

THE COUNCIL

STATED MEETING OF

TUESDAY, NOVEMBER 25, 2014

THE COUNCIL

Minutes of the Proceedings for the STATED MEETING

of

Tuesday, November 25, 2014, 1:58 p.m.

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

Council Members

Melissa Mark-Viverito, Speaker

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

Absent: Council Members Barron, Cornegy, Cumbo, Mealy, Miller, Palma
(Excused on Medical Leave), Wills, and Ignizio (Excused on Bereavement leave).

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 43 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 Bishop Zachary Glenn Jones, Unity Fellowship Church of Christ, 2031 5th Avenue, New York, NY 10035.

Dear Holy One,
we come to you in the most humble fashion,
giving thanks for your many blessings and loving care.
In this assembly of our caretakers
of this wonderful city, give thanks for diversity.
We give thanks for a peaceful city.
We give thanks for our ability to recognize
that we are all one with you and with each other.

We ask for your continued guidance and wisdom
towards our greater good.

We ask for your guidance around the difficult issues
such as housing, jobs, immigration and our land usage.

We are all aware that our world has changed
and we must change with it.

We are all aware that our demographics have changed
and we must change with it.

We are all aware that our earth is changing
and we must change with it.

As change is never easy, give us the insight
to say as Doctor King stated

that we are now faced with the fact
that tomorrow is today.

We have confronted with the fears, urgency of now
in this unfolding quandrum of life and history
there is such a thing as being too late.

We may cry desperately for time to pause in her passage,
but time is deaf and with every plea she rushes on.

Therefore, let us be fortified with the courage
to change the way we relate to one another

and the way we take care of those who are most vulnerable
to the tides of change within our climate,

within our housing policies,
within our urban, ex-urban and suburban dwellings.

Be with those who are struggling
with HIV and AIDS and other physical challenges.

Allow us to make the choices today
that bring peace to all who suffer

and strengthen those who live among us.
Amen.

On behalf of Council Member Dickens, the Public Advocate (Ms. James) moved
to spread the Invocation in full upon the Record.

ADOPTION OF MINUTES

Council Member Richards moved that the Minutes of the Stated Meeting of
October 22, 2014 be adopted as printed.

REPORTS OF THE STANDING COMMITTEES

Reports of the Committee on Finance

Report for Res. No. 462

Report of the Committee on Finance in favor of approving a Resolution concerning the increase in the annual expenditure for the Steinway Street, 34th Street, 125th Street, 47th Street, 86th Street Bay Ridge, Columbus/Amsterdam, Forest Avenue, Myrtle Avenue Brooklyn, 161st Street, and Sunnyside Business Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

The Committee on Finance, to which the annexed resolution was referred on
November 13, 2014 (Minutes, page 3921), respectfully

REPORTS:

Resolution 462 sets a date, time, and place for a public hearing to consider a
local law that would increase the annual expenditures of ten Business Improvement
Districts ("BIDs") as of July 1, 2014. The resolution sets December 8, 2014 at
10:00am in the City Council Committee Room, 2nd floor, City Hall, Manhattan as
the date, time, and place for the hearing.

These increases, which have been requested by the BIDs and approved by the respective District Management Associations, would result in a higher assessment on all properties currently subject to BID assessments as a result of the increase in the assessment rate.

Pursuant to §§ 25-410(b) and 25-416 of the Administrative Code, a BID may obtain an increase in its budget (i.e. the total amount allowed to be expended annually by the BID or improvements, services, maintenance, and operation) by means of the adoption of a local law amending the BID's district plan. Such a local law may be adopted by the City Council after a determination that it is in the public interest to authorize such an increase in the maximum annual amount and that the tax and debt limits prescribed in § 25-412 of the Administrative Code will not be exceeded. Notice of the public hearing to consider such a local law must be published in at least one newspaper having general circulation in the district specifying the time when, and the place where, the hearing will be held and stating the increase proposed in the maximum amount to be expended annually.

Accordingly, the resolution also directs the District Management Associations of each of the ten effected BIDs to publish in a newspaper of general circulation in each district, not less than ten days prior to the public hearing, a notice stating the time and place of the public hearing and setting forth the increase in the amount to be expended annually in each of the ten BIDs.

The following BIDs have requested increases to their budgets, as indicated below:

**BID ASSESSMENT INCREASE REQUESTS
FISCAL YEAR 2015**

BID Name	Last Increase Yr	Current Authorized Assessment Cap	Proposed Authorized Assessment Cap	\$ Increase Request	CM District(s)	Increase Justification
	Increase Amount			% Increase		
34th Street	FY 12	\$9,940,000	\$10,885,000	\$ 945,000	2, 3, 4	Assessment Increase will fund the expansion of post rush-hour sanitation sweeper coverage to the edges of the district, and allow for cost of living increases.
	\$648,500			9.5%	Johnson	
47th Street	FY 13	\$700,000	\$900,000	\$ 200,000	4	Assessment increase will fund the implementation of 3 new marketing initiatives: 1) Digital advertising, 2) in-person events & district tours and 3) additional print marketing
	\$200,000			28.6%	Garodnick	
86th Street/Bay Ridge	None	\$210,000	\$290,000	\$ 80,000	43	Assessment increase will cover costs that have increased since the last assessment increase 2001, primarily relating to sanitation costs, but also including cost including rent, insurance, supplies, staffing and more.
	N/a			38.1%	Gentile	
161st Street	None	\$190,000	\$240,000	\$ 50,000	8, 16	Assessment increase will increase funding for outdoor art projects and community gardens, cover increasing sanitation costs and increase staff capacity.
	N/a			26.3%	Gibson	
125th Street	2010	\$947,820	\$1,005,793	\$ 57,973	9	Assessment Increase will be used to improve holiday lighting displays, improve marketing and promotion efforts, upgrade the BID's computer and telephone systems, and cover cost of living expenditures.
	\$228,054			6.1%	Dickens	
BID Name	Last Increase Yr	Current Authorized Assessment Cap	Proposed Authorized Assessment Cap	\$ Increase Request	CM District(s)	Increase Justification
	Increase Amount			% Increase		
Columbus-Amsterdam	FY 13	\$260,000	\$350,000	\$ 90,000	7	Assessment increase will cover improved horticulture/beautification initiatives, as well as the hiring of a part time staff member to perform program management work. In future fiscal years, funds may also be used for streetscape improvements.
	\$30,000			34.6%	Levine	

Forest Ave.	None	\$150,000	\$175,000	\$ 25,000	49	Assessment increase will improve neighborhood tree pits and cover costs necessary to maintain sanitation, beautification and administrative functions.
	N/a			16.7%	Rose	
Myrtle Ave. (BK)	FY 11	\$425,000	\$575,000	\$ 150,000	35	Assessment increase will cover additional maintenance costs for the new public plaza, which officially opens in FY 16. The increase will also cover associated insurances costs.
	\$ 50,000			35.3%	Cumbo	
Steinway Street	FY 09	\$325,000	\$400,000	\$ 75,000	22, 26	Assessment Increase will pay for expenses related to security camera system, enhanced holiday lighting, improved horticulture, and offset minimum wage increases for sanitation contracts.
	\$75,000			23.1%	Constantinides	
Sunnyside Shines	None	\$300,000	\$360,000	\$ 60,000	26	Assessment Increase will pay for expenses relating to maintenance of 2 new plazas (Lowery and Bliss Plazas). It will also provide for larger events and marketing initiatives, cover minimum wage increases, and increase staff capacity.
	N/a			20.0%	Van Bramer	

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 462:)

Res. No. 462

Resolution concerning the increase in the annual expenditure for the Steinway Street, 34th Street, 125th Street, 47th Street, 86th Street Bay Ridge, Columbus/Amsterdam, Forest Avenue, Myrtle Avenue Brooklyn, 161st Street, and Sunnyside Business Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

By Council Members Ferreras, Gentile and Koo (by request of the Mayor).

Whereas, Pursuant to Chapter 4 of Title 25 of the Administrative Code of the City of New York or the predecessor of such Chapter (the "Law"), the City established the Steinway Street, 34th Street, 125th Street, 47th Street, 86th Street Bay Ridge, Columbus/Amsterdam, Forest Avenue, Myrtle Avenue Brooklyn, 161st Street, and Sunnyside Business Improvement Districts in the City of New York; and

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

Whereas, Pursuant to Section 25-410(b) of the Law, an increase in the amount to be expended annually may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize the increase and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded; and

Whereas, The ten Business Improvement Districts wish to increase the amount to be expended annually beginning on July 1, 2014 as follows: Steinway Street, \$400,000; 34th Street, \$10,885,000; 125th Street, \$1,005,793; 47th Street, \$900,000; 86th Street Bay Ridge, \$290,000; Columbus/Amsterdam, \$350,000; Forest Avenue, \$175,000; Myrtle Avenue Brooklyn, \$575,000; 161st Street, \$240,000; and Sunnyside, \$360,000; and

Whereas, Pursuant to Section 25-410(b) of the Law, the City Council is required to give notice of the public hearing by publication of a notice in at least one newspaper having general circulation in the districts specifying the time when and the place where the hearing will be held and stating the proposed amount to be expended annually; now, therefore, be it

Resolved, that the Council of the City of New York, pursuant to Section 25-410(b) of the Law, hereby directs that December 8, 2014 is the date and the City Council Committee Room, 2nd floor, City Hall, Manhattan is the place and 10:00am is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation, which would increase the amount to be expended annually in the ten Business Improvement Districts; and be it further

Resolved, On behalf of the City Council and pursuant to Section 25-410(b) of the Law, the District Management Associations of the Steinway Street, 34th Street, 125th Street, 47th Street, 86th Street Bay Ridge, Columbus/Amsterdam, Forest Avenue, Myrtle Avenue Brooklyn, 161st Street, and Sunnyside Business Improvement Districts are hereby authorized to publish in a newspaper of general circulation in each district, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and setting forth the increase in the amount to be expended annually in each of the ten Business Improvement Districts.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL; Committee on Finance, November 25, 2014.

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

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

Report for Res. No. 476

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on November 25, 2014, respectfully

REPORTS:

Introduction. The Council of the City of New York (the "Council") annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the "Fiscal 2015 Expense Budget"). On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the "Fiscal 2014 Expense Budget"). On June 29, 2011, the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the "Fiscal 2012 Expense Budget").

Analysis. This Resolution, dated November 25, 2014, approves new designations and changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, and approves changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2014 Expense Budget, and approves new designations and changes in the designation of certain organizations receiving funding for a certain initiative in accordance with the Fiscal 2012 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, and local and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2014 Expense Budget, as well as funding for a certain initiative in accordance with the Fiscal 2012 Expense Budget.

This resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 1; sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of funding pursuant to certain initiatives in the Fiscal 2015 Expense Budget, as described in Charts 3-13; sets forth a change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 14; sets forth the changes in the designation of certain organizations receiving funding pursuant to a certain initiative in the Fiscal 2014 Expense Budget, as described in Chart 15; sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to a certain initiative in the Fiscal 2012 Expense Budget, as described in Chart 16; amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as described in Chart 17; and amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as described in Chart 18.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014, Adjustments Summary/Schedule C/Fiscal 2014 Expense Budget, dated June 27, 2013, and Adjustments Summary/Schedule C/Fiscal 2012 Expense Budget, dated June 29, 2011.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget. Some of these new designations and changes will be effectuated upon a budget modification.

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

Chart 3 sets forth the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget. This change will be effectuated upon a budget modification.

Chart 4 sets forth the changes in the designation of the administering agency of the Create New Technology Incubators Initiative in accordance with the Fiscal 2015 Expense Budget. This change will be effectuated upon a budget modification.

Chart 5 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Discretionary Childcare Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 6 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative - Mental Health/Therapeutic Services in accordance with the Fiscal 2015 Expense Budget.

Chart 8 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative - Job Readiness Programs in accordance with the Fiscal 2015 Expense Budget.

Chart 9 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Dropout Prevention and Intervention Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 10 sets forth the new designation and the changes in the designation of a certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget. One of these changes will be effectuated upon a budget modification.

Chart 11 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 12 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 13 sets forth the change in the designation of a certain organization, specifically a change in the administering agency, receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2015 Expense Budget. This change will be effectuated upon a budget modification.

Chart 14 sets forth the change in the designation of a certain organization, specifically a name change, receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 15 sets forth changes in the designation of certain organizations receiving funding pursuant to the Discretionary Childcare Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 16 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Asthma Control Program Initiative in accordance with the Fiscal 2012 Expense Budget.

Chart 17 amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget.

Chart 18 amends the description for the Description/Scope of Services for a certain organization receiving local and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2012, Fiscal 2014, and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 476:)

Res. No. 476

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

By Council Member Ferreras.

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

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

Whereas, On June 29, 2011, the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the “Fiscal 2012 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012, Fiscal 2014, and 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012, Fiscal 2014, and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now therefore be it

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of the administering agency of the Create New Technology Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Job Readiness Programs in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

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

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency, receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the the changes in the designation of certain organizations receiving funding pursuant to the Discretionary Childcare Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Asthma Control Program Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for a certain organization receiving local and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 18.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2015

Member	Organization	EN Number	Agency	Amount	Agcy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EN *
Mark Vucelja	NYS Urban Development Corp DBA Empire State Development	13-2624287	DSBS	(\$16,000.00)	801	002		
Mark Vucelja	Uprock Settlement Association, Inc.	13-1623260	DSBS	\$16,000.00	801	002		
Cabrera	Walton YASC Department of Education	69-0210837	DOE	(\$5,000.00)	040	402		
Cabrera	Walton YASC Department of Education	13-6400434	DOE	\$5,000.00	040	402		
Mealy	Public School 21K **	13-6400434	DOE	(\$3,500.00)	040	402		
Mealy	Wayside Out-Reach Development, Inc. (WORD) - Rosella	11-3526880	DFTA	\$3,500.00	125	003		
Constantinides	New York Foundation For The Arts, Inc. **	23-7129584	DCLA	(\$5,000.00)	128	003		
Constantinides	New York Foundation For The Arts, Inc. **	23-7129584	DYCD	\$5,000.00	260	312		
Richards	Community Center **	13-6400434	NYCHA	(\$3,500.00)	098	002		
Ulrich	Richmond Hill Business Improvement District	27-1343334	DYCD	(\$3,500.00)	260	005		
Ulrich	Richmond Hill Business Improvement District	11-3126351	DYCD	\$3,500.00	260	312		
Palma	City University of New York School of Law Foundation, Inc. - The Research Foundation of the City University of New York -	11-3235349	CUNY	(\$10,000.00)	042	001		
Palma	Community Legal Research Network	13-1988190	CUNY	\$10,000.00	042	001		
Cohen	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$5,000.00)	040	402		
Cohen	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$5,000.00	040	402		
Combo	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$5,000.00)	040	402		
Combo	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$5,000.00	040	402		
Lum	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$3,500.00)	040	402		
Lum	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$3,500.00	040	402		
Miller	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$3,500.00)	040	402		
Miller	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$3,500.00	040	402		
Maisel	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$2,500.00)	040	402		
Maisel	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$2,500.00	040	402		
Rosenthal	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$3,500.00)	040	402		
Rosenthal	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$3,500.00	040	402		
Tomes	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$5,000.00)	040	402		
Tomes	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$5,000.00	040	402		
Eugene	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$3,500.00)	040	402		
Eugene	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$3,500.00	040	402		
Chin	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$3,500.00)	040	402		
Chin	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$3,500.00	040	402		
Kozlowski	Chess-in-the-Schools, Inc.	13-6119036	DOE	(\$3,500.00)	040	402		
Kozlowski	Chess-in-the-Schools, Inc.	13-6119036	DOE	\$3,500.00	040	402		

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

CHART 1: Local Initiatives - Fiscal 2015 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agcy #	UJA	Fiscal Conduit/Sponsoring Organization	Conduit EIN *
Lander	Chess-in-the-Schools, Inc.	13-8119038	DOE	\$3,500.00	040	402		
Lander	Chess-in-the-Schools, Inc.	13-8119038	DOE	\$3,500.00	040	404		
Lander	Chess-in-the-Schools, Inc.	13-8119038	DOE	\$3,500.00	040	404		
Lerone	Chess-in-the-Schools, Inc.	13-8119038	DOE	\$4,000.00	040	454		
Ferrara	Boy Scouts of America - Greater New York Council **	13-1624015	DYCD	(\$3,500.00)	260	312		
Ferrara	Flushing Council on Culture and the Arts Inc. **	11-2652182	DCLA	\$3,500.00	176	003		

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

CHART 2: Youth Discretionary - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agcy #	UJA	Fiscal Conduit/Sponsoring Organization	Conduit EIN *
Ferrara	Flushing Council on Culture and the Arts Inc.	11-2652182	DYCD	(\$3,500.00)	260	312		
Ferrara	Boy Scouts of America - Greater New York Council	13-1624015	DYCD	\$3,500.00	260	312		

* Indicates pending completion of pre-qualification review.

CHART 4: Create New Technology Incubators Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agcy #	UJA
Department of Small Business Services **		13-5400434	DSBS	(\$1,000,000.00)	801	006
City University of New York **		13-5400434	CUNY	\$1,000,000.00	042	001

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

CHART 3: Anti-Poverty Initiatives - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agcy #	UJA	Fiscal Conduit/Sponsoring Organization	Conduit EIN *
Cumbo	Myrtle Ave Commercial Revitalization Development Project Local Development Corporation, The **	31-1706307	DYCD	(\$6,500.00)	260	005		
Cumbo	Myrtle Ave Commercial Revitalization Development Project Local Development Corporation, The **	31-1706307	DSBS	\$6,500.00	801	002		

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

CHART 6: Sports Training and Rolemodels for Success (STARS) Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agry#	UIA *
Power Play	01-3404521	DYCD	(\$500,000.00)	260	312
Sadie Nash Leadership Project	11-3633912	DYCD	\$100,000.00	260	312
Lower East Side Girls Club, The	13-3942863	DYCD	\$100,000.00	260	312
Row New York	11-3632924	DYCD	\$100,000.00	260	312
Girls Write Now, Inc.	54-2115054	DYCD	\$100,000.00	260	312
Groundswell Community Mural Project, Inc.	11-3427213	DYCD	\$100,000.00	260	312

* Indicates pending completion of pre-qualification review.

