to exceed fifty percent of the door space.*

3. Each newsrack used to sell [newspapers or other written matter] publications shall be equipped with a coin return mechanism in good working order so as to permit a person to secure a refund in the event that the newsrack malfunctions.

4. The owner [or person in control of each newsrack] shall affix [his or her] to the newsrack the owner's name, address, telephone number, and email address, if any, [on the newsrack] in a readily visible location *on the front or sides of the newsrack* and shall conform such information to any changes required to be reported to the department in accordance with the provisions of subdivision c of this section. In no event shall a post office box be considered an acceptable address for purposes of this paragraph.

5. Subject to the limitations set forth in this section, newsracks shall be placed near a curb.

6. A newsrack shall not be placed, installed or maintained: (a) within fifteen feet of any fire hydrant; (b) in any driveway or within close proximity of any driveway; (c) in any curb cut designed to facilitate street access by disabled persons or within two feet of any such curb cut; (d) within close proximity of the entrance or exit of any railway station or subway station; (e) within any bus stop; (f) within a crosswalk area; (g) within a corner area or within five feet of any corner area; (h) on any surface where such installation or maintenance will cause damage to or will interfere with the use of any pipes, vault areas, telephone or electrical cables or other similar locations; (i) on any cellar door, grating, utility maintenance cover or other similar locations; (j) on, in or over any part of the roadway of any public street; (k) unless eight feet of sidewalk width is preserved for unobstructed pedestrian passage; (l) in any park or on any sidewalk immediately contiguous to a park where such sidewalk is an integral part of the park design, such as the sidewalks surrounding Central Park or Prospect Park; (m) on any area of lawn, flowers, shrubs, trees or other landscaping or in such a manner that use of the newsrack would cause damage to such landscaping; [or] (n) *within four feet of street furniture; (o) within five feet of a bike share station; (p) within eight feet of a bike rack; (q) within five feet of a department of environmental protection water sampling station; or (r) where such placement, installation or maintenance endangers the safety of persons or property.* Any limitation on the placement or installation of newsracks pursuant to this paragraph shall be no more restrictive than necessary to ensure the safe and unobstructed flow of pedestrian and vehicular traffic, and otherwise to assure the safety of persons and property.

7. [Every newsrack] *The department shall develop standards regarding the placement of newsracks including, but not limited to, the manner in which newsracks shall be placed or installed [in a manner that will ensure that such newsrack cannot be tipped] to prevent newsracks from tipping over. In the event of non-compliance with such standards, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph one of subdivision f of this section.*

d. Indemnification and insurance. 1. Each [person who owns or controls] *owner of a newsrack placed or installed on any sidewalk shall indemnify and hold the city harmless from any and all losses, costs, damages, expenses, claims, judgments or liabilities that the city may incur by reason of the placement, installation or maintenance of such newsrack, except to the extent such damage results from the negligence or intentional act of the city.*

2. Each [person who owns or controls] *owner of a newsrack placed or installed on any sidewalk shall maintain a general liability insurance policy naming the city of New York, and its departments, boards, officers, employees and agents as additional insureds for the specific purpose of indemnifying and holding harmless those additional insureds from and against any and all losses, costs, damages, expenses, claims, judgments or liabilities that result from or arise out of the placement, installation and/or the maintenance of any newsrack. The minimum limits of such insurance coverage shall be no less than three hundred thousand dollars combined single limit for bodily injury, including death, and property damage, except that any [person] owner who maintains an average of one hundred or more newsracks at any one time shall maintain such minimum insurance coverage of one million dollars. An insurance certificate demonstrating compliance with the requirements of this subdivision shall be submitted annually by December 31st to the commissioner by the [person who owns or controls] owner of such insured newsracks. Should said policy be called upon to satisfy any liability for damages covered by said policy, the policy must be of such a nature that the original amount of coverage is restored after any payment of damages under the policy. Failure to maintain a satisfactory insurance policy pursuant to this subdivision or failure to submit an annual insurance certificate to the commissioner pursuant to this subdivision, shall be deemed a violation of this section subject to subparagraph b-1 of paragraph one of subdivision f of this section.*

§ 2. If any portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which shall continue in full force and effect.

