

# THE COUNCIL

STATED MEETING OF

WEDNESDAY, SEPTEMBER 10, 2014

## THE COUNCIL

*Minutes of the Proceedings for the  
STATED MEETING*

*of*

Wednesday, September 10, 2014, 1:47 p.m.

The Public Advocate (Ms. James)

*Acting President Pro Tempore and Presiding Officer*

### Council Members

Melissa Mark-Viverito, Speaker

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

Absent: Council Members Constantinides, Mealy, Mendez and Wills.

Excused on Medical Leave: Council Member Rose.

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

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

*There were 46 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. Jacqueline J. Lewis Ph.D. Pastor, Middle Collegiate Church, 122 Second Avenue, New York, N.Y. 10003..

Good afternoon everyone.  
I'm so honored to be here  
to ask God's spirit to be here with us,  
and this, our nation's first white house  
in what I think is the greatest city on the globe,  
a representation of all of the good

and fabulous diversity of God's creation.  
Often you pray with your eyes closed,  
and I know we're here from many different traditions,  
but I wonder if you would honor each other  
by praying with your eyes open this day.  
I believe that each of you, each of you  
is a representation of God's stunning goodness.  
So, with that in mind, if you feel comfortable,  
perhaps just your hands here and your eyes open.  
Please join me in a word of prayer.  
God of many good gifts, we celebrate your artistry today,  
that you have shaped each and every one of us in your image,  
male and female, and black and white, Latino,  
and Asian and gay and straight and bi and trans,  
short and tall, big boned and slim,  
gifted with ideas and thoughts  
and dreams and hopes and visions,  
and the ability to articulate them  
and stand up for them and stand in for them.  
God, we ask in this moment that your breath,  
which is your spirit, would be in each of our lungs,  
that we might speak truth to power.  
We ask that your breath, which is your spirit,  
would be wind beneath our wings  
to lift us up when we feel exhausted.  
We ask that your breath, which is your spirit,  
would propel our feet to places  
where justice needs to be done,  
that it would embolden our hands  
to hold onto one another and care for one another,  
that it would increase our ability  
to use social networking and all of our modern tools  
to tell the story of a great city  
full of great diversity that knows how to be just.  
May this city be a model for reconciliation  
and peace and love and justice all around the globe.  
May we who stand in the shadow of 9/11  
and at the 50th anniversary of freedom summer  
make freedom ring from the highest mountain  
to the lowest valley, from every cityscape  
to every small town to every hamlet.  
May we, by what we do here, make freedom ring.  
And to invoke an old song sung  
by civil rights leaders everywhere,  
we shall overcome.  
[singing] We shall overcome.  
Please sing with me. We shall overcome.  
We shall overcome some day.  
Oh, deep in my heart, I do believe  
we shall overcome someday.  
Amen. May it be so.

Council Member Dromm moved to spread the Invocation in full upon the Record.

During the Communication from the Speaker segment, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of those lost in the attacks thirteen years ago on September 11, 2001.

\* \* \*

During the Meeting, the Speaker (Council Member Mark-Viverito) recognized Council Member Ferreras's young son Julian and Council Member Garodnick's young son Devin. Also recognized on the floor were Council Member Cumbo's family including parents Wilkins and Beverly Cumbo.

## ADOPTION OF MINUTES

Council Member Maisel moved that the Minutes of the Stated Meeting of July 24, 2014 be adopted as printed.

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

Preconsidered M-115

**Communication from the Office of Management & Budget – Submitting request for approval of the modification of the Fiscal 2015 Capital Budget and Capital Program proposed by the Mayor pursuant to Section 216 of the New York City Charter.**

September 4, 2014

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 216 of the New York City Charter, your approval is requested to amend the Fiscal Year 2015 Capital Budget as detailed in the attached Schedule A.

As requested by the City Council, this amendment reallocates appropriations that were reflected in the FY 2015 Adopted Capital Budget to fund City Council initiatives.

Sincerely,

Dean Fuleihan

**(For Schedule A numbers, please see the attachment to the resolution following the Report of the Committee on Finance for M-115 & Res No. 411 printed in these Minutes)**

Referred to the Committee on Finance.

M-116

**Communication from the Manhattan Borough President – Submitting Strategic Policy Statement, pursuant to Section 82 of the New York City Charter.**

September 2, 2014

Dear Speaker Viverito:

Attached is the 2014 Strategic Policy Statement for the Office of the Manhattan Borough President. As required by the City Charter, (§82(14)) this Strategic Policy Statement is being submitted to you, the City Council, and Manhattan's 12 Community Boards. This statement outlines the most significant issues facing the Borough of Manhattan, my office's goals for addressing these issues, and strategies for achieving our goals over the next four years.

This Strategic Policy Statement comes as I complete my first eight months in office as the Manhattan Borough President. Since taking office this year I have attended Community Board meetings in all 12 of Manhattan's Community Districts, and have traveled frequently to every neighborhood of Manhattan. I have met with thousands of constituents, community leaders and advocates to discuss issues of great importance to Manhattan and to listen to concerns and ideas.

My overarching goal is to improve the lives of all those residing and working in the borough of Manhattan. By giving all Manhattanites a greater voice in, and access to, their local government we can make local government more responsive and accountable to those it serves. To this end my office has also devoted an enormous amount of time and resources to serving constituents throughout the borough and is working toward opening the first storefront Borough President's office in Northern Manhattan which will be staffed seven days a week.

Manhattan will confront significant issues in the coming years, including:

- **Transit and traffic:** The City's population is expected to grow by approximately 700,000 from 2013 to 2030 according to the Department of City Planning. While only a portion of this growth will occur in Manhattan, many of those who do not reside in Manhattan will work or travel frequently to Manhattan adding additional stress to an already burdened transit system.

- **Housing and Development:** Manhattan is losing affordable housing at an alarming rate while at the same time experiencing an unprecedented boom in

development. Balancing the needs of our communities and new development will be critical to our Borough over the next many years.

- **Food:** Access to healthy food is and will become more critical to combat obesity and other health issues and to help an increasingly aging population live healthier lives.

- This Strategic Plan is not a comprehensive list of the critical issues this office expects to address in the next four years but is a starting point at this early time in my administration.

I have always believed that these and other issues facing Manhattan can best be tackled by (1) empowering communities and giving them larger roles in finding solutions; (2) bringing communities, government, not-for-profit and private sector stakeholders together to solve problems; (3) using technology and data to ensure that the public and government agencies have access to the best and most comprehensive information; and (4) ensuring transparency in government so that it is as accountable and accessible to the public as possible.

My office has already begun applying these principles to significant issues faced by our Borough. To do this effectively we are in the process of empowering Manhattan's Community Boards through a Community Board Leadership Development Training Series which has begun, and will continue to provide training to Community Board members on land use and zoning, mapping and technology, conflicts of interest, and parliamentary procedure. We will continue to bring both training and other resources to Community Boards that will enhance their ability to serve as the governmental entity closest to each neighborhood population.

As we do this we are making the Community Boards integral to the process of finding solutions to issues faced by our Borough. Community Boards are helping us to identify potential sites for affordable housing, and potential "hotspots" to help achieve Vision Zero's goal of eliminating traffic fatalities. They are also active participants in working groups seeking to shape major developments throughout Manhattan.

We have formed a number of such working groups bringing together Community Boards, elected officials, residents, businesses and advocates to ensure the greatest possible input on land use projects that will have a major impact on our Borough before the formal start of the Uniform Land Use Review Procedure.

In addition we have worked with GrowNYC, New York State farmers, senior centers, and agencies to expand our Fresh Food for Seniors Program. We have worked closely with the DOE, Mayor's Food Policy Advisor, and others to provide thousands of parents and students with information on locations for summer meals. We recently conducted a tour of upstate farms, attended by several Commissioners and agency representatives to promote and facilitate increased local sourcing in the food procurement process.

I will continue to work on the issues outlined in this plan, and many others. This is an exciting yet challenging time in Manhattan and I know I can count on the support of your administration as we move forward in meeting our goals.

Sincerely,

Gale A. Brewer

Received, Ordered, Printed and Filed.

M-117

**Communication from the Queens Borough President – Submitting Strategic Policy Statement, pursuant to Section 82 of the New York City Charter.**

September 1, 2014

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

Speaker Mark-Viverito,

On behalf of the 2.3 million residents of Queens, I formally submit the Strategic Policy Statement for the Borough of Queens pursuant to Section 82 of the New York City Charter. The intent of this Strategic Policy Statement is to serve as a guiding principle in finding a meaningful approach to solving some of the longstanding challenges faced by the Borough of Queens.

Sincerely,

Melinda Katz  
President  
Borough of Queens

Received, Ordered, Printed and Filed.

M-118

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Showtime Transportation Corp., Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

August 14, 2014

The Honorable Speaker Melissa Mark-Viverito

Attention: Mr. Gary Altman  
Council of the City of New York  
250 Broadway, 15<sup>th</sup> 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 August 07, 2014 the Taxi & Limousine Commission voted to approve the following for-hire vehicle base license application:

NEW (3):	LICENSE #	COUNCIL DISTRICT
Showtime Transportation Corp.	B02766	48
T.J.'S Car Service Inc.	B02733	49
Tiger Car Service Inc.	B02754	44
RENEWALS (17):	LICENSE #	COUNCIL DISTRICT
ABATAR INC. / d.b.a: Abatar Car & Limo Service	B02395	43
Active Express Car & Limo Service Inc.	B01552	46
Caprice Car Service No.2 Inc.	B01045	20
Century Car Service Inc.	B01679	23
City Line Car Service Inc.	B01553	32
Continental Radio Dispatch Corp.	B00325	21
Delince Car Livery Service Corp./ d.b.a: White Top Car Service	B00385	35
Empire Of Simcha Inc.	B01394	39
F.J.A. Livery Corp / d.b.a: Village Car Service	B00023	50

DIAL 311 – Government Services and Information for NYC  
[www.nyc.gov/tlc](http://www.nyc.gov/tlc)

JSE Management Corp. / d.b.a: Dial A Ride	B00255	32
Kingsbay Car Service Inc.	B00151	48
Michaels Car Service Inc. /d.b.a: Union Limo And Car Service Inc.	B01020	35
Montague Management Services, Inc./d.b.a: Prominent Car & Limo	B02055	33
New Imperial Car Service Inc.	B02034	21
Rechev Of Brooklyn Inc.	B00727	44
Surf Car Systems Inc	B00429	31
Vee Cee Limousine Service, Inc. / d.b.a: Nostrand Car Svce	B00281	46
RENEWAL/CHANGE OF OWNERSHIP (3) CHANGE OF LOCATION (1):	LICENSE #	COUNCIL DISTRICT
Viamax Service Station & Car Service Corp.	B02432	34
RENEWAL & CHANGE OF OWNERSHIP (3):	LICENSE #	COUNCIL DISTRICT
Rocapulco Car Service Inc.	B00639	32
SHMT INC./ d.b.a: Mill Basin Car Svce	B01733	46
St. Albans-Hollis Car Service Inc.	B01958	27

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. Angeliqe Meola, Business Licensing Unit, at [businessunit@tlic.nyc.gov](mailto:businessunit@tlic.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-119

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license T.J.'S 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 the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-120

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Tiger Car Service Inc., Council District 44, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-121

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license ABATAR INC., Council District 43, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-122

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Active Express Car & Limo Service Inc., Council District 46, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-123

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Caprice Car Service No.2 Inc., Council District 20, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-124

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Century Car**

Service Inc., Council District 23, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-125

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license City Line Car Service Inc., Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-126

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Continental Radio Dispatch Corp., Council District 21, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-127

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Delince Car Livery Service Corp., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-128

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

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-129

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

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-130

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license JSE

Management Corp., Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-131

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

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-132

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

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-133

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Montague Management Services., Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-134

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license New Imperial Car Service Inc., Council District 21, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-135

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

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-136

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Surf Car

Systems Inc., Council District 31, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-137

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Vee Cee Limousine Service, Inc., Council District 46, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-138

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal, change of ownership and change of location base station license Viamax Service Station & Car Service Corp., Council District 34, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-139

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and change of ownership base station license Rocapulco Car Service Inc., Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-140

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and change of ownership base station license SHMT INC., Council District 46, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-141

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and change of ownership base station license St. Albans-Hollis Car Service Inc., Council District 27, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-118 printed above in this Communication from City, County and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

#### LAND USE CALL UPS

M-142

By Council Member Chin:

Pursuant to Rule 11.20.b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 282 Bowery, Borough of Manhattan, Community Board No. 2, Application no. 20155008 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote.

M-143

By Council Member Chin:

Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 140300 ZSM shall be subject to Council review.

Coupled on Call – Up Vote.

M-144

By Council Member Chin:

Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 140301 ZSM shall be subject to Council review.

Coupled on Call – Up Vote.

M-145

By Council Member Chin:

Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 140302 ZSM shall be subject to Council review.

Coupled on Call – Up Vote.

M-146

By Council Member Chin:

Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 140299 PPM shall be subject to Council review.

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, Cabrera, Chin, Cohen, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Menchaca, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **46**.

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 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 M-115

**Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget in regard to the Submittal of a request for approval of the modification of the Fiscal 2015 Capital Budget and Capital Program proposed by the Mayor pursuant to Section 216 of the New York City Charter.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on September 10, 2014 and which was subsequently coupled with the resolution shown below, respectfully

#### REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York on September 10, 2014, the Committee on Finance received a communication, dated September 4, 2014 from the Office of Management and Budget of the Mayor of The City of New York, of a proposed request, (the "Modification"), to modify the Fiscal 2015 Capital Budget and Capital Program (as defined below) pursuant to Section 216 of the Charter of the City of New York (the "Charter").

Analysis. The Council annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") and appropriations for capital projects (the "capital budget") and capital program covering appropriations for capital projects for the ensuing three years ("capital program") pursuant to Section 254 of the Charter. On June 26, 2014, the Council adopted the expense budget and capital budget for Fiscal Year 2015 (the "Fiscal 2015 Adopted Budget"), as well as the capital program. At the request of the City Council and pursuant to section 216 of the Charter, the Office of Management and Budget submitted a request to the Council for amendment of the Fiscal 2015 Capital Budget and capital program. This modification represents the transfer of funds totaling \$16,102,000 within and between various agencies to reallocate City Council appropriations in the Fiscal 2015 Capital Budget.

Specifically, this budget amendment reflect re-allocations of items within:

- City University of New York;
- Cultural Affairs
- Department for the Aging;
- Department of Education;
- Department of Health and Mental Hygiene;
- Department of Homeless Services;
- Department of Housing of Preservation and Development;
- Department of Parks;
- Department of Transportation (Highways);
- Economic Development Corporation;
- Human Resources Administration;
- NYCHA; and
- Health and Hospitals Corporation;

This modification also includes other transfers to corrected Budget Lines and Project Types, and other technical adjustments to Capital Projects included in the Fiscal 2015 Capital Budget and Capital Program.

Any increases to the Fiscal Year 2015 appropriations have been offset by the rescindment of an equal amount of Fiscal Year 2015 appropriations. As such, the net effect of this modification is zero.

Pursuant to section 216 of the Charter, upon receipt of a recommendation in writing from the Mayor or a Borough President, the City Council may amend the capital budget or capital program in the manner provided by such section.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the Modification pursuant to Section 216 of the Charter. Such resolution would take effect as of the date of adoption.

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

TO: Honorable Melissa Mark-Viverito  
Speaker

Honorable Julissa Ferreras,  
Chairwoman, Finance Committee

FROM: Latonia McKinney, Director  
Tanisha Edwards, Chief Counsel, Finance Division  
Nathan Toth, Deputy Director, Finance Division

DATE: September 10, 2014

SUBJECT: A capital budget modification for Fiscal Year 2015 to reallocate appropriations in the Fiscal Year 2015 Adopted Capital Budget.

INITIATION: As requested by the City Council, the Director of the Office of Management and Budget by letter dated September 4, 2014, submitted to the Council pursuant to section 216 of the New York City Charter a request for approval to transfer funds totaling \$16,102,000 in the Fiscal Year 2015 Adopted Capital Budget.

BACKGROUND: This modification reallocates appropriations that were reflected in the Fiscal 2015 Adopted Capital Budget to fund City Council initiatives. Any increases to the Fiscal Year 2015 appropriations have been offset by the rescindment of an equal amount of Fiscal Year 2015 appropriations.

FISCAL IMPACT: This modification represents the transfer of funds within and between agencies. The net effect of this modification is zero.

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 411

**RESOLUTION APPROVING THE MODIFICATION OF THE FISCAL 2015 CAPITAL BUDGET AND CAPITAL PROGRAM PROPOSED BY THE MAYOR PURSUANT TO SECTION 216 OF THE CHARTER OF THE CITY OF NEW YORK.**

By Council Member Ferreras.

**Whereas**, at a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on September 10, 2014, the Committee on Finance received a communication, dated September 4, 2014, from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit A (the "Modification"), to modify the fiscal year 2015 capital budget and the Capital Program as adopted by the Council on June 26, 2014, pursuant to Section 216 of the Charter of the City of New York (the "Charter"); and

**Whereas**, pursuant to Section of the Charter, upon receipt of a recommendation from the mayor or a Borough President, the City Council may amend the capital budget or capital program in the manner provided in such section;

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

**1. Approval of Modification.** The City Council hereby approves, pursuant to Section 216 of the Charter, the actions proposed by the Mayor as set forth in the Modification.

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

**ATTACHMENT:**



The City of New York  
**Office of Management and Budget**  
 255 Greenwich Street, 6<sup>th</sup> Floor, New York, New York 10007 - 2146  
 Telephone: (212) 788-5900 Fax: (212) 788-6300

Dean Fuleihan  
 Director

September 4, 2014

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 216 of the New York City Charter, your approval is requested to amend the Fiscal Year 2015 Capital Budget as detailed in the attached Schedule A.

As requested by the City Council, this amendment reallocates appropriations that were reflected in the FY 2015 Adopted Capital Budget to fund City Council initiatives.

Sincerely,

Dean Fuleihan

SCHEDULE A PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER			
BUDGET LINE	TITLE	2015	
<b>EDUCATION</b>			
E-D001	CITY COUNCIL ADDITIONS TO THE FIVE YEAR EDUCATIONAL FACILITIES CAPITAL PLAN PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER. PROJECTS INCLUDE MODERNIZATION AND RECONSTRUCTION OF AND IMPROVEMENTS TO SCHOOLS, PLAYGROUNDS, ATHLETIC FIELDS AND OTHER EDUCATIONAL FACILITIES AND THE PURCHASE OF COMPUTERS AND OTHER EQUIPMENT, CITYWIDE.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	3,088,000
<b>ECONOMIC DEVELOPMENT</b>			
ED DN378	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE SEPHARDIC BIKUR HOLIM COMMUNITY SERVICE NETWORK.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	3,031,000
<b>HOUSING AUTHORITY</b>			
HA-D001	CITY COUNCIL FUNDING FOR CAPITAL SUBSIDIES TO HOUSING AUTHORITY FOR CAPITAL PROJECTS, PROVIDED PURSUANT TO SECTION 102 OF THE PUBLIC HOUSING LAW AND FOR OTHER NYCHA DEVELOPMENT CAPITAL IMPROVEMENTS, CITYWIDE.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	100,000
<b>HOUSING PRESERVATION AND DEVELOPMENT</b>			
HD-D003	CITY COUNCIL FUNDING FOR SITE WORK, CONSTRUCTION, RECONSTRUCTION OR IMPROVEMENTS TO, OR LOANS AND GRANTS FOR SITE WORK, CONSTRUCTION, RECONSTRUCTION OR IMPROVEMENTS TO, RESIDENTIAL AND COMMERCIAL PROPERTIES, PURSUANT TO APPLICABLE STATE LAW PROVISIONS, CITYWIDE.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	3,019,000

SCHEDULE A PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER			
BUDGET LINE	TITLE	2015	
HD-DN469	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, PURSUANT TO A STATUTORY HOUSING LOAN AND/OR GRANT PROGRAM, FOR THE CAMBA.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	1,000,000
<b>HIGHER EDUCATION</b>			
HN-D300	CITY COUNCIL FUNDING FOR SITE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENTS, COMPREHENSIVE RENOVATIONS AND ADDITIONS OF CITY UNIVERSITY SENIOR COLLEGE CAMPUS BUILDINGS AND FACILITIES, INCLUDING THE PURCHASE OF EQUIPMENT AND OTHER SYSTEMS, CITYWIDE.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	500,000
<b>HOSPITALS</b>			
HO-D003	CITY COUNCIL FUNDING FOR ALL BUILDINGS, ALL BOROUGH, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, MODERNIZATION, FIRE PREVENTION AND ELEVATOR REPLACEMENTS, EQUIPMENT, AND VEHICLES FOR THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	200,000
<b>HUMAN RESOURCES</b>			
HR-DN756	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE QUALITY SERVICES FOR THE AUTISM COMMUNITY INC. (QSAC).	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	80,000

SCHEDULE A PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER			
BUDGET LINE	TITLE	2015	
<b>HIGHWAYS AND STREETS</b>			
HW-D102	CITY COUNCIL FUNDING FOR THE CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF STREETS AND ALL REQUIRED ANCILLARY WORK AND CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENTS OF SIDEWALKS AND AND STREETScape AMENITIES, MANHATTAN.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	100,000
<b>DEPARTMENT OF PARKS AND RECREATION</b>			
P-D018	CITY COUNCIL FUNDING FOR MISCELLANEOUS PARKS, PARKWAYS, PLAYGROUNDS AND STRUCTURES: ACQUISITION, CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENTS, INCLUDING VEHICLES AND EQUIPMENT, MANHATTAN.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	355,000
P-D019	CITY COUNCIL FUNDING FOR MISCELLANEOUS PARKS, PARKWAYS, PLAYGROUNDS AND STRUCTURES: ACQUISITION, CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENTS, QUEENS	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	1,647,000
<b>CULTURAL AFFAIRS</b>			
PV-D262	CITY COUNCIL FUNDING FOR THE BROOKLYN CHILDREN'S MUSEUM: CONSTRUCTION, RECONSTRUCTION, IMPROVEMENTS AND PURCHASES OF EQUIPMENT AND VEHICLES, BROOKLYN.	ELIMINATE (CN)	0
		SUBSTITUTE (CN)	125,000

SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER

BUDGET LINE	TITLE	2015	
PV-D341	RICHMONDTOWN, LA TOURETTE PARK, STATEN ISLAND, RELOCATION OF VARIOUS BUILDINGS, RECONSTRUCTION, LANDSCAPING, GENERAL IMPROVEMENTS AND PURCHASES OF EQUIPMENT AND VEHICLES		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	5,000
PV-D490	CITY COUNCIL FUNDING FOR THE DEVELOPMENT OF SNUG HARBOR SITE, PURCHASE OF EQUIPMENT AND VEHICLES, RECONSTRUCTION OF BUILDINGS, STATEN ISLAND.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	5,000
PV-DN001	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE 3 LEGGED DOG, INC.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	123,000
PV-DN072	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE BROOKLYN HISTORICAL SOCIETY.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	300,000

SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER

BUDGET LINE	TITLE	2015	
PV-DN291	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE NEW MUSEUM.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	250,000
PV-DN381	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE SEVENTH REGIMENT ARMORY CONSERVANCY.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	200,000
PV-DN694	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE SOCIETY OF THE EDUCATIONAL ARTS.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	15,000
PV-DN737	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE MANHATTAN SCHOOL OF MUSIC.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	500,000

SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER

BUDGET LINE	TITLE	2015	
PV-DN760	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE ST. NICKS ALLIANCE CORP.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	62,000
PV-DN853	(NEW PROJECT) CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE ORIGINAL MUSIC WORKSHOP		
	NEW PROJECT	(CN)	150,000
<b>PUBLIC BUILDINGS</b>			
PW-D005	CITY COUNCIL FUNDING FOR ACQUISITION, CONSTRUCTION, RECONSTRUCTION, MODERNIZATION OF IMPROVEMENTS TO, AND EQUIPMENT AND VEHICLES FOR, PUBLIC BUILDINGS AND ADJACENT AREAS AND OTHER PROJECTS WITH A CITY PURPOSE, CITYWIDE.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	500,000
<b>TRAFFIC</b>			
TF-D503	CITY COUNCIL FUNDING FOR THE PURCHASE AND INSTALLATION OF LIGHTING EQUIPMENT FOR STREETS, PARKS, PLAYGROUNDS, SCHOOL YARDS, PARKWAYS, HIGHWAYS AND PUBLIC PLACES, CITYWIDE		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	120,000
<b>TOTAL</b>	<b>ELIMINATE</b>	<b>(CN)</b>	<b>0</b>
	<b>SUBSTITUTE</b>	<b>(CN)</b>	<b>16,102,000</b>

SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER

BUDGET LINE	TITLE	2015	
PV-DN074	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE NEW YORK BOTANICAL GARDEN.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	93,000
PV-DN088	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE BRIC ARTS MEDIA, BROOKLYN, INC.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	35,000
PV-DN124	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE DANCEWAVE, INC.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	350,000
PV-DN166	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES, FOR THE GHETTO FILM SCHOOL.		
	ELIMINATE	(CN)	0
	SUBSTITUTE	(CN)	149,000



SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER  
AMOUNTS TO BE RESCINDED FROM PRIOR CAPITAL BUDGETS

BUDGET LINE	TITLE		
<b>AGING</b>			
AG-DN838	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE WAYSIDE OUTREACH DEVELOPMENT INC.	(CN)	-50,000
<b>EDUCATION</b>			
E-D001	CITY COUNCIL ADDITIONS TO THE FIVE YEAR EDUCATIONAL FACILITIES CAPITAL PLAN PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER. PROJECTS INCLUDE MODERNIZATION AND RECONSTRUCTION OF AND IMPROVEMENTS TO SCHOOLS, PLAYGROUNDS, ATHLETIC FIELDS AND OTHER EDUCATIONAL FACILITIES AND THE PURCHASE OF COMPUTERS AND OTHER EQUIPMENT, CITYWIDE.	(CN)	-500,000
<b>HOUSING AUTHORITY</b>			
HA-D001	CITY COUNCIL FUNDING FOR CAPITAL SUBSIDIES TO HOUSING AUTHORITY FOR CAPITAL PROJECTS, PROVIDED PURSUANT TO SECTION 102 OF THE PUBLIC HOUSING LAW AND FOR OTHER NYCHA DEVELOPMENT CAPITAL IMPROVEMENTS, CITYWIDE	(CN)	-3,019,000
<b>HOMELESS SERVICES</b>			
HH-DN701	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE WOMEN IN NEED (WIN).	(CN)	-20,000

SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER  
AMOUNTS TO BE RESCINDED FROM PRIOR CAPITAL BUDGETS

BUDGET LINE	TITLE		
<b>HIGHER EDUCATION</b>			
HN-D300	CITY COUNCIL FUNDING FOR SITE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENTS, COMPREHENSIVE RENOVATIONS AND ADDITIONS OF CITY UNIVERSITY SENIOR COLLEGE CAMPUS BUILDINGS AND FACILITIES, INCLUDING THE PURCHASE OF EQUIPMENT AND OTHER SYSTEMS, CITYWIDE.	(CN)	-150,000
<b>HUMAN RESOURCES ADMINISTRATION</b>			
HR-DN822	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE OPPORTUNITIES FOR A BETTER TOMORROW.	(CN)	-7,000
<b>HIGHWAYS AND STREETS</b>			
HW-D102	CITY COUNCIL FUNDING FOR THE CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF STREETS AND ALL REQUIRED ANCILLARY WORK AND CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENTS OF SIDEWALKS AND AND STREETScape AMENITIES, MANHATTAN.	(CN)	-175,000
HW-D103	CITY COUNCIL FUNDING FOR THE CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF STREETS AND ALL REQUIRED ANCILLARY STREET WORK, QUEENS	(CN)	-100,000
<b>DEPARTMENT OF PARKS AND RECREATION</b>			
P-D056	CITY COUNCIL FUNDING FOR THE ACQUISITION OF PROPERTY FOR PLAYGROUNDS AND PARKS, CITYWIDE.	(CN)	-1,647,000

SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER  
AMOUNTS TO BE RESCINDED FROM PRIOR CAPITAL BUDGETS

BUDGET LINE	TITLE		
<b>DEPARTMENT OF HEALTH AND MENTAL HYGIENE</b>			
HL-DN273	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR MOUNT SINAI HOSPITAL.	(CN)	-29,000
HL-DN328	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR PLANNED PARENTHOOD OF NEW YORK CITY.	(CN)	-435,000
HL-DN404	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE STATEN ISLAND UNIVERSITY HOSPITAL.	(CN)	-40,000
HL-DN530	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE AIDS SERVICE CENTER OF LOWER MANHATTAN, INC. D/B/A AIDS SERVICE CENTER OF NYC.	(CN)	-21,527
HL-DN795	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE APICHA COMMUNITY HEALTH CENTER.	(CN)	-85,000

SCHEDULE A  
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER  
AMOUNTS TO BE RESCINDED FROM PRIOR CAPITAL BUDGETS

BUDGET LINE	TITLE		
<b>CULTURAL AFFAIRS</b>			
PV-D022	CITY COUNCIL FUNDING FOR THE METROPOLITAN MUSEUM OF ART, IMPROVEMENTS AND ADDITIONS, INCLUDING EQUIPMENT AND VEHICLE PURCHASES, MANHATTAN	(CN)	-125,000
PV-D234	CLEMENTE SOTO VELEZ CULTURAL AND EDUCATIONAL CENTER : ACQUISITION, CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENTS, INCLUDING PURCHASES OF EQUIPMENT AND VEHICLES, MANHATTAN.	(CN)	-750,000
PV-D291	CITY COUNCIL FUNDING FOR THE QUEENS MUSEUM OF ART, CITY BUILDING, FLUSHING MEADOW PARK, RECONSTRUCTION, IMPROVEMENTS AND PURCHASE OF EQUIPMENT AND VEHICLES.	(CN)	-250,000
PV-DN088	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE BRIC ARTS MEDIA, BROOKLYN, INC.	(CN)	-1,750,000
PV-DN198	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE NOGUCHI MUSEUM.	(CN)	-125,000
PV-DN610	CONSTRUCTION, RECONSTRUCTION, ACQUISITION OR INSTALLATION OF A NON-CITY OWNED PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT WITH A CITY PURPOSE, WHICH WOULD BE CLASSIFIED AS A CAPITAL ASSET UNDER GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR MUNICIPALITIES; FOR THE BROOKLYN BOTANICAL GARDEN.	(CN)	-2,665,473

SCHEDULE A
PROPOSED FY 2015 APPROPRIATION CHANGES PURSUANT TO SECTION 216 OF THE CITY CHARTER
AMOUNTS TO BE RESCINDED FROM PRIOR CAPITAL BUDGETS

Table with columns: BUDGET LINE, TITLE, PUBLIC BUILDINGS, and RESCINDMENTS. Rows include PW-DN317, PW-DN725, PW-DN846, PW-DN854, and TOTAL RESCINDMENTS.

K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, September 10, 2014. Other Council Members Attending: Matteo, Ulrich and Torres.

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 General Welfare

Report for Int. No. 104-A

Report of the Committee on General Welfare 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 collecting and reporting data related to youth and foster care.

The Committee on General Welfare, to which the annexed amended proposed local law was referred on February 26, 2014 (Minutes, page 472), respectfully

REPORTS:

Introduction

On September 8, 2014, the Committee on General Welfare, chaired by Council Member Stephen Levin, held a hearing to vote on three bills related to foster care: Int. No. 104-A, a Local Law to amend the administrative code of the city of New York, in relation to collecting and reporting data related to youth and foster care; Int. No. 137-A, a Local Law to amend the administrative code of the city of New York in relation requiring the administration for children's services to report on their success in obtaining government-issued personal identification for youth in foster care; and Int. No. 187-A, a Local Law to amend the administrative code of the City of New York, in relation to requiring the administration for children's services to provide information regarding high school graduation rates of youth in foster care.

Background

As of June 2014, there were 11,386 children in foster care. From 2012, there was an approximate ten percent decrease in the foster care census, which represents a continuation of the consistent downward trend of the number of children in foster care over the past decade. Since 2002, there has been an approximate fifty percent decrease in the number of children in foster care. However, despite the steady decline of young people in foster care, the largest group of young people in care continues to be older youth. A review of the most recent data from ACS reveals that in April 2012, there was a total of 13,682 youth in foster care, the largest percentage of which were 12 years old and older, representing 40.4 percent of the youth in care.

For youth in foster care, if family reunification is not possible and the youth is not adopted, the young person will officially age out of the system at the age of 21, and at that time ACS will no longer have legal authority over the young person. In very limited circumstances, ACS may allow a youth to remain in foster care beyond 21. Beginning at 18, foster care youth can choose to no longer remain in care with the approval of a Family Court Judge. In 2011, there were 6,712 discharges from foster care and 888 (13.2 percent) of these discharges were youth between the ages of 18 and 21 who aged out of care. According to ACS' 2006 Preparing Youth for Adulthood (PYA) plan, out of the approximate 1,200 youth over the age of 18 who leave foster care annually, only 20 percent are being reunified with family or adopted, and the remaining 80 percent must "rely primarily on themselves."

Numerous studies demonstrate that youth who age out of foster care tend to experience worse outcomes than their peers in a variety of critical areas such as education, employment, criminal justice involvement, mental health, income security,

for the Lower Ma

1 NYC Administration for Children's Service, Statistics and Links, available at http://www.nyc.gov/html/acs/html/statistics/statistics\_links.shtml (last visited September 4, 2014).
2 Testimony of Gladys Carrion, Commissioner, Administration for Children's Services, before the New York City Council Committee on General Welfare, Fiscal Year 2015 Preliminary Budget Hearing, (March 2014).
3 Allon Yaroni, PhD, Ryan Shanahan, PhD, Randi Rosenblum, PhD, and Timothy Ross, PhD, "Innovations in NYC Health and Human Services Policy Child Welfare Policy," VERA Institute of Justice, p.1 (Jan. 2014).
4 Community Snapshot 2011, available at http://www.nyc.gov/html/acs/downloads/pdf/cd\_snapshots/bronx\_cd1.pdf.
5 Lawyers For Children, "Aging Out Of Foster Care" available at http://www.lawyersforchildren.org/sitefiles/foster-care-docs/agingout.htm (last visited June 9, 2014).
6 Community Snapshot 2011, supra note 4.
7 NYC Administration for Children's Services, Preparing Youth for Adulthood, (June 2006) available at http://www.nyc.gov/html/acs/downloads/pdf/youth\_for\_adulthood.pdf. (Hereinafter PYA Report).

JULISSA FERRERAS, Chairperson; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, JR., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN

Large table with columns: Budget Line, Project, ADDITIONS, RESCINDMENTS, and Net Change. It contains detailed financial data for various projects and budget lines.

and housing.<sup>8</sup> ACS has noted that while there is no comprehensive analysis of outcomes for foster youth in New York City, “it is likely that the general trends identified hold true for our population. In certain domains, due to the high cost of living, the tight housing market, and other factors, foster youth in New York may face additional challenges beyond those normally associated with exiting foster care to adulthood.”<sup>9</sup>

Youth who age out of foster care tend to experience greater income and housing insecurity than their peers, and rely heavily on government benefits. A study by Chapin Hall entitled, “Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at 21” (Chapin Hall Outcomes Study) found that foster youth are far more likely than their peers to report: (i) not having enough money to pay rent or mortgage; (ii) not having enough money to pay utility bills; (iii) having their phone service disconnected; and (iv) having been evicted.<sup>10</sup> In addition, only 51.9 percent of young adults in the study had savings or checking accounts, compared to nearly 80.7 percent of their peers.<sup>11</sup> More than one-quarter of the sample group in the Chapin Hall Outcomes Study additionally reported having “low or very low food insecurity.”<sup>12</sup> Two-thirds of females and 22 percent of males interviewed in the Chapin Hall Outcomes Study were receiving government benefits from one or more need-based government programs (e.g. food stamps, SSI, public housing, TANF, WIC) at the time of their interview.<sup>13</sup> Of females living with at least one child, eighty-six percent received government benefits.<sup>14</sup>

ACS, and by extension the contracted foster care agency providers, are mandated by New York State law to help youth prepare for independent living. For those youth who will likely age out of foster care without reunification or adoption, they will have the permanency planning goal known as Another Planned Permanent Living Arrangement (APPLA). Beginning on the 16th birthday of a youth in foster care, ACS requires caseworkers to begin developing the APPLA plan with the young person. Caseworkers will begin to address “housing, income, medical coverage, arrangements to receive essential documents . . . arrangement[s] with any needed service providers and any safety concerns.”<sup>15</sup> Providers must additionally begin a transition plan for youth 180 days prior to his or her 18th birthday, which includes specific options for housing, health insurance and employment and education opportunities; the plan must be completed 90 days prior to the young person’s scheduled discharge.<sup>16</sup> Currently there is no regularly reported data from ACS on the outcomes of youth in foster care beyond the number of youth who are adopted, reunified with family or discharged to a “non-permanency” resource.<sup>17</sup> The three proposed bills would provide information on the outcomes of foster care youth in critical areas including education and training, housing, and government-issued identification.

**Analysis: Int. No. 104-A – Reporting Data Related to Youth and Foster Care**

Introduction Number 104 would require ACS to submit to the Council comprehensive annual reports on the outcomes of youth aging out of foster care with an APPLA goal. The legislation would require ACS to report on all of the discharge outcomes of foster care youth, including the number of youth who: are adopted; reunify with family; are placed into subsidized guardianship (otherwise known as KingGAP); choose to leave at 18; age out at 21; and remain in ACS’ care beyond 21 under an exception to policy. The legislation would also require ACS to track and report information on both the youth currently in care and youth who have aged out with an APPLA goal. For youth currently in foster care, the legislation would require ACS to report the number of youth with an APPLA goal disaggregated by age, and additionally the number of youth who: receive an independent living stipend; receive vocational training; are eligible to petition for immigration relief; have a permanent connection to a caring adult; have an immigration application pending; have applied for housing assistance, disaggregated by the type of assistance; have been found eligible for housing assistance; have been found ineligible for housing assistance; and the number of youth enrolled in high school, high school equivalency programs and college.

The legislation would also require ACS to report information on youth who have aged out of foster care with an APPLA goal. The required information includes the number of youth who: received housing assistance, disaggregated by the type of assistance; were discharged to other housing, including living with friends or family; obtained a high school diploma, disaggregated by the type of diploma or credential certification; passed the high school equivalency test; obtained an educational training voucher for college; obtained a college diploma; had a verifiable source of income; obtained special immigration juvenile status; obtained lawful permanent

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

<sup>8</sup> Smithgall, Cheryl, et al., Chapin Hall, *Educational Experiences of Children in Out-Of-Home Care* (2004); Rumberger, Russell W., et al., University of California Santa Barbara, *The Educational Consequences of Mobility for California Students and Schools*, (March 1999); Courtney, Mark E., et al., Chapin Hall, *Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 21* (December 2007); George, Robert M., et al., Chapin Hall, *Employment Outcomes for Youth Aging Out of Foster Care* (March 2002); Pecora, Peter J., et al., *Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study* (revised March 14, 2005).

<sup>9</sup> PYA Report, *supra* note 7 at 3.

<sup>10</sup> Courtney, *Midwest Evaluation*, *supra* note 8 at 37.

<sup>11</sup> *Id.* at 30.

<sup>12</sup> *Id.* at 38.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> Keeping Foster Youth Off The Streets, *Improving Housing Outcomes for Youth that Age Out of Care in New York City*, Federation of Protestant Welfare Agencies, p. 16 (Jan. 2014) available at [http://www.fpwa.org/binary-data/FPWA\\_BINARY/file/000/000/698-1.pdf](http://www.fpwa.org/binary-data/FPWA_BINARY/file/000/000/698-1.pdf).

<sup>16</sup> *Id.*

<sup>17</sup> See NYC Administration for Children’s Services, Monthly Flash, available at [http://www.nyc.gov/html/acs/downloads/pdf/statistics/Flash\\_August\\_2014.pdf](http://www.nyc.gov/html/acs/downloads/pdf/statistics/Flash_August_2014.pdf) (Aug. 2014).

residence status; were pregnant and/or parents at the time of discharge; had a permanent connection to a caring adult; and were AWOL at the time of discharge. Where available, all data in the report would be disaggregated by gender, race and ethnicity. The legislation would take effect immediately.

After the first hearing on this bill, the proposed legislation was amended to include the discharge outcomes of all youth in foster care, and the provisions related to data-matching with the Department of Homeless Services, the Department of Youth and Community Development, the Human Resources Administration and the Department of Correction were removed.

**Analysis: Int. No. 137-A - Reporting Data on ACS’ Success in Obtaining Government-Issued Personal Identification for Youth in Foster Care.**

Introduction No. 137-A would require ACS to produce an annual report to be submitted to the Speaker of the City Council and to be posted on the agency’s website regarding the number of youth in foster care aged seventeen and older who have a form of government-issued identification disaggregated by type of identification and the number who obtained government-issued identification with the assistance of ACS. The bill would also require ACS to report on the number of youth in foster care who at the time of their discharge from ACS possessed government-issued identification. The bill would require ACS to include in its report the actions the agency took in the prior reporting period to ensure that all youth in foster care have a form of government-issued identification. The legislation would take effect immediately.

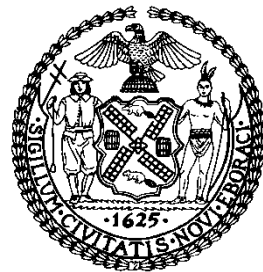
After the first hearing on this bill, the proposed legislation was amended to limit the reporting to only those youth aged seventeen and older, and the requirement to report on the types of government-issued identification possessed by a young person with a goal of APPLA at the point of their discharge from foster care was added.

**Analysis: Int. No. 187-A – Reporting Data Related to Information Regarding High School Graduation Rates of Youth in Foster Care.**

Introduction No. 187-A would require ACS to produce an annual report to be submitted to the Speaker of the City Council and to be posted on the agency’s website regarding the high school graduation rates of youth in foster care. The proposed bill would require ACS to report: (1) the number of youth in foster care disaggregated by age; (2) the number of foster care youth enrolled in high school disaggregated by age; (3) the number of youth in foster care on pace to graduate in four years disaggregated by age; and (4) the number of youth in foster care who graduated high school disaggregated by the type of diploma or certification received and by age. The legislation would take effect immediately.

After the first hearing on this bill, the proposed legislation was amended to add reporting on the number of youth who are on track to graduate in four years and additionally the disaggregation by the type of diploma or certification received upon graduation was added.

(The following is the text of the Fiscal Impact Statement for Int. No. 104-A:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO.: 104-A

COMMITTEE:  
General Welfare

**TITLE:** To amend the administrative code of the city of New York, in relation to collecting and reporting data related to youth and foster care.

**SPONSOR(S):** The Public Advocate (Ms. James) and Council Members Arroyo, Dickens, Johnson, Koo, Levine, Mendez, Rosenthal, Reynoso, Menchaca, Levin, Gibson, Richards, Dromm, King, Rodriguez, Rose, Lander, Van Bramer, Barron, Kallos, and Constantinides

**SUMMARY OF LEGISLATION:** This legislation would require the Administration for Children’s Services (ACS) to report certain information regarding youth discharged from foster care and youth currently in foster care. The annual report would be required to be reported to the Council and on ACS’ website by February 28 of each year.

The reported data would include 1) the discharge outcomes of foster care youth which would include, but not be limited to, adopted, reunified with family, placed with family through KinGAP, aged out at 21 or did not consent to remain in foster care, and requested to return to foster care after age 21; 2) information regarding youth currently in foster care, including but not limited to, the number of youth who have a permanency planning goal of Another Planned Permanent Living Arrangement (APPLA), the number to whom ACS paid an independent living stipend, the number who receive vocational training, the number who have a permanent connection to a caring adult, the number who applied for housing assistance and were found eligible or ineligible for housing assistance, the number enrolled in high school or a High School Equivalency program and the number of

youth enrolled in colleges; and 3) information regarding youth who left foster care who had a goal of APPLA including, but not limited to, the number of youth who were on trial discharge status, the number who received housing assistance, the number who left foster care to alternative safe and stable housing, the number who completed high school, the number who obtained a college diploma, the number who were discharged as AWOL, and the who were parents at the time of their discharge from foster care. All reported data would be further disaggregated by gender, race, and ethnicity.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2015

**FISCAL IMPACT STATEMENT:**

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	\$0	\$0	\$0
Expenditures	-\$98,000	-\$98,000	-\$98,000
Net	-\$98,000	-\$98,000	-\$98,000

**IMPACT ON REVENUES:** This legislation would have no impact on revenues.

**IMPACT ON EXPENDITURES:** According to ACS, the agency will have to hire an additional full-time staff member in order to meet the new reporting requirements of Proposed Intro. No. 104-A.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** The Administration for Children's Services

**SOURCE OF INFORMATION:** The Administration for Children's Services

**ESTIMATE PREPARED BY:** Norah Yahya, Senior Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Rebecca Chasan, Assistant Finance Counsel

**LEGISLATIVE HISTORY:** Intro. No. 104 was introduced to the full Council on February 26, 2014 and referred to the Committee on General Welfare. On June 16, 2014, the Committee on General Welfare held a hearing and laid the legislation over. The legislation was subsequently amended. The Committee on General Welfare will consider the amended legislation, Proposed Intro. No. 104-A, on September 8, 2014. Upon successful vote by the Committee, the full Council will vote on Proposed Intro. No. 104-A on September 10, 2014.

Accordingly, this Committee recommends its adoption, as amended.

**(The following is the text of Int. No. 104-A:)**

Int. No. 104-A

By The Public Advocate (Ms. James) and Council Members Arroyo, Dickens, Johnson, Koo, Levine, Mendez, Rosenthal, Reynoso, Menchaca, Levin, Gibson, Richards, Dromm, King, Rodriguez, Rose, Lander, Van Bramer, Barron, Kallos, Constantinides, Eugene and Williams.

**A Local Law to amend the administrative code of the city of New York, in relation to collecting and reporting data related to youth and foster care.**

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. According to the Administration for Children's Services (ACS), in Fiscal Year 2013, 1,078 youth aged 18 and older transitioned out of New York City's foster care system. Numerous studies demonstrate that youth who age out of foster care tend to experience worse outcomes than their peers in a variety of critical areas such as education, employment, income security, housing, and criminal justice involvement. There has not been a comprehensive analysis of outcomes for foster youth in New York City to date. While ACS has begun collecting data about this population, these efforts are still in their nascent stages and there is no current mechanism for regular, public dissemination of this information. Such data would assist the Council and the public in evaluating how successful ACS is in fulfilling its mandate to adequately prepare youth who age out of foster care for stable and independent living, and in evaluating the need for policy changes.