CHART 5: Discretionary Child Care Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agry#	UIA *
Afro American 1	13-2727406	ACS	(\$315,000.00)	068	004
Afro American 2	13-2727406	ACS	\$100,000.00	068	004
St. Albans Montessori Academy of Learning	46-1560690	ACS	\$215,000.00	068	004

* Indicates pending completion of pre-qualification review.

CHART 8: Anti-Gun Violence Initiative - Job Readiness Programs Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agry#	UIA *
East River Development Alliance, Inc. (Urban Upbound)	86-1096987	DOP	(\$129,400.00)	781	003
Rockaway Development & Revitalization Corporation	11-2575794	DOP	\$129,400.00	781	003

* Indicates pending completion of pre-qualification review.

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

Organization	EIN Number	Agency	Amount	Agry#	UIA *
Forestdale, Inc.	11-1631747	DOHMH	(\$35,000.00)	816	120
Safe Space NYC, Inc.	11-1711014	DOHMH	\$35,000.00	816	120

* Indicates pending completion of pre-qualification review.

CHART 9: Dropout Prevention and Intervention Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
ENACT		13-3422860	DOE	(\$310,000.00)	040	454
Fund for the City of New York, Inc.		13-2612524	DOE	\$310,000.00	040	454

* Indicates pending completion of pre-qualification review.

CHART 10: Cultural After-School Adventure (CASA) - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
Rodriguez	People's Theatre Project, Inc. - JHS 052 Inwood	26-4705999	DCLA	(\$20,000.00)	126	003
Rodriguez	Center for Arts Education - P.S. 5	13-3938090	DCLA	\$20,000.00	126	003
Menchaca	Groundswell Community Mural Project - P.S. 312	11-3427213	DCLA	(\$20,000.00)	126	003
Menchaca	Groundswell Community Mural Project - South Brooklyn Community High School	11-3427213	DCLA	\$20,000.00	126	003
Miller	Community Works, Inc. - P.S. 034	13-5600813	DCLA	(\$20,000.00)	126	003
Miller	Community Works, Inc. - P.S. 015	13-5600813	DCLA	\$20,000.00	126	003
Van Brumer	NATIONAL SEPTEMBER 11 MEMORIAL & MUSEUM - PS 11Q **	38-3678458	DCLA	(\$20,000.00)	126	003
Van Brumer	National September 11 Memorial & Museum - PS 11Q **	38-3678458	DYCD	\$20,000.00	260	005
CO2B	Ballet Hispanico of New York, Inc. - PS 80	13-2665756	DCLA	(\$20,000.00)	126	003
CO2B	Arts Connection, Inc. - PS 80	13-2665340	DCLA	\$20,000.00	126	003
Maisel	Brooklyn Historical Society - Public School 312	11-1630628	DCLA	(\$20,000.00)	126	003
Maisel	Brooklyn Historical Society - Public School 312	11-1630628	DCLA	\$20,000.00	126	003
Gibson	After-School Program Bronx Museum of the Arts - Public School 73	13-2709369	DCLA	(\$20,000.00)	126	003
Gibson	After-School Program Bronx Museum of the Arts - Public School 73	13-2709369	DCLA	\$20,000.00	126	003

* Indicates pending completion of pre-qualification review.

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

CHART 11: Domestic Violence and Empowerment (DoVE) Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
Cumbo	Wyckoff Heights Medical Center - The Violence Intervention and Treatment Program	11-1631837	MOCJ	(\$10,000.00)	098	002
Espinal	Diaspore Community Services, Inc.	11-3122295	MOCJ	\$10,000.00	098	002
Espinal	Wyckoff Heights Medical Center - The Violence Intervention and Treatment Program	11-1631837	MOCJ	(\$25,000.00)	098	002
Espinal	Legal Aid Society / Civil Division - Brooklyn	13-5662265	MOCJ	\$10,000.00	098	002
Richards	District Attorney-Kings	13-400434	MOCJ	\$15,000.00	098	002
Richards	Forestate, Inc.	11-1631747	MOCJ	(\$36,666.50)	098	002
Richards	Connect, Inc.	02-2664268	MOCJ	\$36,666.50	098	002

* Indicates pending completion of pre-qualification review.

CHART 12: Food Pantries Initiative - Fiscal 2015

Borough	Organization	EIN Number	Agency	Amount	Agy #	U/A *
Queens Delegation	St. Theresas		DYCD	(\$12,100.00)	260	005
Queens Delegation	Battalion Pentecostal Assembly, Inc.	11-3548121	DYCD	\$526.00	260	005
Queens Delegation	Church of God in Christ Jesus of the Apostles Faith Corp	11-3071928	DYCD	\$526.00	260	005
Queens Delegation	City Harvest, Inc.	13-3170676	DYCD	\$527.00	260	005
Queens Delegation	City Harvest, Inc.	13-3170676	DYCD	\$527.00	260	005
Queens Delegation	City Harvest, Inc.	13-3170676	DYCD	\$526.00	260	005
Queens Delegation	City Harvest, Inc.	13-3170676	DYCD	\$526.00	260	005
Queens Delegation	City Harvest, Inc.	13-3170676	DYCD	\$526.00	260	005
Queens Delegation	City Harvest, Inc.	13-3170676	DYCD	\$526.00	260	005
Queens Delegation	First Baptist Church of Corona NY, Inc.	31-7571637	DYCD	\$526.00	260	005
Queens Delegation	Flushing Jewish Community Council	13-2665659	DYCD	\$526.00	260	005
Queens Delegation	Hour Children	13-3647412	DYCD	\$526.00	260	005
Queens Delegation	Jewish Center of Jackson Heights	11-1661124	DYCD	\$526.00	260	005
Queens Delegation	Konlat Sappanidi	11-5101774	DYCD	\$526.00	260	005
Queens Delegation	Masbia of Queens	27-5363356	DYCD	\$526.00	260	005
Queens Delegation	MCCNY Charities, Inc.	27-5262132	DYCD	\$526.00	260	005
Queens Delegation	Our Lady of Grace	11-1639627	DYCD	\$526.00	260	005
Queens Delegation	Ridgewood Older Adult Center and Services, Inc.	05-9607283	DYCD	\$526.00	260	005
Queens Delegation	River Fund New York, Inc.	11-5453363	DYCD	\$526.00	260	005
Queens Delegation	Samaritan Outreach Ministries, Inc.	11-5263869	DYCD	\$526.00	260	005
Queens Delegation	Solid Rock Baptist Church	11-2996373	DYCD	\$526.00	260	005
Queens Delegation	St. Margaret Mary Roman Catholic Church	11-1990941	DYCD	\$526.00	260	005
Queens Delegation	Voices of Hagar	11-2438038	DYCD	\$526.00	260	005
Manhattan Delegation	Christian Herald Association	13-1617096	DYCD	(\$2,880.00)	260	005
Manhattan Delegation	New York City Rescue Mission	13-5596794	DYCD	(\$2,880.00)	260	005
Manhattan Delegation	Cabini Immigrant Services of NYC	45-5258656	DYCD	\$5,760.00	260	005
Manhattan Delegation	Food Bank for New York City, The	13-3179546	DYCD	(\$11,880.00)	260	005
Manhattan Delegation	National Council on Jewish Women of New York	13-1624132	DYCD	(\$11,880.00)	260	005
Bronx Delegation	Jewish Community Council of Palham Parkway	13-3706003	DYCD	(\$17,775.00)	260	005
Bronx Delegation	Jewish Community Council of Palham Parkway	13-3096520	DYCD	\$17,775.00	260	005
Manhattan Delegation	St. Rose of Lima		DYCD	(\$5,000.00)	260	005
Manhattan Delegation	St. Rose of Lima	11-1635114	DYCD	\$5,000.00	260	005

* Indicates pending completion of pre-qualification review.

CHART 13: NYC Digital Inclusion and Literacy Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
Deutsch	Jewish Association for Services for the Aged (JASA) **	13-2620896	DYCD	(\$14,705.00)	260	005
Deutsch	Jewish Association for Services for the Aged (JASA) **	13-2620896	DFTA	\$14,705.00	125	003

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

CHART 14: Local Initiatives - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *	Fiscal Conduit	Sponsoring Organization	Conduit EIN *
Williams	New York Foundation For The Arts	23-7129564	DYCD	(\$7,000.00)	260	005			
	New York Foundation For The Arts, Inc. - contributing	23-7129564	DYCD	\$7,000.00	260	005			

* Indicates pending completion of pre-qualification review.

CHART 16: Asthma Control Program Initiative - Fiscal 2012

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	SUNY Downstate Medical Center, University Hospital of Brooklyn at Long Island College Hospital	11-1018985	DOHMH	(\$75,000.00)	816	113
	Research Foundation of State University of New York, The	14-1368361	DOHMH	\$75,000.00	816	113

* Indicates pending completion of pre-qualification review.

CHART 15: Discretionary Child Care Initiative - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
Rodriguez	Dominican Women's Development Center - Dominican Women's Day Care	13-3593855	ACS	(\$736,430.00)	068	004
Miller	Afro-American Parents Day Care Center, Inc.	13-2727406	ACS	(\$122,474.00)	068	004
	Administration for Children's Services	13-6404344	ACS	\$658,904.00	068	004

* Indicates pending completion of pre-qualification review.

CHART 17: Purpose of Funds Changes - Fiscal 2015 (Continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Sports Training and Rolemodels for Success (STARS) Initiative		Power Play	013404521	DYCD	(\$50,000.00)	PowerPlay via the STARS initiative will expand its programming to reach more girls citywide. Funding will support the STARS Series in after school programming promoting physical activity, healthy living and wellness for elementary and middle school girls. For the 2015-2016 season, the STARS Series will include a summer program providing girls opportunities to be physically active and learn healthy living habits, develop work-life and life skills, be connected with mentorship, and explore the college admissions process. Additionally, the SuperSTARS Symposium will be a one-day event to build upon what they have learned and connect further with successful women who will share life-lessons, collegial career advice, sports clinics and networking.
Sports Training and Success (STARS) Initiative		Power Play	013404521	DYCD	\$500,000.00	To provide middle school and high school girls from across the city with academic enrichment, sports training and leadership programs.
Poverty	Mealy	Reshaping Our Youth and Adult Lives, Inc.	26-1470496	DYCD	(\$10,000.00)	The funding will be used to pay for teachers and supplies for a test preparation class in District 41 for the Licensed Practical Nurse program entrance exam administered by the State University of New York. The program provides employment as a Licensed Practical Nurse to anyone who completes the program. Funds will also be used to provide OSHA training to constituents of the 41st district.
Poverty	Mealy	Reshaping Our Youth and Adult Lives, Inc.	26-1470496	DYCD	\$10,000.00	The funding will be used to pay for teachers and supplies for a test preparation class in District 41 for the Licensed Practical Nurse program entrance exam administered by the State University of New York. The program provides employment as a Licensed Practical Nurse to anyone who completes the program. Funds will also be used to provide OSHA training to constituents of the 41st district.
Local	Mealy	Green Earth Peets Caffe, Inc.	46-4651621	DYCD	(\$5,500.00)	The funding will be used to pay for staff stipends, equipment purchases and rental, and venue rental. The funds will be used to support Green Earth Peets' Caffe's work with youth and seniors in District 41.
Local	Mealy	Green Earth Peets Caffe, Inc.	46-4651621	DYCD	\$6,500.00	The funding will be used to pay for stipends, equipment purchases and rental, and weekend venue rental. The funds will be used to support Green Earth Peets' Caffe's work with youth and seniors in District 41.
Local	Greenfield	Congregation Kehal Praisshim, Inc.	11-2505552	DYCD	(\$5,000.00)	Funds will be used to support a program targeting youth providing them with food, drinks and snacks. We help them get counselors and mentors while getting them off the streets and back to school or work. We provide other needs such as clothing and housing if necessary.
Local	Greenfield	Congregation Kehal Praisshim, Inc.	11-2505552	DYCD	\$5,000.00	Funds will be used to support a program targeting youth providing them with food, drinks and snacks. We help them get counselors and mentors while getting them off the streets and back to school or work. We provide other needs such as clothing and housing if necessary.
Local	Reynoso	Ridgewood Local Development Corporation	11-2483351	DSSS	(\$20,000.00)	To support economic development/communitarian improvement Programs in and around the neighborhood of the Metropolitan Business Development Corporation (MBDC) and administrative costs, rent/OTPS, consultants, marketing, promo items for special events and programs, and youth/families market costs with GROWN/ NYC and NYC Plaza Program.
Local	Reynoso	Ridgewood Local Development Corporation	11-2483351	DSSS	\$20,000.00	Funding will be used for general operating, staffing and administrative costs, rent/OTPS, consultants, marketing, promo items for special events and programs, and youth/families market costs with GROWN/ NYC and NYC Plaza Program.
Local	Speaker	Southside United Housing Development Fund Corp.	11-2268359	HPD	(\$100,000.00)	Funds will be used to support and expand several of its programs: 1) Hydroponic Farm and Food Pantry; 2) Senior Wellness Program at our Senior Center; 3) Community Organizing to continue assisting in tenant organizing and housing advocacy; 4) Greening Funds will be used to support Community Organizing to continue assisting in tenant organizing and housing advocacy.
Local	Speaker	Southside United Housing Development Fund Corp.	11-2268359	HPD	\$100,000.00	Funds will be used to support and expand several of its programs: 1) Hydroponic Farm and Food Pantry; 2) Senior Wellness Program at our Senior Center; 3) Community Organizing to continue assisting in tenant organizing and housing advocacy; 4) Greening Funds will be used to support Community Organizing to continue assisting in tenant organizing and housing advocacy.

* Indicates pending completion of pre-qualification review.

CHART 17: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
New York Immigrant Family Unity Project		Bronx Defenders	13-3931074	DSS/HRA	(\$1,551,000.00)	Funding supports the nation's first government-funded universal-representation program for detained immigrants. Legal representation will be provided through a universal-representation, institutional-provider model with screening only for income eligibility for indigent detained and otherwise-unrepresented immigrants facing deportation.
New York Immigrant Family Unity Project		Bronx Defenders	13-3931074	DSS/HRA	\$1,551,000.00	Funding supports the nation's first government-funded universal-representation program for immigrants facing deportation. Legal representation will be provided through a universal-representation, institutional-provider model with screening only for income eligibility for indigent detained and otherwise-unrepresented immigrants facing deportation. While priority for legal representation will go to detained immigrants, the funding will also support legal representation for non-detained immigrants facing deportation.
New York Immigrant Family Unity Project		Brooklyn Defenders Services	11-3305406	DSS/HRA	(\$1,551,000.00)	Funding supports the nation's first government-funded universal-representation program for indigent detained and otherwise-unrepresented immigrants facing deportation.
New York Immigrant Family Unity Project		Brooklyn Defenders Services	11-3305406	DSS/HRA	\$1,551,000.00	Funding supports the nation's first government-funded universal-representation program for indigent detained and otherwise-unrepresented immigrants facing deportation. While priority for legal representation will go to detained immigrants, the funding will also support legal representation for non-detained immigrants facing deportation.
New York Immigrant Family Unity Project		Legal Aid Society	13-5962265	DSS/HRA	(\$1,551,000.00)	Funding supports the nation's first government-funded universal-representation program for indigent detained and otherwise-unrepresented immigrants facing deportation.
New York Immigrant Family Unity Project		Legal Aid Society	13-5962265	DSS/HRA	\$1,551,000.00	Funding supports the nation's first government-funded universal-representation program for indigent detained and otherwise-unrepresented immigrants facing deportation. While priority for legal representation will go to detained immigrants, the funding will also support legal representation for non-detained immigrants facing deportation.
New York Immigrant Family Unity Project		Vera Institute of Justice	13-1941627	DSS/HRA	(\$247,000.00)	Funding supports the nation's first government-funded universal-representation program for indigent detained and otherwise-unrepresented immigrants facing deportation.
New York Immigrant Family Unity Project		Vera Institute of Justice	13-1941627	DSS/HRA	\$247,000.00	Funding supports the nation's first government-funded universal-representation program for indigent detained and otherwise-unrepresented immigrants facing deportation. While priority for legal representation will go to detained immigrants, the funding will also support legal representation for non-detained immigrants facing deportation.

* Indicates pending completion of pre-qualification review.

CHART 18: Purpose of Funds Changes - Fiscal 2014

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Troyer	Alliance for Conroy Island, Inc.	46-0802042	DYCD	(\$20,000.00)	Funds will be used to defray the cost of the New Year's Eve event in Conroy Island.
Local	Troyer	Alliance for Conroy Island, Inc.	46-0802042	DYCD	\$20,000.00	Funds will be used to defray the cost of the New Year's Eve event in Conroy Island.
Youth	Arroyo	Sauli Yael Center for African Women	20-1209796	DYCD	(\$15,000.00)	To support culturally sensitive domestic violence services focused on immigrants from Africa.
Youth	Arroyo	Sauli Yael Center for African Women	20-1209796	DYCD	\$15,000.00	The Discretionary funds will support college preparation and post high school activities for 20 immigrant girls in Sauli Yael's Girls Empowerment and Leadership Initiative Program (GELI). Activities will include but not limited assistance with college applications, essay writing, financial aid workshops and site visits to prospective colleges for 20 students

* Indicates pending completion of pre-qualification review.