§ 3. This local law shall take effect ninety days after it shall have become a law, except that the commissioner of the department of transportation may take all actions necessary, including the promulgation of rules, to implement this local law on or before the date upon which it shall take effect.

Referred to the Committee on Transportation.

Int. No. 428

By Council Members Vacca, Cumbo, Gentile, Koo, Levine, Mendez, Torres and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the issuance of a five year plan to expand wi-fi access in city parks.

Be it enacted by the Council as follows:

Section 1. Title 18 of the administrative code of the city of New York is amended by adding a new subsection 18-142 to read as follows:

§18-142 Expanding wi-fi access in city parks. No later than January first, two thousand fifteen, the department, together with the department of information technology and telecommunications, shall issue a report to the mayor and the council, and make such report available on the city's website. The report shall, at a minimum, identify areas in parks under the jurisdiction of the commissioner that have wi-fi access on the report date, areas in parks under the jurisdiction of the commissioner that do not have wi-fi access on the report date, the average number of daily users of wi-fi in parks under the jurisdiction of the commissioner for the previous calendar year, the average length of time of wi-fi use in parks under the jurisdiction of the commissioner for the previous calendar year and shall include a five year plan for expanding wi-fi access to all parks under the jurisdiction of the commissioner, including the cost of implementing such plan and a timetable for such implementation.

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

Referred to the Committee on Technology.

Res. No. 360

Resolution calling on the New York State Legislature to introduce legislation that would create a statewide online registry of individuals convicted of gun-related offenses.

By Council Members Vallone, Constantinides, Arroyo, Johnson, Rodriguez and Cohen (by request of the Bronx Borough President).

Whereas, Gun offenders wreak havoc in many neighborhoods across the United States; and

Whereas, According to the New York City Police Department ("NYPD"), in New York City alone, there were 1,103 shootings in 2013; and

Whereas, According to the NYPD's weekly CompStat report, 576 people have been shot in New York City this year as of June 22, 2014; an increase of 11.8% during the same period in 2013; and

Whereas, Individuals convicted of gun violence should not only be punished by being sent to jail and prison, but should be required to register as gun offenders with law enforcement officials; and

Whereas, Studies have shown that individuals who carry illegal guns pose a high risk of recidivism; and

Whereas, Therefore gun offenders should be monitored to prevent them from reoffending and to ensure their prompt apprehension if they commit further crimes; and

Whereas, For this reason, the New York City Council passed Local Law 29 of 2006, known as the Gun Offender Registration Act ("GORA"), which created the first registry of gun offenders in the United States; and

Whereas, GORA is modeled after the existing public registries for sex offenders; and

Whereas, GORA was intended as a surveillance tool by law enforcement officials and other city agencies and cannot be viewed by the public; and

Whereas, GORA specifically requires an individual convicted of certain subdivisions within criminal possession of a weapon in the third or second degree to register his or her name, current address and other pertinent information with the NYPD and to report to the NYPD every six months; and

Whereas, The only gun offenders required to register under GORA are those convicted of the enumerated offenses in a court in the city of New York; and

Whereas, Therefore, a person convicted of an applicable gun offense by a court outside of the city of New York would not be required to register; and

Whereas, In order to prevent gun offenders from re-offending, New York State should create a state-wide gun offender registry; and

Whereas, New York City and State would benefit tremendously from a statewide gun offender registry; and

Whereas, In addition, like the New York State Sex Offender Registry, it would be helpful for a statewide gun offender registry to be made available online to the public to notify communities about offenders who have the potential to re-offend; and

Whereas, New York State should enact legislation creating a statewide gun offender registry in order to prevent future homicides and shootings; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to introduce legislation that would create a statewide online registry of individuals convicted of gun-related offenses.