§2. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-902.1 to read as follows:

§21-902.1 Youth and foster care. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

1. "Absent Without Leave (AWOL)" means a child who has been placed by an authorized agency in foster care in a certified foster boarding home, an approved relative foster home, or a licensed foster care facility, and who is absent without the consent of the person(s) or facility in whose care the child has been placed or the consent of the case planner/caseworker at the facility in whose care the child has been placed.

2. "ACS" means the Administration for Children's Services or its successor agency.

3. "ACS Housing Subsidy" means two "one-shot" payments of up to \$1,800 each and a monthly rental assistance of up to \$300. The subsidy (including the two one-shots), may last for up to three years or \$10,800 whichever comes first. One Special Grant (One Shot) of up to \$1,800 is allocated to pay rent arrears or mortgage arrears only. One Special Grant (One Shot) of up to \$1,800 is allocated for costs associated with securing an apartment, exterminator fees and for foster care cases only to purchase needed essential furniture.

4. "Adult permanency resource" means an adult who has been determined by a social services district to be an appropriate and acceptable resource for a youth and is committed to providing support, advice and guidance to the youth and to assist the youth as the youth makes the transition from foster care to responsible adulthood.

5. "Adult residential care" means an adult-care facility contracted by the Office for Persons with Developmental Disabilities (OPWDD) or the Office of Mental Health (OMH) established and operated for the purposes of providing long-term residential care, room, board, housekeeping, case management, activities and supervision of five or more adults, unrelated to the operator, who are unable or substantially unable to live independently.

6. "Age out" means the discharge of a 21-year-old person from foster care other than to family reunification, adoption, guardianship, custody or permanent placement with a fit and willing relative.

7. "Another Planned Permanent Living Arrangement (APPLA)" means a permanency planning goal to assist foster care youth in their transition to self-sufficiency by connecting the youth to an adult permanency resource, equipping the youth with life skills and, upon discharge, connecting the youth with any needed community and/or specialized services.

8. "Concurrent plan" means a plan to help a child in foster care find a permanent, stable home that is being pursued as an alternative to, and simultaneously with, his or her primary plan to find a permanent, stable home.

9. "Discharge Checklist" is a form completed by the ACS contracted foster care agency in consultation with a young person leaving foster care that is intended to guide discussions about the youth's plans after leaving care. The document is intended to develop and document a discharge plan that is youth-driven, is as detailed as the youth elects and enables the young person to address any outstanding topics prior to discharge.

10. "Education and Training Voucher (ETV)" means a current or successor federal program that provides resources specifically to meet the needs of youth aging out of foster care, through which eligible youth may receive funds to attend a post-secondary education or vocational training program.

11. "Foster Care Youth" means a young person who was placed in an out-of-home placement with the New York City Administration for Children's Services after the filing of a petition in family court pursuant to Articles 3, 7, 10, 10a, 10b or 10c of the Family Court Act or Social Services Law section 358a or 384b.

12. "Housing assistance" means any form of help designed to assist youth with finding and maintaining a place of residence including but not limited to ACS Housing Subsidy, rental assistance received from any other city agency, supportive housing, or any other assistance sufficient to obtain adequate housing.

13. "Independent living stipend" means the payment a youth receives to attend independent living skills formalized instruction including but not limited to supervised performance in job search, career counseling, finding an apartment or other place of residence, budgeting, shopping, cooking, and house cleaning skills.

14. "Kinship Guardianship Assistance Program (KinGAP)" means the permanency outcome for children in foster care who have been cared for by a relative for six consecutive months and for whom it has been determined that returning home or adoption are not viable options.

15. "Permanent Connection to a Caring Adult" means finding an adult who is committed to providing support, advice and guidance to the youth and to assist the youth as the youth makes the transition from foster care to responsible adulthood.

16. "Permanency Planning Goal (Goal)" means the goal for child permanency as designated in the child's family assessment and service plan and approved by the family court.

17. "Special immigrant juvenile status (SIJS)" means legal immigration status that can be awarded by USCIS to undocumented immigrant children, for whom family reunification with one or both parents is not a viable option and who have been found dependent upon the juvenile court, and that allows a child to apply for lawful permanent residency.

18. "Supportive housing" means housing that is for people with mental health needs or other special needs.

19. "Test Assessing Secondary Completion (TASC)" means the New York state high school equivalency test which replaced the General Education Development (GED) as the primary pathway to a New York state high school equivalency diploma.

20. "Trial discharge" means that a child in foster care is no longer in the physical care of the social services district but remains in the legal custody of the social services district.

21. "Vocational training" means instructional programs, including but not limited to marketable skills or trade or formal on-the-job training.

b. *Annual Reports Regarding Youth and Foster Care.* Beginning no later than February 28, 2015 for the calendar year 2014 and every year thereafter, ACS shall furnish to the speaker of the council, the public advocate, and post on ACS' website a report regarding youth in foster care. Such report shall include the following information disaggregated where available and indicated with an explanation where not available by gender, race and ethnicity:

1. *Discharge Outcomes of Foster Care Youth:* The following information regarding the discharge outcomes of youth in foster care shall be included in the annual report:

- i. number of youth who have been adopted, disaggregated by age from 0 to 21;
- ii. number of youth who have been reunified with family, disaggregated by age from 0 to 21;
- iii. number of youth who are placed with family through KinGAP, disaggregated by age from 0 to 21;
- iv. number of youth who did not consent to remain in foster care past age 18 and for whom the court approved a discharge from foster care, disaggregated by age from 18 to 20; provided, however, that this information shall be included in such report only upon required New York state approval of the necessary changes to the Discharge Checklist, beginning with the report for the second calendar year following such approval;
- v. number of youth who aged out at 21;
- vi. number of youth for whom an ACS Exception to Policy to remain in foster care after age 21 was requested;
- vii. number of youth who remained in foster care after age 21 under an ACS Exception to Policy;
- viii. number of youth who requested to return to foster care after not consenting to remain in care after age 18;
- ix. number of youth who returned to foster care after not consenting to remain in care after age 18.

2. *Youth Currently in Foster Care.* The following information regarding youth currently in foster care shall be included in the annual report:

- i. number of youth who have a permanency planning goal of APPLA, including those who have concurrent plans, disaggregated by age as follows: 14-15; 16-17; 18-19; 20-21; over 21;
- ii. number of youth for whom ACS paid an independent living stipend;
- iii. number of youth who receive vocational training, disaggregated by age as follows: 17-19; 20-21; over 21;
- iv. number of youth who may be eligible to petition for SIJS or other immigration relief, disaggregated by age as follows: 14-18; 19-21;
- v. number of youth who have SIJS applications or other immigration applications pending, disaggregated by age as follows: 0-3; 4-6; 7-9; 10-12; 13-15; 16-18; 19-21;
- vi. number of youth who have a permanent connection to a caring adult;
- vii. number of youth who applied for housing assistance, disaggregated by the type of assistance as follows:
  - (a) NYCHA public housing;
  - (b) section 8 voucher;
  - (c) supportive housing;
  - (d) adult residential care;
  - (e) ACS housing subsidy;
  - (f) to the extent it is available, any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized;
  - viii. number of youth who have been found eligible for housing assistance, disaggregated by the type of assistance as follows:
    - (a) NYCHA public housing;
    - (b) section 8 voucher;
    - (c) supportive housing;
    - (d) adult residential care;
    - (e) ACS housing subsidy;
    - (f) to the extent it is available, any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized;
    - ix. number of youth who have been found ineligible for housing assistance, disaggregated by the type of assistance as follows:
      - (a) NYCHA public housing;
      - (b) section 8 voucher;
      - (c) supportive housing;
      - (d) adult residential care;
      - (e) ACS housing subsidy;
      - (f) any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized;
      - x. number of youth who are currently enrolled in high school, disaggregated by special education status and by age as follows: under 16; 16-18; over 18;
      - xi. number of youth who are currently enrolled in a New York city department of education approved High School Equivalency program, disaggregated by age as follows: 16-18; over 18;
      - xii. number of youth who are currently enrolled in colleges, disaggregated by age as follows: 18 and younger; 19-20; 21 and over.

3. *Youth Who Left Foster Care Who Were Discharged to APPLA.* The following information regarding youth who left foster care who had a goal of APPLA,

including those who had other concurrent goals, shall be included in the annual report:

- i. number of youth who were on trial discharge status;
  - ii. number of youth who received housing assistance, broken down by the type of assistance as follows:
    - (a) NYCHA public housing;
    - (b) section 8 voucher;
    - (c) supported or supportive housing;
    - (d) adult residential care;
    - (e) ACS housing subsidy;
    - (f) to the extent it is available, any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized; provided, however, that the information required by this subparagraph shall be included in such report only upon required New York state approval of the necessary changes to the Discharge Checklist, beginning with the report for the second calendar year following such approval;
    - iii. number of young people who left foster care to alternative safe and stable housing, including but not limited to an apartment or other place of residence shared with friends or family members, or remained in the home of their foster families; provided, however, that this information shall be included in such report only upon required New York state approval of the necessary changes to the Discharge Checklist, beginning with the report for the second calendar year following such approval;
    - iv. number of youth who completed high school, disaggregated by the type of diploma or credential certification received;
    - v. number of youth who passed the TASC high school equivalency test;
    - vi. number of youth who obtained an ETV;
    - vii. number of youth who are enrolled in college;
    - viii. number of youth who were enrolled in a vocational/trade program at the time of discharge;
    - ix. number of youth who obtained a college diploma, disaggregated by the type of diploma received; provided, however, that this information shall be included in such report only upon required New York state approval of the necessary changes to the Discharge Checklist, beginning with the report for the second calendar year following such approval;
    - x. number of youth who have a verifiable source of income;
    - xi. number of youth who obtained SIJS;
    - xii. number of youth who obtained lawful permanent resident status;
    - xiii. number of young people who were parents at the time of their discharge from foster care;
    - xiv. number of youth who had a permanent connection to a caring adult at the time of their discharge from foster care;
    - xv. number of youth who were discharged as AWOL at the time of their discharge from foster care.
  - c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between 0 and 9 youth in foster care, or allows another category to be narrowed to between 0 and 9 youth in foster care, the number shall be replaced with a symbol.
- §3. This local law shall take effect immediately.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, RUBEN WILLS, DONOVAN J. RICHARDS, COREY D. JOHNSON, CARLOS MENCHACA, RITCHIE J. TORRES; Committee on General Welfare, September 8, 2014. *Other Council Members Attending: 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 Int. No. 137-A

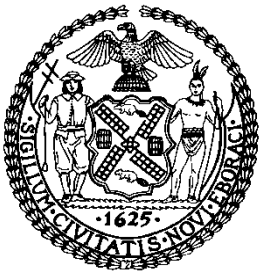
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services to report on their success in obtaining government-issued personal identification for youth in foster care.**

The Committee on General Welfare, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 632), respectfully

#### REPORTS:

(For text of report, please see the Report of the Committee on General Welfare for Int No. 104-A printed in these Minutes:)

*The following is the text of the Fiscal Impact Statement for Int. No. 137-A:*



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

PROPOSED INTRO. NO.: 137-A  
 COMMITTEE:  
 General Welfare

**TITLE:** To amend the administrative code of the city of New York, in relation to requiring the administration for children's services to report on their success in obtaining government-issued personal identification for youth in foster care.

**SUMMARY OF LEGISLATION:** This legislation would require the Administration for Children's Services (ACS) to report to the Council and on its website by January 31 of each year, the following information:

- (1) the number of youth in foster care who are at least seventeen years old and have a form of government-issued personal identification, disaggregated by birth certificate, social security card, state-issued identification, municipal identification, passport or other form of government-issued personal identification, and the number of youth in foster care who obtained such identification with assistance from ACS;
- (2) the number of youth with an Another Planned Permanent Living Arrangement (APPLA) goal who were in possession of a birth certificate, social security card, state-issued identification, municipal identification or passport at the time of discharge from foster care, disaggregated by the type of identification; and
- (3) a description of the actions ACS has taken in the prior calendar year to assist youth in foster care in obtaining the kinds of government-issued personal identification described in the report required by this subdivision.

**EFFECTIVE DATE:** This law would take effect immediately, except that the information relating to municipal identification, passports or other forms of government-issued personal identification shall be included in the report only upon required New York State approval of changes to the relevant discharge checklists.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2015

**FISCAL IMPACT STATEMENT:**

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

**IMPACT ON REVENUES:** This legislation would have no impact on revenues.

**IMPACT ON EXPENDITURES:** The agency will use existing resources to meet the new reporting requirements of Proposed Intro. No. 137-A.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** The Administration for Children's Services

**SOURCE OF INFORMATION:** The Administration for Children's Services

**ESTIMATE PREPARED BY:** Norah Yahya, Senior Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Rebecca Chasan, Assistant Finance Counsel

**LEGISLATIVE HISTORY:** Intro. No. 137 was introduced to the full Council on March 12, 2014 and referred to the Committee on General Welfare. On June 16, 2014, the Committee on General Welfare held a hearing and laid the legislation over. The legislation was subsequently amended. The Committee on General Welfare will consider the amended legislation, Proposed Intro. No. 137-A on September 8, 2014. Upon successful vote by the Committee, the full Council will vote on Proposed Intro. No. 137- on September 10, 2014.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 137-A:)

Int. No. 137-A

By Council Members Dromm, Barron, Chin, Koo, Levine, Palma, Rose, Mendez, Menchaca, Levin, King, Rosenthal, Rodriguez, Lander, Van Bramer, Constantinides, Eugene, Greenfield and Williams.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services to report on their success in obtaining government-issued personal identification for youth in foster care.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-908 to read as follows:

§ 21-908 Government-issued personal identification. a. For the purposes of this section the following terms shall have the following meanings:

1. "Another Planned Permanent Living Arrangement (APPLA)" means a permanency planning goal for young people in foster care who are over the age of fourteen that seeks to assist foster care youth in their transition to self-sufficiency by connecting the youth to an adult permanency resource, equipping the youth with life skills and, upon discharge, connecting the youth with any needed community and/or specialized services.
2. "Discharge Checklist" is a form completed by the ACS contracted foster care agency in consultation with a young person leaving foster care that is intended to guide discussions about the youth's plans after leaving care. The document is intended to develop and document a discharge plan that is youth-driven, is as detailed as the youth elects and enables the young person to address any outstanding topics prior to discharge.

3. "Government-issued personal identification" shall mean a birth certificate, social security card, state-issued driver's license or non-driver identification card, United States permanent resident card, individual taxpayer identification number, municipal identification card, consular identification card, or passport.

4. "Preparing Youth for Adulthood (PYA) Checklist" is a form completed by the ACS contracted foster care agency in consultation with a young person transitioning from foster care that is intended to guide discussions about the youth's plans after leaving care. The document is intended to assess and document a transition plan that is youth-driven and enables the young person to address any outstanding barriers to the successful transition to independence.

b. Beginning no later than January 31, 2015, and no later than every January 31 thereafter, the commissioner shall submit to the speaker of the council and post on ACS' website an annual report for the prior calendar year that includes the following information:

1. the number of youth in foster care who are aged seventeen or older and have a form of government-issued personal identification, disaggregated by birth certificate, social security card, state-issued identification, municipal identification, passport or other form of government-issued personal identification, and the number of youth in foster care who obtained such identification with assistance from ACS; provided, however, that the information relating to municipal identification, passports or other forms of government-issued personal identification required by this paragraph shall be included in such report only upon required New York state approval of changes to the Discharge Checklist and PYA Checklist in a manner that reasonably allows for the collection of such information beginning with the report for the second calendar year following such approval;
2. the number of youth with an APPLA goal who were in possession of a birth certificate, social security card, state-issued identification, municipal identification or passport at the time of discharge from foster care, disaggregated by the type of identification; provided, however, that the information relating to municipal identification and passports required by this paragraph shall be included in such report only upon required New York state approval of changes to the Discharge Checklist and PYA Checklist in a manner that reasonably allows for the collection of such information beginning with the report for the second calendar year following such approval; and
3. a description of the actions ACS has taken in the prior calendar year to assist youth in foster care in obtaining the kinds of government-issued personal identification described in the report required by this subdivision.

§2. This local law shall take effect immediately.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, RUBEN WILLS, DONOVAN J. RICHARDS, COREY D. JOHNSON, CARLOS MENCHACA, RITCHIE J. TORRES; Committee on General Welfare, September 8, 2014. *Other Council Members Attending: 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 Int. No. 187-A

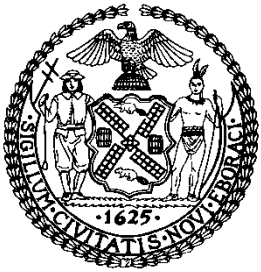
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services to provide an annual report regarding high school graduation rates of youth in foster care.**

The Committee on General Welfare, to which the annexed amended proposed local law was referred on March 26, 2014 (Minutes, page 806), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on General Welfare for Int No. 104-A printed in these Minutes:)**

*The following is the text of the Fiscal Impact Statement for Int. No. 187-A:*



THE COUNCIL OF THE CITY OF NEW YORK  
 FINANCE DIVISION  
 LATONIA MCKINNEY, DIRECTOR  
 FISCAL IMPACT STATEMENT  
 PROPOSED INTRO. NO.: 187-A  
 COMMITTEE:  
 General Welfare

**TITLE:** To amend the administrative code of the city of New York, in relation to requiring the administration for children's services to provide an annual report regarding high school graduation rates of youth in foster care.

**SPONSOR(S):** Cumbo, Barron, Cohen, Constantinides, Cornegy, Deutsch, Dickens, Eugene, Espinal, Ferreras, Gibson, Greenfield, Johnson, King, Lancman, Lander, Levine, Maisel, Mendez, Miller, Reynoso, Rose, Vallone, Weprin, Williams, Wills, Van Bramer, Rosenthal, Menchaca, Levin, Richards, Dromm, Koslowitz, Rodriguez and Arroyo

**SUMMARY OF LEGISLATION:** This legislation would require the Administration for Children's Services (ACS) to report the number of youth in foster care who in the previous academic year were 1) enrolled in high school, 2) graduated from high school, or 3) were on pace to graduate high school. The annual report would be required to be reported to the Council and on ACS' website by January 31 of each year. The report would also include data on age, gender, ethnicity, the type of diploma received, and the number of years it took students to complete high school.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2015

**FISCAL IMPACT STATEMENT:**

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

**IMPACT ON REVENUES:** This legislation would have no impact on revenues.

**IMPACT ON EXPENDITURES:** The agency will use existing resources to meet the new reporting requirements of Proposed Intro. No. 137-A.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** The Administration for Children's Services

**SOURCE OF INFORMATION:** The Administration for Children's Services

**ESTIMATE PREPARED BY:** Norah Yahya, Senior Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Rebecca Chasan, Assistant Finance Counsel

**LEGISLATIVE HISTORY:** Intro. No. 187 was introduced to the full Council on March 26, 2014 and referred to the Committee on General Welfare. On June 16, 2014, the Committee on General Welfare held a hearing and laid the legislation over. The legislation was subsequently amended. The Committee on General Welfare will consider the amended legislation, Proposed Intro. No. 187-A on September 8, 2014.

Upon successful vote by the Committee, the full Council will vote on Proposed Intro. No. 187-A on September 10, 2014.

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

**(The following is the text of Int. No. 187-A:)**

Int. No. 187-A

By Council Members Cumbo, Barron, Cohen, Constantinides, Cornegy, Deutsch, Dickens, Eugene, Espinal, Ferreras, Gibson, Greenfield, Johnson, King, Lancman, Lander, Levine, Maisel, Mendez, Miller, Reynoso, Rose, Vallone, Weprin, Williams, Wills, Van Bramer, Rosenthal, Menchaca, Levin, Richards, Dromm, Koslowitz, Rodriguez and Arroyo.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services to provide an annual report regarding high school graduation rates of youth in foster care.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-907 to read as follows:

§ 21-907 Graduation rates of foster care youth. a. Beginning no later than January 31, 2015, and no later than every January 31 thereafter, the commissioner shall submit to the speaker of the council and post on ACS' website an annual report regarding the number of youth in foster care who were enrolled in and/or graduated from high school in the previous academic year as described by the department of education. Each such report shall disaggregate the data by gender and ethnicity, and include but not be limited to: (i) the total number of youth in foster care disaggregated by age, utilizing the following ranges: under 16 years old; 16-18 years old; and 19-21 years old; (ii) the number of youth in foster care enrolled in high school disaggregated by age, utilizing the following ranges: under 16 years old; 16-19 years old; and 20-21 years old; (iii) the number of youth in foster care who, based on cohort and the number of high school credits they have obtained by August 31 of the year of such report, are on pace to graduate high school, utilizing the following age ranges: 17-19 years old; and 20-21 years old; and (iv) the number of youth in foster care who graduated from high school disaggregated by: (1) the age at which such students graduated; (2) the type of diploma or certification received; and (3) based on cohort, the number of years it took to complete high school.

b. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting students or children in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 0 and 9 students or children in foster care, or allows another category to be narrowed to between 0 and 9 students or children in foster care, the number shall be replaced with a symbol.

§2. This local law shall take effect immediately.

STEPHEN T. LEVIN, Chairperson; ANNABEL PALMA, RUBEN WILLS, DONOVAN J. RICHARDS, COREY D. JOHNSON, CARLOS MENCHACA, RITCHIE J. TORRES; Committee on General Welfare, September 8, 2014. *Other Council Members Attending: Dromm.*

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

**Report of the Committee on Housing and Buildings**

Report for Int. No. 48-A

**Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a rights and responsibilities guide for tenants and owners.**

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on February 26, 2014 (Minutes, page 383), respectfully

**REPORTS:**

### Introduction

On September 10, 2014, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, will hold a hearing to consider Proposed Int. No. 48-A, a Local Law to amend the administrative code of the city of New York, in relation to a rights and responsibilities guide for tenants and owners.

The Committee previously considered this bill at a hearing held on June 18, 2014 and received testimony from the Department of Housing Preservation and Development (HPD), housing advocates, legal service providers, members of the real estate industry, and other interested members of the public.

### Proposed Int. No. 48-A

Currently, detailed descriptions of the rights and responsibilities of residential tenants are provided on the website of the New York State Attorney General's Office.<sup>1</sup> Additionally, it has been reported that tenants in some residential buildings receive a list of their rights and responsibilities attached to their leases.<sup>2</sup> However, not all tenants are aware of these resources or able to access them. Some tenants and tenant advocates fear that as a result, tenants are not aware of their basic rights, which can lead to an environment in which they can be taken advantage of.<sup>3</sup>

Proposed Int. No. 48-A would seek to ensure that tenants throughout the City are made aware of their rights by requiring the Department of Housing Preservation and Development (HPD) to maintain a housing information guide on their website. This bill would also require building owners to post a notice directing tenants to the housing information guide, in a conspicuous location in multiple dwellings. The bill also sets the applicable penalty provisions for landlords who violate certain provisions of the bill.

Section one of Proposed Int. No. 48-A would add a new chapter 11, entitled "Housing Information Guide For Tenants And Owners," to title 26 of the Administrative Code of the City of New York (the Code). New section 26-1101, entitled "Definitions," would set forth applicable definitions.

New section 26-1102 is entitled "Housing information guide for tenants and owners." Subdivision a of new section 26-1102 would require HPD to maintain a housing information guide for tenants and owners in English, Spanish and, in the discretion of the department, other languages. Such guide will also have to be available on the department's website and available in printed form upon request. Subdivision b of new section 26-1102, would require the housing information guide to include, but not be limited to information about (1) owners' responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, tenant organizations, rent-regulated leases, rental assistance for elderly or disabled tenants, and housing discrimination; (2) tenants' responsibilities with respect to responding to required notices, allowing access for inspections and repairs, and not causing violations; (3) the availability of free and low-cost legal services; and (4) other topics deemed relevant by the department.