CHART 17: Purpose of Funds Changes - Fiscal 2015 (Continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Poverty	Rosenthal	Lincoln Square Neighborhood Center, Inc.	13-1625918	DYCD	(\$4,000.00)	Funds support LSNV summer camp program and positive influence basketball program.
Poverty	Rosenthal	Lincoln Square Neighborhood Center, Inc.	13-1625918	DYCD	\$4,000.00	Funds to support staff at LSNV summer camp program and the summer basketball program.
Local	Rosenthal	Medicine Show Theatre Ensemble, Inc.	23-7158715	DCLA	(\$3,500.00)	Funds to help underwrite free and discounted ticket program to Senior Centers throughout Manhattan.
Local	Rosenthal	Medicine Show Theatre Ensemble, Inc.	23-7158715	DCLA	\$3,500.00	Funds to support free and discounted seniors ticket program for Medicine Show Theatre Ensemble.
Local	Eugene	Arab-American Family Support Center, Inc., The	11-3167245	DYCD	(\$4,300.00)	To support Civics ESL and Citizenship Program. Funding will provide immigrants with tutoring for citizenship exams.
Local	Eugene	Arab-American Family Support Center, Inc., The	11-3167245	DYCD	\$4,300.00	Funds will be used to expand the Civics ESL and Citizenship efforts under our Adult Education and Literacy Program. We will create a civics-based ESL curriculum aimed at supporting immigrant immigrants on U.S. history, civics rights, government, and voter participation.
Local	Speaker	Mayor's Office of Contract Services	13-6400434	MAYOR	(\$50,000.00)	CBO Capacity Building Training.
Local	Speaker	Mayor's Office of Contract Services	13-6400434	MAYOR	\$50,000.00	Administrative fee and interest for supplemental loan funds.
Local	Crowley	Feathered Friends Parrot Adoption Services, Inc.	20-1981209	DYCD	(\$2,000.00)	Funding for educational materials, and to purchase quality cages, including our goal of purchasing an outdoor aviary for summertime use, quality cages, including our goal of purchasing an outdoor aviary for summertime use, to purchase food, pay for Veterinary Services, and general program expenses.
Local	Crowley	Feathered Friends Parrot Adoption Services, Inc.	20-1981209	DYCD	\$2,000.00	Funds will supplement the costs of a Student Health Center Manager, specifically to provide outreach to the school community to increase awareness on services available at the Health Center and to provide insurance counseling to students and families who are uninsured.
Poverty	Rose	Children's Aid Society, The	13-5662191	DYCD	(\$6,000.00)	Funds will be used for the Goodhue Center to strengthen recreational and educational services to youth in a five day a week, after school program for pre-teens and a two evening a week teen program. In both programs, 155 youth will be involved in a variety of activities that will include sports, arts, computer technology, homework help and tutoring.
Poverty	Rose	Children's Aid Society, The	13-5662191	DYCD	\$6,000.00	Funds will be used for the Goodhue Center to strengthen recreational and educational services to youth in a five day a week, after school program for pre-teens and a two evening a week teen program. In both programs, 155 youth will be involved in a variety of activities that will include sports, arts, computer technology, homework help and tutoring.
Local	Meliss	We Care New York, Inc	46-2357985	DYCD	(\$4,000.00)	To provide critical services to residents.
Local	Meliss	We Care New York, Inc	46-2357985	DYCD	\$4,000.00	To provide critical services to residents and the community in whole who are affected by crisis or natural disaster connect with programs and provide assistance or foster donations to assist them with recovery.

* Indicates pending completion of pre-qualification review.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL; Committee on Finance, November 25, 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 General Welfare

Report for Int. No. 361-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 department of homeless services to grant a presumption of eligibility for applicants to the shelter system who are exiting human resources administration domestic violence shelters.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 29, 2014 (Minutes, page 1915), respectfully

REPORTS:

Introduction

On November 24, 2014, the Committee on General Welfare, chaired by Council Member Stephen Levin, will hold a hearing on Proposed Int. No. 361-A, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to grant a presumption of eligibility for applicants to the shelter system who are exiting human resources administration domestic violence shelters. This will be the second hearing on the bills; the first hearing was held on October 20, 2014. At the hearing, Human Resources Administration Commissioner, Steven Banks, and representatives from the Legal Aid Society, Coalition for the Homeless, and others testified. Amendments were made to the bill after the first hearing.

Background: Emergency Shelter for Domestic Violence Victims

For victims of domestic violence that require shelter, the Human Resources Administration (HRA) oversees the City’s system of emergency domestic violence shelters. HRA’s Office of Domestic Violence (ODV) connects clients with emergency shelter, temporary shelter, and supportive services.¹ HRA’s ODV directly operates one emergency shelter and thirty-eight additional emergency domestic violence shelters are operated by contracted not-for-profit providers under the supervision of the ODV.² Under State law, local social services districts, such as New York City, must provide temporary emergency shelter to survivors of domestic violence, but State law also limits stays in these shelters to a total of 180 consecutive days.³ During the month of August 2014, HRA’s Domestic Violence shelters served 1,008 families at a given point in time, and 1,267 unduplicated families over the course of the month.⁴

In addition to the approximately 1,000 families served each day in HRA’s domestic violence shelters, many victims reside in the Department of Homeless Services (DHS) shelter system. Currently, there are over 58,000 individuals in shelter, and in addition to eviction and overcrowding, one of the primary reasons for shelter entry is domestic violence.⁵ According to DHS, approximately 30 percent of shelter residents have been affected by domestic violence.

During the intake process at the Prevention Assistance and Temporary Housing (PATH) Office, the City’s single intake point for families with children seeking shelter, individuals are asked whether they are applying for shelter in order to seek refuge from domestic violence.⁶ Those who report household violence are referred to No Violence Again (NOVA) workers at PATH, who specifically assist victims of domestic violence.⁷ If space is available, families will be referred to a HRA domestic violence shelter; if the HRA domestic violence shelters are at capacity, the family will be placed in a DHS family shelter. Domestic violence victims are also referred to PATH for shelter after they time out of a HRA domestic violence shelter and have not located a permanent housing resource.

After the 180-day time limit on HRA’s domestic violence shelters expires, there are limited options for victims that require additional shelter and have not been able to relocate into permanent housing. HRA’s ODV oversees and provides client referrals for eight transitional housing programs; however this is a limited resource.

for the Lower Ma

¹ NYC Human Resources Administration, Domestic Violence Support, available at http://www.nyc.gov/html/hra/html/services/domestic_violence.shtml (last visited Oct. 14, 2014).

² *Id.*

³ N.Y. Soc. Serv. § 459-b. Emergency shelter is limited to 90 days with the possibility of two 45 day extensions for residents who continue to need emergency shelter.

⁴ New York City Mayor’s Office of Operations, Local Law 37 Temporary Housing Report, (Aug. 2014) available at http://www.nyc.gov/html/ops/downloads/pdf/temporary_housing_report.pdf.

⁵ Testimony of Gilbert Taylor, Commissioner, Department of Homeless Services, before the Committee on General Welfare, Oversight: Conditions and Operations in the Department of Homeless Services’ Family Shelters, p. 39.

⁶ *Id.*

⁷ Department of Homeless Services, [Welcome to PATH](#), at 1 (on file with the Committee on General Welfare).

As a result, many domestic violence victims will seek shelter with DHS. According to DHS, approximately 50-75 individuals a month enter the DHS system after timing out of a HRA domestic violence shelter. Currently, domestic violence victims who enter the DHS system after timing out of a HRA domestic violence shelter must undergo DHS’ eligibility determination process.

Analysis: Int. No. 361

Proposed Int. No. 361-A would require DHS to grant a presumption of eligibility to any applicant for temporary shelter placement in the DHS system. This bill would require DHS to automatically deem domestic violence survivors eligible for shelter in the DHS system if (1) applicants are no longer eligible for HRA domestic violence shelter because they have reached the maximum length of stay, (2) HRA has provided DHS with notice of applicants upcoming exit, which the bill would also require HRA to provide, and (3) applicants report to DHS on the same day they exited the HRA domestic violence shelter. The bill would require that these applicants be permitted to enter the DHS shelter system without undergoing an eligibility determination from DHS. The legislation would take effect immediately upon enactment.

After the first hearing on this bill, the proposed legislation was amended to remove shelters operated by the Department of Youth and Community Development. The proposed legislation was additionally amended to require HRA to provide DHS with notice of the applicant’s upcoming exit from the HRA shelter and clarified that the applicant must report to DHS on the same day of the exit from the HRA shelter.

(The following is the text of the Fiscal Impact Statement for Int. No. 361-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION

LATONIA MCKINNEY,
DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO.: 361-A
COMMITTEE:
General Welfare

TITLE: To amend the administrative code of the city of New York, in relation to requiring the department of homeless services to grant a presumption of eligibility for applicants to the shelter system who are exiting human resources administration domestic violence shelters.

SPONSORS: Johnson, Levin, Chin, Dickens, Eugene, Koo, Levine, Rose, Rodriguez, Mendez, Richards, Rosenthal, Menchaca, and Lander

SUMMARY OF LEGISLATION: The Human Resources Administration (HRA) provides emergency shelter to victims of domestic violence. Pursuant to New York State law, the maximum stay at these shelters is 180 days. Domestic violence survivors who still require temporary shelter after 180 days must enter the Department of Homeless Services (DHS) shelter system. Currently, these individuals and families must go to DHS’ intake facility for an eligibility assessment prior to being admitted to a DHS shelter.

This legislation would require DHS to automatically deem eligible for shelter any applicant who resided in an HRA domestic violence shelter immediately prior to applying for DHS shelter if 1) the applicant is no longer eligible for HRA domestic violence shelter because he or she has reached the maximum, 180 day length of stay, 2) HRA has provided DHS with advance notice of the applicant’s upcoming exit from a domestic violence shelter, which the bill would require HRA to provide, and 3) the applicant reports to DHS on the same day he or she exits the HRA domestic violence shelter.

EFFECTIVE DATE: This local 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: It is estimated that this legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures. This legislation would not increase the number of people in

the homeless shelter system; it would simply permit for a more seamless transition between the two shelter systems.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Human Resources
Administration

ESTIMATE PREPARED BY: Brittany Morrissey, Legislative Financial Analyst

ESTIMATED REVIEWED BY: Regina Poreda Ryan, Deputy Director, New York
City Council Finance Division

Rebecca Chasan, Assistant Counsel, New York
City Council Finance Division

LEGISLATIVE HISTORY: Intro. No. 361 was introduced to the full Council on May 29, 2014 and referred to the Committee on General Welfare. The Committee on General Welfare held a hearing jointly with the Committees on Women's Issues and Courts and Legal Services on Intro. No. 361 on October 20, 2014 and the legislation was laid over. After the hearing, Intro. No. 361 was amended and Proposed Intro. 361-A will be considered by the Committee on General Welfare on November 24, 2014. Upon successful vote by the Committee, Proposed Intro. No. 361-A will be submitted to the full Council for a vote on November 25, 2014.

DATE PREPARED: November 24, 2014

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 361-A:)

Int. No. 361-A

By Council Members Johnson, Levin, Chin, Dickens, Eugene, Koo, Levine, Rose, Rodriguez, Mendez, Richards, Rosenthal, Menchaca, Lander, Cumbo, Constantinides, Arroyo, Van Bramer, King, Wills, Espinal, Dromm, Greenfield and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to grant a presumption of eligibility for applicants to the shelter system who are exiting human resources administration domestic violence shelters.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-316 to read as follows:

§ 21-316 *Presumption of eligibility. a. For purposes of this section, "HRA domestic violence shelter" shall mean any residential care facility providing emergency shelter and services to victims of domestic violence and their minor children and operated by the department of social services/human resources administration or a provider under contract or similar agreement with the department of social services/human resources administration.*

b. The department shall deem any applicant residing in an HRA domestic violence shelter an eligible homeless person for purposes of temporary shelter placement provided by the department provided (i) the applicant is no longer eligible for such HRA domestic violence shelter because such applicant has exhausted the maximum length of stay permitted at such HRA domestic violence shelter; (ii) the human resources administration or successor entity has provided the department with advance notice of such applicant's upcoming exit from such HRA domestic violence shelter, with the human resources administration or successor entity required to provide such advance notice where applicable; and (iii) such applicant reports to the department on the same calendar day as the applicant's exit from such HRA domestic violence shelter. Such applicants shall not be required to undergo an eligibility determination process at a department intake facility prior to being admitted to a temporary shelter placement.

§ 2. This local law shall take effect immediately.

STEPHEN T. LEVIN, *Chairperson*; FERNANDO CABRERA, RUBEN WILLS, COREY D. JOHNSON, CARLOS MENCHACA; Committee on General Welfare, November 24, 2014.

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

Reports of the Committee on Governmental Operations

Report for Int. No. 356-A

Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to improving compliance with the city's pro-voter law.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on May 14, 2014 (Minutes, page 1696), respectfully

REPORTS:

INTRODUCTION

Today, the Committee on Governmental Operations, chaired by Council Member Benjamin Kallos, will conduct a hearing and vote on two bills and a resolution. All three relate to the agency-based voter registration program ("the program" or "the law") conducted pursuant to the requirements of section 1057-A of the New York City Charter. The bills, both of which would make amendments to the program, are Proposed Int. No. 356-A, introduced by Council Member Williams, and Proposed Int. No. 493-A, introduced by Council Member Kallos. The resolution is Preconsidered Res. No. 480, to be introduced by Council Members Williams and Kallos at tomorrow's Stated Meeting of the Council. The two bills were previously heard by this Committee on October 23, 2014.

THE AGENCY-BASED VOTER REGISTRATION PROGRAM

The City's agency-based voter registration program was created by Local Law 29 of 2000. The law was passed in response to the Department of Motor Vehicles' increased role in the voter registration process due, in part, to the passage of the National Voter Registration Act of 1993 (often called the "motor voter" law).⁸ Utilizing Departments of Motor Vehicles ("DMV") around the country to register voters makes sense in much of the country because of the high incidence of car ownership and the common use of a driver's license as many individuals' primary form of official identification. Enlisting DMVs around the country in voter registration efforts ensures that large numbers of citizens are able to benefit from its efforts. In New York City, however, fewer than 50% of households own a car, and are therefore less likely to visit a DMV office.⁹

The agency-based voter registration law is intended to reach those New Yorkers who might not drive a car, but who interact with government agencies other than the DMV. The law is intended to make voter registration widely available by automatically including registration forms when any of nineteen agencies across the City give a New Yorker a form to apply for or renew services, or update an address.¹⁰ It also gives agencies the option to provide assistance in completing these forms and submitting them to the Board of Elections ("BOE") where desired. Rather than relying on agencies to include a separate form, the law requires them to incorporate a voter registration form directly into their own application forms for services, and requires that they require the same in their agreements with subcontractors. The covered agencies are also required by the law to display promotional materials relating to registering to vote. The Voter Assistance Advisory Committee is tasked with providing guidelines and training for covered agencies.

Three years after passing Local Law 29, the Council undertook an investigation into whether agencies were complying with their responsibilities under the law. In its report entitled "Voter Registration Forms Not Available Here: NYC Community Boards and City Agencies," the Council found that compliance was severely lacking.¹¹ The investigation concluded that 65% of the 40 agency locations, and over 40% of the community boards visited, did not have voter registration materials available for the public.¹² Of those without such materials, nearly half told investigators that such materials had never been available, suggesting that some agencies had never complied at all.¹³

Low levels of compliance are suggested by data in the Annual Reports of the BOE as well. Of the approximately 527,000 forms distributed to agencies by the BOE for use in the program from 2010–2013, fewer than 25,000, or less than 5%, were returned as completed registrations.¹⁴ This compares with over 464,000 applications received from a single state agency, the DMV, over the same time period, and well over one million new and updated registrations received by the BOE overall.¹⁵

Mayor de Blasio took a step to improve compliance with the agency-based voter registration law when he issued Directive 1 on July 11 of this year. In this directive, Mayor de Blasio directed the nineteen agencies covered by the law to comply with its provisions in full, and to "prepare a plan implementing the requirements of City for the Lower Ma_____

⁸ Public Law 103-31.

⁹ According to a 2012 analysis of census data by the New York City Economic Development Corporation, 1.4 million households in New York City own a car, out of 3.0 million total households. Car ownership ranges among the boroughs from a low of 23% in Manhattan to 84% in Staten Island. "New Yorkers and Cars," available at <http://www.nycedc.com/blog-entry/new-yorkers-and-cars>.

¹⁰ NYC Charter §1057-A. An exception exists with respect to "services that must be provided to prevent actual or potential danger to the life, health or safety of any individual or of the public."

¹¹ New York City Council Investigation Division, "Voter Registration Forms Not Available Here: NYC Community Boards and City Agencies" (Sep. 2003) available at <http://www.nyc.gov/html/records/pdf/govpub/657voterforms.pdf>.

¹² *Id.* at 4.

¹³ *Id.*

¹⁴ New York City Board of Elections Annual Reports, 2010, 2011, 2012, and 2013. Data is from pages 17, 18, 25, and 27 of these reports, respectively. Reports are available at <http://www.vote.nyc.ny.us/html/forms/reports.shtml>.

¹⁵ *Id.* The BOE processed 464,734 registrations from the Department of Motor Vehicles from 2010–2013, according to their annual reports for these years.