Referred to the Committee on Public Safety.

Int. No. 429

By Council Members Van Bramer and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to notification of discolored water or reduction of water pressure.

Be it enacted by the Council as follows:

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-367 to read as follows:

§24-367 Notification of discolored water or reduction of water pressure. *a. Except as provided herein, the department shall notify via electronic mail all relevant community boards and all relevant district offices of all council members at least forty-eight hours prior to the undertaking of any work by the department or at the request of the department which the department reasonably knows could lead to discolored water, or the reduction or loss of water pressure at water faucets within such district.*

b. The notice requirements of subdivision a of this section shall not apply in situations where such work must proceed due to an imminent risk to public health or public safety. In such cases, where such forty-eight hour notice is not given, the department shall within five days of the conclusion of such work, inform via electronic mail all such relevant community boards and the district offices of relevant council members of the reason that the notice was not provided.

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

Referred to the Committee on Environmental Protection.

Int. No. 430

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the use of high-frequency noise devices designed to repel or deter certain persons from entering upon real property.

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-218.2 to read as follows:

§ 24-218.2 High-frequency devices for repelling or deterring persons from entering upon real property. *No person shall use or permit to be used a device capable of emitting high-frequency sound that is designed to be audible only to children and young adults and is used for purposes of deterring such children and young adults from entering or remaining upon any real property. The provisions of this section shall not apply to law enforcement personnel acting in their official capacity or in cases of emergency, as such circumstances may be defined by the commissioner by rule.*

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

Referred to the Committee on Environmental Protection.

Int. No. 431

By Council Member Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to outdoor signs.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-500 of the administrative code of the city of New York is amended to read as follows:

§ 27-500 Ground signs. (a) Location. No part of a ground sign shall be erected so as to project beyond the street line, except as specifically permitted by the provisions of subchapter four of this chapter. *No more than one sign advertising the*

availability of retail or commercial space for rent on the property of a vacant commercial or mixed-use building may be erected on each side of such building.

§ 2. Subdivision a of section 27-501 of the administrative code of the city of New York is amended to read as follows:

§ 27-501 Wall signs. (a) Limitations. Wall signs shall not extend beyond the top or ends of the wall surface on which they are placed unless meeting all the requirements of this code regulating roof signs, projecting signs, or ground signs as the case may be. Wall signs shall not project beyond street lines except as permitted in subchapter four of this chapter. *No more than one sign advertising the availability of retail or commercial space for rent placed on a vacant commercial or mixed use building may be posted on each side of such building.*

§ 3. Subdivision b of section 27-506 of the administrative code of the city of New York is amended to read as follows:

(b) Limitations. Temporary signs of combustible materials shall not extend more than one foot over, or into, a street, except that when permitted by the department of transportation, temporary banners or signs of combustible materials may be suspended from buildings or poles to extend across streets, and except that temporary signs of combustible materials constructed without a frame may be attached flat against, or suspended from the fascia of a canopy or marquee, provided that the lowest part of any such sign is at least nine feet above the ground or sidewalk level. *No more than one temporary sign advertising the availability of retail or commercial space for rent placed on, or on the property of, a vacant commercial or mixed-use building may be erected or posted on each side of such building.*

§ 4. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 361

Resolution calling upon the New York State Legislature to introduce and adopt, and the Governor to sign, legislation which would authorize the City of New York to establish a Small Performance Venue Business Tax Credit.

By Council Members Van Bramer and Gentile.