New section 26-1103 is entitled "Notice of housing information guide for tenants and owners." New subdivision a of section 26-1103 would require every owner of a multiple dwelling to post a notice in English and Spanish regarding the availability of the housing information guide for tenants and owners maintained pursuant to new section 26-1102. Such notice would have to be posted in a conspicuous place within view of the area of the multiple dwelling to which mail is delivered. New subdivision b of section 26-1103 would require that upon request by a tenant occupying a dwelling unit in a multiple dwelling, the owner of such multiple dwelling would make best efforts to provide the notice required by subdivision a in a language other than English or Spanish. New subdivision c of section 26-1103 would require that the notice required by subdivision a of new section 26-1103, at a minimum, indicate that the guide maintained pursuant to new section 26-1102 includes information about (1) owners' responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, tenant organizations, rent-regulated leases, rental assistance for elderly or disabled tenants, and housing discrimination; (2) topics related to tenants' responsibilities; and (3) the availability of free and low-cost legal services. New subdivision d of new section 26-1103 entitled "Contents of posted notice" would require HPD to determine the form of the notice required pursuant to new subdivision a of new section 26-1103.

New section 26-1104, entitled "Violations and penalties," would make any owner who fails to comply with the provisions of subdivision a of new section 26-1103 liable for a civil penalty of two hundred fifty dollars. For purposes of new section 26-1104, each multiple dwelling in which an owner fails to post the notice required pursuant to new subdivision a of section 26-1103 shall be deemed a separate violation.

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

### Changes to Proposed Int. No. 48-A

In addition to various technical edits, Proposed Int. No. 48-A has been amended in the following manner:

- Rather than enumerating general rights, which can vary from tenant to tenant, the required notice now directs tenants to a housing information guide to be maintained on HPD's website.

- Owners are no longer required to include a notice stating the rights of tenants with every lease or lease renewal.

- The notice must now be published in both English and Spanish, and upon request of a tenant, the owner must make best efforts to provide the notice in other languages.

- HPD is no longer required to provide a legal assistance guide, but instead must include information about free and low-cost legal services in the housing information guide.

### Update

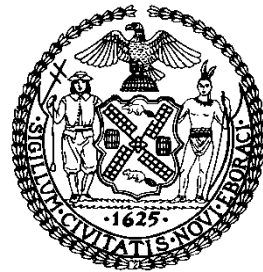
On Wednesday, September 10, 2014, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

<sup>1</sup> See [http://www.ag.ny.gov/sites/default/files/pdfs/publications/Tenants\\_Rights\\_2011.pdf](http://www.ag.ny.gov/sites/default/files/pdfs/publications/Tenants_Rights_2011.pdf) (last visited 9/8/14).

<sup>2</sup> Daniel Beekman, City Councilman Fernando Cabrera, Advocates to Rally Outside Bronx Housing Court for Tenants' Bill of Rights, New York Daily News (Mar. 20, 2012), available online at <http://www.nydailynews.com/new-york/bronx/city-councilman-fernando-cabrera-advocates-rally-bronx-housing-court-tenants-bill-rights-article-1.1046992> (last visited 9/8/14).

<sup>3</sup> See Metropolitan Council on Housing website, [http://metcouncilonhousing.org/get\\_involved/tenants\\_bill\\_of\\_rights](http://metcouncilonhousing.org/get_involved/tenants_bill_of_rights). (last visited 9/8/14)

(The following is the text of the Fiscal Impact Statement for Int. No. 48-A:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 48-A

COMMITTEE:  
Housing and  
Buildings

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to a rights and responsibilities guide for tenants and owners.

**SPONSOR(S):** Council Members Cabrera, Johnson, Koo, Rose, Rosenthal, Reynoso, Richards and Kallos

**SUMMARY OF LEGISLATION:** The proposed legislation would amend the administrative code of the city of New York to require the Department of Housing Preservation and Development (HPD) to maintain an online housing information guide for tenants and owners pertaining to residential tenant's rights and common issues tenants face. Owners of multiple dwellings would be required to post a notice directing tenants to the online guide; failure to do so would result in a civil penalty of two hundred fifty dollars. The guide would provide information about owners' responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, tenant organizations, rent-regulated leases, rental assistance for elderly or disabled tenants, and housing discrimination. In addition, the guide would inform tenants' responsibilities with respect to responding to required notices, allowing access for inspections and repairs, and not causing violations; and the availability of free and low-cost legal services.

**EFFECTIVE DATE:** This legislation would take effect 150 days after its enactment, except that the commissioner of Housing Preservation and Development may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2015

### FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

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



**SOURCE OF INFORMATION:** City Council Finance Division

New York City Department of Housing  
Preservation and Development

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

**ESTIMATED REVIEWED BY:** Rebecca Chasan, Assistant Counsel, City Council Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full council on February 26, 2014 as Proposed Intro. 48 and was referred to the Committees on Housing and Buildings. A hearing was held by the Committee on Housing and Buildings on June 18, 2014 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. 48-A will be heard by the Committee on Housing and Buildings on August 21, 2014. Following a successful Committee vote, the bill would be submitted to the full Council for a vote.

**DATE SUBMITTED TO COUNCIL: AUGUST 21, 2014**

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

**(The following is the text of Int. No. 48-A:)**

Int. No. 48-A

By Council Members Cabrera, Johnson, Koo, Rose, Rosenthal, Reynoso, Richards, Kallos, Constantinides, Arroyo, Eugene, Greenfield and Williams.

**A Local Law to amend the administrative code of the city of New York, in relation to a rights and responsibilities guide for tenants and owners.**

*Be it enacted by the Council as follows:*

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

**CHAPTER 11**

**HOUSING INFORMATION GUIDE FOR TENANTS AND OWNERS**

§26-1101 Definitions.

§26-1102 Housing information guide for tenants and owners.

§26-1103 Notice required.

§26-1104 Violations and penalties.

§26-1101 Definitions. For purposes of this chapter, the following terms are defined as follows:

“Department” means the department of housing preservation and development.

“Dwelling unit” means a dwelling unit as defined in paragraph thirteen of subdivision a of section 27-2004 of the code.

“Multiple dwelling” means a dwelling as defined in paragraph seven of subdivision a of section 27-2004 of the code.

“Owner” means an owner as defined in paragraph forty-five of subdivision a of section 27-2004 of the code.

“Tenant” means any lawful occupant of a dwelling unit in a multiple dwelling.

§26-1102 Housing information guide for tenants and owners. a. The department shall maintain a housing information guide for tenants and owners in English, Spanish and, in the discretion of the department, other languages. Such guide shall be available on the department’s website and shall be available in printed form upon request.

b. The guide maintained pursuant to this section shall include, but not be limited to, information about:

(1) owners’ responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, tenant organizations, rent-regulated leases, rental assistance for elderly or disabled tenants, and housing discrimination;

(2) tenants’ responsibilities with respect to responding to required notices, allowing access for inspections and repairs, and not causing violations;

(3) the availability of free and low-cost legal services; and

(4) other topics deemed relevant by the department.

§26-1103 Notice of housing information guide for tenants and owners. a. Posting required. Every owner of a multiple dwelling shall post a notice in English and Spanish regarding the availability of the housing information guide for tenants and owners maintained pursuant to section 26-1102 of this chapter. Such notice shall be posted in a conspicuous place within view of the area in the multiple dwelling to which mail is delivered.

b. Upon request by a tenant occupying a dwelling unit in a multiple dwelling, the owner of such multiple dwelling shall make best efforts to provide the notice required by subdivision a in a language other than English or Spanish.

c. The notice required by subdivision a of this section shall, at a minimum, indicate that the guide maintained pursuant to section 26-1102 of this chapter includes information about:

(1) owners’ responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, tenant organizations, rent-regulated leases,

rental assistance for elderly or disabled tenants, and housing discrimination;

(2) topics related to tenants’ responsibilities; and

(3) the availability of free and low-cost legal services.

d. Contents of posted notice. The department shall determine the form of the notice required pursuant to subdivision a of this section.

§26-1104 Violations and penalties. Any owner who violates the provisions of subdivision a of section 26-1103 of this chapter shall be liable for a civil penalty of two hundred fifty dollars. For purposes of this section, each multiple dwelling in which an owner fails to post the notice required pursuant to subdivision a of section 26-1103 of this chapter shall be deemed a separate violation.

§2. This local law shall take effect 150 days after its enactment, except that the commissioner of housing preservation and development may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

JUMAANE D. WILLIAMS, *Chairperson*; YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES, ERIC A. ULRICH; Committee on Housing and Buildings, September 10, 2014. *Other Council Members Attending: Cabrera.*

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

**Reports of the Committee on Land Use**

Report for L.U. No. 111

**Report of the Committee on Land Use in favor of approving Application no. 20145718 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of CG Alm LLC, d/b/a/ L&C Oyster Co for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 254 Fifth Avenue, Borough of Manhattan, Community District 5, Council District 4.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 21, 2014 (Minutes, page 3159) and which was subsequently coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 5**

**20145718 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of CG ALM LLC, d/b/a L & C Oyster Co, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 254 5th Avenue.

**INTENT**

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

**PUBLIC HEARING**

**DATE:** September 3, 2014

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 3, 2014

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

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

**Against:** None

**Abstain:** None

**COMMITTEE ACTION**

**DATE:** September 4, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

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

Res. No. 412

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 254 5th Avenue, Borough of Manhattan (20145718 TCM; L.U. No. 111).**

By Council Members Greenfield and Weprin.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on August 8, 2014 its approval dated August 6, 2014 of the petition of CG ALM LLC, d/b/a L & C Oyster Co, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 254 5th Avenue, Community District 5, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on September 3, 2014; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 18, 2014.

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

Report for L.U. No. 112

**Report of the Committee on Land Use in favor of approving Application No. C 140386 HAM by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of Urban Development Action Area and Project for property located at 726/728 11th Avenue and 553/55 West 51st Street (Block 1080, Part of Lot 103), Borough of Manhattan, and pursuant to Section 197-c of the New York City Charter for the approval of disposition of such properties, Community Board 4, Council District 3.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 21, 2014 (Minutes, page 3159) and which was subsequently coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 4**

**C 140386 HAM**

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a. the designation of properties located at 726/728 11<sup>th</sup> Avenue and 553/55 West 51<sup>st</sup> Street (Block 1080, Part of Lot 103) as an Urban Development Action Area; and
  - b. an Urban Development Action Area Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property (Block 1080, Part of Lot 103) to a developer selected by HPD;

to facilitate development of a three- to five-story community facility building and the enlargement of a community garden in Manhattan Community District 4.

**INTENT**

This action would facilitate the development of an approximately 30,000 s.f. community facility consisting of theater, studios, classrooms, administrative space, and would also extend an adjacent community garden.

**PUBLIC HEARING**

**DATE:** September 3, 2014

**Witnesses in Favor:** Six

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 3, 2014

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

**In Favor:** Dickens, Mealy, Rodriguez, Cohen, Treyger

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

**COMMITTEE ACTION**

**DATE:** September 4, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

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

Res. No. 413

**Resolution approving the application submitted by the New York City Department of Housing Preservation and Development ("HPD") and the decision of the City Planning Commission, ULURP No. C 140386 HAM, approving the designation of the properties located at 726/728 11<sup>th</sup> Avenue and 553/55 West 51<sup>st</sup> Street (Block 1080, Part of Lot 103), Borough of Manhattan, as an Urban Development Action Area, approving an Urban Development Action Area Project, and approving the disposition of city-owned properties located at 726/728 11<sup>th</sup> Avenue and 553/55 West 51<sup>st</sup> Street (Block 1080, Part of Lot 103) to a developer selected by HPD (L.U. No. 112; C 140386 HAM).**

By Council Members Greenfield and Dickens.

**WHEREAS**, the City Planning Commission filed with the Council on August 8, 2014 its decision dated August 6, 2014 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

a) the designation of properties located at 726/728 11<sup>th</sup> Avenue and 553/55 West 51<sup>st</sup> Street (Block 1080, Part of Lot 103), as an Urban Development Action Area (the "Project Area");

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

pursuant to Section 197-c of the New York City Charter for the disposition of city-owned properties located at 726/728 11<sup>th</sup> Avenue and 553/55 West 51<sup>st</sup> Street (Block 1080, Part of Lot 103), to a developer selected by the New York City Department of Housing Preservation and Development to facilitate development of a three- to five-story community facility building and the enlargement of a community garden in the Clinton/Hell's Kitchen neighborhood in Manhattan (the "Disposition"), (ULURP No. C 140386 HAM) Community District 4, Borough of Manhattan (the "Application");

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

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

**WHEREAS**, by letter dated September 2, 2014 and submitted September 2, 2014, the New York City Department of Housing Preservation and Development (HPD) submitted its requests respecting the Application;

**WHEREAS**, upon due notice, the Council held a public hearing on the Application and Decision on September 3, 2014;

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

**WHEREAS**, the Council has considered the relevant environmental issues including the negative declaration (CEQR No. 10HPD002M) dated July 17, 2014 (the "Negative Declaration");

**RESOLVED:**

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 140386 HAM) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

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

The Council approves the designation of the Project Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the two (2) Project Summaries submitted by HPD on September 2, 2014.

The Council approves the disposition of city-owned properties located at 726/728 11<sup>th</sup> Avenue and 553/55 West 51<sup>st</sup> Street (Block 1080, Part of Lot 103) to a developer selected by HPD.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, September 18, 2014.

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

**Report of the Committee on Rules, Privileges and Elections**

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

Report for Res. No. 407

**Report of the Committee on Rules, Privileges and Elections in favor of approving a Resolution amending Rule 7.00 of the Rules of the Council in relation to changes in Committee jurisdictions, the creation of a new Committee, Chair and Membership, deletion of a subcommittee and allowances.**

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered resolution was referred on September 10, 2014, respectfully

**REPORTS:**

(For text of the Briefing Paper, please see Topic 2: Preconsidered Resolution in the Report of the Committee on Rules, Privileges and Elections for M-110 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 407:)

Res. No. 407

**Resolution amending Rule 7.00 of the Rules of the Council in relation to changes in Committee jurisdictions, the creation of a new Committee, Chair and Membership, deletion of a subcommittee and allowances.**

By Council Member Lander:

**RESOLVED**, That pursuant to Rules 7.00 and 7.20 of the Rules of the Council and Sections 26(b) and 46 of the New York City Charter, the Council does hereby consent to the following changes in Committee jurisdictions, the creation of a new Committee, Chair and Membership, deletion of a subcommittee and allowances:

STANDING COMMITTEES

COURTS AND LEGAL SERVICES - Courts and Legal Aid.

FIRE AND CRIMINAL JUSTICE SERVICES - Fire/EMS (non-health-related issues), [Legal Aid,] Department of Probation, Department of Correction, and Emergency Management Department (OEM).

PUBLIC SAFETY - Police Department, [Courts,] District Attorneys, Special Narcotics Prosecutor, Civilian Complaint Review Board, and Criminal Justice Coordinator.

SUBCOMMITTEES

[SUBCOMMITTEE ON DRUG ABUSE]

STANDING COMMITTEES

COURTS AND LEGAL SERVICES

Lancman, Chair

Gibson

Kallos

Menchaca

Ignizio

STANDING COMMITTEES

COURTS AND LEGAL SERVICES - Lancman - \$8,000

SUBCOMMITTEES

[SUBCOMMITTEE ON DRUG ABUSE - - \$4,000]

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, September 10, 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 M-110

**Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Anna Hayes Levin as a member of the New York City Planning Commission.**

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on August 21, 2014 (Minutes, page 2982) and which was subsequently coupled with the resolution shown below, respectfully

**REPORTS:**

**Topic 1: New York City Planning Commission – (Candidate nominated by the President of the Borough of Manhattan for reappointment, upon the advice and consent of the Council)**

- ANNA HAYES LEVIN [M - 110]

In a letter dated July 29, 2014, Manhattan Borough President Gale Brewer formally submitted the name of Anna Hayes Levin to the Council of the City of New York, for its advice and consent, regarding her reappointment 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, the Council, the 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)].

Anna Hayes Levin, a resident of Manhattan, is scheduled to appear before the Committee on Rules, Privileges, and Elections on Thursday, September 4, 2014. If reappointed to the CPC she will serve a five-year term, expiring on June 30, 2019.

**Copies of the following documents 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.**

**Topic 2: Preconsidered Resolution – Amendment to Rule 7.00 of the Rules of the Council in relation to changes in Committee jurisdictions, the creation of a new Committee, Chair and Membership, deletion of a subcommittee and allowances.**

Before the Committee for its consideration are proposed changes to Committee jurisdictions; the creation of a new Committee along with designation of its Chair and Membership; deletion of a subcommittee and allowances. See the Resolution for each of the specific changes.

#### **PROJECT STAFF**

Jason A. Otaño, Managing Counsel, Office of the General Counsel  
Charles W. Davis III, Director of Investigations  
Diandra Johnson, Senior Legislative Investigator  
Diana Arreaga, Legislative Clerk

*(After interviewing the candidates and reviewing the submitted material, this Committee decided to approve the appointment of Anna Hayes Levin [M-110]; please see the text of the coupled resolution printed following the report 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 Manhattan Borough President of Anna Hayes Levin 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. 414

#### **RESOLUTION APPROVING THE APPOINTMENT BY THE MANHATTAN BOROUGH PRESIDENT OF ANNA HAYES LEVIN 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 Manhattan Borough President of Anna Hayes Levin 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, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, September 10, 2014.

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

#### **GENERAL ORDER CALENDAR**

##### **Resolution approving various persons Commissioners of Deeds**

**By the Presiding Officer –**

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

*Approved New Applicant’s Report*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Samatha Cox	1372 Franklin Avenue #1F Bronx, N.Y. 10456	16
Adriana Isabell	1418 Prospect Avenue #4B Bronx, N.Y. 10459	16
Gisela Malave	2129 Bruckner Blvd #2F Bronx, N.Y. 10472	18
Shona Dupree	2121 Virgil Place #2 Bronx, N.Y. 10473	18

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 110 & Res 414 -** **Anna Hayes Levin**, as a member of the New York City Planning Commission.
- (2) **M 115 & Res 411 -** Approval of the modification of the Fiscal 2015 Capital Budget and Capital Program proposed by the Mayor.
- (3) **Int 48-A -** Rights and responsibilities guide for tenants and owners.
- (4) **Int 104-A -** Collecting and reporting data related to youth and foster care.
- (5) **Int 137-A -** Requiring the administration for children's services to report on their success in obtaining government-issued personal identification for youth in foster care.
- (6) **Int 187-A -** Requiring the administration for children's services to provide an annual report regarding high school graduation rates of youth in foster care.
- (7) **Res 407 -** Changes in Committee jurisdictions, the creation of a new Committee, Chair and Membership, deletion of a subcommittee and allowances.
- (8) **L.U. 111 & Res 412 -** App. **20145718 TCM**, unenclosed sidewalk café 254 Fifth Avenue, Borough of Manhattan, Community District 5, Council District 4.
- (9) **L.U. 112 & Res 413 -** App. **C 140386 HAM** Manhattan, Community Board 4, Council District 3.
- (10) **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, Cabrera, Chin, Cohen, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Menchaca, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **46**.

**The General Order vote recorded for this Stated Meeting was 46-0-0 as shown above.**

*The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 48-A, 104-A, 137-A, and 187-A.*

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

## RESOLUTIONS

*Presented for voice-vote*

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

Report for voice-vote Res. No. 257-A

**Report of the Committee on General Welfare in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass and the Governor to sign, legislation that would amend the social services law, in relation to prohibiting work experience programs in New York City.**

The Committee on General Welfare, to which the annexed amended resolution was referred on May 29, 2014 (Minutes, page 1927), respectfully

## REPORTS:

### Introduction

On September 8, 2014, the Committee on General Welfare, chaired by Council Member Stephen Levin, will vote on Proposed Res. No. 257-A, a Resolution calling upon the New York State Legislature to pass and the Governor to sign, legislation that would amend the social services law, in relation to prohibiting work experience programs in New York City. This will be the second hearing on this Resolution; the first hearing was held on June 16, 2014. Representatives from Community Voices Heard and the Legal Aid Society testified at that hearing in support of the Resolution. Since the first hearing, the Resolution was amended to remove references to New York State Senate and Assembly bill numbers because the 2014 legislative session in Albany has ended.

### Background

The New York City Human Resources Administration/Department of Social Services (HRA) is the local entity tasked with providing temporary help to individuals and families with social and economic needs to assist them in reaching self-sufficiency.<sup>1</sup> In addition to other various programs and forms of public assistance,<sup>2</sup> HRA provides eligible families with federally funded cash assistance under the Temporary Aid to Needy Families Program (TANF), which is known as Family Assistance.<sup>3</sup> Single individuals without children may receive cash benefits under the New York State Safety Net Program.<sup>4</sup> Additionally, families who have received cash assistance for 60 months may continue to receive benefits under the New York State Safety Net Program.<sup>5</sup> TANF regulations require that each social service district must meet or exceed a 50 percent participation rate of families receiving assistance and participating in specified work activities.<sup>6</sup> New York State also imposes the same requirement for those receiving Safety Net assistance.<sup>7</sup> In order to meet the 50 percent participation rate, HRA administers various employment programs for cash assistance recipients. Unless a recipient falls under one of the exemption categories, which includes age and disability,<sup>8</sup> he or she must participate in a certain number of hours of work activities.<sup>9</sup> Generally, most recipients will be obligated to participate for 30 hours each week in work activities.<sup>10</sup>

New York State law provides for a variety of activities which a local social services district may provide and require recipients to participate in.<sup>11</sup> One category of authorized work activity regularly assigned to cash assistance recipients by HRA is work experience in the public sector or non-profit sector. The Work Experience Program (WEP) is designed to provide a simulated work experience to individuals receiving cash assistance.<sup>12</sup> Through the program, employable cash assistance recipients are assigned to work for his or her benefits at New York City government agencies<sup>13</sup> or private, not-for-profit agencies throughout the five boroughs.<sup>14</sup> As of June 2014, 10,879 people in New York City were enrolled in WEP<sup>15</sup>

The number of hours that a recipient can be required to participate in WEP is calculated by dividing his or her monthly grant plus the value of his or her monthly Supplemental Nutrition Assistance Program (SNAP) benefits allotment, divided by the hourly minimum wage. WEP has been criticized because participants are not considered employees, do not receive a paycheck, are not eligible for the federal Earned Income Tax Credit, do not have the right to collectively bargain, and cannot qualify for unemployment or social security benefits. According to Community Voices Heard (CVH), a member-led organization that fights for welfare reform, WEP workers often perform critical tasks for the City alongside municipal workers for below poverty-level wages.<sup>16</sup> CVH and other advocacy organizations have been calling for the end of WEP and in its place an increased focus on other approved work activities such as education, training, and transitional jobs in order to increase participants' access to meaningful experience that will lead to permanent employment.

### Analysis – Proposed Res. No. 257-A

Proposed Resolution Number 257-A would describe the TANF program which provides public assistance to needy families in order to, 1) assist families in need so that children can be cared for in their own homes; 2) reduce the dependency of parents in need by promoting job preparation, work and marriage; 3) prevent out-of-wedlock pregnancies; and 4) encourage the formation and maintenance of two-parent families.