Charter §1057-a and submit that plan to the Director of Operations” by September 9, 2014.¹⁶ Further, each agency was directed to “prepare semi-annual reports on the implementation of [the] Directive, including the number of voter registration forms distributed, the number of registration forms completed and the number of registration forms transmitted to the Board of Elections” and to submit such reports to the Director of Operations.¹⁷

In October of this year, however, a coalition of good government groups released a report entitled “A Broken Promise: Agency-Based Voter Registration in New York City” (“the report”).¹⁸ In preparing the report, these groups submitted Freedom of Information Law (FOIL) requests to the agencies covered by the law.¹⁹ In response to these requests, the report indicates that not one agency provided an application form for services that had an incorporated voter registration form, as covered agencies are required to use under the law.²⁰ The groups also visited fourteen offices of covered agencies, where they interviewed 139 New Yorkers about their experience applying for or renewing services or changing their address at the applicable covered agency.²¹ Of those who self-identified as citizens²², the report indicates that 84% were not given a voter registration form.²³ In interviews with frontline staff at fifteen agencies covered by the law, the report indicates that 60% reported that voter registration applications were unavailable in their office.²⁴ According to the report, only one agency – the Administration for Children’s Services – appeared to have integrated a voter registration form into their application forms as required by the agency-based voter registration law.²⁵

ANALYSIS OF, AND CHANGES TO, PROPOSED INT. NO. 356-A

Proposed Int. No. 356-A would require agencies covered by the law to semi-annually report to the Mayor’s Office of Operations the number of registration forms they distribute, the number of registration forms completed at an agency office to the extent readily ascertainable, and the number of registration forms they transmit to the BOE for each reporting period. Each report would be required to be submitted to the Mayor’s Office of Operations by January 15 and July 15 of each year. The Mayor’s Office of Operations would be required to combine these into one compiled report, to be submitted to the Speaker of the Council by February 15 and August 15 of each year.

Proposed Int. No. 356-A would go into effect immediately, except that the first reports due under the bill would be required by July 15, 2015 to the Mayor’s Office of Operations, and August 15, 2015 to the Council.

This bill was changed after the hearing by adding self-reporting by agencies and removing reporting by the BOE of the number of registration forms received from each agency with an agency-specific code. The agency-specific coding required by the previous version of the bill would not be required under the A-version of this bill.

ANALYSIS OF, AND CHANGES TO, PROPOSED INT. NO. 493-A

Proposed Int. No. 493-A would add seven agencies to the existing nineteen agencies covered by the law. They are: the Business Integrity Commission, the Department for the Aging, the Department of City Planning, the Department of Cultural Affairs, the Department of Records and Information Services, the Fire Department, and the Human Resources Administration.

The bill would require participating agencies to provide assistance in completing voter registration forms, and to mail such forms to the BOE, if the applicant so requests, actions that are optional for agencies under the current law. The bill would require that the voter registration forms provided be in the same language as the application form they are paired with, where practicable.

The bill would require that voter registration forms be integrated into participating agencies’ application forms by December 1, 2015, or at the next regularly scheduled printing of the agency’s application forms, whichever is earlier. This would mean that agencies treat voter registration forms as if they were any other page in their application form, most likely by receiving voter registration forms by the same means through which they receive their regular application forms, rather than an additional and separate form that is required to be included with their standard application forms and obtained from the BOE.

This bill would take effect sixty days after its enactment, except that the seven new agencies would not be covered by the program until one year after enactment.

Since it was heard originally in October, the number of agencies added to the agency-based voter registration program in this bill was reduced from fourteen to seven. The requirement that assistance be provided to applicants if requested was broadened to require that agencies that provide assistance with their own forms

for the Lower Ma_____

¹⁶ Mayor Bill de Blasio, “Directive 1” (Jul. 11, 2014), available at <http://www1.nyc.gov/assets/home/downloads/pdf/directives/directive-1.pdf>.

¹⁷ *Id.*

¹⁸ The Center for Popular Democracy, Citizens Union, the Brennan Center for Justice, NYPIRG, and the Asian American Legal Defense and Education Fund co-published this report, which is available through the Center for Popular Democracy’s website at <http://populardemocracy.org/sites/default/files/Voter%20Registration%20NYC%20-%20Report.pdf>.

¹⁹ According to the report, the groups did not submit FOIL requests to the City’s 59 community boards. See footnote 14 of the report.

²⁰ See page 5 of the report.

²¹ These three activities – applying for services, applying to renew services, and changing an address – are the three activities for which covered agencies are required to provide a voter registration form under §1057-A of the Charter.

²² Only citizens are eligible to register to vote, and data on non-citizens does not appear to be included in the report.

²³ See page 5 of the report.

²⁴ See page 6 of the report.

²⁵ See page 6–7 of the report.

provide the same level of assistance with voter registration forms. The requirement that voter registration forms provided be in the same language as the application form there are paired with, where practicable, was added. The specific date by which agencies must incorporate voter registration forms into their own application forms was added. The effective date was extended to one year for the agencies being added to the agency-based voter registration program. Finally, technical changes were made to conform the bill to state law and make other technical changes

ANALYSIS OF PRECONSIDERED RES. NO. 480

Preconsidered Res. No. 480 calls on the state legislature to pass, and the Governor to sign, legislation permitting the New York City Council to require that registration forms utilized in the agency-based voter registration program contain an agency-specific code, allowing the BOE to know when it receives such a form that it came from one agency or another. Under current state law, the source of voter registration forms covered by the state’s agency-based voter registration program²⁶ is required to remain confidential.²⁷ Including a code identifying such a form as coming from one agency or another is therefore not permissible. This resolution calls for a change in state law to allow for coding, and to ensure that the source of such forms remains confidential with respect to the public.

CONCLUSION

The Committee looks forward to hearing any testimony on these bills and resolution, and conducting a vote thereafter.

(The following is the text of the Fiscal Impact Statement for Int. No. 356-A:)



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

PROPOSED INTRO. NO: 356-A
COMMITTEE:
Governmental
Operations

TITLE: A Local Law to amend the New York City charter, in relation to improving compliance with the city’s pro-voter law.

SPONSOR(S): By Council Members Williams, Constantinides, Levine, Mendez, Rodriguez, Rosenthal, Wills, Gibson, Reynoso, Menchaca, Richards, Miller, Barron, Kallos, Crowley, Koslowitz, Dickens, Cohen, Vacca and Garodnick

SUMMARY OF LEGISLATION: Proposed Int. No. 356-A would institute reporting requirements relating to the “agency-based voter registration program,” which requires designated agencies to distribute voter registration forms with their applications for services. The bill would require each of the designated agencies to semi-annually report the number of registration forms distributed, the number completed in an agency office, and the number transmitted to the Board of Elections. The Mayor’s Office of Operations would be responsible for consolidating each agency’s report into a single report that would be sent to the Speaker by February 15 and August 15 of each year.

EFFECTIVE DATE: This local law would go into effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2015

FISCAL IMPACT STATEMENT:

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

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

for the Lower Ma_____

²⁶ At the city level, these include the Department for the Aging and the Human Resources Administration.

²⁷ N.Y. Election Law §5-211(8).

IMPACT ON EXPENDITURES: Earlier this year, Mayor de Blasio issued a directive which notified agencies of their responsibilities regarding voter registration efforts, and required that they report data on compliance to the Mayor’s office. Therefore, the agencies are currently compiling the required data outlined in this legislation. It is estimated that this legislation would have no impact on expenditures since existing resources would be used to comply with this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: John Russell, Principal Financial Legislative Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on May 14, 2014 as Intro. 356 and referred to the Committee on Governmental Operations. The Committee on Governmental Operations held a hearing on Intro. 356 on October, 23 2014 and the legislation was laid over. An amended version of the legislation, Proposed Intro. 356-A, will be considered by the Committee on Governmental Operations on November 24, 2014, and upon successful vote of the Committee, Proposed Intro. 356-A will be submitted to the Full Council for a vote on November 25, 2014.

DATE PREPARED: November 21, 2014

(For text of the bills Int 493-A and its Fiscal Impact Statement, please see the Report of the Committee on Governmental Operations printed below in these Minutes; for text of Res No. 480, please see the Report of the Committee on Governmental Operations printed in the voice-vote Resolutions section of these Minutes)

Accordingly, this Committee recommends the adoption of Int No. 356-A, Int No. 493-A, and Res No. 480.

(The following is the text of Int. No. 356-A:)

Int. No. 356-A

By Council Members Williams, Constantinides, Levine, Mendez, Rodriguez, Rosenthal, Wills, Gibson, Reynoso, Menchaca, Richards, Miller, Barron, Kallos, Crowley, Koslowitz, Dickens, Cohen, Vacca, Garodnick, Arroyo, Van Bramer, Lander, Dromm, Eugene and Greenfield.

A Local Law to amend the New York city charter, in relation to improving compliance with the city's pro-voter law.

Be it enacted by the Council as follows:

Section 1. Section 1057-A of chapter forty-six of the New York city charter is amended by adding a new subdivision eight to read as follows:

8. Each participating agency, other than community boards and the city clerk, shall submit semi-annual reports on their implementation of this section to the mayor’s office of operations. Such reports shall include the number of registration forms distributed, the number of registration forms completed at an agency office to the extent readily ascertainable, and the number of registration forms transmitted to the board of elections. Such reports shall be submitted to the mayor’s office of operations by January 15 and July 15 of each year, with the first reports due by July 15, 2015. The mayor’s office of operations shall compile such reports into a single report that disaggregates such data by agency, and shall deliver such compiled report to the speaker by February 15 and August 15 of each year, with the first such report due by August 15, 2015.

§ 2. This local law shall take effect immediately.

BEN KALLOS, Chairperson; DAVID G. GREENFIELD, MARK LEVINE, STEVEN MATTEO; Committee on Governmental Operations, November 24, 2014. Other Council Members Attending: Williams.

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. 493-A

Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to expanding agency based voter registration to additional city agencies.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on October 7, 2014 (Minutes, page 3606), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 356-A printed in these Minutes).

The following is the text of the Fiscal Impact Statement for Int. No. 493-A:



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

**PROPOSED INTRO. NO: 493-A
COMMITTEE:
Governmental
Operations**

TITLE: A Local Law to amend the New York City charter, in relation to expanding agency based voter registration to additional city agencies. SPONSOR(S): By Council Member Kallos, Cabrera, Constantinides, Gentile, Johnson, Levine, Palma, Richards and Rose

SUMMARY OF LEGISLATION: Proposed Int. No. 493-A would expand and enhance the city’s “agency-based voter registration program,” which currently requires nineteen agencies to distribute voter registration forms with their applications for services. This bill would expand the agency-based voter registration program to seven agencies that are not currently covered by the law: the Business Integrity Commission, the Department for the Aging, the Department of City Planning, the Department of Cultural Affairs, the Department of Records and Information Services, the Fire Department, and the Human Resources Administration.

The legislation would also mandate that all twenty-six agencies provide assistance in filling out a voter registration form, and that they send completed forms to the Board of Elections. It would also require that voter registration forms be integrated into agency forms by December 1, 2015, or when the agency engages in its next regularly scheduled printing of its forms, whichever is earlier. Finally, it would add a requirement that voter registration forms be in the same language as the agency’s application form where practicable.

EFFECTIVE DATE: This local law would take effect sixty days after enactment, except the provision adding the seven agencies to the existing nineteen agencies participating in the program would go into effect one year after enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2016

FISCAL IMPACT STATEMENT:

	Effective FY 15	FY Succeeding Effective FY 16	Full Fiscal Impact FY 16
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$12,000	\$25,000	\$25,000
Net	\$12,000	\$25,000	\$25,000

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

IMPACT ON EXPENDITURES: Based on data provided by the Board of Elections, in Fiscal 2014 over three million voter registration forms were printed in various languages at a total cost of approximately \$156,000. Of that total, fewer than twenty percent were allocated to the 19 agencies covered under the current agency-based voter registration law. It is estimated that the implementation of this legislation would require additional funding totaling approximately \$25,000 per year which would allow for the printing of approximately 300,000 to 500,000 voter registration forms to be issued by the newly designated agencies with their

application forms. The Finance Division estimates that administrative requirements related to this local law would be implemented using existing resources. When the responsibility of printing the registration forms is shifted from the Board of Elections to the agencies, so too will the allocated resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division, Mayor's Office of Legislative Affairs, New York City Board of Elections

ESTIMATE PREPARED BY: John Russell, Principal Financial Legislative Analyst, New York City Council Finance Division

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on October 7, 2014 as Intro. No 493 and referred to the Committee on Governmental Operations. The Committee on Governmental Operations held a hearing on Intro. 493 on October 23, 2014 and the legislation was laid over. An amended version of the legislation, Proposed Intro. 493-A, will be considered by the Committee on Governmental Operations on November 24, 2014, and upon successful vote of the Committee, Proposed Intro. 493-A will be submitted to the full Council for a vote on November 25, 2014.

DATE PREPARED: November 21, 2014

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 493-A:)

Int. No. 493-A

By Council Member Kallos, Cabrera, Constantinides, Gentile, Johnson, Levine, Palma, Richards, Rose, Arroyo, Van Bramer, Rodriguez, Lander, Levin, Dromm, Eugene and Greenfield.

A Local Law to amend the New York city charter, in relation to expanding agency based voter registration to additional city agencies.

Be it enacted by the Council as follows:

Section 1. The opening paragraph of section 1057-a of the New York city charter, as amended by local law number 52 for the year 2003, is amended to read as follows:

Each agency designated as a participating agency under the provisions of this section shall implement and administer a program of distribution of voter registration forms pursuant to the provisions of this section. The following offices are hereby designated as participating voter registration agencies: The administration for children's services, *the business integrity commission*, the city clerk, the civilian complaint review board, the commission on human rights, community boards, the department of small business services, *the department for the aging*, the department of citywide administrative services, *the department of city planning*, the department of consumer affairs, the department of correction, *the department of cultural affairs*, the department of environmental protection, the department of finance, the department of health and mental hygiene, the department of homeless services, the department of housing preservation and development, the department of parks and recreation, the department of probation, *the department of records and information services*, the taxi and limousine commission, the department of transportation, [and] the department of youth and community development, *the fire department*, and *the human resources administration*. Participating agencies shall include a mandate in all new or renewed agreements with those subcontractors having regular contact with the public in the daily administration of their business to follow the guidelines of this section. Such participating agencies shall be required to offer voter registration forms to all persons together with written applications for services, renewal or recertification for services and change of address relating to such services, *in the same language as such application, renewal, recertification or change of address form where practicable*; provided however that this section shall not apply to services that must be provided to prevent actual or potential danger to the life, health, or safety of any individual or of the public. Such agencies [may] *shall* provide assistance to applicants in completing voter registration forms, *and in cases in which such an agency would provide assistance with its own form, such agency shall provide the same degree of assistance with regard to the voter registration form as is provided with regard to the completion of its own form*, if so requested. Such agencies [may] *shall* also[, in their discretion,] receive and transmit the completed application form from any applicants who [wish] *request* to have such form transmitted to the board of elections for the city of New York.

§ 2. Subdivision 2 of section 1057-a of the New York city charter, as added by local law number 29 for the year 2000, such section as renumbered by vote of the

electors of the city of New York at a general election held on November 6, 2001, is amended to read as follows:

2. Participating agencies shall provide and distribute voter registration forms to all persons together with written applications for services, renewal or recertification for services and change of address relating to such services, *in the same language as such application, renewal, recertification or change of address form where practicable*; provided however that this section shall not apply to services that must be provided to prevent actual or potential danger to life, health or safety of any individual or of the public. Participating agency staff [may] *shall* provide assistance in completing these distributed voter registration forms, *and in cases in which such an agency would provide assistance with its own form, such agency shall provide the same degree of assistance with regard to the voter registration form as is provided with regard to the completion of its own form*, if so requested. Participating agencies shall also include a voter registration form with any agency communication sent through the United States mail for the purpose of supplying clients with application, renewal or recertification for services and change of address relating to such services materials. Participating agencies shall also incorporate an opportunity to request a voter registration application into any application for services, renewal or recertification for services and change of address relating to such services provided on computer terminals, the World Wide Web or the Internet. Any person indicating that they wish to be sent a voter registration form, via computer terminals, the World Wide Web or the Internet shall be sent such a form by the participating agency, or directed to a bank on that system where such a form may be downloaded.

§ 3. Subdivision 3 of section 1057-a of the New York city charter, as added by local law number 29 for the year 2000, such section as renumbered by vote of the electors of the city of New York at a general election held on November 6, 2001, is amended to read as follows:

3. Participating agencies shall also:

a. *by December 1, 2015, or at the [earliest practicable or] next regularly scheduled printing of their forms, whichever is earlier*, physically incorporate the voter registration forms with their own application forms in a manner that permits the voter registration portion to be detached therefrom. Until such time when the agency amends its form, each agency should affix or include a postage paid board of elections for the city of New York voter registration form to or with its application, renewal, recertification and change of address forms;

b. use *voter registration forms that contain a code assigned by the board of elections of the city of New York [coded voter registration forms] which designate such forms as originating from participating agencies[:]; and*

c. transmit any completed forms collected [in their discretion] *by such agency* to the board of elections of the city of New York within two weeks of the receipt of such completed forms at the participating agency. If a completed form is [accepted] *collected* within five days before the last day for registration to vote in a citywide election, such completed form shall be transmitted by the participating agency to the board of elections of the city of New York not later than five days after the date of acceptance, *provided, however, that notwithstanding any other provision of this section, any agency subject to the requirements of section 5-211 of the election law shall be governed only by the timeframes for transmission of such forms to the board of elections set forth in such section.*

§ 4. This local law shall take effect 60 days after its enactment into law, provided that the provisions of section 1057-a of the New York city charter, as amended by this local law, shall take effect with respect to the participating agencies that are newly designated by the opening paragraph of section 1057-a of the New York city charter, as amended by section one of this local law, one year after the enactment of this local law. In addition, the provisions of section 1057-a of the New York city charter, as amended by this local law, that impose new obligations in relation to contractors or subcontractors of participating agencies shall only apply with respect to contracts entered into or renewed after the effective date of this local law.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, STEVEN MATTEO; Committee on Governmental Operations, November 24, 2014. *Other Council Members Attending: Williams.*

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. 133

Report of the Committee on Land Use in favor of approving Application No. 20155113 HAM by the New York City Department of Housing Preservation and Development for approval of a tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the properties located at 3603 Broadway (Block 2095, Lot 31) and 3605 Broadway (Block 2095, Lot 32), Borough of Manhattan, Community Board 9, Council District 7. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on October 7, 2014, (Minutes, page 3634) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 9

20155113 HAM

Application by the New York City Housing Department of Housing Preservation and Development for (i) approval of the termination of an existing real property tax exemption; and (ii) grant of a new real property tax exemption pursuant to the Private Housing Finance Law, Section 577, for real property located at 3603 Broadway (Block 2095, Lot 31) and 3605 Broadway (Block 2095, Lot 32), in the Borough of Manhattan in Council District 7.