Whereas, No other city in the country currently comes close to competing with New York City's rich, vibrant, and diverse music scene; and

Whereas, New York City is home to a plethora of famous musicians and bands such as Duke Ellington, Miles Davis, Billie Holiday, The Velvet Underground, Ella Fitzgerald, Barbara Streisand, Paul Simon, and the Talking Heads, just to name a few; and

Whereas, The majority of these now world-renowned musicians and bands started their careers performing in the City's small performance venues which provide a unique opportunity for unknown musicians to practice their art in front of live audiences in an affordable and acoustically supportive space; and

Whereas, Small to mid-sized non-profit theaters (venues with a public assembly of 250 persons or less) and performing arts organizations groups add both cultural and economic value to New York City's communities, and to the city as a whole; and

Whereas, The current economic climate, coupled with skyrocketing costs of lease space, however, has made it extraordinarily difficult for many theaters and performing arts companies to stay in business in New York City; and

Whereas, Many small to mid-sized performing arts groups hold long-term leases and usually sublet their spaces to other performing arts groups that do not have the financial strength to commit to long-term leases; and

Whereas, Accordingly, when long-term lease holders leave the City, the groups to which they provide space are endangered thereby diminishing the entire sector; and

Whereas, Since 2005, New Yorkers have witnessed the closing of Tonic, a nightclub tucked away on the Lower East Side known for its avant-garde music; the Roxy, a popular nightclub in Chelsea that hosted performances by many pop stars; the rock club Sin-e, located on Attorney Street on the Lower East Side, popular in the 1990's and known for its up-and-coming musical acts; Brownies, in the East Village, referred to as a "temple of alternative rock"; the Bottom Line, located near Washington Square Park, which opened in 1974 as a showcase venue for jazz musicians and singer-songwriters; Luna Lounge, a club which "helped establish Ludlow Street as a nocturnal destination"; the venerable punk club, CBGB, which opened in 1973 in the East Village and since such time helped launch the careers of bands such as the Ramones, Blondie, Talking Heads, Patti Smith, and Television; Kenny's Castaways, was located on Bleecker Street, which opened in 1967 and hosted some of Bruce Springsteen's first New York shows and other artists such as Patti Smith, Yoko Ono, and the Fugees; and the historic Harlem jazz club Lenox Lounge, opened in 1939 on Lenox Avenue, which served as the backdrop for many jazz legends including Billie Holiday, Miles Davis, Frank Sinatra, and John Coltrane; and

Whereas, The closing of these clubs, which indisputably helped build the City's music scene during the last seven decades, not only threatens the health of the City's diverse music community, but also makes it exceedingly difficult for the City's struggling musicians to find affordable and suitable places to perform; and

Whereas, With market forces seemingly averse to cultivating the City's musical population, New York City will continue to be threatened with a mass exodus of musicians to states and countries more affordable and amenable to the professional survival of musicians, such as Louisiana which provides a variety of tax incentives and other support through the Louisiana Economic Development office; and

Whereas, In 2005, after New York City was experiencing a similar situation in the film and television industry, the Council passed legislation to provide a film tax credit to help lure film productions back to the City and counter the flight of production jobs to more affordable places, such as Toronto, Montreal, and Vancouver; and

Whereas, According to the NYC Mayor's Office of Film, Theatre and Broadcasting, production days in the City increased from 23,321 in 2004, the year before the credit was enacted, to 34,718 in 2006, the first year the credit was enacted, and the tax credit was so successful in bringing film production back to the City that the maximum allocation of credits were expended by mid-2009; and

Whereas, Providing a similar tax credit to owners of individual small performance venues who rent performance space at a discount to non-profit performing arts groups would not only offset some of the City's escalating rental costs, but would also ensure that great talent stays in New York City; and

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and adopt, and the Governor to sign, legislation which would authorize the City of New York to establish a Small Performance Venue Business Tax Credit.

Referred to the Committee on Finance.

Preconsidered L.U. No. 101

By Council Member Ferreras:

Sebco/VIP HDFC, 1876 BELMONT AVENUE, Bronx 10457, Bronx, Block 2946, Lot 1, Council District No. 17.

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

Preconsidered L.U. No. 102

By Council Member Ferreras:

Pio Mendez HDFC, 1291 LAFAYETTE AVENUE, Bronx, 10474, Bronx, Block 2762, Lot 1, Council District No. 17.