The Resolution would explain that under the federal TANF guidelines, there is an emphasis on having public assistance recipients work for their benefits and requires each state to meet a 50 percent work activity engagement rate for all families receiving public assistance in order for the state to receive the maximum TANF grant amount. The Resolution would further state that one such work activity is WEP, which is a work program in New York City administered by HRA, designed to place public assistance recipients in work experience assignments in order to receive cash assistance and help meet the state's mandated work engagement requirement. The Resolution would cite the statistic, that as of May 4, 2014 there were 11,450 people enrolled in WEP receiving public assistance in New York City. The Resolution would also detail the concerns with WEP, including that WEP participants are not considered employees, do not receive a paycheck, are not eligible for the federal Earned Income Tax Credit, the right to collectively bargain, unemployment or social security benefits and do not receive education or training and rarely advance from their assigned position. Additionally, the Resolution would note that WEP provides New York City with a source of inexpensive labor because WEP participants are not paid by their employers and instead are subsidized by TANF.

Citing the Center on Budget and Policy Priorities, the Resolution would state that TANF benefit levels are not high enough in any state to raise a family's income above 50 percent of the poverty line and TANF does much less to help families overcome deep poverty than it did prior to welfare reform, which required recipients to work in order to receive public benefits. The Resolution would further note that because WEP does not provide enough financial resources to help a family overcome poverty and also does not provide appropriate training or education so a recipient could become qualified for a higher wage job, its effectiveness is questionable. Therefore, the Resolution would call upon the New York State Legislature to pass and the Governor to sign, legislation that would amend the social services law, in relation to prohibiting work experience programs in New York City.

<sup>1</sup> NYC Human Resources Administration/Department of Social Services, "About HRA/DSS," available at <http://www.nyc.gov/html/hra/html/about/about.shtml> (last visited June 9, 2014).

<sup>2</sup> HRA provides and administers the following programs and assistance: adult protective services; cash assistance; child support enforcement; domestic violence support; energy assistance; fraud prevention; health insurance coverage; HIV/AIDS service administration; home care/long term care; SNAP benefits & food programs; and the WeCare program.

<sup>3</sup> NYC Human Resources Administration/Department of Social Services, "Cash Assistance," available at <http://www.nyc.gov/html/hra/html/services/cash.shtml> (last visited June 9, 2014).

<sup>4</sup> *Id.*

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

<sup>6</sup> See N.Y. Soc. Serv. L. § 335-b(1)(a).

<sup>7</sup> *Id.*

<sup>8</sup> As per federal regulations, an applicant or recipient of public assistance is not required to participate in work activities if such individual is determined to be exempt because he or she is: (a) a person who is ill, incapacitated or sixty years of age or older or deemed to be disabled pursuant to section three hundred thirty-two-b of this title; (b) a child who is under sixteen years of age or under the age of nineteen and attending fulltime a secondary, vocational or technical school; (c) a person whose full-time presence in the home is required because of the illness or incapacity of another member of the household; (d) a parent or other relative of a child who is personally providing care for such child under one year of age for a maximum period of twelve months, only three months of which shall be attributable to any one child, except as otherwise extended up to the twelve month period by the social services official; or (e) a woman who is pregnant, beginning thirty days prior to the medically verified date of delivery of her child. N.Y. Soc. Serv. L. § 332(1).

<sup>9</sup> See N.Y. Soc. Serv. L. § 335-b(e).

<sup>10</sup> *Id.*

<sup>11</sup> NY State authorized work activities include: (a) unsubsidized employment; (b) subsidized private sector employment; (c) subsidized public sector employment; (d) work experience in the public sector or non-profit sector; (e) on-the-job training; (f) job search and job readiness assistance; (g) community service programs; (h) vocational educational training as time limited by federal law; (i) job skills training directly related to employment; (j) education directly related to employment, in the case of a recipient who has not yet received a high school diploma or a certificate of high school equivalency; (k) satisfactory attendance at secondary school or a course of study leading to a certificate of general equivalency in the case of a recipient who has not completed secondary school or received such certificate; (l) provision of child care services to an individual who is participating in community service; (m) job search and job readiness assistance once the individual has exceeded the six week limit set in federal law; and (n) educational activities. N.Y. Soc. Serv. L. § 336.

<sup>12</sup> NYC Human Resources Administration/Department of Social Services, "Employment Services," available at [http://www.nyc.gov/html/hra/html/services/employment\\_services.shtml](http://www.nyc.gov/html/hra/html/services/employment_services.shtml) (last visited June 9, 2014).

<sup>13</sup> WEP workers are assigned to various city agencies including: Police Department; Fire Department; Department of Sanitation; Department of Parks & Recreation; Department of Health & Mental Hygiene; Human Resources Administration; Administration for Children's Services; Department for the Aging; Department of Education; Department of Transportation; Department of Housing Preservation & Development; Department of Citywide Administrative Services; City University of New York; and Board of Elections.

<sup>14</sup> *Id.*

<sup>15</sup> Human Resources Administration, CA – June 1, 2014 – Weekly Report available at [http://www.nyc.gov/html/hra/downloads/pdf/facts/cash/ca\\_caseload.pdf](http://www.nyc.gov/html/hra/downloads/pdf/facts/cash/ca_caseload.pdf); FA/TANF – June 1, 2014 – Weekly Report available at [http://www.nyc.gov/html/hra/downloads/pdf/facts/cash/fa\\_caseload.pdf](http://www.nyc.gov/html/hra/downloads/pdf/facts/cash/fa_caseload.pdf).

<sup>16</sup> Community Voices Heard, COUNT OUR WORK REPORT. The Work Experience Program (WEP): New York City's Public Sector Sweatshop Economy, available at <http://cvh.mayfirst.org/files/WEP%20Report%20Exec.%20Summary.doc>.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 257-A:)

Res. No. 257-A

**Resolution calling upon the New York State Legislature to pass and the Governor to sign, legislation that would amend the social services law, in relation to prohibiting work experience programs in New York City.**

By Council Members Mealy, Dickens, King, Rose, Chin, Johnson, Levine, Kallos, Palma, Levin, Torres, Rosenthal, Menchaca, Constantinides, Arroyo and Richards.

**Whereas**, The Temporary Assistance for Needy Families ("TANF") program provides public assistance including, but not limited to, cash assistance and work opportunities to families in need by granting states federal funds through the TANF block grant; and

**Whereas**, States that receive the TANF block grant funds are given the flexibility to design and implement their own programs to accomplish the goals of TANF; and

**Whereas**, The goals of the TANF program are to: 1) assist families in need so that children can be cared for in their own homes; 2) reduce the dependency of parents in need by promoting job preparation, work and marriage; 3) prevent out-of-wedlock pregnancies; and 4) encourage the formation and maintenance of two-parent families; and

**Whereas**, TANF places an emphasis on working for one's benefits and requires each state to meet a 50 percent work activity engagement rate for all families receiving public assistance in order for the state to receive the maximum TANF grant amount, the remaining 50 percent of a state's caseload is work-exempt and does not need to be engaged in a work activity; and

**Whereas**, The Work Experience Program ("WEP"), is a work program in New York City administered by the Human Resources Administration ("HRA"), designed to place public assistance recipients in work experience assignments in order to receive cash assistance and help meet the state's mandated work engagement requirement; and

**Whereas**, As of May 4, 2014 there were 11,450 people enrolled in WEP receiving public assistance in New York City; and

**Whereas**, WEP participants are not considered employees, do not receive a paycheck, are not eligible for the Earned Income Tax Credit, collective bargaining, unemployment or social security benefits; and

**Whereas**, Additionally, WEP participants do not receive education or training and rarely advance from their assigned position; and

**Whereas**, WEP provides New York City with a source of inexpensive labor because WEP participants are not paid by their employers and instead are subsidized by TANF; and

**Whereas**, According to the Center on Budget and Policy Priorities, TANF benefit levels are not high enough in any state to raise a family's income above 50 percent of the poverty line and TANF does much less to help families overcome deep poverty than it did prior to welfare reform, which required recipients to work in order to receive public benefits; and

**Whereas**, Therefore, because WEP does not provide enough financial resources to help a family overcome poverty and also does not provide appropriate training or education so a recipient could become qualified for a higher wage job, its effectiveness is questionable; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign, legislation that would amend the social services law, in relation to prohibiting work experience programs in New York City.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, RUBEN WILLS, DONOVAN J. RICHARDS, COREY D. JOHNSON, CARLOS MENCHACA, RITCHIE J. TORRES; Committee on General Welfare, September 8, 2014. *Other Council Members Attending: Dromm.*

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 4 Council Members formally voted against this item: Council Members Matteo, Ulrich, Vacca, and Ignizio.

The following Council Member formally abstained to vote on this item: Council Member Cohen.

Adopted by the Council by voice-vote.

Report for voice-vote Res. No. 354

**Report of the Committee on Women's Issues in favor of approving a 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.**

The Committee on Women's Issues, to which the annexed resolution was referred on July 24, 2014 (Minutes, page 3946), respectfully

## REPORTS:

### Introduction

On September 8, 2014, the Committee on Women's Issues, chaired by Council Member Cumbo will hold a hearing on Res. No. 354, a 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. According to the mission statement of the National Women's History Museum, a National Women's History Museum would educate, inspire, empower, and shape the future by integrating women's distinctive history into the culture and history of the United States.

### Res. No. 354

Res. No. 354 would note that 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. Res. No. 354 would state that women deserve equal recognition for their immense contributions to our nation.

The Resolution would point out that 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.

Res. No. 354 would point out that the federal 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.

The Resolution would indicate that 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.

Res. No. 354 would provide provisions of the federal 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.

The Resolution would also indicate that the Congressional Budget Office (CBO) has reported that the Commission and the Museum would have no significant impact on federal spending. Furthermore, the Resolution would point out that H.R. 863 was passed by the House of Representatives in May 2014 with bipartisan support and was sent to the Senate for consideration.

The Resolution would also state that 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. Finally, the Resolution would assert 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.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 354:)**

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, Rodriguez, Cohen, Eugene and Greenfield.

**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.

Laurie A. Cumbo, *Chairperson*; Elizabeth S. Crowley, Karen Koslowitz, Ben Kallos; Committee on Women's Issues, September 10, 2014.

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing no objections, the Public Advocate (Ms. James) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 356

**Report of the Committee on Environmental Protection in favor of approving a 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."**

The Committee on Environmental Protection, to which the annexed resolution was referred on July 24, 2014 (Minutes, page 2953), respectfully

#### REPORTS:

##### Introduction

On September 10, 2014 the Committee on Environmental Protection, chaired by Council Member Donovan Richards, will hold a hearing to vote on Res. No. 356 recognizing the dangers of climate change to human health and the environment and endorsing the People's Climate March. On September 4, 2014 the Committee on Environmental Protection held an oversight hearing on the United Nations' Climate Summit and on Res. 356, endorsing the People's Climate March.

##### Background

Carbon dioxide (CO<sub>2</sub>) in the atmosphere currently measures at 396.50 ppm, and it has increased by an average of 2.75 ppm/year over the last ten years.<sup>1</sup> According to the National Oceanic and Atmospheric Administration's Annual Greenhouse Gas Index, the direct climate impact, known as "radiative forcing," of long-lived greenhouse gases is up thirty-four percent from the base year of 1990.<sup>2</sup> The primary cause of CO<sub>2</sub> emission is the burning of fossil fuels, including gas, oil and coal, to meet basic human needs for cooking, heating, cooling, lighting and communication.

According to the Energy Information Center, the United States is the second largest emitter of greenhouse gases in the world on an annual basis with China having the largest annual emissions.<sup>3</sup> However on a cumulative basis, the United States remains the most responsible for putting the greatest amount of heat-trapping gases into the atmosphere.<sup>4</sup> John Boden, Director of the Energy Department's Carbon Dioxide Information Analysis Center at Oak Ridge National Lab, has stated that the latest figures put global CO<sub>2</sub> emissions higher than the worst case scenario described by the Intergovernmental Panel on Climate Change in 2007.<sup>5</sup> The IPCC 2007 projections were for a global temperature rise of 4 to 11 degrees by the end of the century, with the best estimate at 7.5 degrees.<sup>6</sup> Some climatologists now believe that temperature could rise 3-5 degrees Celsius by 2050.<sup>7</sup> Others predict even more dire increases including a possible increase of 7 degrees Celsius by 2030.<sup>8</sup>

UN Secretary-General Ban Ki-moon has invited world leaders, from government, finance, business, and civil society to Climate Summit 2014 this September 23<sup>rd</sup> to motivate, galvanize and catalyze climate action. The UN Secretary has asked these leaders to bring bold announcements and actions to the Summit that will reduce emissions, strengthen climate resilience, and mobilize political will for a meaningful legal agreement in 2015. Climate Summit 2014 provides a unique opportunity for leaders to champion an ambitious vision, anchored in action that will enable a meaningful global agreement in 2015. The goal of the Climate Summit is for heads of state and government to provide vision for placing the world on a less than 2 degrees Celsius increase pathway and to signal clear support for an ambitious global agreement in 2015.

##### Anticipated Impacts of Climate Change

The impacts of climate change, anticipated by many experts such as the National Academy of Sciences,<sup>9</sup> NYSERDA,<sup>10</sup> the Environmental Protection Agency,<sup>11</sup> the Intergovernmental Panel on Climate Change, and the New York City Mayor's Office of Long Term Planning and Sustainability, include sea level rise, changes to coastlines and coastal wetlands, human health impacts,<sup>12</sup> loss of biodiversity, environmental justice impacts, and severe weather, including droughts and hurricanes,<sup>13</sup> that would damage infrastructure and ecosystems.<sup>14</sup>

According to the most recent report from the Intergovernmental Panel on Climate Change, if emissions are allowed to continue at a runaway pace, death or injury on a wide scale is possible as well as damage to public health, displacement of people and possible mass migrations.<sup>15</sup> Moreover, climate change impacts can be expected to slow economic growth, make poverty reduction more difficult, and erode food security.<sup>16</sup> Despite decades of attempts to limit international emissions of greenhouse gases, there have been limited and anemic results. The costs of delaying action could be significant. If the global temperature stabilized at an increase of 3 degrees Celsius over preindustrial temperatures, compared to an increase of 2 degrees Celsius, global economic output would be reduced by 0.9%, costing the United States 150 billion dollars per year.<sup>17</sup> An additional one degree increase would reduce global economic output by an additional 1.2%.<sup>18</sup> Additional delay also raises the possibility of abrupt, large scale catastrophic impacts such as the melting of the Antarctic and other ice sheets<sup>19</sup> Should the Greenland ice sheet melt, sea level would rise 23 feet.

According to the most recent IPCC report, things indeed look dire. A large portion of anthropogenic climate change resulting from CO<sub>2</sub> emissions is irreversible on a multi-century to millennial time scale.<sup>20</sup> Surface temperatures will remain constant at elevated levels, and ocean warming will continue, for many centuries.<sup>21</sup> Depending on the scenario, 15 to 40 percent of emitted CO<sub>2</sub> will remain in the atmosphere for more than 1,000 years.<sup>22</sup>

When the Environmental Protection Agency ranked environmental threats to Americans in its 1987 groundbreaking study, *Unfinished Business: A Comparative Assessment of Environmental Problems*, national polling data assigned a low ranking to public concern about global warming<sup>23</sup> while EPA found that global warming represented a relatively high risk to Americans.<sup>24</sup> By contrast a study by Yale University conducted in April of 2014 found that a majority of Americans now think that global warming is happening<sup>25</sup> and over half of Americans are very worried about global warming.

Prior efforts including international treaties meant to limit emissions have not been as successful as intended because large industrial countries, like the United States, either refused to ratify it or later withdrew, and because exemptions allowed developing countries to delay taking strong action to curb emissions.<sup>26</sup> However, it was reported in the August 27<sup>th</sup> 2014 issue of the New York Times that “the Obama administration is working to forge a sweeping international climate change agreement to compel nations to cut their planet-warming fossil fuel emissions, but without ratification from Congress.”<sup>27</sup>

According to the United Nations, only an intensive push over the next 15 years will be able to bring emissions under control.<sup>28</sup> The United Nations report warns that if greater efforts to cut emissions are not implemented soon, future generations seeking to limit or reverse climate change will have to depend on technologies that permanently remove greenhouse gases from the air; they will be seeking to undo the damage caused by people of today.<sup>29</sup> However these technologies do not currently exist on any appreciable scale and there is no guarantee that they will be available in the future or that they will be affordable.<sup>30</sup>

Scientists are concerned that exceeding an increase of 2 degrees Celsius could cause a rapid rise in sea levels, food shortages, die-offs of forests and mass extinctions of plant and animal species.<sup>31</sup> These outcomes should be avoided at all costs.

**Local Human Health Impacts of Climate Change and Increases in Temperature**

The New York City Department of Health and Mental Hygiene (“DOHMH”) projects that, due to climate change, the number of days per year with temperatures in excess of 90 degrees in New York City could increase from the 8-9 days currently experienced, to 40-89 days.<sup>32</sup> According to DOHMH, the elderly are disproportionately susceptible to heat-related mortality factors.<sup>33</sup> Heat-related mortality will also disproportionately affect other populations with illnesses such as heart disease, diabetes, respiratory diseases and psychiatric cognitive disorders. In New York City, people of color are disproportionately represented in the high risk groups that are, therefore, more susceptible to heat related mortality factors noted above.<sup>34</sup>

High heat days will also increase ozone-related health impacts, according to the Mailman School of Public Health at Columbia University.<sup>35</sup> Scientists at the Mailman School analyzed climate change and ozone-related health impacts and found that there was a median 4.5% increase in ozone-related acute mortality across the 31 county New York Metropolitan Region.<sup>36</sup> When the additional effects of ozone precursor emissions increases were factored in with climate change, a 4.4% median increase in the number of ozone related deaths across the New York Metropolitan region is projected by the 2050s.<sup>37</sup>

North America (continued)				
Key risk	Adaptation issues & prospects	Climatic drivers	Timeframe	Risk & potential for adaptation
Heat-related human mortality (high confidence) [26.6, 26.8]	<ul style="list-style-type: none"> <li>Residential air conditioning (A/C) can effectively reduce risk. However, availability and usage of A/C is highly variable and is subject to complete loss during power failures. Vulnerable populations include athletes and outdoor workers for whom A/C is not available.</li> <li>Community- and household-scale adaptations have the potential to reduce exposure to heat extremes via family support, early heat warning systems, cooling centers, greening, and high-albedo surfaces.</li> </ul>		Present	Very low to Very high
			Near-term (2030-2040)	Medium
			Long-term (2080-2100) 2°C to 4°C	Very high
Urban floods in riverine and coastal areas, including property and infrastructure damage; supply chain, ecosystem, and social system disruption; public health impacts; and water quality impairment due to sea-level rise, extreme precipitation, and cyclones (high confidence) [26.2-4, 26.8]	<ul style="list-style-type: none"> <li>Implementing management of urban drainage is expensive and disruptive to urban areas.</li> <li>Low-regret strategies with co-benefits include less impervious surfaces leading to more groundwater recharge, green infrastructure, and rooftop gardens.</li> <li>Sea-level rise increases water elevations in coastal outfalls, which impedes drainage. In many cases, older rainfall design standards are being used that need to be updated to reflect current climate conditions.</li> <li>Conservation of wetlands, including mangroves, and land-use planning strategies can reduce the intensity of flood events.</li> </ul>		Present	Very low to Very high
			Near-term (2030-2040)	Medium
			Long-term (2080-2100) 2°C to 4°C	Very high

**From the IPCC 5<sup>th</sup> Assessment Summary for Policymakers (patent pending).**

**The People’s Climate March**

The People’s Climate March, which will take place on September 21, 2014, will be a mass climate mobilization of a coalition of diverse organizations just before the United Nations Climate Summit and is intended to urge our world leaders to take serious and immediate steps towards addressing the climate crisis. On September 23, 2014 the United Nations Secretary-General Ban Ki-moon is organizing Heads of State and Government, along with corporate and civil society leaders, to discuss climate change with a view towards commencing the year-long negotiations that are expected to end in a climate agreement among the world’s nations in 2015.

The People Climate March is expected to be the largest march in support of the global environment in history and will unite advocates from all over the world in show of strength that clearly calls for protecting the earth, all its inhabitants and subsequent generations.

**Conclusion**

A serious response to future climate change impacts is vitally important, as climate change has the potential to impact the City and its citizens in significant adverse ways. It is hoped that unification of the efforts of the people with governments, by means of the People’s Climate March, and the demonstration that there is overwhelming support for political leaders to reach agreement on this life-threatening planet altering crisis may finally spur our government and other governments to take the climate crisis seriously and enter into an effective long term binding agreement to significantly reduce greenhouse gas emissions that are causing climate change.

**Update:** The Committee voted 4-0 in favor of Resolution 356 on September 10, 2014.

<sup>1</sup> <http://climate.nasa.gov/400ppmquotes>.  
<sup>2</sup> <http://www.esrl.noaa.gov/gmd/aggi/aggi.html>.  
<sup>3</sup> China Overtakes U.S. in greenhouse gas emission, New York Times, Business, June 20, 2007.  
<sup>4</sup> Bill Blakemore, Who’s “most to Blame” for Global Warming, <http://abcnews.go.com/blogs/technology/2012/07/whos-most-to-blame-for-global-warming/>  
<sup>5</sup> Monster greenhouse gas levels seen, [www.cbsnews.com/news/monster-greenhouse-gas-levels-seen](http://www.cbsnews.com/news/monster-greenhouse-gas-levels-seen), November 3, 2011.  
<sup>6</sup> Id.  
<sup>7</sup> Bob Yirka, New Simulation predicts higher average Earth Temperatures by 2050 than other models, PhysOrg.com, March 26, 2012, <http://phys.org/news/2012-03-simulation-higher-average-earth-temperatures.html>.  
<sup>8</sup> Artic News, Will the Anthropocene last for only 100 years?, [news.blogspot.com/2014/05/will-the-anthropocene-last-for-only-100-years.html](http://news.blogspot.com/2014/05/will-the-anthropocene-last-for-only-100-years.html).  
<sup>9</sup> Climate Change Adaptation In New York City: Building a Risk Management Response, Ann., N.Y. Acad. Sci., 2010, National Academy of Sciences,  
<sup>10</sup> Responding to Climate Change in New York State, NYSERDA, Synthesis Report, 2011.  
<sup>11</sup> Coastal Sensitivity to Sea level Rise; A Focus on the Mid-Atlantic Region, U.S. Climate Change Science Program Strategic Plan, Environmental protection Agency, January 2009.  
<sup>12</sup> Id.  
<sup>13</sup> IPCC SREX Summary for Policymaker, 2007.  
<sup>14</sup> NYSERDA report at pg. 24 and 44.  
<sup>15</sup> Justin Gillis, Panel’s Warning on Climate Risk: Worst is Yet to Come, New York Times, March 31, 2014, [www.nytimes.com/2014/04/01/science/earth/climate.html?\\_r=0](http://www.nytimes.com/2014/04/01/science/earth/climate.html?_r=0).  
<sup>16</sup> Id.  
<sup>17</sup> Jason Furman, The Cost of Delaying action to stem climate change, [www.whitehouse.gov/blog/2014/07/new-report-cost-delaying-action-stem-climate-change](http://www.whitehouse.gov/blog/2014/07/new-report-cost-delaying-action-stem-climate-change).  
<sup>18</sup> Id.  
<sup>19</sup> Id.  
<sup>20</sup> United Nations Environment Program, Intergovernmental Panel on Climate Change, Climate Change 2013, Summary for Policymakers. at p. 26.  
<sup>21</sup> Id.  
<sup>22</sup> Id.  
<sup>23</sup> Environmental Protection Agency; Unfinished Business: A Comparative Assessment of Environmental Problems, Overview Report, February 1987 at pg. xv.  
<sup>24</sup> Id.  
<sup>25</sup> Leiserowitz, A., Maibach, R., Roser-Renouf, C., Feinberg, G., & Rosenthal, (2014) Climate change in the American mind: April, 2014, Yale University and George Mason University, New Haven, CT: Yale Project on Climate Change Communication, at pp. 3 and 10.  
<sup>26</sup> Justin Gillis, U.N. Lag in Confronting Climate Woes Will Be Costly, New York Times, January 16, 2014, [www.nytimes.com/2014/01/17/science/earth/un-says-lag-in-confronting-climate-woes-will-be-costly.html](http://www.nytimes.com/2014/01/17/science/earth/un-says-lag-in-confronting-climate-woes-will-be-costly.html).  
<sup>27</sup> Coral Davenport, Obama Pursuing Climate Accord in Lieu of Treaty, New York Times, August 26, 2014, [www.nytimes.com/2014/08/27/us/politics/obama-pursuing-climate-accord-in-lieu-of-treaty.html?\\_r=0](http://www.nytimes.com/2014/08/27/us/politics/obama-pursuing-climate-accord-in-lieu-of-treaty.html?_r=0).  
<sup>28</sup> Justin Gillis, Climate Efforts Falling Short, U.N. Panel Says, April 13, 2014, [www.nytimes.com/2014/04/14/science/earth/un-climate-panels-warns-speedier-action-is-needed-to-avert-disaster.html](http://www.nytimes.com/2014/04/14/science/earth/un-climate-panels-warns-speedier-action-is-needed-to-avert-disaster.html).  
<sup>29</sup> Id.  
<sup>30</sup> Id.  
<sup>31</sup> Id.  
<sup>32</sup> Jason Furman, The Cost of Delaying action to stem climate change, [www.whitehouse.gov/blog/2014/07/new-report-cost-delaying-action-stem-climate-change](http://www.whitehouse.gov/blog/2014/07/new-report-cost-delaying-action-stem-climate-change).  
<sup>33</sup> Id.  
<sup>34</sup> Department of Health and Mental Hygiene presentation to the American Public Health Association Webinar Series: Climate Change Adaptation: Addressing Heat Related Mortality among Seniors in New York City, March 2011 (identifying respiratory diseases and diabetes as some of the medical conditions that make the elderly more susceptible to heat related mortality) see also The Interagency Working Group on Climate Change, A Human Health perspective on Climate Change, A Report Outlining the Research Needs on the human Health Effects of Climate Change, April 2010 (identifying cancer, cardiovascular disease and stroke, mental health and stress related disorder, neurological diseases and disorders and weather related morbidity and mortality as an additional areas where public health would likely be impacted by climate change).  
<sup>35</sup> National Institute of Environmental Health Sciences, A Human Health Perspective on Climate Change, A Report Outlining the Research needs on the Human Health Effects of Climate Change, April 22, 2010.  
<sup>36</sup> Kim Knowlton, Joyce Rosenthal, Christian Hogrefe, Barry Lynn, Stuart Gaffin, Richard Goldberg, Cynthia Rosenzweig, Kevin Civerolo, Jia-Yeong Ku, and Patrick L. Kinney, Assessing Ozone related Health Impacts under a Changing Climate, Environ. Health Perspect. 2004, November: 112 (15) 1557-1563.  
<sup>37</sup> Id.  
<sup>38</sup> Id.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 356:)**

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, Lancman, Cohen and Garodnick.