INTENT

To approve the termination of an existing real property tax exemption and approve the grant of a new real property tax exemption for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law for a project consisting of two multiple dwellings, which provide cooperative housing for low-income families.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen

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

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

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

Res. No. 482

Resolution approving the termination of an existing tax exemption and the granting of a new real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the Exemption Area located at 3603 Broadway (Block 2095, Lot 31) and 3605 Broadway (Block 2095, Lot 32), in Community District 9, Borough of Manhattan (L.U. No. 133; 20155113 HAM).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on September 23, 2014 its request dated September 17, 2014 that the Council take the following actions regarding a tax exemption for real property located at 3603 Broadway (Block 2095, Lot 31) and 3605 Broadway (Block 2095, Lot 32), in Community District 9, Borough of Manhattan (the "New Exemption Area");

Approve the termination of the existing real property tax exemption (the "Existing Tax Exemption") and grant a new real property tax exemption pursuant to PHFL Section 577 for the Exemption Area (the "New Tax Exemption");

WHEREAS, the request made by the New York City Department of Housing Preservation and Development is related to a previously approved City Council Resolution (L.U. No. 946; Resolution No. 1762 of December 18, 2008);

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption on November 18, 2014; and

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

RESOLVED:

The Council approves the termination of the Existing Tax Exemption and the grant of the New Tax Exemption for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

(a) "Effective Date" shall mean the date that the City Council approves the New Exemption.

(b) "Exemption Area" shall mean the real property located in the Borough of the Manhattan, City and State of New York, identified as:
Block 2095, Lots 31 and 32 on the Tax Map of the City of New York.

(c) "Expiration Date" shall mean the earlier to occur of (i) May 30, 2046, (ii) the date of the expiration or termination of the Amended and Restated Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

(d) "HDFC" shall mean 3603 Broadway Housing Development Fund Corporation.

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

(f) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.

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

(h) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the City Council on December 18, 2008 (Resolution No. 1762).

2. The Prior Exemption shall terminate on the Effective Date.

3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

4. Notwithstanding any provision hereof to the contrary, the Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the Amended and Restated Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the exemption shall prospectively terminate.

5. The exemption shall not apply to any building constructed on the Exemption Area which did not have a permanent certificate of occupancy or equivalent document satisfactory to HPD recording the occupancy and configuration of the building on the Effective Date.

6. In consideration of the exemption, the Owner of the Exemption Area, (i) has executed and recorded the Amended and Restated Regulatory Agreement, and (ii) for so long as the exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation, except for an exemption and/or abatement of real property taxation pursuant to Section 489 of the Real Property Tax Law.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 134

Report of the Committee on Land Use in favor of approving Application no. 20155064 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of LDV 23, LLC, d/b/a/ Barchetta for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 461 West 23rd Street, Borough of Manhattan, Community District 4, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on October 22, 2014, (Minutes, page 3821) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

20155064 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of LDV 23, LLC, d/b/a Barchetta, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 461 West 23rd Street.

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: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: Five

SUBCOMMITTEE RECOMMENDATION

DATE: November 20, 2014

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

In Favor: Weprin, Wills, Richards, Torres, Ignizio

Against: Gentile, Garodnick, Williams **Abstain:** None

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: Gentile, Arroyo, Garodnick, Mendez, Levin, Williams, Barron

Abstain: None

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

Res. No. 483

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 461 West 23rd Street, Borough of Manhattan (20155064 TCM; L.U. No. 134).

By Council Members Greenfield and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on October 15, 2014 its approval dated October 14, 2014 of the petition of LDV 23, LLC, d/b/a Barchetta, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 461 West 23rd Street, Community District 4, 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 November 18, 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*; INEZ E. DICKENS, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 139

Report of the Committee on Land Use in favor of approving Application No. 20155062 HAK by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law (GML) for approval of Urban Development Action Area and Project and a real property tax exemption pursuant to Section 696 of the GML and Section 577 of the Private Housing Finance Law for property located at 890 Flushing Avenue (Block 3139 Lot 12), Borough of Brooklyn, Community Board 4, Council District 34.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on October 22, 2014, (Minutes, page 3823) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 4

20155062 HAK

In Rem Action No. 51, application submitted by the New York City Department of Housing Preservation and Development ("HPD") pursuant to Article 16 of the General Municipal Law (GML) for approval of Urban Development Action Area and Project and a real property tax exemption pursuant to Section 696 of the GML and Section 577 of the Private Housing Finance Law for property located at 890 Flushing Avenue (Block 3139, Lot 12), Borough of Brooklyn, Community Board 4, Council District 34.

INTENT

To facilitate the rehabilitation and preservation of 6 units of affordable housing.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 484

Resolution approving an Urban Development Action Area Project located at 890 Flushing Avenue (Block 3139, Lot 12), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law and granting real estate tax exemptions pursuant to Section 696 of General Municipal Law and Section 577 of the Private Housing Finance Law (L.U. No. 139; 20155062 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on August 25, 2014 its request dated August 12, 2014 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at 890 Flushing Avenue (Block 3139, Lot 12), Community District No. 4, Borough of Brooklyn, In Rem Action No. 51, Council District No. 34 (the "Transfer Area"):

1. Find that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
4. Approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law and pursuant to Section 696 of the General Municipal Law (the "Tax Exemptions");

WHEREAS, the Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on November 18, 2014;

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

RESOLVED:

The Council finds that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;

The Council waives the area designation requirement of Section 693 of the General Municipal Law 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

The Project shall be disposed of and developed upon the terms and conditions set forth in the Project Summary that HPD has submitted to the Council on August 25, 2014, a copy of which is attached hereto.

The Council approves the Tax Exemptions for the Project as follows:

1. Pursuant to Section 577 of the Private Housing Finance Law as follows:
 - a. All of the value of the property in the Transfer Area, including both the land and any improvements, shall be exempt from real property taxes, other than assessments for local improvements, for a period commencing upon the date of conveyance of the Transfer Area to the transferee ("Article XI Commencement Date") and terminating upon the earlier to occur of (i) the fortieth anniversary of the Article XI Commencement Date, (ii) the date of reconveyance of the Transfer Area to an owner which is not a housing development fund company, or (iii) the date upon which the owner of the Transfer Area voluntarily surrenders and revokes such exemption by written notice to the Department of Finance ("Article XI Expiration Date").
 - b. In consideration of the tax exemption pursuant to Section 577 of the Private Housing Finance Law provided hereunder ("Article XI Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state, or federal law, rule, or regulation ("Alternative Tax Benefit"), for so long as the Article XI Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the Article XI Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.
 - c. The provisions of the Article XI Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the Article XI Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the Article XI Exemption with respect to other properties in the Transfer Area.
2. Pursuant to Section 696 of the General Municipal Law as follows:
 - a. All of the value of the buildings, structures, and other improvements situated on the Transfer Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the Article XI Expiration Date ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.
 - b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the UDAAP Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.
 - c. The UDAAP Exemption shall terminate with respect to all or any portion of the Transfer Area if the Department of Housing Preservation and Development ("HPD") determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all

mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.

- d. Notwithstanding any other provision to the contrary, the combined duration of the Article XI Exemption and the UDAAP Exemption shall not exceed forty (40) years.
- e. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Transfer Area.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 140

Report of the Committee on Land Use in favor of approving Application No. 20155171 HAX by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties located at Block 2426, Lots 4, 8 and 12; Block 2432, Lot 5; Block 2433, Lots 23, 28 and 36; Block 2434, Lots 47; Block 2447, Lots 51 and 56; Block 2450, Lots 29 and 31; Block 2453, Lot 55; Block 2457, Lot 50; Block 2456, Lot 51; Block 2816, Lots 1 and 70; Block 2831, Lot 32, Borough of Bronx, Community Board 4, Council District 16.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on October 22, 2014, (Minutes, page 3823) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 4

20155171 HAX

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties located at Block 2426, Lots 4, 8 and 12; Block 2432, Lot 5; Block 2433, Lots 23, 28 and 36; Block 2434, Lots 47; Block 2447, Lots 51 and 56; Block 2450, Lots 29 and 31; Block 2453, Lot 55; Block 2457, Lot 50; Block 2456, Lot 51; Block 2816, Lots 1 and 70; Block 2831, Lot 32, Borough of the Bronx, Community Board 4, Council District 16. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.

INTENT

To approve a tax exemption for an Exemption Area pursuant to Section 577 of the Private Housing Finance Law for an area consisting of seventeen multiple dwellings, known as Morrisania Associates, which provide rental housing for low-income families.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen

Against: None

Abstain: None

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: None

Abstain: None

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

Res. No. 485

Resolution approving a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the Exemption Area located on Block 2426, Lots 4, 8 and 12; Block 2432, Lot 5; Block 2433, Lots 23, 28 and 36; Block 2434, Lot 47; Block 2447, Lots 51 and 56; Block 2450, Lots 29 and 31; Block 2453, Lot 55; Block 2457, Lot 50; Block 2456, Lot 51; Block 2816, Lots 1 and 70 and Block 2831, Lot 32 in Community District 4, Borough of the Bronx (L.U. No. 140; 20155171 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 14, 2014 its request dated October 6, 2014 that the Council take the following actions regarding a tax exemption for real property located on Block 2426, Lots 4, 8 and 12; Block 2432, Lot 5; Block 2433, Lots 23, 28 and 36; Block 2434, Lot 47; Block 2447, Lots 51 and 56; Block 2450, Lots 29 and 31; Block 2453, Lot 55; Block 2457, Lot 50; Block 2456, Lot 51; Block 2816, Lots 1 and 70 and Block 2831, Lot 32; Community District 4, Borough of the Bronx (the "Exemption Area"):

Approve an exemption of the Exemption Area from real property taxes pursuant to the Private Housing Finance Law (PHFL) Section 577 (the "Tax Exemption");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption on November 18, 2014; and

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

RESOLVED:

The Council approves the Tax Exemption for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

(1) "Company" shall mean Bronx Preservation Limited Partnership.

(2) "Current Owner" shall mean, Morrisania Associates, Morrisania II Associates, Morrisania III Associates and Morrisania IV Associates.

(3) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the New Owner enter into the HPD Regulatory Agreement.

(4) "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2426, Lots 4, 8 and 12, Block 2432, Lot 5, Block 2433, Lots 23, 28 and 36, Block 2434, Lot 47, Block 2447, Lots 51 and 56, Block 2450, Lots 29 and 31, Block 2453, Lot 55, Block 2457, Lot 50, Block 2456, Lot 51, Block 2816, Lots 1 and 70 and Block 2831, Lot 32 on the Tax Map of the City of New York.

(5) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) years from the Effective Date, (ii) the date of the expiration or termination of the HPD Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

(6) "HDFC" shall mean Bronx Preservation Housing Development Fund Corp.

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

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

(9) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.

(10) "New Owner" shall mean, collectively, the HDFC and the Company.

(11) "PHFL" shall mean the Private Housing Finance Law.

(12) "Prior Exemption" shall mean the exemption from real property taxation for a portion of the Exemption Area approved by the Board of Estimate on December 1, 1977 (Cal. No. 26) and September 18, 1980 (Cal. No. 39).

(13) "Shelter Rent" shall mean the total rents received from the commercial and residential occupants of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), less the cost of providing to such occupants electricity, gas, heat and other utilities.

(14) "Shelter Rent Tax" shall mean an amount equal to five and a half percent (5.5%) of Shelter Rent.

a. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

b. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of the Shelter Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the New Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.

c. Notwithstanding any provision hereof to the contrary:

(1) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the HPD Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the New Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

(2) The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings that exist on the Effective Date.

(3) Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

d. In consideration of the New Exemption, the owner of the Exemption Area shall, for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state or federal law, rule or regulation.

2. If (i) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur within one day following the termination of the Prior Exemption, or (ii) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 141

Report of the Committee on Land Use in favor of approving Application No. 20155172 HAX by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and to consent to the voluntary dissolution of the current owner of properties located at Block 2433, Lots 23, 28 and 36; and Block 2456, Lot 51, Borough of Bronx, Community Board 4, Council District 16.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on October 22, 2014, (Minutes, page 3823) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 4

20155172 HAX

Application submitted by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and, pursuant to PHFL Section 123(4), to consent to the voluntary dissolution of the current owner of properties located at Block 2433, Lots 23, 28 and 36; and Block 2456, Lot 51, Borough of the Bronx, Community Board 4, Council District 16.

INTENT

Together with related actions, to approve the termination of an existing tax exemption and grant a new tax exemption for an Exemption Area pursuant to Section 577 of the Private Housing Finance Law for an area consisting of three multiple dwellings, known as Morrisania III Associates, which provide rental housing for low-income families.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen

Against: None

Abstain: None

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: None

Abstain: None

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

Res. No. 486

Resolution approving the termination on an existing real property tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL), for an Exemption Area located on Block 2433, Lots 23, 28 and 36, and Block 2456, Lot, 51; and approving consent to the voluntary dissolution of the current owner under PHFL 123(4), in Community District 4, Borough of the Bronx (L.U. No. 141; 20155172 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 14, 2014 its request dated October 6, 2014 that the Council take the following actions regarding a tax exemption for real property located on Block 2433, Lots 23, 28 and 36, and Block 2456, Lot, 51, Community District 4, Borough of the Bronx (the "Exemption Area"):

Terminate, pursuant to PHFL Section 125, a prior exemption for the Exemption Area;

Consent to, pursuant to PHFL Section 123(4), the voluntary dissolution of the current owner;

WHEREAS, in related applications, HPD has requested the approval of an exemption of the Exemption Area from real property taxes pursuant to Private Housing Finance Law (PHFL) Section 577 (20155171 HAX (L.U. No. 140);

WHEREAS, upon due notice, the Council held a public hearing on the Project on November 18, 2014; and

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:

- (a) "Current Owner" shall mean Morrisania III Associates.
- (b) "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York identified as Block 2433, Lots 23, 28 and 36, and Block 2456, Lot, 51 on the Tax Map of the City of New York.
- (c) "HDFC" shall mean the Bronx Preservation Housing Development Fund Corp.
- (d) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
- (e) "New Owner" shall mean the HDFC.
- (f) "PHFL" shall mean the Private Housing Finance Law.
- (g) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on December 1, 1977 (Cal. No. 26).

3. The Council approves, pursuant to Section 125 of the PHFL, the termination of the Prior Exemption, which termination shall become effective one day preceding the conveyance of the Exemption Area from the Current Owner to the New Owner.

4. The Council consents, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.

5. If (i) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur within one day following the termination of the Prior Exemption, or (ii) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 142

Report of the Committee on Land Use in favor of approving Application No. 20155173 HAX by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and to consent to the voluntary dissolution of the current owner of properties located at Block 2453, Lot 55; Block 2457, Lot 50; Block 2816, Lots 1 and 70; Block 2831, Lot 32, Borough of Bronx, Community Board 4, Council District 16.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on October 22, 2014, (Minutes, page 3824) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 4

20155173 HAX

Application submitted by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and, pursuant to PHFL Section 123(4), to consent to the voluntary dissolution of the current owner of properties located at Block 2453, Lot 55; Block 2457, Lot 50; Block 2816, Lots 1 and 70; Block 2831, Lot 32, Borough of the Bronx, Community Board 4, Council District 16.

INTENT

Together with related actions, to approve the termination of an existing tax exemption and grant a new tax exemption for an Exemption Area pursuant to Section 577 of the Private Housing Finance Law for an area consisting of five multiple dwellings, known as Morrisania IV Associates, which provide rental housing for low-income families.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen

Against: None

Abstain: None

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: None

Abstain: None

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

Res. No. 487

Resolution approving the termination of an existing real property tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL), for an Exemption Area located on Block 2453, Lot 55, Block 2457, Lot 50, Block 2816, Lots 1 and 70, and Block 2831, Lot 32, and consenting to the voluntary dissolution of the current owner under PHFL 123(4), in Community District 4, Borough of the Bronx (L.U. No. 142; 20155173 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 14, 2014 its request dated October 6, 2014 that the Council take the following actions regarding a tax exemption for real property located on Block 2453, Lot 55, Block 2457, Lot 50, Block 2816, Lots 1 and 70, and Block 2831, Lot 32, Community District 4, Borough of the Bronx (the "Exemption Area"):

Terminate, pursuant to PHFL Section 125, a prior exemption for the Exemption Area;

Consent to, pursuant to PHFL Section 123(4), the voluntary dissolution of the current owner;

WHEREAS, in related applications, HPD has requested the approval of an exemption of the Exemption Area from real property taxes pursuant to Private Housing Finance Law (PHFL) Section 577 (20155171 HAX (L.U. No. 140);

WHEREAS, upon due notice, the Council held a public hearing on HPD's requests for the Exemption Area on November 18, 2014; and

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - (a) "Current Owner" shall mean Morrisiana IV Associates.
 - (b) "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York identified as Block 2453, Lot 55, Block 2457, Lot 50, Block 2816, Lots 1 and 70, and Block 2831, Lot 32 on the Tax Map of the City of New York.
 - (c) "HDFC" shall mean the Bronx Preservation Housing Development Fund Corp.
 - (d) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - (e) "New Owner" shall mean the HDFC.
 - (f) "PHFL" shall mean the Private Housing Finance Law.
 - (g) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on September 18, 1980 (Cal. No. 39).

2. The Council approves, pursuant to Section 125 of the PHFL, the termination of the Prior Exemption, which termination shall become effective one day preceding the conveyance of the Exemption Area from the Current Owner to the New Owner.