Referred to the Committee on Finance.

Preconsidered L.U. No. 103

By Council Member Ferreras:

Northeastern Conference House, 131-10 GUY R BREWER BLVD, Queens 11434, Queens, Block 12277, Lots 1, Council District No. 28.

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

L.U. No. 104

By Council Member Greenfield:

Application no. 20145468 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 265 Lafayette Ristorante LLC, d/b/a/ Sant Ambroeus for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 263 Lafayette Street, Borough of Manhattan, Community District 2, Council District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

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

L.U. No. 105

By Council Member Greenfield:

Application no. 20145615 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 50 West 72nd Rest, LLC, d/b/a/ Ripso 72 for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 50 West 72nd Street, Borough of Manhattan, Community District 7, Council District 6. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

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

L.U. No. 106

By Council Member Greenfield:

Application no. 20145294 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 753 Washington Trattoria Inc. for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 753 Washington Street, Borough of Manhattan, Community District 2, Council District 3.

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

L.U. No. 107

By Council Member Greenfield:

Application No. C 140111 ZMQ submitted by 176 Woodward Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 13b, changing an M1-1 to a R5B District; and an M1-1 to R6B/C1-3 District, in the Ridgewood section of the Borough of Queens, Community Board 5, Council District 34.

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

Preconsidered L.U. No. 108

By Council Member Greenfield:

Application No. M 770445 (D) ZMK submitted by Mike's IHOP Inc. for the modification to the Restrictive Declaration D-47, which was approved as part of a Zoning Map Amendment (C 770445 (A) ZMK) to allow an increase in the permitted floor area for satellite stores from 16,400 square feet to 18,600 square feet to facilitate the enlargement of an existing restaurant located at 11000 Flatlands Avenue (Block 8235, Lot 48), in an R5/C2-1 District and an R5/C2-2 District, Borough of Brooklyn, Community Board 18, Council District 42.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 109

By Council Member Greenfield:

Application No. 20145706 HAM by the New York City Department of Housing Preservation and Development for a modification to a previously approved project to amend the grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 801-05 St. Nicholas Avenue (Block 2065, Lot 26), Borough of Manhattan, Community Board 9, Council District 9.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions).

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

ANNOUNCEMENTS:

Monday, August 18, 2014

Subcommittee on ZONING & FRANCHISES9:30 A.M.
See Land Use Calendar
Committee Room – 250 Broadway, 16th FloorMark Weprin, Chairperson

Subcommittee on LANDMARKS, PUBLIC SITING
& MARITIME USES11:00 A.M.
See Land Use Calendar
Committee Room – 250 Broadway, 16th Floor Peter Koo, Chairperson

Subcommittee on PLANNING, DISPOSITIONS
& CONCESSIONS..... 1:00 P.M.
See Land Use Calendar
Committee Room – 250 Broadway, 16th FloorInez Dickens, Chairperson

Tuesday, August 19, 2014

Committee on LAND USE.....11:00 A.M.
All items reported out of the subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....David G. Greenfield, Chairperson

Thursday, August 21, 2014

Stated Council Meeting.....Ceremonial Tributes – 1:00 p.m.
..... Agenda – 1:30 p.m.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Thursday, August 21, 2014.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int No. 12-A (adopted by the Council at the June 26, 2014 Stated Meeting) and Int No. 389 (adopted by the Council at the June 25, 2014 Recessed Meeting), were signed into law by the Mayor on July 1, 2014 as, respectively, Local Law Nos. 32 and 33 of 2014. Int No. 388, adopted by the Council at the June 26, 2014 Stated Meeting, was signed into law by the Mayor on July 9, 2014 as Local Law No. 34 of 2014. Int No. 253-A, adopted by the Council at the June 26, 2014 Stated Meeting, was signed into law by the Mayor on July 10, 2014 as Local Law No. 35 of 2014.