**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."

DONOVAN J. RICHARDS, *Chairperson*; STEPHEN T. LEVIN, RORY I. LANCMAN, ERIC A. ULRICH; Committee on Environmental Protection, September 10, 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 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**

Res. No. 405

**Resolution calling upon Congress to pass and the President to sign H.R. 1217 and S. 568 to establish the Smithsonian American Latino Museum and designate the Arts and Industries Building as its future location in Washington, D.C.**

By The Speaker (Council Member Mark-Viverito) and Council Members Cohen, Chin, Cumbo, Dickens, Eugene, Koo, Palma and Koslowitz.

**Whereas**, According to the 2012 Census Bureau American Community Survey, there are approximately 53 million people of Latino descent living in the United States, of which over 2.3 million reside in New York City; and

**Whereas**, In fact, the Latino population is the largest ethnic minority group in the country, according to the most recent Census data; and

**Whereas**, In March 2013, Congressman Xavier Becerra and Senator Robert Menendez introduced H.R. 1217 and S.568, respectively; and

**Whereas**, H.R. 1217 and S.568 would establish within the Smithsonian Institution the Smithsonian American Latino Museum ("the Museum"); and

**Whereas**, This legislation would designate the Arts and Industries Building on the National Mall in Washington, D.C., as the future location for the Museum and would begin a planning period to identify viable fundraising and construction models for the construction and operation of the Museum; and

**Whereas**, The passage of this legislation would guarantee a commitment to the arts, to the principles of diversity and to building a more inclusive community, and would show recognition and appreciation for the vital role that Latinos play in

American life, art, culture, industry, neighborhoods and communities across the nation; and

**Whereas**, It is of great importance to support the establishment of the Museum, among the other landmark Smithsonian institutions, to highlight the history of the Latino community and to honor Latinos for their significant contributions to our culture and society; now therefore, be it

**Resolved**, That the Council of the City of New York calls upon Congress to pass and the President to sign H.R. 1217 and S. 568 to establish the Smithsonian American Latino Museum and designate the Arts and Industries Building as its future location in Washington, D.C.

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

Res. No. 406

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation expanding the senior citizen rent increase exemption (SCRIE) program to include dwelling units subject to an agreement that bases rent increases on New York City Rent Guidelines Board orders.**

By Council Members Chin, Arroyo, Cumbo, Dickens, Eugene, Gentile, Gibson, Johnson, King, Koo, Levine, Palma, Reynoso and Koslowitz.

**Whereas**, In 1970, New York City instituted the senior citizen rent increase exemption (SCRIE) program to shield low-income seniors from rising housing costs by offering landlords a property tax abatement in exchange for freezing the rent of eligible senior tenants; and

**Whereas**, Tenants are eligible for the SCRIE program if they are at least 62 years old, have a total household income that does not exceed \$50,000 as of July 1, 2014, reside in a rent controlled or rent stabilized apartment, rent regulated hotel, or an apartment owned by a Mitchell-Lama development, and spend more than one-third of monthly income on rent; and

**Whereas**, The number of units protected by rent stabilization laws and enrolled in the Mitchell-Lama program in New York City are decreasing each year, making it more difficult for seniors to maintain their SCRIE benefits or to enroll in the program; and

**Whereas**, Some building owners have entered into agreements guaranteeing certain tenants that their rents will continue to be based upon orders of the New York City Rent Guidelines Board, which establish the maximum permissible rent increase for renewal leases for rent stabilized units, for a specified period of time; and

**Whereas**, While such agreements allow tenants to avoid a sudden shift to paying market-rate rents, once a unit is deregulated, it is no longer eligible for SCRIE; and

**Whereas**, Building owners and landlords may also voluntarily agree to follow New York City Rent Guideline Board orders when determining annual increases, however, tenants in such units are also currently ineligible for SCRIE; and

**Whereas**, Eligibility requirements for SCRIE are set forth in State law and thus can only be amended with the approval of the State Legislature and the Governor; and

**Whereas**, Expanding the types of units that are eligible for the SCRIE program would help a greater number of seniors in New York City maintain affordable housing and remain in their homes and communities;

**Whereas**, Such an expansion of the SCRIE program would also allow landlords to give tenants the opportunity to become eligible for or to remain in the SCRIE program by entering into agreements basing future rent increases on New York City Rent Guidelines Board orders now, therefore, be it

**Resolved**, That the Council of the City calls upon the New York State Legislature to pass, and the Governor to sign, legislation expanding the senior citizen rent increase exemption (SCRIE) program to include dwelling units subject to an agreement that bases rent increases on New York City Rent Guidelines Board orders.

Referred to the Committee on Aging.

Int. No. 465

By Council Member Constantinides.

**A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to maximum Portland cement content in concrete.**

*Be it enacted by the Council as follows:*

Section 1. Section 19-101 of the administrative code of the city of New York is amended to add a subdivision i to read as follows:

i. "Portland cement" shall mean a hydraulic cement produced by pulverizing clinker consisting essentially of hydraulic calcium silicates, usually containing one or more of the forms of calcium sulfate as an inter-ground addition.

§ 2. Section 19-113 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. Department specifications for streets shall limit the amount of Portland cement in concrete mixes requiring a compressive strength of fourteen thousand

pounds per square inch or less as follows:

1. Such mixes when used in roadways that are required to be opened to vehicular traffic within forty-eight hours, or in post-tensioned concrete or structural underpinning, shall contain no more than six hundred and fifty pounds of Portland cement per cubic yard of concrete.

2. Such mixes when used in roadways that are not required to be opened to vehicular traffic within forty-eight hours, or when used in sidewalks and curbs shall contain no more than four hundred pounds of Portland cement per cubic yard of concrete.

3. This subdivision shall not apply to concrete mixes used in a project where the content of concrete mixes is governed by a federal or state law, rule, regulation, guideline or specification that requires a greater amount of Portland cement per cubic yard of concrete than this subdivision permits.

4. This subdivision shall not apply to bridges, tunnels and overpasses or structures appurtenant thereto under the jurisdiction of the department.

5. This subdivision shall not apply to pre-cast concrete or cast stone where such items are required to be placed into service within forty-eight hours of being cast.

§ 3. Section 28-101.4.3 of the administrative code of the city of New York is amended by adding a new item 14 to read as follows:

14. The materials, quality control, design and construction of concrete used in structures shall be governed by chapter 19 of the New York city building code.

§ 4. Section 1902.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding, in alphabetical order, a definition of "HARDSCAPE" to read as follows:

**HARDSCAPE.** All deliberately positioned inorganic outdoor surfaces adjacent to a building including but not limited to paved areas, sidewalks, driveways, parking areas, plazas and patios.

§ 5. Section 1905.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

1905.2 Selection of concrete proportions. Concrete proportions shall be determined in accordance with the provisions of Sections 1905.2.1 through [1905.2.4] 1905.2.5.

§ 6. Chapter 19 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new section 1905.2.5 to read as follows:

1905.2.5 Maximum Portland cement content. Concrete mixes requiring a compressive strength of 14,000 psi or less shall contain no more than 500 pounds of Portland cement per cubic yard of concrete.

Exceptions:

1. Such concrete mixes used in hardscape that is required to be opened to vehicular traffic within 48 hours including but not limited to parking areas, driveways and plazas and concrete mixes used in post-tensioned concrete and structural underpinning shall contain no more than 650 pounds of Portland cement per cubic yard of concrete.

2. Such concrete mixes used in hardscape including but not limited to sidewalks, walkways, parking areas, patios and plazas that is not required to be opened to vehicular traffic within 48 hours shall contain no more than 400 pounds of Portland cement per cubic yard of concrete.

3. This section shall not apply to concrete mixes used in a project where the content of concrete mixes is governed by a federal or state law, rule, regulation, guideline or specification that requires a greater amount of Portland cement per cubic yard of concrete than this section permits.

4. This section shall not apply to pre-cast concrete or cast stone where such items are required to be placed into service within 48 hours of being cast or where the pre-cast concrete or cast stone is architectural concrete where the aesthetic requirements cannot be achieved under the provisions of this section.

§ 7. The commissioner of design and construction shall, in consultation with all relevant agencies, conduct a study of the availability and cost of concrete masonry units, concrete pavers, concrete planks, pre-cast concrete lintels, pre-cast concrete sills, Jersey barriers, bollards, concrete catch basins, concrete vaults, concrete piping, cast stone or other concrete construction components for purchase by agencies that could meet the limits for Portland cement content as described in applicable provisions of subdivision e of section 19-113 of the administrative code, as added by section 2 of this local law and/or section 1905.2.5 of the New York city building code, as added by section 6 of this local law. This study shall be due January 1, 2015 and shall be delivered to the city council along with recommendations pertaining to the results of the study.

§ 8. This local law shall take effect on January 1, 2015 except that sections 1 and 2 of this local law shall take effect on January 1, 2016 and that the commissioner of transportation and the commissioner of buildings shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 466

By Council Members Greenfield, Rodriguez, Chin, Johnson, Koo, Levine, Reynoso, Richards and the Public Advocate (Ms. James).

**A Local Law to amend the administrative code of the city of New York, in relation to reducing the citywide speed limit to twenty-five miles per hour.**

Be it enacted by the Council as follows:

Section 1. Section 19-177 of title 19 of the administrative code of the city of New York, as added by local law number 6 of the year 1996, is amended to read as follows:

§ 19-177 Speed Limits; posting of signs. a. [The] *Subject to the provisions of paragraph twenty-six of subdivision (a) of section sixteen hundred forty-two of the vehicle and traffic law*, the official speed limit for a vehicle in the city of new York shall be [thirty] *twenty-five* miles per hour except where an official sign indicates that a different speed limit is in effect.

b. No person shall drive a vehicle on any street in excess of the speed limit in effect for that street.

c. The commissioner shall post a sign at each exit within the city of New York of each bridge and tunnel having only one terminus in the city of New York that states the *official* speed limit within the city *as provided in subdivision a of this section*.

§ 2. This local law shall take effect on November 7, 2014.

Referred to the Committee on Transportation.

Int. No. 467

By Council Members King, Arroyo, Gentile, Koo, Cohen, Rosenthal, Lancman and the Public Advocate (Ms. James).

**A Local Law to amend the administrative code of the city of New York, in relation to licensing of solicitation by costumed individuals.**

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 33 to read as follows:

**Subchapter 33**

**Costumed Individuals**

**§ 20-540 Definitions.**

**§ 20-541 License required.**

**§ 20-542 License term; fees.**

**§ 20-543 Applications; fingerprinting fee.**

**§ 20-544. License approval or denial.**

**§ 20-545. Hearings.**

**§ 20-546. Display of license.**

**§ 20-547. Notification of change.**

**§ 20-548. Restrictions on location of licensed activity.**

**§ 20-549. Suspension and revocation of license.**

**§ 20-550. Regulations.**

**§ 20-551. Penalties.**

**§ 20-552. Enforcement.**

**§ 20-553. Failure to produce license; presumptive evidence of unlicensed activity.**

**§ 20-540 Definitions.** For purposes of this subchapter, the following words and terms shall have the following meanings:

a. "Costume". An article of clothing, accessory, mask, paint, or other object that: (1) obscures or shrouds the face of a person beyond recognition; or (2) causes a person to resemble a character rather than his or her own personal identity;

b. "Costumed individual" Any person wearing a costume; and

c. "Public space". All publicly owned property between the property lines on a street as such property lines are shown on the City Record including but not limited to a park, plaza, roadway, shoulder, tree space, sidewalk or parking space between such property lines. It shall also include, but not be limited to, publicly owned or leased land, buildings, piers, wharfs, stadiums and terminals. Nothing in this subchapter shall supersede existing agency rules or regulations or prohibit a city agency from establishing time, place and manner restrictions on activity licensed under this subchapter that occurs on property under its jurisdiction.

d. "Solicit". To accept, or request by spoken word, signs, gestures or any other means, a fee, donation, tip, payment or any other form of compensation.

e. "Solicit in an aggressive manner". (1) Approaching or speaking to a person, or following a person before, during or after soliciting, if that conduct is intended or is likely to cause a reasonable person to (i) fear bodily harm to oneself or to another, damage to or loss of property, or the commission of any offense as defined in section ten of the penal law upon oneself or another, or (ii) otherwise be intimidated into giving money or other thing of value, or (iii) suffer unreasonable inconvenience, annoyance or alarm;

(2) Intentionally touching or causing physical contact with another person, an occupied vehicle without that person's consent in the course of soliciting or intentionally touching or causing physical contact with another person in the company of the person being solicited without that person's consent in the course of soliciting;

(3) Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle in the course of soliciting by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact; or

(4) Using violent or threatening gestures toward a person solicited or another person in the company of the person being solicited.

**§ 20-541 License required.** a. It shall be unlawful for any costumed individual while wearing a costume to solicit in return for posing for photographs or otherwise interacting with the public in public places without having first obtained a license in accordance with the provisions of this subchapter.

b. It shall be unlawful for any costumed individual to sell, lend, lease or in any manner transfer his or her license or any interest therein to another person.

**§ 20-542 License term; fees.**

a. All licenses issued pursuant to this subchapter shall be valid for two years unless sooner suspended or revoked. The commissioner shall establish by regulation the expiration date of such licenses.

b. The biennial license fee for a license or a renewal thereof shall be one hundred and seventy dollars. The department shall waive or defer all or part of the biennial license fee where, because of the indigence of the applicant, the payment of the fee would work an unreasonable hardship on the applicant. The commissioner shall promulgate rules and regulations to implement a process for considering requests for waiver of the biennial license fee based on hardship to the applicant.

c. The fee for issuing a duplicate license when the original has been lost, destroyed or mutilated shall be ten dollars.

**§ 20-543 Application; fingerprinting fee.**

a. Each person applying for a license or renewal thereof under this subchapter shall file an application in such form and detail as the commissioner may prescribe and shall pay the fee required by this subchapter. An applicant for any such license shall be fingerprinted by the department for the purpose of securing criminal history records from the state division of criminal justice services. The applicant shall pay a processing fee as required by the state division of criminal justice services. Notwithstanding the foregoing, the commissioner need not require applicants for licenses required under this subchapter to be fingerprinted if criminal history records concerning such applicants are not available from the state division of criminal justice services.

b. In addition to any other information required, the commissioner shall require the following information:

1. The name and home address of the applicant.
2. Three prints of a full-face photograph of the applicant taken not more than thirty days prior to the date of the application.
3. An applicant who is a non-resident of the city shall provide the name and address of a registered agent within the city or designate the commissioner as his or her agent upon whom process or other notification may be served.
4. No city officer or employee shall inquire about an applicant's immigration or citizenship status as part of an application made pursuant to this section. Information about an applicant's immigration or citizenship status shall not affect the consideration of the application for a license under this subchapter or renewal thereof.
5. Licenses and renewals thereof shall be issued to the applicant and shall be nontransferable.

**§ 20-544 License approval or denial.**

a. Upon the approval of an application the commissioner shall issue a license to the applicant.

b. A license shall be issued only where an applicant is at least eighteen years of age, satisfies the commissioner that such applicant possesses good moral character, and meets any additional criteria established by the commissioner by regulation as he or she deems necessary to effectuate the purposes of this subchapter. For purposes of this section, good moral character shall mean that the applicant is not registered as a sex offender with the division of criminal justice services of the state of New York or convicted of another criminal offense with a direct relationship to the activities permitted by a license under this subchapter.

c. In addition to any of the powers that may be exercised by the commissioner pursuant to this subchapter or chapter one of this title, or the rules or regulations thereto, the commissioner may refuse to issue or renew a license if the applicant has pending any unanswered summons or unsatisfied fines or penalties for violation of chapter one of this title or this subchapter or the regulations promulgated thereto; has been convicted of a misdemeanor for violation of this subchapter; or for any cause set forth in any other section of chapter one of this title, subdivision b of this section or elsewhere in this subchapter as a ground for suspension or revocation or the issuance or continuation of the license would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

**§ 20-545 Hearings.**

Unless otherwise specifically provided, notice and hearings upon the suspension or revocation of a license or the imposition of penalties provided in section 20-552 shall be in accordance with the provisions of chapter one of this title and the rules and regulations thereto.

**§ 20-546 Display of license.**

a. Each licensee shall carry his or her license on his or her person and it shall be exhibited upon demand to any police officer, authorized officer or employee of the department or other city agency.

b. The license shall contain the licensee's name, his or her license number and a non-removable photograph of the licensee. It shall be worn conspicuously by him or her at all times while he or she is wearing a costume and engaged in solicitation.

c. The licensee may be required by a police officer, authorized officer or employee of the department or other city agency to remove portions of a costume that obscure the licensee's face in order that the officer may verify that person wearing the costume is the authorized licensee whose photograph appears on the displayed license.

**§ 20-547 Notification of change.**

Whenever any information provided on the application for a license or renewal thereof has changed the licensee shall notify the commissioner within ten days of such change.

**§ 20-548 Restrictions on location of licensed activity.**

a. No licensee shall solicit in an aggressive manner.

b. No licensee shall solicit on any sidewalk unless such sidewalk has at least a twelve foot wide clear pedestrian path to be measured from the boundary of any private property to any obstructions in or on the sidewalk, or if there are no obstructions, to the curb. In no event shall a licensee solicit on any part of a sidewalk other than that which abuts the curb.

c. No licensee nor his or her property shall touch, lean against or be fixed permanently or temporarily to any building or structure including, but not limited to lamp posts, parking meters, mail boxes, traffic signal stanchions, fire hydrants, tree boxes, benches, bus shelters, refuse baskets or traffic barriers.

d. No licensee nor his or her property shall be located against display windows of fixed location businesses, nor shall they be within twenty feet from any entranceway to any building, store, theatre, movie house, sports arena or other place of public assembly, or within twenty feet from exits, including service exits, to buildings that are exclusively residential at the street level.

e. No licensee shall solicit within any bus stop or taxi stand, within the portion of the sidewalk abutting any no standing zone adjacent to a hospital as defined in subdivision one of section 2801 of the New York state public health law, or within ten feet of any driveway, any subway entrance or exist, or any corner. For purposes of this subdivision, ten feet from any corner shall be measured from a point where the property line on the nearest intersecting block face, when extended, meets the curb.

f. In no case shall a licensee solicit so as to restrict the continued maintenance of a clear passageway for pedestrians or vehicles.

g. No licensee shall solicit on the median strip of a divided roadway unless such strip is intended for use as a pedestrian mall or plaza.

h. No licensee shall solicit within the geographical areas under the jurisdiction of any city agency in violation of rules or regulations promulgated by the agency. In the absence of rules or regulations of a city agency, this section shall apply. Nothing in this subchapter shall supersede existing agency rules or regulations or prohibit a city agency from establishing time, place and manner restrictions on activity licensed under this subchapter that occurs on property under its jurisdiction.

i. Where exigent circumstances exist and a police officer or other authorized officer or employee of any city agency gives notice to a licensee to temporarily move from any location such licensee shall not solicit from such location. For purposes of this subdivision, exigent circumstances shall include, but not be limited to, unusually heavy pedestrian or vehicular traffic, existence of any obstructions in the public space, an accident, fire or other emergency situation, a parade, demonstration or other such event or occurrence at or near such location.

j. No licensee shall solicit over any ventilation grill, cellar door, manhole, transformer vault or subway access grating.

k. No licensee shall use equipment, stands, vehicles, racks or displays in connection with activity under this subchapter.

l. No licensee shall solicit:

1. within ten feet from sidewalk cafes;
2. within five feet from (a) bus shelters, (b) newsstands, (c) public telephones or (d) disabled access ramps.

**§ 20-549 Suspension and revocation of license.**

Any license issued pursuant to the provisions of this subchapter may be suspended or revoked by the commissioner upon notice and hearing for any of the following causes:

a. Fraud, misrepresentation, or false statements contained in the application for the license or any renewal application;

b. Four or more violations of any provision of this subchapter or the regulations promulgated thereto within a two-year period;

c. Violation of chapter one of this title or this subchapter or the regulations promulgated thereto; provided, that in the event of a conflict between the provisions of such chapter and the provisions of this subchapter, the provisions of this subchapter shall prevail;

d. Failure to answer a summons or notice of violation, appear for a hearing, or pay a fine or civil penalty imposed pursuant to the provisions of chapter one of this title or this subchapter or the regulations promulgated hereunder; or

e. Conviction of a misdemeanor under this subchapter.

**§ 20-550 Regulations.** The commissioner shall make such rules and regulations as he or she deems necessary for the proper implementation and enforcement of this subchapter. .