3. The Council consents, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.

4. If (i) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur within one day following the termination of the Prior Exemption, or (ii) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 143

Report of the Committee on Land Use in favor of filing Application no. 20155034 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Gramercy Thai, Inc., d/b/a/Lantern for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 311 Second Avenue, Borough of Manhattan, Community District 6, Council District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on October 22, 2014, (Minutes, page 3824) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 6

20155034 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Gramercy Thai, Inc., d/b/a Lantern, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 311 Second Avenue.

By letter dated October 30, 2014 and submitted to the City Council on October 30, 2014, the Department of Consumer Affairs withdrew its recommendation for approval.

SUBCOMMITTEE RECOMMENDATION

DATE: November 20, 2014

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal by the New York City Department of Consumer Affairs.

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

Against: None **Abstain:** None

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: None **Abstain:** None

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

Res. No. 488

Resolution approving a motion to file pursuant to withdrawal of the application for a revocable consent for an unenclosed sidewalk café located at 311 Second Avenue, Borough of Manhattan (20155034 TCM; L.U. No. 143).

By Council Members Greenfield and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on October 15, 2014 its approval dated October 10, 2014 of the petition of Gramercy Thai, Inc., d/b/a Lantern, for a revocable consent to continue to maintain and operate

an unenclosed sidewalk café located at 311 Second Avenue, Community District 6, 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, by letter dated October 30, 2014, and submitted to the City Council on October 30, 2014, the New York City Department of Consumer Affairs withdrew its recommendation for approval for the revocable consent.

RESOLVED:

The Council approves the motion to file pursuant to withdrawal in accord with Rules 6.40a, 7.90 and 11.80 of the Rules of the Council.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 2014.

Coupled to be Filed Pursuant to Letter of Withdrawal.

Report for L.U. No. 146

Report of the Committee on Land Use in favor of approving Application no. N 140410 ZRM, submitted by 605 West 42nd St. Owner LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 6 to amend Section 96-21 (Special Regulations for 42nd Street Perimeter Area) of the Special Clinton District to allow automobile showrooms or sales with automobile repair, storage, and preparation for delivery, Borough of Manhattan, Community Board 4, Council District 3.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on November 13, 2014, (Minutes, page 3992) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

N 140410 ZRM

City Planning Commission decision approving an application submitted by 605 West 42nd St. Owner, LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 6, to amend Section 96-21 (Special Regulations for 42nd Street Perimeter Area) of the Special Clinton District to allow automobile showrooms or sales with automobile repair, storage, and preparation for delivery.

INTENT

To amend the text of the Zoning Resolution to facilitate automobile servicing and repairs in conjunction with an automobile dealership within a mixed-use, approximately 936,000 square foot building with 1,174 residential units and ground-floor retail.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 20, 2014

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

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

Against: None

Abstain: None

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: None

Abstain: None

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

Res. No. 489

Resolution approving the decision of the City Planning Commission on Application No. N 140410 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 6, to amend Section 96-21 (Special Regulations for 42nd Street Perimeter Area) of the Special Clinton District to allow automobile showrooms or sales with automobile repair, storage, and preparation for delivery in Community District 4, Borough of Manhattan (L.U. No. 146).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on October 24, 2014 its decision dated October 22, 2014 (the "Decision"), pursuant to Section 201 of the New York City Charter, concerning Article IX, Chapter 6, to amend Section 96-21 (Special Regulations for 42nd Street Perimeter Area) of the Special Clinton District to allow automobile showrooms or sales with automobile repair, storage, and preparation for delivery (Application No. N 140410 ZRM), 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 New York City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 18, 2014;

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

WHEREAS, the Council has considered the relevant environmental issues including the negative declaration (CEQR No. 14DCP184M) which was issued on July 7, 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 Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140410 ZRM, incorporated by reference herein, the Council approves the Decision.

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

Matter in underline is new, to be added; Matter in strikeout is to be deleted;
Matter with ## is defined in Section 12-10;
***** indicates where unchanged text appears in the Zoning Resolution**

Article IX - Special Purpose Districts

Chapter 6
Special Clinton District

96-20
PERIMETER AREA

96-21
Special Regulations for 42nd Street Perimeter Area

The provisions of this Section shall apply in all #Commercial Districts# within the area bounded by the following:

Starting 150 feet west of Eighth Avenue, south to the southern boundary of West 41st Street, west to the east side of Twelfth Avenue, north along the eastern border of Twelfth Avenue to 43rd Street, east on West 43rd Street to the eastern side of Tenth Avenue, south along Tenth Avenue to the southern boundary of West 42nd Street, east on West 42nd Street to Ninth Avenue, north along the western boundary of Ninth Avenue to the midblock of 42nd/43rd Street, east to a point 150 feet west of Eighth Avenue, south to the southerly boundary of 41st Street.

- (a) Special ~~#use#~~ regulations ~~for office #use#~~

In the 42nd Street Perimeter Area, as shown in Appendix A of this Chapter, ~~any the following special #use#~~ regulations shall apply:

(1) Offices

Any #development# or #enlargement# that includes Use Group 6B offices #developed# or #enlarged# after January 19, 2005, shall be permitted only pursuant to Section 93-13 (Special Office Use Regulations).

(2) Automobile showrooms and repairs

In Subarea 1, on the #block# bounded by Twelfth Avenue, West 43rd Street, Eleventh Avenue and West 42nd Street, automobile showrooms or sales, with vehicle storage, preparation of automobiles for delivery, and automobile repairs, may be permitted within a #completely enclosed building#, below the level of any floor occupied by #dwelling units#, provided that:

- (i) access for automobiles to the portions of the #building# to be used for vehicle storage, preparation of automobiles for delivery and automobile repairs shall be located on West 43rd Street;
- (ii) areas within the #building# used for vehicle storage, preparation of automobiles for delivery, or automobile repairs shall not be used for #accessory parking# for other uses on the #zoning lot#; except that such areas may be accessed from a curb cut, vehicular ramp, or vehicle elevator that also serves an #accessory group parking facility#; and
- (iii) the portion of the #building# used for the preparation of automobiles for delivery and automobile repairs shall be located entirely in a #cellar# level.

* * *

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 148

Report of the Committee on Land Use in favor of approving Application No. 20155177 HAM, submitted by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and, pursuant to PHFL Section 123(4), to consent to the voluntary dissolution of the current owner of properties located at Block 1635, Lots 7, 16, and 17, Borough of Manhattan, Community Board 11, Council District 8.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on November 13, 2014, (Minutes, page 3993) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 11

20155177 HAM

Application submitted by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and, pursuant to PHFL Section 123(4), to consent to the voluntary dissolution of the current owner of properties located at Block 1635, Lots 7, 16, and 17, Borough of Manhattan, Community Board 11, Council District 8.

INTENT

Together with related actions, to approve the termination of an existing tax exemption, consent to the voluntary dissolution of the current owner and approve a new exemption from real property taxes pursuant to Section and 577 of the Private Housing Finance Law for a multiple dwelling, known as Lexington Gardens, which will provide rental housing for low-income families.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen

Against: None

Abstain: None

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: None

Abstain: None

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

Res. No. 490

Resolution approving the termination of an existing real property tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL), for an Exemption Area located on Block 1635, Lots 16, 17 and 7; and consenting to the voluntary dissolution of the current owner under PHFL 123(4), Borough of Manhattan (L.U. No. 148; 20155177 HAM).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 24, 2014 its request dated October 20, 2014 that the Council take the following actions regarding a tax exemption for real property located on Block 1635, Lots 16, 17 and 7, Community District 11, Borough of Manhattan (the "Exemption Area"):

Terminate, pursuant to PHFL Section 125, a prior exemption for the Exemption Area;

Consent to, pursuant to PHFL Section 123(4), the voluntary dissolution of the current owner;

WHEREAS, in related applications, HPD has requested approval an exemption of the Exemption Area from real property taxes pursuant to Private Housing Finance Law (PHFL) Section 577 (20155178 HAM (L.U. 149), and 20155179 HAM (L.U. 150));

WHEREAS, upon due notice, the Council held a public hearing on HPD's requests for the Exemption Area on November 18, 2014; and

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:

(a) "Current Owner" shall mean Lexington Gardens Associates.

(b) "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York identified as Block 1635, Lots 16, 7 and 17 on the Tax Map of the City of New York.

(c) "HDFC A" shall mean Lex Gardens Housing Development Fund Company, Inc.

(d) "HDFC B" shall mean Lex Gardens II TP4 Housing Development Fund Company, Inc.

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

(f) "New Owner" shall mean, collectively, HDFC A and HDFC B.

(g) "PHFL" shall mean the Private Housing Finance Law.

(h) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on September 15, 1983 (Cal. No. 7).

2. The Council approves, pursuant to Section 125 of the PHFL, the termination of the Prior Exemption, which termination shall become effective one day preceding the conveyance of the Exemption Area from the Current Owner to the New Owner.

3. The Council consents, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.

4. If (i) the conveyance of the entire Exemption Area from the Current Owner to the New Owner does not occur within one day following the termination of the Prior Exemption, or (ii) the conveyance of the entire Exemption Area from the Current Owner to the New Owner does not occur on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 149

Report of the Committee on Land Use in favor of approving Application No. 20155178 HAM, submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties located at Block 1635, Lots 7 and 16, Borough of Manhattan, Community Board 11, Council District 8.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on November 13, 2014, (Minutes, page 3993) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 11

20155178 HAM

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties located at Block 1635, Lots 7 and 16, Borough of Manhattan, Community Board 11, Council District 8.

INTENT

To approve a tax exemption for an Exemption Area pursuant to Section 577 of the Private Housing Finance Law to facilitate the construction of affordable housing on vacant land adjacent to a multiple dwelling, known as Lexington Gardens, which provides rental housing for low-income families.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

Against: *None*

Abstain: *None*

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

Res. No. 491

Resolution approving a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the Exemption Area located on Block 1635, Lots 16 and 7, in Community District 11, Borough of Manhattan (L.U. No. 149; 20155178 HAM).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 24, 2014 its request dated October 20, 2014 that the Council take the following actions regarding a tax exemption for real property located on Block 1635, Lots 16 and 7; Community District 11, Borough of Manhattan (the "Exemption Area"):

Approve an exemption of the Exemption Area from real property taxes pursuant to the Private Housing Finance Law (PHFL) Section 577 (the "Tax Exemption");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption on November 18, 2014; and

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

RESOLVED:

\=The Council approves the Tax Exemption for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

a. For the purposes hereof, the following terms shall have the following meanings:

- (1) "Company" shall mean Lex Gardens II TP4 LLC.
- (2) "Current Owner" shall mean Lexington Gardens Associates.

(3) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the New Owner enter into the HPD Regulatory Agreement.

(4) "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1635, Lot 16 and 7 on the Tax Map of the City of New York.

(5) "Expiration Date" shall mean the earlier to occur of (i) a date which is five (5) years from the Effective Date, (ii) the date of the expiration or termination of the HPD Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

(6) "HDFC" shall mean Lex Gardens II TP4 Housing Development Fund Company, Inc.

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

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

(9) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.

(10) "New Owner" shall mean, collectively, the HDFC and the Company.

(11) "PHFL" shall mean the Private Housing Finance Law.

(12) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on September 15, 1983 (Cal. No. 7).

(13) "Shelter Rent" shall mean the total rents received from the commercial and residential occupants of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), less the cost of providing to such occupants electricity, gas, heat and other utilities.

(14) "Shelter Rent Tax" shall mean an amount equal to ten percent (10%) of Shelter Rent.

e. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

f. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of the Shelter Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the New Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.

g. Notwithstanding any provision hereof to the contrary:

(1) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the HPD Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the construction of a project on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the New Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

(2) Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

h. In consideration of the New Exemption, the owner of the Exemption Area shall, for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state or federal law, rule or regulation.

6. If (i) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur within one day following the termination of the Prior Exemption, or (ii) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

7. Notwithstanding anything to the contrary contained herein, if the New Owner does not close on construction financing for the development of an affordable housing project on the Exemption Area within five years from the date that the New Owner acquires the Exemption Area, the New Exemption shall be retroactively terminated as of the Effective Date.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 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. 150

Report of the Committee on Land Use in favor of approving Application No. 20155179 HAM, submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties located at Block 1635, Lots 17, Borough of Manhattan, Community Board 11, Council District 8.

Report of the Committee on Land Use, to which the annexed Land Use item was referred on November 13, 2014, (Minutes, page 3993) and which was subsequently coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 11 **20155179**
HAM

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties located at Block 1635, Lots 17, Borough of Manhattan, Community Board 11, Council District 8.

INTENT

To approve a tax exemption for an Exemption Area pursuant to Section 577 of the Private Housing Finance Law for an area consisting of one multiple dwelling, known as Lexington Gardens, which provide rental housing for low-income families.

PUBLIC HEARING

DATE: November 18, 2014

Witnesses in Favor: Two **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: November 18, 2014

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

In Favor: Dickens, Mealy, Rodriguez, Cohen
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: November 20, 2014

The Committee recommends that the Council approve the attached resolution.

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

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

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

Res. No. 492

Resolution approving a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the Exemption Area located on Block 1635, Lot 17, in Community District 11, Borough of Manhattan (L.U. No. 150; 20155179 HAM).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 24, 2014 its request dated October 20, 2014 that the Council take the following actions regarding a tax exemption for real property located on Block 1635, Lot 17; Community District 11, Borough of Manhattan (the "Exemption Area"):

Approve an exemption of the Exemption Area from real property taxes pursuant to the Private Housing Finance Law (PHFL) Section 577 (the "Tax Exemption");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption on November 18, 2014; and

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

RESOLVED:

The Council approves the Tax Exemption for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

a. For the purposes hereof, the following terms shall have the following meanings:

- (1) "Company" shall mean Lex Gardens TP4 LLC.
- (2) "Current Owner" shall mean Lexington Gardens Associates.
- (3) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the New Owner enter into the HPD Regulatory Agreement.
- (4) "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1635, Lot 17 on the Tax Map of the City of New York.
- (5) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the HPD Regulatory Agreement, (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund

company, or (iv) 120 days from the date of the expiration or termination of the Section 8 Housing Assistance Payments Contracts or contracts under a similar or successor program, unless the New Owner or, subject to HPD approval, another housing development fund company organized pursuant to Article XI of the PHFL, has entered into a new regulatory agreement with HPD regarding rental subsidy for tenants living in the Exemption Area.

- (6) "HDFC" shall mean Lex Gardens Housing Development Fund Company, Inc.
- (7) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
- (8) "HPD Regulatory Agreement" shall mean the regulatory agreement between HPD and the New Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
- (9) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
- (10) "New Owner" shall mean, collectively, the HDFC and the Company.
- (11) "PHFL" shall mean the Private Housing Finance Law.
- (12) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on September 15, 1983 (Cal. No. 7).
- (13) "Shelter Rent" shall mean the total rents received from the commercial and residential occupants of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), less the cost of providing to such occupants electricity, gas, heat and other utilities.
- (14) "Shelter Rent Tax" shall mean an amount equal to ten percent (10%) of Shelter Rent.

i. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

j. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of the Shelter Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the New Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.

k. Notwithstanding any provision hereof to the contrary:

- (1) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the HPD Regulatory Agreement. (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written

consent of HPD. HPD shall deliver written notice of any such determination to the New Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

- (2) The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
- (3) Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

1. In consideration of the New Exemption, the owner of the Exemption Area shall, for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state or federal law, rule or regulation.

8. If (i) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur within one day following the termination of the Prior Exemption, or (ii) the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, November 20, 2014.

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

Report of the Committee on Transportation

Report for Int. No. 216-B

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to increasing the number of accessible pedestrian signals.

The Committee on Transportation, to which the annexed proposed amended local law was referred on March 26, 2014 (Minutes, page 860), respectfully

REPORTS:

INTRODUCTION

On November 24, 2014 the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, held a hearing on Proposed Int. No. 216-B, which would increase the number of accessible pedestrian signals. The first hearing was held on Proposed Int. No. 216-A on October 29, 2014, at which time the Committee heard testimony from representatives of the New York City Department of Transportation (“DOT”) and advocates. Following the first hearing, amendments were made to the bill. Proposed Int. No. 216-B would increase the minimum number of intersections at which accessible pedestrian signals must be installed annually from 25 to 75.

BACKGROUND

Navigating the streets of New York City presents significant and unique challenges to those with disabilities. New York City is home to 358,850 individuals with vision difficulties—generally defined to mean those who are blind or have serious difficulty seeing even while wearing corrective lenses—who may be unable to rely upon visual “WALK” or “DON’T WALK” signals to determine whether they can safely cross a street.¹ The primary technique used by pedestrians with visual disabilities use to cross streets at signalized locations is to listen for vehicular traffic

in front of them to stop, and then to listen for the vehicular traffic alongside them to move.² These cues often correspond to the onset of a green light at the signalized location. This method requires visually impaired pedestrians to spend time analyzing traffic patterns to determine whether they are in the correct crossing location and if the traffic signal is functioning correctly—a challenge that can be particularly difficult at unfamiliar intersections.³

An accessible pedestrian signal (“APS”) is a device that communicates information about pedestrian timing in nonvisual format such as audible tones, verbal messages, and vibrating surfaces.⁴ APS can provide information to pedestrians about the existence of and location of the pushbutton, the beginning of the “WALK” interval, the direction of the crosswalk and location of the destination curb.⁵ APS devices can also provide pedestrians with information about intersection signalization, street names and intersection geometry through the use of Braille, raised print, and through speech messages.⁶

Currently, there are 96 APS locations in New York City.⁷ The City began installing APS under Mayor Michael Bloomberg. In 2011, audible pedestrian signals were installed at 25 intersections throughout the City, supplementing 21 signals already in operation.⁸ In 2012, the City Council enacted Local Law 21 of 2012, requiring DOT to establish an accessible pedestrian signals program.⁹ As part of the program, DOT was required to identify intersections where pedestrian signals may be installed, taking into account the guidelines set forth in the most recent version of the Manual on Uniform Traffic Control Devices, a guide produced by the Federal Highway Administration. DOT, in consultation with the Mayor’s Office for People with Disabilities and advocates for and members of the visually impaired community, was also required to identify intersections with the greatest crossing difficulty for the visually impaired.

Under Local Law 21 of 2012, DOT was required to annually install accessible pedestrian signals at each corner of 25 identified intersections beginning in 2012. The local law further mandated that DOT post on its website a report analyzing the status of the accessible pedestrian signals each year by November 30. The reports must include a detailed assessment of the program, including cost, funding sources, recommendations for program improvements, availability of new technology, additional intersections for possible inclusion in the program, and a ranking of the top 50 intersections for new accessible signals.¹⁰

The efforts of the City and the Council have resulted in a large increase of the number of intersections that are accessible for pedestrians with visual impairments, however, such intersections still only constitute a fraction of the 12,460 intersections with traffic signals in the City.¹¹ The proposed local law before the Committee today would require a more rapid expansion of the City’s APS program than is required under Local Law 21 of 2012.

ANALYSIS

Section one of Int. No. 216-B would amend subdivision a of section 19-188 of title 19 of the Administrative Code. Amended subdivision a would require that the Department of Transportation annually install an accessible pedestrian signal at 75 intersections identified by the Department after consulting with the Mayor’s Office for People with Disabilities and advocates for and members of the visually impaired community.

Section two of Int. No. 216-B states that the local law would take effect on January 1, 2016.

UPDATE

On November 24, 2014, the Committee on Transportation passed Int. No. 216-B by a vote of ten in the affirmative and zero in the negative with zero abstentions.

¹ U.S. Census Bureau, S1810 – Disability Characteristics – 2013 American Community Survey 1-Year Estimates – New York City, <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml> (last accessed Oct. 27, 2014).

² Federal Highway Administration, Manual on Uniform Traffic Control Devices: 2009 Edition Chapter 4E. Pedestrian Control Features, <http://mutcd.fhwa.dot.gov/html/2009/part4/part4e.htm> (last accessed Oct. 27, 2014).

³ National Cooperative Highway Research Program, Travel Tools and Techniques of People Who are Blind or Who Have Low Vision, http://www.apsguide.org/chapter2_travel.cfm (last accessed Oct. 27, 2014).

⁴ Federal Highway Administration, Manual on Uniform Traffic Control Devices – 2009 Edition Chapter 4E. Pedestrian Control Features, <http://mutcd.fhwa.dot.gov/html/2009/part4/part4e.htm> (last accessed Oct. 27, 2014).

⁵ *Id.*

⁶ *Id.*

⁷ N.Y.C. Department of Transportation, Accessible Pedestrian Signals, <http://www.nyc.gov/html/dot/html/infrastructure/accessiblepedsignals.shtml> (last accessed Oct. 27, 2014).

⁸ Press Release, N.Y.C. Department of Transportation, *NYC DOT Commissioner Sadik-Khan, Speaker Quinn, MOPD and Elected Officials Announce Installation of Audible Pedestrian Signals to Assist Sight-Impaired Pedestrians*, Press Release # 11-78, Sept. 28, 2011, available at http://www.nyc.gov/html/dot/html/pr2011/pr11_78.shtml.

⁹ Int. 183-2010, L.L. 2012/021.

¹⁰ *Id.*

¹¹ N.Y.C. Department of Transportation, Traffic Signals, <http://www.nyc.gov/html/dot/html/infrastructure/signals.shtml> (last accessed Oct. 27, 2014).

(The following is the text of the Fiscal Impact Statement for Int. No. 216-B:)



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

**PROPOSED INTRO. NO.: 216-B
COMMITTEE:
Transportation**

TITLE: A local law to amend the administrative code of the city of New York, in relation to increasing the number of accessible pedestrian signals.

SPONSOR(S): Council Members Levine, Chin, Johnson, Lander, Mendez, Rodriguez, Cohen, Rosenthal, Koslowitz, Vacca, Menchaca, Constantinides, Kallos, Treyger, Dromm and Levin (by request of the Manhattan Borough President)

SUMMARY OF LEGISLATION: In 2012, the Council enacted a local law requiring the New York City Department of Transportation (DOT) to establish an Accessible Pedestrian Signal (APS) program and annually install accessible pedestrian signals at each corner of 25 identified intersections. APS is a device that communicates information about pedestrian timing in nonvisual format, such as audible tones, and generally provides information to pedestrians about the existence and location of the pushbutton, the beginning of the “WALK” interval, the direction of the crosswalk, and location of the destination curb. This bill would increase the minimum number of intersections at which DOT must annually install an APS from 25 to 75.

EFFECTIVE DATE: This local law would take effect on January 1, 2016.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$1,055,951	\$1,961,902	\$1,961,902
Net	\$1,055,951	\$1,961,902	\$1,961,902

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

IMPACT ON EXPENDITURES: Because the legislation would increase the minimum number of APS installed by DOT each year from 25 to 75, it is estimated that the enactment of this legislation would have an annualized fiscal impact of approximately \$2 million comprising of approximately \$249,401 in expense funding for Personal Services and Other Than Personal Services costs and approximately \$1.7million in capital funding. However, in Fiscal 2016, based on the effective date of the legislation, the prorated fiscal impact is estimated to be approximately \$1 million.

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

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

ESTIMATE PREPARED BY: Chima Obichere, Unit Head, New York City Council Finance Division

ESTIMATED REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division

Rebecca Chasan, Assistant Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: Proposed Intro. No. 216 was introduced to the Council on March 26, 2014 and referred to the Committee on Transportation. The Committee on Transportation held a hearing on Proposed Intro. No. 216 on October 29, 2014 and the legislation was laid over. Proposed Intro. No. 216 was subsequently amended, and the amended version, Proposed Intro. No. 216-B will be voted on by the Committee on Transportation on November 24, 2014. Upon successful vote by the Committee, Proposed Intro. No. 216-B will be submitted to the full Council for a vote on November 25, 2014.

DATE PREPARED: November 21, 2014.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 216-B:)

Int. No. 216-B

By Council Members Levine, Chin, Johnson, Lander, Mendez, Rodriguez, Cohen, Rosenthal, Koslowitz, Vacca, Menchaca, Constantinides, Kallos, Treyger, Dromm, Levin, Arroyo, Van Bramer, Richards, Rose, Miller, Garodnick, Gentile and Greenfield (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to increasing the number of accessible pedestrian signals.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-188 of the administrative code of the city of New York, as added by local law number 21 for the year 2012, is amended to read as follows:

a. The department shall establish an accessible pedestrian signals program. As part of this program, the department shall identify intersections where accessible pedestrian signals may be installed based on guidelines, including, but not limited to, those set forth in the most recent version of the manual on uniform traffic control devices. The department, after consultation with the mayor's office for people with disabilities and with advocates for and members of the visually impaired community, shall identify intersections which reflect the greatest crossing difficulty for persons with visual impairments. [Commencing in 2012, the] *The* department shall annually install, based on such guidelines, an accessible pedestrian signal at [each corner of twenty-five] *seventy-five* intersections identified by the department following such consultation.

§ 2. This local law shall take effect on January 1, 2016.

YDANIS A. RODRIGUEZ, *Chairperson*; JAMES VACCA, MARGARET S. CHIN, DEBORAH L. ROSE, JAMES G. VAN BRAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, ANTONIO REYNOSO; Committee on Transportation, November 24, 2014. *Other Council Members Attending: Levine.*

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

Report for L.U. No. 126 & Res. No. 493

Report of the Committee on Land Use in favor of approving Application No. C 140323(A) ZSQ an application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for special permits pursuant to Zoning Resolution: (i) Section 74-743(a)(1) to allow distribution of floor area without regard for zoning lot lines; (ii) Section 74-743(a)(2) to modify requirements of Section 23-711 (Standard minimum distance between buildings), Section 23-47 (Minimum required rear yards), and Section 23-85 (Inner court regulations); and (iii) Section 74-743(a)(6) to modify requirements of Section 23-86 (Minimum distance between legally required windows and walls or lot lines), to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on October 7, 2014 (Minutes, page 3632) before being sent by the Council to the City Planning Commission for further review on November 13, 2014 (Minutes, page 3880), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

C 140323 (A) ZSQ

City Planning Commission decision approving an application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning lot lines; Section 74-743(a)(2) - to modify the minimum distance between building requirements of Section 23-711 (Standard minimum distance between buildings), and to allow the location of buildings without regard to the yard requirements of Section 23-47 (Minimum required rear yards) and the court requirements of Section 23-85 (Inner court regulations); and Section 74-743(a)(6) - to modify the requirements of Section 23-86 (Minimum distance between legally required windows and walls or lot lines); in connection with a proposed mixed use

development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development, within the Halletts Point Peninsula, Borough of Queens.

INTENT

This special permit action, in conjunction with the other related actions, would facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1.

PUBLIC HEARING

DATE: October 20, 2014

Witnesses in Favor: Eighteen

Witnesses Against: Twenty

SUBCOMMITTEE RECOMMENDATION

DATE: November 12, 2014

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

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

Against: None **Abstain:** None

COMMITTEE ACTION

DATE: November 12, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Rodriguez, Koo, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: None **Abstain:** Barron

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on November 13, 2014. The City Planning Commission filed a letter dated November 17, 2014, with the Council on November 21, 2014, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 493

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 140323 (A) ZSQ (L.U. No. 126), for the grant of special permit pursuant to Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning lot lines; Section 74-743(a)(2) - to modify the minimum distance between building requirements of Section 23-711 (Standard minimum distance between buildings), and to allow the location of buildings without regard to the yard requirements of Section 23-47 (Minimum required rear yards) and the court requirements of Section 23-85 (Inner court regulations); and Section 74-743(a)(6) - to modify the requirements of Section 23-86 (Minimum distance between legally required windows and walls or lot lines); in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development, within the Halletts Point Peninsula, Borough of Queens.

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 29, 2014 its decision dated September 29, 2014 (the "Decision"), on the application submitted by 2030 Astoria Developers, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning lot lines;
2. Section 74-743(a)(2) - to modify the minimum distance between building requirements of Section 23-711 (Standard minimum distance between buildings), and to allow the location of buildings without regard to the yard requirements of Section 23-47 (Minimum required rear yards) and the court requirements of Section 23-85 (Inner court regulations); and
3. Section 74-743(a)(6) - to modify the requirements of Section 23-86 (Minimum distance between legally required windows and walls or lot lines);

in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development, within the Halletts Point Peninsula (ULURP No. C 140323 (A) ZSQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 140324 (A) ZSQ (L.U. 127), a special permit, pursuant to Section 62-836, to permit bulk modifications within waterfront blocks; C 140322 ZMQ (L.U. No. 128), an amendment to the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District with a C2-4 overlay; changing from an R6 District to an R7A District with a C2-4 overlay; and changing from an R6 District to an R6B District; N 140329 (A) ZRQ (L.U. No. 129), an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing and modifying Article VII, Chapter 4, relating to Large-Scale General Development; N 140325 ZAQ (L.U. No. 130), an authorization by the City Planning Commission, pursuant to Section 62-822(a), to permit area and dimension modifications for a waterfront public access area and visual corridors within a large-scale general development; and C 130384 MMQ (L.U. No. 131), an amendment to the City Map to (a) establish 4th Street between 26th Avenue to the edge of the proposed waterfront esplanade and; (b) eliminate 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead Line;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 20, 2014;

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

(3) **WHEREAS**, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") (CEQR No. 13DCP127Q), for which a Notice of Completion was issued on September 19, 2014, as adjusted by the subsequent CEQR Technical Memoranda dated September 26, 2014 and November 14, 2014 (collectively, the "Technical Memoranda");

RESOLVED:

Having considered the FEIS and the Technical Memoranda with respect to the Decision and Application, the Council finds that:

- (1) The FEIS and the Technical Memoranda meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, action to be approved, with the modifications set forth herein and in the Technical Memoranda (the "Modified Proposed Action"), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable;
- (3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by requiring as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A to the CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, those mitigation measures that were identified as practical; and

- (4) The Decision along with the FEIS and the Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140323 (A) ZSQ, incorporated by reference herein, the Council approves the Decision, with the following modifications and subject to the following conditions:

Matter in ~~strike through~~ is old, deleted by the Council;
 Matter in **bold underline** is new, added by the Council.

1. The property that is the subject of this application (C 140323 (A) ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by STUDIO V Architects, PLLC and WORKSHOP: Ken Smith Landscape Architect, filed with this application and incorporated in this resolution:
 (4)

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-102.A	Zoning Analysis	07/07/2014
Z-102.B	Zoning Analysis	09/22/2014
Z-103.00	Site Plan	07/07/2014
Z-200.00	Building 1 Site Plan & Base Plan Calculations	07/07/2014
Z-201.00	Building 1 Height & Setback Diagram	07/07/2014
Z-210.00	Building 2 Site Plan & Base Plan Calculations	09/22/2014
Z-211.00	Building 2 Height & Setback Diagram	07/07/2014
Z-220.00	Building 3 Site Plan & Base Plan Calculations	07/07/2014
Z-221.00	Building 3 Height & Setback Diagram	07/07/2014
Z-230.00	Building 4 Site Plan & Base Plan Calculations	09/22/2014
Z-231.00	Building 4 Height & Setback Diagram	09/22/2014
Z-240.00	Building 5 & School Site Plan & Base Plan Calculations	09/22/2014
Z-241.00	Building 5 & School Height & Setback Diagram	09/22/2014
Z-500.00	Overall Phasing Plan	07/07/2014
Z-501.00	Phasing Plan Phase 1	07/07/2014 11/12/2014
Z-502.00	Phasing Plan Phase 2	07/07/2014 11/12/2014
Z-503.00	Phasing Plan Phase 3	07/07/2014 11/12/2014
Z-504.00	Phasing Plan Phase 4	07/07/2014 11/12/2014
L-100.00	Waterfront Public Access Area Plan	07/07/2014
L-110.00	Zoning Calculations 1	07/07/2014
L-111.00	Zoning Calculations 2	07/07/2014
L-112.00	Zoning Calculations 3	07/07/2014
L-300.00	Overall Site Plan	07/07/2014
L-310.00	Dimension Plan North	07/07/2014
L-311.00	Dimension Plan South	07/07/2014
L-320.00	Materials Plan North	07/07/2014
L-321.00	Materials Plan South	07/07/2014
L-330.00	Grading Plan North	07/07/2014

L-331.00	Grading Plan South	07/07/2014
L-340.00	Seating Plan North	07/07/2014
L-341.00	Seating Plan South	07/07/2014
L-350.00	Furnishings Plan North	07/07/2014
L-351.00	Furnishings Plan South	07/07/2014
L-360.00	Planting Plan North	07/07/2014
L-361.00	Planting Plan South	07/07/2014
L-400.00	Landscape Sections	07/07/2014
L-401.00	Landscape Sections	07/07/2014
L-402.00	Landscape Sections	07/07/2014
L-500.00	Landscape Details Paving	07/07/2014
L-501.00	Landscape Details, Curbs, Stairs, Walls	07/07/2014
L-502.00	Landscape Details, Curbs, Stairs, Walls	07/07/2014
L-503.00	Landscape Details Fence & Gate Details	07/07/2014
L-510.00	Landscape Details Site Furnishings	07/07/2014
L-511.00	Landscape Details Site Furnishings	07/07/2014
L-512.00	Landscape Details Play Equipment	07/07/2014
L-513.00	Landscape Details Play Equipment	07/07/2014
L-514.00	Landscape Details Play Equipment	07/07/2014
L-515.00	Landscape Details Signage	07/07/2014
L-520.00	Landscape Details Planting	07/07/2014
LT-100.00	Lighting Plan North	07/07/2014
LT-101.00	Lighting Plan South	07/07/2014
LT-110.00	Photometric Plan North	07/07/2014
LT-111.00	Photometric Plan South	07/07/2014
LT-200.00	Lighting Fixture Details	07/07/2014
LT-201.00	Lighting Fixture Details	07/07/2014
LT-202.00	Lighting Fixture Details	07/07/2014
LT-400.00	Lighting Section	07/07/2014
LT-401.00	Lighting Section	07/07/2014
LT-402.00	Lighting Section	07/07/2014

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Development pursuant to this resolution shall be allowed only after the attached Restrictive Declaration attached as Exhibit A to CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, subject to administrative and technical changes acceptable to Counsel to the Department, is executed by 2030 Astoria Developers, LLC or its successors, and such declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Queens.
6. Such development shall conform to the procedures and requirements for determining the amount of publicly-subsidized affordable housing that may be counted toward the Inclusionary Housing requirement, as delineated in the above-mentioned Restrictive Declaration, **as modified by the New York City Council as of November 12, 2014**.

7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agents failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, November 12, 2014. *Other Council Members Attending: Constantinides.*

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. 127 & Res. No. 494

Report of the Committee on Land Use in favor of approving Application No. C 140324(A) ZSQ submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-836 of the Zoning Resolution to modify requirements of Section 62-340 (Height and Setback Regulations On Waterfront Blocks), to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on October 7, 2014 (Minutes, page 3632) before being sent by the Council to the City Planning Commission for further review on November 13, 2014 (Minutes, page 3882), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

C 140324 (A) ZSQ

City Planning Commission decision approving an application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedures for the grant of a special permit pursuant to Section 62-836 of the Zoning Resolution to modify the height and setback requirements of Section 62-340 (Height and Setback Regulations On Waterfront Blocks) in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development.

INTENT

This grant of a special permit, in conjunction with the other related actions, would facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1.

PUBLIC HEARING

DATE: October 20, 2014

Witnesses in Favor: Eighteen

Witnesses Against: Twenty

SUBCOMMITTEE RECOMMENDATION

DATE: November 12, 2014

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

In Favor: Weprin, Gentile, Garodnick, Williams, Richards, Reynoso, Torres
Against: None **Abstain:** None

COMMITTEE ACTION

DATE: November 12, 2014

The Committee recommends that the Council approve the attached resolution.