**§ 20-551 Penalties.** a. Any person who violates section 20-541 of this subchapter shall be guilty of a misdemeanor punishable by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment for not more than three months or by both such fine and imprisonment.

b. Except as provided in subdivision a of this section, any person who violates a provision of this subchapter or any rule promulgated pursuant to this subchapter shall be guilty of an offense punishable as follows:

1. For the first violation, a fine of not less than twenty-five dollars nor more than fifty dollars;

2. For the second violation issued for the same offense within a period of one year of the date of the first violation, a fine of not less than fifty dollars nor more than one hundred dollars;

3. For the third violation within a period of two years of the date of the first violation, a fine of not less than one hundred dollars nor more than two hundred and fifty dollars; and

4. For any subsequent violations within a period of two years of the date of the first violation, a penalty of not more than five hundred dollars.

c. In addition to the penalties set forth in subdivisions a and b of this section, any person who violates any provision of this subchapter or any rules promulgated pursuant to this subchapter shall be subject to a civil penalty of not less than one hundred dollars nor more than five hundred dollars per day.

d. A proceeding to recover any civil penalty pursuant to this section shall be commenced by the service of a notice of violation which shall be returnable to the environmental control board. The board shall have the power to impose the penalties prescribed under this section.

**§ 20-552 Enforcement.** a. Authorized officers and employees of the department, the police department and any department designated by the commissioner, and any police or peace officer shall have the power to enforce any provision of this subchapter or any rule or regulation promulgated pursuant to this subchapter. This provision shall in no way restrict any other power granted by law to an officer or employee of any city agency.

b. Any police officer may seize the costume used by an unlicensed costumed individual in violation of section 20-541. If a forfeiture proceeding is not commenced, the owner or other person lawfully entitled to the possession of such costume may be charged with the reasonable cost for removal and storage payable prior to the release of such costume unless the charge of unlicensed activity has been dismissed.

**§ 20-553. Failure to produce license; presumptive evidence of unlicensed activity.**

In any civil or criminal action or proceeding, failure by the person who is required to be licensed pursuant to the provisions of this subchapter to exhibit upon demand a license in accordance with the provisions of this subchapter to any police officer or authorized officer or employee of the department or other city agency shall be presumptive evidence that such person is not duly licensed.

§ 2. Effect of invalidity; severability. If any section, subsection, sentence, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§ 3. This local law shall become effective 120 days after it shall have become law, except that the commissioner of the department shall take all actions necessary, including the promulgation of rules, if necessary, to implement this local law on or before the date upon which it shall take effect.

Referred to the Committee on Consumer Affairs.

Preconsidered Res. No. 407

**Resolution amending Rule 7.00 of the Rules of the Council in relation to changes in Committee jurisdictions, the creation of a new Committee, Chair and Membership, deletion of a subcommittee and allowances.**

By Council Member Lander.

**RESOLVED**, that pursuant to Rules 7.00 and 7.20 of the Rules of the Council and Sections 26(b) and 46 of the New York City Charter, the Council does hereby consent to the following changes in Committee jurisdictions, the creation of a new Committee, Chair and Membership, deletion of a subcommittee and allowances:

STANDING COMMITTEES

**COURTS AND LEGAL SERVICES** - Courts and Legal Aid.

**FIRE AND CRIMINAL JUSTICE SERVICES** - Fire/EMS (non-health-related issues), [Legal Aid,] Department of Probation, Department of Correction, and Emergency Management Department (OEM).

**PUBLIC SAFETY** - Police Department, [Courts,] District Attorneys, Special Narcotics Prosecutor, Civilian Complaint Review Board, and Criminal Justice Coordinator.

SUBCOMMITTEES

[SUBCOMMITTEE ON DRUG ABUSE]

STANDING COMMITTEES

**COURTS AND LEGAL SERVICES**

Lancman, Chair  
Gibson  
Kallos  
Menchaca  
Ignizio

STANDING COMMITTEES

**COURTS AND LEGAL SERVICES** -Lancman -\$8,000

SUBCOMMITTEES

[SUBCOMMITTEE ON DRUG ABUSE--\$4,000]

Adopted by the Council (preconsidered and approved by the Committee on Rules, Privileges and Elections).

Int. No. 468

By Council Members Levine, Chin, Gibson, Johnson and Reynoso.

**A Local Law to amend the housing maintenance code of the city of New York, in relation to family succession rights in buildings leased through the tenant interim lease program.**

Be it enacted by the Council as follows:

Section 1. Article one of subchapter four of the housing maintenance code of the city of New York is amended by adding a new section 27-2090.1 to read as follows:

§ 27-2090.1 *Tenant interim lease program succession rights.* The department shall promulgate rules providing succession rights for family members of tenants where such tenants are occupying dwelling units within city-owned multiple dwellings participating in the tenant interim lease program described by chapter thirty-four of title twenty-eight of the rules of the city of New York or a similar successor program.

§2.This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 408

**Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation removing the statute of limitations for rent overcharges.**

By Council Members Levine, Chin, Gibson, Johnson, Reynoso and Barron

**Whereas**, There are approximately one million apartments in New York City which are subject to rent control or rent stabilization; and

**Whereas**, The New York State Homes and Community Renewal agency is responsible for administering rent regulation laws; and

**Whereas**, The rent regulation laws set standards for the legal amount of rent an owner may charge, for increases in rents, for removal of a property from rent regulation, and for evictions; and

**Whereas**, If an owner is found to have overcharged a tenant living in a rent stabilized apartment, that owner may be responsible for treble damages; and

**Whereas**, In New York City, certain property owners are violating rent regulation laws by charging market rate rents for apartments required to be rent regulated; and

**Whereas**, In rent controlled apartments, there is a two year statute of limitation for bringing rent overcharge complaints; and

**Whereas**, In rent stabilized apartments there is a four year statute of limitation for bringing rent overcharge complaints, unless there is evidence of fraud; and

**Whereas**, If the tenant cannot prove there was a fraudulent scheme to destabilize the apartment, the tenant may have no recourse for years of overcharges; 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, legislation removing the statute of limitations for rent overcharges.

Referred to the Committee on Housing and Buildings.

Int. No. 469

By Council Members Menchaca, Deutsch, Eugene, Koo and Richards.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to issue an annual report concerning the condition of roadways and pedestrian islands after snow events.**

Be it enacted by the Council as follows:

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new section 16-124.2 to read as follows:

§16-124.2 *Annual reports concerning roadways and pedestrian islands after snow events.* By March first of two thousand sixteen, and every year thereafter, the commissioner shall issue a report concerning the condition of city roadways and pedestrian islands after each snow event for the preceding calendar year. Such report shall contain, but shall not be limited to, the amount, in inches, of snow for each snow event; the percentage of city roadways and pedestrian islands cleared within eight, twelve, and twenty four hours after each snow event; and the number of complaints received by 311 after each snow event concerning uncleared roadways and pedestrian islands, listed by borough. Such report may be prepared and presented in conjunction with the mayor's management report required pursuant to section twelve of the New York city charter. For purposes of this section, "snow event" shall have the meaning as set forth in subsection a of section 16-124.1 of the administrative code of the city of New York.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 409

**Resolution calling upon the Metropolitan Transportation Authority to alter its policies so that customers never end up with a MetroCard with less than a full fare in value.**

By Council Members Menchaca, Deutsch and Reynoso.

**Whereas**, The Metropolitan Transportation Authority (MTA) offers two primary types of MetroCards that allow customers to pay subway and bus fares: Pay-Per-Ride and Unlimited; and

**Whereas**, Customers can add any amount between \$5 and \$100 to their Pay-Per-Ride MetroCard, with a 5 percent "bonus" added to the value of the card with each transaction; and

**Whereas**, The bonus results in one free fare for every 20 full fare rides; and

**Whereas**, Though the bonus is advantageous for customers, as MetroCards are used and their value is depleted, it can result in MetroCards with balances of less than a full \$2.50 fare; and

**Whereas**, Visitors who are leaving the city and people who start using other forms of transportation can be left with MetroCards that have value but are unusable without refilling them; and

**Whereas**, Similarly, households may accumulate multiple MetroCards with varying "unusable" balances; and

**Whereas**, For the sake of convenience and ease-of-use for its customers, the MTA should devise a system in which customers are not left with "unusable" balances on their MetroCards while maintaining the principle of a free fare for every 20 full fares; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to alter its policies so that customers never end up with a MetroCard with less than a full fare in value.

Referred to the Committee on Transportation.

Int. No. 470

By Council Members Treyger, Arroyo, Chin, Cumbo, Deutsch, Dickens, Gentile, Kallos, Koo, Levin, Palma, Richards and Koslowitz.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to notify credit or debit card holder of any security breaches related to credit or debit card transactions at muni-meters.**

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter one of title 19 of the administrative code of the city of New York section is amended by adding a new section 19-167.4 to read as follows:

§ 19-167.4 *Notification when person without valid authorization has acquired private information.* a. For purposes of this section, the following terms shall have the following meanings:

1. "Muni-meter" shall mean an electronic parking meter that dispenses timed receipts that must be displayed in a conspicuous place on a vehicle's dashboard.

2. "Muni-meter breach" shall mean the unauthorized acquisition of credit or debit card information from a muni-meter or related equipment.

b. Notwithstanding any other law or rule, the department shall disclose in writing to all affected persons any muni-meter breach no later than ten days following any employee of the department becoming aware of such breach, and shall post to its website information relating to such breach, which shall not include identity of any individual or any such individuals personal information.

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

Referred to the Committee on Transportation.

Int. No. 471

By Council Members Vacca and Koo.

**A Local Law to amend the administrative code of the city of New York, in relation to creating a website to produce and sign petitions seeking particular actions by city government.**

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 8 to read as follows:

**CHAPTER 8  
PETITIONING CITY GOVERNMENT**

§23-801 *Definitions.* For the purposes of this chapter, the following terms shall have the following meanings:

a. "Department" means the department of information technology and telecommunications.

b. "Public authority" means any state authority or local authority as defined in section two of the New York State public authorities law that operates within the city of New York.

c. "Online petition" means a petition that satisfies the following conditions:

1. the petition calls for an action to be taken by a city agency or public authority;

2. the petition is available on the website required by subdivision a of section 23-802; and

3. individual electronic signatures may be added to the petition.

§23-802 *Website for petitioning city government.* a. The department shall establish a website that:

1. allows members of the public to create and sign online petitions; and

2. allows city agencies or public authorities to post public responses to online petitions.

b. After an online petition reaches a threshold number of electronic signatures, as determined by the department by rule, such petition shall be transmitted to the appropriate city agency or public authority for a public response.

c. The department shall make a request for information at least once every six months from each city agency or public authority that received at least one online petition from the department during the preceding six months. Such request shall be for information including, but not limited to, (i) the public response from each city agency or public authority to each petition it received from the department, if any, and (ii) a summary of the actions taken by such city agency or public authority in response to such petition, if any.

§23-803 *Reporting.* a. The department shall maintain an automated reporting system, available to the public, on the website created by subdivision a of section 23-802 of this chapter. Such reporting system shall include, at a minimum, (i) the number of online petitions transmitted to each city agency or public authority, (ii) the number of such petitions to which city agency or public authority has responded, and (iii) each city agency or public authority's public response to each petition.

b. In June of each year, the department shall issue a report to the speaker of the council and the mayor containing, at a minimum, a list of online petitions transmitted to each city agency or public authority and the following information for each such petition:

1. the relevant city agency or public authority's public response to such petition, if any; and

2. a summary of the actions taken by the relevant city agency or public authority in response to such petition, if any.

§2. This local law shall take effect one hundred twenty days after its enactment, except that the department of information technology and telecommunications 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 Technology.

Int. No. 472

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

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

Be it enacted by the Council as follows:

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

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

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

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

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

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

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

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

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

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

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

NO.	CLASSIFICATION	OCCUPANCY <sup>1</sup>	DESCRIPTION	WATER CLOSETS URINALS (SEE SECTION 419.2)		LAVATORIES		BATHTUBS/SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410.1) <sup>2,f</sup>	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly	A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for remainder exceeding 1,500	1 per 40 for the first 1,520 and 1 per 60 for remainder exceeding 1,520	1 per 200	1 per 150	—	1 per 1,000	1 service sink

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

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

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

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

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

**Exceptions:**

1.The members of an assembled metal lintel that support only outer face masonry that is securely bonded or anchored to backing need not be fire protected, provided that the inner members of the assembly support the full load imposed.

2.The use of stone lintels in spans exceeding 4 feet (1219 mm) shall not be permitted unless supplemented by fire-protected structural members or masonry arches of the required strength to support the superimposed loads.

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

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

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

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

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

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

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

**Exceptions:**

1. Duct smoke detectors will not be required at each fire smoke damper where the supply fan shall shut down and all the fire smoke dampers associated with the supply system automatically close upon actuation of an automatic alarm initiating device on the floor(s).

2. Duct smoke detectors will be required within 5 feet (1524 mm) downstream of any electric duct reheat coil.

3. Non-ducted return air systems shall have a smoke detector located within 5 feet (1524 mm) upstream of each return air protected opening in a 2 hour fire rated barrier.

4. Ducted return air systems shall have a duct smoke detector located within 5 feet (1524 mm) of a smoke damper; additional smoke detectors will not be required at fire smoke dampers located downstream where there are no additional return air inlets.

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

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

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

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

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

**1009.4.2 Riser height and tread depth.** Stair riser heights shall be 7 inches (178 mm) maximum and 4 inches (102 mm) minimum. The riser height shall be measured vertically between the leading edges of adjacent treads. Rectangular tread depths shall be 11 inches (279 mm) minimum measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than ⅜ inch (9.5 mm). Winder treads shall have a minimum tread depth of 11 inches (279 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline and a minimum tread depth of 10 inches (254 mm) within the clear width of the stair.

**Exceptions:**

1. Alternating tread devices in accordance with Section 1009.10.
- [3.] 2. Ship ladders in accordance with Section 1009.11.
- [4.] 3. Spiral stairways in accordance with Section 1009.9.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**1507.5.7 Flashing.** Roof valley flashing shall be of corrosion-resistant metal of the same material as the roof covering or shall comply with the standards in Table 1507.4.3(1). The valley flashing shall extend at least 8 inches (203 mm) from the centerline each way and shall have a splash diverter rib not less than ¾ inch (19.1 mm) high at the flow line formed as part of the flashing. Sections of flashing shall have an end lap of not less than 4 inches (102 mm). The metal valley flashing shall have a 36-inch-wide (914 mm) underlayment directly under it consisting of either one layer of underlayment running the full length of the valley or a self-adhering polymer-modified bitumen sheet complying with ASTM D 1970, in addition to underlayment required for metal roof shingles. [The] For slopes under seven units vertical in 12 units horizontal (58-percent slope), the metal valley flashing underlayment shall be [solidly] solid cemented to the roofing underlayment [for roof slopes under seven units vertical in 12 units horizontal (58-percent slope)] or [of] a self-adhering polymer[-] modified bitumen sheet shall be installed.

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

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

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

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

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

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

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

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

where:

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

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

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

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

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

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

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

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

1. The roof tiles shall be either loose laid on battens, mechanically fastened, mortar set or adhesive set.

2. The roof tiles shall be installed on solid sheathing which has been designed as components and cladding.

3. An underlayment shall be installed in accordance with Chapter 15.

4. The tile shall be single lapped interlocking with a minimum head lap of not less than 2 inches (51 mm).

5. The length of the tile shall be between 1.0 and 1.75 feet (305 and 533 mm).

6. The exposed width of the tile shall be between 0.67 and 1.25 feet (204 mm and 381 mm).

7. The maximum thickness of the tail of the tile shall not exceed 1.3 inches (33 mm).

8. Roof tiles using mortar set or adhesive set systems shall have at least two-thirds of the tile's area free of mortar or adhesive contact.

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

**1613.5.3 Site coefficients and risk-targeted maximum considered earthquake (MCER) spectral response acceleration parameters.** The MCER spectral response acceleration parameters for short periods,  $S_{MS}$ , and at 1-second period,  $S_{M1}$ , adjusted for site class effects shall be determined by Equations 16-47 and 16-48, respectively:

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

$$S_{M1} = F_v S_1 (\text{Equation 16-48})$$

where:

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

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

$S_s$  = The mapped  $MCE_R$  spectral accelerations for short periods as determined in Section 1613.5.1.

$S_1$  = The mapped  $MCE_R$  spectral accelerations for a 1-second period as determined in Section 1613.5.1.

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

**1613.5.4 Design spectral response acceleration parameters.** Five-percent damped design spectral response acceleration at short periods,  $S_{DS}$ , and at 1-second period,  $S_{D1}$ , shall be determined from Equation 16-49 and 16-50, respectively:

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

$$S_{D1} = 2/3 S_{M1} (\text{Equation 16-50})$$

where:

$S_{MS}$  = The  $MCE_R$  spectral response accelerations for short period as determined in Section 1613.5.3.

$S_{M1}$  = The  $MCE_R$  spectral response accelerations for 1-second period as determined in Section 1613.5.3.

**1613.5.5 Site classification for seismic design.** Site classification for Site Class C, D or E shall be determined from Table 1613.5.5. The notations presented below apply to only materials encountered above rock meeting Class 1a, 1b, or 1c as defined in Section 1804 or rock with shear wave velocity greater than 2500 feet per second (762 meters per second) to a maximum depth of 100 feet (30 480 mm). Profiles containing distinctly different soil and rock layers shall be subdivided into those layers designated by a number that ranges from 1 to n at the bottom where there is a total of n distinct layers in the upper 100 feet (30 480 mm). The symbol i then refers to any one of the layers between 1 and n.

where:

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

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

(Equation 16-51)

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

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

where:

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

(Equation 16-52)

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

(Equation 16-53)

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

where:

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

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

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

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

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

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

where:

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

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

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

PI = The plasticity index, ASTM D 4318.



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

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

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

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

VERIFICATION AND INSPECTION	CONTINUOUS PERIODIC		REFERENCED STANDARD <sup>a</sup>	BC REFEREN CE
	CONTINUOUS	PERIODIC		
1. Material verification of high-strength bolts, nuts and washers:				
a. Identification markings to conform to ASTM standards specified in the approved construction documents.	—	X	AISC 360, Section A3.3 and applicable ASTM material specifications	—
b. Manufacturer's certificate of compliance required.	—	X	—	—
2. Inspection of high-strength bolting:				
a. Snug-tight joints.	—	X Note b	AISC 360 Section M2.5	1704.3.3
b. Pre-tensioned and slip-critical joints using turn-of-nut with matchmarking, twist-off bolt or direct tension indicator methods of installation.	—	X		
c. Pre-tensioned and slip-critical joints using turn-of-nut without matchmarking or calibrated wrench methods of installation.	X	—		
3. Material verification of structural steel and cold formed steel deck:				
a. For structural steel, identification markings to conform to AISC 360.	—	X	AISC 360, Section M5.5	—
b. For other steel, identification markings to conform to ASTM standards specified in the approved construction documents.	—	—	Applicable ASTM Standards	
c. Manufacturers' certified mill test reports.	—	X	Applicable ASTM material standards	
4. Material verification of weld filler materials:				
a. Identification markings to conform to AWS specification in the approved construction documents.	—	—	AISC 360, Section A3.5 and applicable AWS A5 documents	—
b. Manufacturer's certificate of compliance required.	—	—	—	—

5. Inspection of welding:				
a. Structural steel, cold-formed steel and cold-formed steel deck:				
1) Complete and partial penetration groove welds.	X	—	AWS D1.1	1704.3.1
2) Multipass fillet welds.	X	—		
3) Single-pass fillet welds > 5/16".	X	—		
4) Plug and slot welds.	X	—		
5) Single-pass fillet welds ≤ 5/16".	—	X		
6) Floor and roof deck welds.	—	X	AWS D1.3	—
7) Cold-formed steel welds.	—	X	AWS D1.3	—
b. Reinforcing steel:				
1) Verification of weldability of reinforcing steel other than ASTM A 706.	—	X	AWS D1.4 ACI 318: 3.5.2	1903.5.2
2) Reinforcing steel-resisting flexural and axial forces in intermediate and special moment frames, and boundary elements of special reinforced concrete shear walls and shear reinforcement.	X	—		
3) Shear reinforcement.	X Note a	—		
4) Other reinforcing steel.	—	X		
6. Inspection of steel frame joint details for compliance with approved construction documents:				
Details such as bracing and stiffening.	—	X	—	1704.3.2
Member locations.	—	X		
Application of joint details at each connection.	—	X		

For SI: 1 inch = 25.4 mm.

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

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

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

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

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

**3002.4.1 Standby power required for elevators.** [Emergency] Standby power shall be provided to elevators in the following categories:

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

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

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

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

§26. Table 401.5 of the New York city mechanical code, as renumbered by local law number 141 for the year 12013, is REPEALED and a new Table 401.5 is added to read as follows:

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

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

For SI: 1 inch = 25.4 mm.

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

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

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

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

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

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

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

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

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

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

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

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

§32. Section 7 of local law number 71 for the year 2011 is REPEALED.  
§33. Section 8 of local law number 71 for the year 2011 is amended to read as follows:

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

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

§35. This local law shall take effect on December 31, 2014 except that this local law shall not apply to construction work related to applications for construction document approval filed prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 473

By Council Members Williams, Vacca, Levine, Espinal, Lancman, Vallone, Richards, Koo, Crowley, Chin, Dickens, Gibson and Miller.

**A Local Law to amend the New York city building code, in relation to strengthening scaffolding requirements.**

*Be it enacted by the Council as follows:*

Section 1. Section 3314.3.2 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

**3314.3.2 Suspended scaffolds.** Suspended scaffolds shall be designed by a registered design professional.

**Exceptions:**

[1. Design is not required for a single tier non-adjustable suspended scaffold whose platform is 40 square feet (12 192mm) or less in size.]

[2.] *1.* In lieu of a registered design professional, a two-point, single tier, suspended scaffold may be designed by a licensed rigger provided:

[2.1] *1.1* The scaffold or scaffold outrigger beam or suspension member support structure is not anchored to the building or structure, other than tiebacks; and

[2.2] *1.2* The scaffold will be loaded or designed to be loaded, in excess of 75 pounds per square foot (355.15 kg/ m<sup>2</sup>); and either

[2.2.1] *1.2.1* The scaffold utilizes c-hooks; or

[2.2.2] *1.2.2* The distance from floor or roof on which the support structure is located to the top of the outrigger beam or suspension member support structure is less than 15 feet.

[3.] *2.* In lieu of a registered design professional or a licensed rigger, a two-point single tier, suspended scaffold meeting the requirements of Item [2] *1* of these exceptions that is used exclusively for sign hanging work may be designed by a licensed sign hanger.

§2. Exception 2 of section 3314.4.1.1 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

2. The installation and removal of a suspended scaffold may be supervised by a competent person designated by the scaffold permit holder, or where there is no scaffold permit holder, designated by the scaffold controlling entity, provided that such scaffold is installed and removed in conjunction with:

- 2.1. The construction of a new building;

2.2. The full demolition of an existing building; *or*

2.3. The vertical or horizontal enlargement of an existing building.[:]

[2.4. The alteration, maintenance, or repair of a façade of a major building where a site safety plan is required by Section 3310.3.]

§3. Exception 2 of section 3314.4.2.1 of the New York city building code, as added by local law number 141 for the year 2013, is amended to read as follows:

2. In lieu of direct and continuing supervision by a licensed rigger, the use of a suspended scaffold may be supervised by a competent person designated by the scaffold controlling entity, provided such scaffold is used in conjunction with:

2.1. The construction of a new building;

2.2. The full demolition of an existing building; *or*

2.3. The vertical or horizontal enlargement of an existing building.[:]

[2.4. The alteration, maintenance, or repair of a façade of a major building where a site safety plan is required by Section 3310.3.]

§4. The exception to section 3314.4.3.4 of the New York city building code, as added by local law number 141 for the year 2013, is REPEALED.

§5. Exception 4 of section 3314.8 of the New York city building code, as added by local law number 141 for the year 2013, is REPEALED.

§6. This local law shall take effect on October 1, 2014, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 474

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

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

*Be it enacted by the Council as follows:*

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

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

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

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

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

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

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

*related to applications for construction document approval filed prior to such effective date.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 15. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 475

By Council Members Williams and Koo.

**A Local Law in relation to the adoption of a New York city existing buildings construction code.**

*Be it enacted by the Council as follows:*

*Section 1. Within one year after the effective date of this local law, the commissioner of buildings shall present to the city council his or her recommendations with respect to the adoption of a code to govern the repair, alteration, change of occupancy, addition and relocation of existing buildings and shall, if he or she determines to recommend adoption of such a code, present his or her recommendations with respect to the content of such code. In addition, prior to the submission of such recommendations to the city council, such recommendations shall be submitted to an advisory committee established by the commissioner pursuant to this title for review and comment. Such committee shall be comprised of architects, engineers, property owners and managers, representatives of the various construction trades and other relevant persons as determined by the commissioner.*

§2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 476

By Council Members Williams, Gentile, Deutsch and Koo.

**A Local Law to amend the administrative code of the city of New York, in relation to special rigger licensing requirements.**

*Be it enacted by the Council as follows:*

Section 1. Item 1 of section 28-404.3.2 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

1. Has at least [one year] *three years* of practical experience in the hoisting and rigging business within the [three] *five* years prior to application;

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

Referred to the Committee on Housing and Buildings.

Res. No. 410

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation amending the income eligibility requirements for the disabled homeowners' exemption program.**

By Council Members Williams, Rosenthal, Arroyo, Deutsch, Dickens, Eugene, Gentile, Gibson, Johnson, Koo, Levine and Koslowitz.

**Whereas**, New York State law authorizes the City of New York to provide homeowners with disabilities property tax exemption benefits that help them remain in affordable housing if their income is limited because of their disability; and

**Whereas**, Under the disabled homeowners' exemption (DHE) program, certain disabled owners of one, two, and three family homes, condominiums, or cooperative apartments may be eligible for a reduction on the assessed value of their home of between five and fifty percent; and

**Whereas**, In order to qualify for DHE, a property must be owned by at least one person with a physical or mental disability, or be owned by spouses, registered domestic partners, or siblings, at least one of whom has a disability; and

**Whereas**, In addition, the DHE program mandates that the income of all owners and their spouse or domestic partner cannot exceed \$37,399; and

**Whereas**, Property owners are only eligible for the largest benefit under the DHE program, a fifty percent property tax exemption, if their income does not exceed \$29,000; and

**Whereas**, While the State authorized local governments to expand the eligibility requirements of the senior citizen rent increase exemption (SCRIE) program in its 2014-2015 Executive Budget, it has not provided for adjustments to the income requirements for the DHE program since 2006, when the maximum income level for a fifty percent exemption was raised from \$24,000 to \$29,000 over a three-year period; and

**Whereas**, Even minor increases in income, such as cost-of-living adjustments to entitlement programs such as Social Security and disability assistance, can cause homeowners with disabilities to lose the maximum DHE benefit; and

**Whereas**, Those enrolled in DHE are no less deserving of regular adjustments to the program's income requirements than those receiving SCRIE benefits; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation amending the income eligibility requirements for the disabled homeowners' exemption program.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services.

L.U. No. 113

By Council Members Ferreras:

**Stammtisch HDFC, 279 Wyckoff Avenue, Brooklyn 11237, Block 3320, Lot 1, Council District No. 37.**

Referred to the Committee on Finance

L.U. No. 114

By Council Member Greenfield:

**Application no. 20155008 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Friendly Foods LLC, d/b/a/ Cherche Midi for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 282 Bowery, Borough of Manhattan, Community District 2, Council District 1.**

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

L.U. No. 115

By Council Member Greenfield:

**Application no. C 140300 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow uses permitted under Section 32-15 (Use Group 6 uses) below the floor level of the second story of a proposed 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District.**

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

L.U. No. 116

By Council Member Greenfield:

**Application no. C 140301 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1.**

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

L.U. No. 117

By Council Member Greenfield:

**Application no. C 140302 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, second floor and third floor of a proposed 6-story commercial development, on property located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1.**

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

L.U. No. 118

By Council Member Greenfield:

**Application no. C 140299 PPM submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition of one city-owned property located at 19 East Houston Street, (Block 511, Lot 19), pursuant to zoning. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

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

L.U. No. 119

By Council Member Greenfield:

**Application No. C 155020 HAQ by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of Urban Development Action Area and Project for property located at 161-79 86th Avenue (Block 9774 Lots 165, 166, 167), Borough of Queens, Community Board 8, Council District 24.**

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

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

**ANNOUNCEMENTS:**

**Friday, September 12, 2014**

Committee on **CIVIL RIGHTS** .....**10:00 A.M.**  
**Int 261** - By Council Members Lander, Rose, Arroyo, Chin, Dickens, Dromm, Ferreras, Garodnick, King, Koslowitz, Levin, Mendez, Richards, Van Bramer, Williams, Wills, Gentile, Gibson, Constantinides, Levine, Miller, Reynoso, Rosenthal, Torres, Menchaca, Kallos, Cornegy, Cumbo, Crowley, Johnson, Eugene, Treyger, Rodriguez, Cabrera, Espinal, Barron, Mealy, Vallone and Koo - **A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination based on one's consumer credit history.**  
 Council Chambers – City Hall .....Darlene Mealy, Chairperson

**Tuesday, September 16, 2014**

Subcommittee on **ZONING & FRANCHISES**.....**9:30 A.M.**  
**See Land Use Calendar**  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Mark Weprin, Chairperson

**★ Note Time and Location Change**

Committee on **PUBLIC HOUSING** ..... **★ 10:00 A.M.**  
**Oversight** – A Safer NYCHA and the Mayor’s Plan to Reduce Violent Crime at Public Housing

**★ Off-site hearing location:**

Ritchie Torres, Chairperson  
**Breukelen Houses Community Center**  
**715 East 105th Street**  
**Brooklyn, NY 11236**

Committee on **YOUTH SERVICES**.....**10:00 A.M.**  
**Oversight** – Afterschool Programs

Committee Room – City Hall ..... Mathieu Eugene, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES** .....**11:00 A.M.**  
**See Land Use Calendar**

Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Peter Koo, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS**..... **1:00 P.M.**  
**See Land Use Calendar**

Committee Room – 250 Broadway, 16<sup>th</sup> Floor .....Inez Dickens, Chairperson

**★ Deferred**

Committee on **FIRE AND CRIMINAL JUSTICE SERVICES**.....**1:00 P.M.**

Agenda to be announced

Council Chambers – City Hall .....Elizabeth Crowley, Chairperson

**Wednesday, September 17, 2014**

Committee on **ECONOMIC DEVELOPMENT** jointly with the  
 Committee on **TRANSPORTATION**.....**10:30 A.M.**  
**Oversight** - Assessing the Economic Impact of New York’s Failing Infrastructure -  
 Hearing 2: Transportation

Council Chambers – City Hall .....Daniel Garodnick, Chairperson  
 .....Ydanis Rodriguez, Chairperson

**★ Deferred**

Committee on **WOMEN’S ISSUES** ..... **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Laurie Cumbo, Chairperson

Committee on **RULES, PRIVILEGES & ELECTIONS** ..... **1:00 P.M.**

Agenda to be announced

Committee Room – City Hall ..... Brad Lander, Chairperson

**Thursday, September 18, 2014**

Committee on **HOUSING AND BUILDINGS** .....**10:00 A.M.**

**Int 298** - By Council Member Kallos, Constantinides, Crowley, Gentile, Reynoso, Wills, Chin, Koo, Lancman, Maisel, Miller, Eugene, Richards, Levine, Rose, Menchaca and Rosenthal - **A Local Law** to amend the New York city building code, in relation to rigging.

**Int 299** - By Council Members Kallos, Constantinides, Crowley, Deutsch, Ferreras, Gentile, Gibson, Reynoso, Wills, Koo, Lancman, Levin, Levine, Maisel, Miller, Rodriguez, Richards, Chin, Cornegy, Espinal, Mealy, Eugene, Vacca, King, Cohen, Weprin, Rose, Menchaca, Van Bramer, Rosenthal, Dromm, Dickens, Ulrich and the Public Advocate (Ms. James) - **A Local Law** to amend the New York city building code, in relation to the operation of hoisting machines.

**Int 472** - By Council Member Williams (by request of the Mayor) - A Local Law to amend the administrative code of the city of New York and local law number 71 for the year 2011, in relation to technical corrections and clarification of provisions of the New York city construction codes and repealing section 301.6 of the New York city plumbing code, item 4 of section 314.2.3 of the New York city plumbing code, section 907.2.2 of the New York city building code, section 1107.5.6 of the New York city building code, item 3 of section 1109.2 of the New York city building code, section 1609.7.3 of the New York city building code, section 1613.5.3 of the New York city building code, sections 1613.5.4 and 1613.5.5 of the New York city building code, table 1704.3 of the New York city building code, table 401.5 of the New York city mechanical code, Section 304.4.1 of the New York city fuel gas code, section 504.3.20 of the New York city fuel gas code and section 7 of local law number 71 for the year 2011, in relation thereto.

**Int 473** - By Council Members Williams, Vacca, Levine, Espinal, Lancman, Vallone, Richards, Koo and Crowley - **A Local Law** to amend the New York city building code, in relation to strengthening scaffolding requirements.

**Int 474** - By Council Member Williams (in conjunction with the Mayor) - A Local Law to amend local law number 41 for the year 2012, local law number 79 for the year 2013, local law number 108 for the year 2013, local law number 110 for the year 2013, local law number 100 for the year 2013, local law number 101 for the year 2013, local law number 130 for the year 2013, local law number 141 for the year 2013, local law number 10 for the year 2014, local law number 12 for the year 2014, local law number 13 for the year 2014, local law number 17 for the year 2014 and local law number 18 for the year 2014, in relation to extending the effective date for the 2014 revisions to the New York city construction codes.

**Int 476** - By Council Member Williams - **A Local Law** to amend the administrative code of the city of New York, in relation to special rigger licensing requirements.

Committee Room – 250 Broadway, 14<sup>th</sup> Floor  
 ..... Jumaane D. Williams, Chairperson

★ *Deferred*

Committee on **PARKS AND RECREATION**.....**10:00 A.M.**  
 Agenda to be announced  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor .....Mark Levine, Chairperson

Committee on **HEALTH**..... **10:00 A.M.**  
**Res 380** - By Council Members Espinal, Arroyo, Chin, Constantinides, Deutsch, Eugene, Gentile, Gibson, Johnson, Koo, Levin, Mendez, Richards and Koslowitz - **Resolution** recognizing September as Ovarian Cancer Awareness Month in New York City.  
 Council Chambers – City Hall .....Corey Johnson, Chairperson

Committee on **LAND USE**.....**11:00 A.M.**  
**All items reported out of the subcommittees**  
 AND SUCH OTHER BUSINESS AS MAY BE NECESSARY  
 Committee Room – City Hall .....David G. Greenfield, Chairperson

Committee on **CIVIL SERVICE AND LABOR** ..... **1:00 P.M.**  
 Agenda to be announced  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... I. Daneek Miller, Chairperson

Committee on **CONSUMER AFFAIRS**..... **1:00 P.M.**  
**Oversight** – Price Displays at Gas Stations in New York City.  
**Int 287** - By Council Members Arroyo and Koo -**A Local Law** to amend the administrative code of the city of New York, in relation to gas station road signs.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor  
 ..... Rafael L. Espinal, Chairperson

Committee on **RECOVERY AND RESILIENCY** ..... **1:00 P.M.**  
**Oversight** – Update on Progress of the Build It Back Program  
 Council Chambers – City Hall ..... Mark Treyger, Chairperson

**Friday, September 19, 2014**

Committee on **SANITATION AND SOLID WASTE MANAGEMENT**.....**10:00 A.M.**  
**Int 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.  
**Off-site hearing location:**  
 Brooklyn Borough Hall  
 209 Joralemon Street, 2<sup>nd</sup> Floor  
 Brooklyn NY 11201.....Antonio Reynoso, Chairperson

**Monday, September 22, 2014**

Committee on **ECONOMIC DEVELOPMENT** .....**10:00 A.M.**  
 Agenda to be announced  
 Committee Room – City Hall ..... Daniel Garodnick, Chairperson

Committee on **TECHNOLOGY** .....**10:00 A.M.**  
 Agenda to be announced  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor .....James Vacca, Chairperson

Committee on **GOVERNMENTAL OPERATIONS**..... **1:00 P.M.**  
**Oversight** – Reviewing the Findings of the Campaign Finance Board's 2013 Post Election Report  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor .....Ben Kallos, Chairperson

Committee on **IMMIGRATION** ..... **1:00 P.M.**  
**Oversight** - Crisis of Unaccompanied Immigrant Children: What is New York City Doing?  
 Committee Room – City Hall .....Carlos Menchaca, Chairperson

**Tuesday, September 23, 2014**

★ *Addition*  
 Committee on **FINANCE**.....**10:00 A.M.**  
**L.U. 113** - By Council Members Ferreras - Stamtisch HDFC, 279 Wyckoff Avenue, Brooklyn 11237, Block 3320, Lot 1, Council District No. 37.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY  
 Committee Room – City Hall.....Julissa Ferreras, Chairperson

*Stated Council Meeting*..... *Ceremonial Tributes – 1:00 p.m.*  
 ..... *Agenda – 1:30 p.m.*

MEMORANDUM

**Friday, September 5, 2014**

**TO:** ALL COUNCIL MEMBERS

**RE: OFF-SITE HEARING BY THE COMMITTEE ON PUBLIC HOUSING**

**Please be advised that all Council Members are invited to attend an off-site hearing:**

**Oversight** – A Safer NYCHA and the Mayor’s Plan to Reduce Violent Crime at Public Housing

**Breukelen Houses Community Center**  
**715 East 105th Street**  
**Brooklyn, NY 11236**

The off-site hearing will be held on **Tuesday, September 16, 2014 beginning at 10:00 a.m.** A van will be leaving City Hall at **9:00 a.m.**

Council Members interested in attending should call Guillermo Patino at 212-788-9056.

Hon. Ritchie Torres, Chairperson  
 Committee on Public Housing

Hon. Melissa Mark-Viverito  
 Speaker of the Council

MEMORANDUM

**Wednesday, September 10, 2014**

**TO:** ALL COUNCIL MEMBERS

**RE: OFF-SITE HEARING BY THE COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT**

**Please be advised that all Council Members are invited to attend an off-site hearing:**

**Int 409** - In relation to regulating publicly accessible collection bins.

**Brooklyn Borough Hall**  
**209 Joralemon Street, 2<sup>nd</sup> Floor**  
**Brooklyn NY 11201**

The off-site hearing will be held on **Friday, September 19, 2014 beginning at 10:00 a.m.** A van will be leaving City Hall at **9:15 a.m.**

Council Members interested in attending should call Cullen Howe at 212-788-9124.

Hon. Antonio Reynoso, Chairperson  
 Committee on Sanitation and Solid Waste Management

Hon. Melissa Mark-Viverito  
 Speaker of the Council

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Tuesday, September 23, 2014.

MICHAEL M. McSWEENEY, City Clerk  
 Clerk of the Council

*Editor’s Local Law Note: Int No. 6, 148-A, 292-A, 441 and 449, all adopted by the Council at the August 21, 2014 Stated Meeting, were signed into law by the Mayor on August 28, 2014 as, respectively, Local Laws Nos. 40, 41, 42, 43, and 44 of 2014.*

**ADDENDUM:**

**Special Supplement to the Rules Committee Section**

**STANDING COMMITTEES OF THE COUNCIL  
September 10, 2014**

AGING	CIVIL RIGHTS	CIVIL SERVICE & LABOR	COMMUNITY DEVELOPMENT
<b>CHIN, CHAIR</b> ARROYO KOSLOWITZ ROSE DEUTSCH TREYGER VALLONE	<b>MEALY, CHAIR</b> EUGENE DROMM ROSE KING	<b>MILLER, CHAIR</b> CROWLEY DROMM CONSTANTINIDES CORNEGY	<b>ARROYO, CHAIR</b> PALMA CROWLEY KING GIBSON MAISEL ROSENTHAL
CONSUMER AFFAIRS	CONTRACTS	COURTS AND LEGAL SERVICES	CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS
<b>ESPINAL, CHAIR</b> GENTILE FERRERAS KOSLOWITZ LANCMAN	<b>ROSENTHAL, CHAIR</b> KOO WILLS CONSTANTINIDES DEUTSCH JOHNSON MILLER	<b>LANCMAN, CHAIR</b> GIBSON KALLOS MENCHACA IGNIZIO	<b>VAN BRAMER, CHAIR</b> KOO LEVIN KING CONSTANTINIDES CUMBO ROSENTHAL
ECONOMIC DEVELOPMENT	EDUCATION	ENVIRONMENTAL PROTECTION	FINANCE
<b>GARODNICK, CHAIR</b> GENTILE FERRERAS KOSLOWITZ WEPRIN WILLS RICHARDS BARRON MILLER	<b>DROMM, CHAIR</b> GENTILE GARODNICK CHIN LEVIN ROSE WEPRIN WILLIAMS KING BARRON DEUTSCH LEVINE MAISEL REYNOSO TREYGER	<b>RICHARDS, CHAIR</b> LEVIN CONSTANTINIDES LANCMAN ULRICH	<b>FERRERAS, CHAIR</b> RODRIGUEZ VAN BRAMER GIBSON CORNEGY CUMBO JOHNSON LEVINE MILLER ROSENTHAL IGNIZIO
FIRE & CRIMINAL JUSTICE SERVICES	GENERAL WELFARE	GOVERNMENTAL OPERATIONS	HEALTH
<b>CROWLEY, CHAIR</b> EUGENE CABRERA LANCMAN VALLONE	<b>LEVIN, CHAIR</b> PALMA CABRERA WILLS RICHARDS GIBSON JOHNSON MENCHACA TORRES	<b>KALLOS, CHAIR</b> GREENFIELD LEVINE TORRES MATTEO	<b>JOHNSON, CHAIR</b> ARROYO MENDEZ EUGENE KOO VAN BRAMER BARRON CORNEGY ESPINAL

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SANITATION & SOLID WASTE MANAGEMENT	SMALL BUSINESS	STANDARDS & ETHICS	STATE & FEDERAL LEGISLATION
<b>REYNOSO, CHAIR</b> KING GIBSON CONSTANTINIDES MATTEO	<b>CORNEGY, CHAIR</b> DICKENS EUGENE KOO KOSLOWITZ WILLS MENCHACA VALLONE ULRICH	<b>MAISEL, CHAIR</b> FERRERAS LANDER MENCHACA IGNIZIO	<b>KOSLOWITZ, CHAIR</b> DICKENS LANDER ESPINAL KALLOS MAISEL REYNOSO
TECHNOLOGY	TRANSPORTATION	VETERANS	WATERFRONTS
<b>VACCA, CHAIR</b> PALMA WEPRIN GREENFIELD MATTEO	<b>RODRIGUEZ, CHAIR</b> GARODNICK VACCA CHIN LEVIN ROSE VAN BRAMER WEPRIN GREENFIELD CONSTANTINIDES MENCHACA MILLER REYNOSO	<b>ULRICH, CHAIR</b> CABRERA COHEN MAISEL VALLONE	<b>ROSE, CHAIR</b> GARODNICK DEUTSCH JOHNSON VALLONE
WOMEN'S ISSUES	YOUTH SERVICES		
<b>CUMBO, CHAIR</b> MEALY CROWLEY KOSLOWITZ KALLOS	<b>EUGENE, CHAIR</b> PALMA MEALY CHIN GREENFIELD KING CUMBO		

**LAND USE  
SUBCOMMITTEES**

LANDMARKS, PUBLIC SITING & MARITIME USES	PLANNING, DISPOSITION & CONCESSIONS	ZONING & FRANCHISES
<b>KOO, CHAIR</b> PALMA ARROYO MENDEZ LEVIN BARRON KALLOS	<b>DICKENS, CHAIR</b> MEALY RODRIGUEZ COHEN TREYGER	<b>WEPRIN, CHAIR</b> GENTILE GARODNICK WILLIAMS WILLS RICHARDS REYNOSO TORRES IGNIZIO

**SUBCOMMITTEES**

SENIOR CENTERS (Aging)	LIBRARIES (CULTURAL AFFAIRS, LIBRARIES AND INTERNATIONAL INTERGROUP RELATIONS)
<b>VALLONE, CHAIR</b>	<b>CONSTANTINIDES, CHAIR</b>
NON-PUBLIC SCHOOLS (EDUCATION)	
<b>DEUTSCH, CHAIR</b>	

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HIGHER EDUCATION	HOUSING & BUILDINGS	IMMIGRATION	JUVENILE JUSTICE
<b>BARRON, CHAIR</b> VACCA CABRERA WILLIAMS CUMBO RODRIGUEZ GIBSON	<b>WILLIAMS, CHAIR</b> MENDEZ RODRIGUEZ KOSLOWITZ CORNEGY ESPINAL LEVINE REYNOSO ROSENTHAL TORRES ULRICH	<b>MENCHACA, CHAIR</b> EUGENE DROMM KOO ESPINAL	<b>CABRERA, CHAIR</b> ARROYO VACCA BARRON LANCMAN
LAND USE	MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM, SUBSTANCE ABUSE & DISABILITY SERVICES	OVERSIGHT & INVESTIGATIONS	PARKS & RECREATION
<b>GREENFIELD, CHAIR</b> GENTILE PALMA ARROYO DICKENS GARODNICK MEALY MENDEZ RODRIGUEZ KOO LANDER LEVIN WEPRIN WILLIAMS WILLS RICHARDS BARRON COHEN KALLOS REYNOSO TORRES TREYGER IGNIZIO	<b>COHEN, CHAIR</b> CROWLEY PALMA JOHNSON VALLONE	<b>GENTILE, CHAIR</b> DICKENS DROMM CONSTANTINIDES DEUTSCH LANCMAN ROSENTHAL	<b>LEVINE, CHAIR</b> MEALY CABRERA VAN BRAMER COHEN MAISEL TREYGER
PUBLIC HOUSING	PUBLIC SAFETY	RECOVERY AND RESILIENCY	RULES, PRIVILEGES & ELECTIONS
<b>TORRES, CHAIR</b> MENDEZ VAN BRAMER RICHARDS CUMBO	<b>GIBSON, CHAIR</b> GENTILE VACCA FERRERAS WILLIAMS CORNEGY DEUTSCH ESPINAL LANCMAN TORRES MATTEO	<b>TREYGER, CHAIR</b> MENDEZ CHIN RICHARDS MENCHACA ULRICH MATTEO	<b>LANDER, CHAIR</b> DICKENS GARODNICK RODRIGUEZ CHIN ROSE WILLIAMS ESPINAL LEVINE IGNIZIO MARK-VIVERITO

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**TASK FORCE**

TASK FORCE TO COMBAT GUN VIOLENCE
<b>CABRERA, CO-CHAIR</b> <b>WILLIAMS, CO-CHAIR</b>

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