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

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on November 13, 2014. The City Planning Commission filed a letter dated November 17, 2014, with the Council on November 21, 2014, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 494

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 140324 (A) ZSQ (L.U. No. 127), for the grant of special permit pursuant to Section 62-836 of the Zoning Resolution to modify the height and setback requirements of Section 62-340 (Height and Setback Regulations On Waterfront Blocks) in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development, within the Halletts Point Peninsula, Borough of Queens.

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 29, 2014 its decision dated September 29, 2014 (the "Decision"), on the application submitted by 2030 Astoria Developers, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 62-836 of the Zoning Resolution to modify the height and setback requirements of Section 62-340 (Height and Setback Regulations On Waterfront Blocks) in connection with a proposed mixed-use development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development (ULURP No. C 140324 (A) ZSQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 140323 (A) ZSQ (L.U. No. 126), a special permit, pursuant to Section 74-743, to permit transfer of floor area between zoning lots, modify distance between buildings, modify yard, inner court and distance between windows or lot line requirement; C 140322 ZMQ (L.U. No. 128), an amendment to the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District with a C2-4 overlay; changing from an R6 District to an R7A District with a C2-4 overlay; and changing from an R6 District to an R6B District; N 140329 (A) ZRQ (L.U. No. 129), an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing and modifying Article VII, Chapter 4, relating to Large-Scale General Development; N 140325 ZAQ (L.U. No. 130), an authorization by the City Planning Commission, pursuant to Section 62-822(a), to permit area and dimension modifications for a waterfront public access area and visual corridors within a large-scale general development; and C 130384 MMQ (L.U. No. 131), an amendment to the City Map to (a) establish 4th Street between 26th Avenue to the edge of the proposed waterfront esplanade and; (b) eliminate 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead Line;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-836 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 20, 2014;

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

(5) **WHEREAS**, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (“FEIS”) (CEQR No. 13DCP127Q), for which a Notice of Completion was issued on September 19, 2014, as adjusted by the subsequent CEQR Technical Memoranda dated September 26, 2014 and November 14, 2014 (collectively, the “Technical Memoranda”);

RESOLVED:

Having considered the FEIS and the Technical Memoranda with respect to the Decision and Application, the Council finds that:

(1) The FEIS and the Technical Memoranda meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) From among the reasonable alternatives thereto, action to be approved, with the modifications set forth herein and in the Technical Memoranda (the “Modified Proposed Action”), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable;

(3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by requiring as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A to the CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, those mitigation measures that were identified as practical; and

(6) (4) The Decision along with the FEIS and the Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140324 (A) ZSQ, incorporated by reference herein, the Council approves the Decision, with the following modifications and subject to the following conditions:

Matter in ~~strike through~~ is old, deleted by the Council;
 Matter in **bold underline** is new, added by the Council.

1. The property that is the subject of this application (C 140324 (A) ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by STUDIO V Architects, PLLC and WORKSHOP: Ken Smith Landscape Architect, filed with this application and incorporated in this resolution:

Drawing No.	Title	Last Date Revised
Z-102.A	Zoning Analysis	07/07/2014
Z-102.B	Zoning Analysis	09/22/2014
Z-103.00	Site Plan	07/07/2014
Z-200.00	Building 1 Site Plan & Base Plan Calculations	07/07/2014
Z-201.00	Building 1 Height & Setback Diagram	07/07/2014
Z-210.00	Building 2 Site Plan & Base Plan Calculations	09/22/2014
Z-211.00	Building 2 Height & Setback Diagram	07/07/2014
Z-220.00	Building 3 Site Plan & Base Plan Calculations	07/07/2014

Z-221.00	Building 3 Height & Setback Diagram	07/07/2014
Z-230.00	Building 4 Site Plan & Base Plan Calculations	09/22/2014
Z-231.00	Building 4 Height & Setback Diagram	09/22/2014
Z-240.00	Building 5 & School Site Plan & Base Plan Calculations	09/22/2014
Z-241.00	Building 5 & School Height & Setback Diagram	09/22/2014
L-100.00	Waterfront Public Access Area Plan	07/07/2014
L-110.00	Zoning Calculations 1	07/07/2014
L-111.00	Zoning Calculations 2	07/07/2014
L-112.00	Zoning Calculations 3	07/07/2014
L-300.00	Overall Site Plan	07/07/2014
L-310.00	Dimension Plan North	07/07/2014
L-311.00	Dimension Plan South	07/07/2014
L-320.00	Materials Plan North	07/07/2014
L-321.00	Materials Plan South	07/07/2014
L-330.00	Grading Plan North	07/07/2014
L-331.00	Grading Plan South	07/07/2014
L-340.00	Seating Plan North	07/07/2014
L-341.00	Seating Plan South	07/07/2014
L-350.00	Furnishings Plan North	07/07/2014
L-351.00	Furnishings Plan South	07/07/2014
L-360.00	Planting Plan North	07/07/2014
L-361.00	Planting Plan South	07/07/2014
L-400.00	Landscape Sections	07/07/2014
L-401.00	Landscape Sections	07/07/2014
L-402.00	Landscape Sections	07/07/2014
L-500.00	Landscape Details Paving	07/07/2014
L-501.00	Landscape Details, Curbs, Stairs, Walls	07/07/2014
L-502.00	Landscape Details, Curbs, Stairs, Walls	07/07/2014
L-503.00	Landscape Details Fence & Gate Details	07/07/2014
L-510.00	Landscape Details Site Furnishings	07/07/2014
L-511.00	Landscape Details Site Furnishings	07/07/2014
L-512.00	Landscape Details Play Equipment	07/07/2014
L-513.00	Landscape Details Play Equipment	07/07/2014
L-514.00	Landscape Details Play Equipment	07/07/2014
L-515.00	Landscape Details Signage	07/07/2014

L-520.00	Landscape Details Planting	07/07/2014
LT-100.00	Lighting Plan North	07/07/2014
LT-101.00	Lighting Plan South	07/07/2014
LT-110.00	Photometric Plan North	07/07/2014
LT-111.00	Photometric Plan South	07/07/2014
LT-200.00	Lighting Fixture Details	07/07/2014
LT-201.00	Lighting Fixture Details	07/07/2014
LT-202.00	Lighting Fixture Details	07/07/2014
LT-400.00	Lighting Section	07/07/2014
LT-401.00	Lighting Section	07/07/2014
LT-402.00	Lighting Section	07/07/2014

(8)

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

5. Development pursuant to this resolution shall be allowed only after the attached Restrictive Declaration attached as Exhibit A to CPC Decision C 140323(A) ZSQ, as modified by the New York City Council as of November 12, 2014, subject to administrative and technical changes acceptable to Counsel to the Department, is executed by 2030 Astoria Developers, LLC or its successors, and such declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Queens.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agents failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, November 12, 2014. *Other Council Members Attending: Constantinides.*

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. 128 & Res. No. 495

Report of the Committee on Land Use in favor of approving Application No. C 140322 ZMQ submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a, changing an M1-1 to an R7-3 with C2-4 overlay, changing an R6 to an R7A with C2-4 overlay, and changing an R6 to an R6B District, to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on October 7, 2014 (Minutes, page 3633) before being sent by the Council to the City Planning Commission for further review on November 13, 2014 (Minutes, page 3884), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

C 140322 ZMQ

City Planning Commission decision approving an application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a.

INTENT

This amendment to the Zoning Map, in conjunction with the other related actions, would facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1.

PUBLIC HEARING

DATE: October 20, 2014

Witnesses in Favor: Eighteen

Witnesses Against: Twenty

SUBCOMMITTEE RECOMMENDATION

DATE: November 12, 2014

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

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

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: November 12, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Rodriguez, Koo, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: Barron

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

Res. No. 495

Resolution approving the decision of the City Planning Commission on ULURP No. C 140322 ZMQ, a Zoning Map amendment (L.U. No. 128).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 29, 2014 its decision dated September 29, 2014 (the "Decision"), on the application submitted by 2030 Astoria Developers, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 9a, to rezone a portion of an M1-1 district to R7-3 with a C2-4 commercial overlay, a portion of an R6 district to R7A with a C2-4 commercial overlay, and a portion of an R6 district to R6B to facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1, (ULURP No. C 140322 ZMQ), Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 140323 (A) ZSQ (L.U. No. 126), a special permit, pursuant to Section 74-743, to permit transfer of floor

area between zoning lots, modify distance between buildings, modify yard, inner court and distance between windows or lot line requirement; C 140324 (A) ZSQ (L.U. 127), a special permit, pursuant to Section 62-836, to permit bulk modifications within waterfront blocks; N 140329 (A) ZRQ (L.U. No. 129), an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing and modifying Article VII, Chapter 4, relating to Large-Scale General Development; N 140325 ZAQ (L.U. No. 130), an authorization by the City Planning Commission, pursuant to Section 62-822(a), to permit area and dimension modifications for a waterfront public access area and visual corridors within a large-scale general development; and C 130384 MMQ (L.U. No. 131), an amendment to the City Map to (a) establish 4th Street between 26th Avenue to the edge of the proposed waterfront esplanade and; (b) eliminate 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead Line;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 20, 2014;

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

(9) **WHEREAS**, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (“FEIS”) (CEQR No. 13DCP127Q), for which a Notice of Completion was issued on September 19, 2014, as adjusted by the subsequent CEQR Technical Memoranda dated September 26, 2014 and November 14, 2014 (collectively, the “Technical Memoranda”);

RESOLVED:

Having considered the FEIS and the Technical Memoranda with respect to the Decision and Application, the Council finds that:

(1) The FEIS and the Technical Memoranda meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) From among the reasonable alternatives thereto, action to be approved, with the modifications set forth herein and in the Technical Memoranda (the “Modified Proposed Action”), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable;

(3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by requiring as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A to the CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, those mitigation measures that were identified as practical; and

(4) The Decision along with the FEIS and the Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140322 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 9a:

1. changing from an M1-1 District to an R7-3 District property bounded by a line 280 feet southeasterly of 3rd Street and its northeasterly prolongation, the U.S. Pierhead and Bulkhead Line, 9th Street, and 26th Avenue;

2. changing from an R6 District to an R7A District property bounded by a line 250 feet southeasterly of 4th Street, 26th Avenue, 9th Street, and a line 100 feet southwesterly of 26th Avenue;

3. changing from an R6 District to an R6B District property bounded by a line 250 feet southeasterly of 4th Street, a line 100 feet southwesterly of 26th Avenue, 9th Street, a line 240 feet southwesterly of 26th Avenue;

4. establishing within a proposed R7-3 District a C2-4 District bounded by a line 280 feet southeasterly of 3rd Street and its northeasterly prolongation, the U.S. Pierhead and Bulkhead Line, 9th Street, and 26th Avenue; and

5. establishing within a proposed R7A District a C2-4 District bounded by a line 250 feet southeasterly of 3rd Street, 26th Avenue, 9th Street, and a line 100 feet southwesterly of 26th; as shown on a diagram (for illustrative purposes only) dated April 21, 2014 and subject to the conditions of CEQR Declaration E-343, Community District 1, Borough of Queens.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, November 12, 2014. *Other Council Members Attending: Constantinides.*

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. 129 & Res. No. 496

Report of the Committee on Land Use in favor of approving Application No. N 140329(A) ZRQ an application submitted by 2030 Astoria Developers, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing, to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, in the Borough of Queens, Community District 1.

The Committee on Land Use, to which the annexed Land Use item was referred on October 7, 2014 (Minutes, page 3633) before being sent by the Council to the City Planning Commission for further review on November 13, 2014 (Minutes, page 3886), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

N 140329 (A) ZRQ

City Planning Commission decision approving an application submitted by 2030 Astoria Developers, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing.

INTENT

This zoning text amendment, in conjunction with the other related actions, would facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1.

PUBLIC HEARING

DATE: October 20, 2014

Witnesses in Favor: Eighteen

Witnesses Against: Twenty

SUBCOMMITTEE RECOMMENDATION

DATE: November 12, 2014

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

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

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: November 12, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Rodriguez, Koo, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: Barron

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on November 13, 2014. The City Planning Commission filed a letter dated November 17, 2014, with the Council on November 21, 2014, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 496

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 140329 (A) ZRQ, for an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing in Community District 1, Borough of Queens (L.U. No. 129).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 29, 2014 its decision dated September 29, 2014 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 2030 Astoria Developers, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, to modify Article II, Chapter 3 and Appendix F, relating to Inclusionary Housing, to facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1 (Application No. N 140329 (A) ZRQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 140323 (A) ZSQ (L.U. No. 126), a special permit, pursuant to Section 74-743, to permit transfer of floor area between zoning lots, modify distance between buildings, modify yard, inner court and distance between windows or lot line requirement; C 140324 (A) ZSQ (L.U. 127), a special permit, pursuant to Section 62-836, to permit bulk modifications within waterfront blocks; C 140322 ZMQ (L.U. No. 128), an amendment to the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District with a C2-4 overlay; changing from an R6 District to an R7A District with a C2-4 overlay; and changing from an R6 District to an R6B District; N 140325 ZAQ (L.U. No. 130), an authorization by the City Planning Commission, pursuant to Section 62-822(a), to permit area and dimension modifications for a waterfront public access area and visual corridors within a large-scale general development; and C 130384 MMQ (L.U. No. 131), an amendment to the City Map to (a) establish 4th Street between 26th Avenue to the edge of the proposed waterfront esplanade and; (b) eliminate 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead Line;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 20, 2014;

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

(10) **WHEREAS**, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") (CEQR No. 13DCP127Q), for which a Notice of Completion was issued on September 19, 2014, as adjusted by the subsequent CEQR Technical Memoranda dated September 26, 2014 and November 14, 2014 (collectively, the "Technical Memoranda");

RESOLVED:

Having considered the FEIS and the Technical Memoranda with respect to the Decision and Application, the Council finds that:

(1) The FEIS and the Technical Memoranda meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) From among the reasonable alternatives thereto, action to be approved, with the modifications set forth herein and in the Technical Memoranda (the "Modified Proposed Action"), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable;

(3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by requiring as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A to the CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, those mitigation measures that were identified as practical; and

(4) The Decision along with the FEIS and the Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140329 (A) ZRQ, incorporated by reference herein, the Council approves the Decision with the following modifications.

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

- Matter in underline is new, to be added;
- Matter in ~~strikeout~~ is to be deleted;
- Matter with # # is defined in Section 12-10;
- Matter in ~~bold underline double strikeout~~ is old, deleted by the Council;
- Matter in **bold double underline** is new, added by the Council;
- * * * indicates where unchanged text appears in the Zoning Resolution

**23-90
INCLUSIONARY HOUSING**

* * *

**23-953
Special floor area compensation provisions in specified areas**

(a) Optional provisions for #large-scale general developments# in C4-6 or C5 Districts

* * *

(b) Special provisions for #large-scale general developments# in Community District 1 in the Borough of Queens

Special provisions shall apply to #zoning lots# within a #large-scale general development# that contains R6B, R7A and R7-3 Districts within an #Inclusionary Housing designated area#, as follows:

(1) For #zoning lots#, or portions thereof, that are located within R6B, R7A or R7-3 Districts, the base #floor area ratio# set forth in Section 23-952 shall not apply. No #residential development# or #enlargement# shall be permitted unless #affordable floor area# is provided pursuant to the provisions of this paragraph. The amount of #low-income floor area# provided shall equal no less than 10 percent of the #floor area# on such #zoning lot#, excluding any ground floor #non-residential floor area#, #floor area# within a #school#, or any #floor area# increase resulting from the provision of a #FRESH food store# and the ~~The sum of the~~ amount of #low income floor area#, plus two thirds of the amount of #moderate income floor area#, plus half of the amount of #middle income floor area# provided shall equal no less than ~~20~~ **15** percent of the #floor area# on such #zoning lot#, excluding any ground floor #non-residential floor area#, #floor area# within a #school#, or any #floor area# increase resulting from the provision of a #FRESH food store#. **For the purposes of this paragraph (1), inclusive, #low income floor area# may be considered #moderate income floor area#;** and

(2) The amount of #affordable floor area# utilizing #public funding# that may count toward satisfying the #affordable floor area# required in paragraph (b)(1) of this Section, ~~and the amount of #moderate income floor area# or #middle income floor area# that may be considered #low income floor area# for the purposes of satisfying the #affordable floor area# required in paragraph (b)(1) of this Section,~~ shall be determined in accordance with procedures prescribed by the City Planning Commission pursuant to the provisions of Section 74-743(Special provisions for bulk modification).

* * *

~~(b)(c)~~ Special provisions for #compensated zoning lots#

* * *

74-74
Large-Scale General Development

* * *

74-743
Special provisions for bulk modification

(a) For a #large-scale general development#, the City Planning Commission may permit:

* * *

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

* * *

In addition, within the former Washington Square Southeast Urban Renewal Area, within Manhattan Community District 2, where the Commission has approved a #large-scale general development#, and a #lot line# of such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

Within Community District 1 in the Borough of Queens, the Commission may prescribe additional conditions to ensure that the purpose of the Inclusionary Housing program as set forth in Section 23-92 (General Provisions) is achieved in a #large-scale general development#. The Commission may establish procedures resulting in limiting the amount of #affordable floor area# utilizing #public funding# that may count toward satisfying the #affordable floor area# required in paragraph (b)(1) of Section 23-953, and in conjunction therewith, the Commission may also institute procedures that result in establishing an amount of #moderate income floor area# or #middle income floor area# that may be considered #low income floor area# for the purposes of satisfying the #affordable floor area# required in paragraph (b)(1) of Section 23-953. Any such procedures established by the Commission shall be set forth in the restrictive declaration required in connection with the grant of a special permit for such #large-scale general development#.

For a phased construction program of a multi-#building# complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #large-scale general development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #large-scale general development# and to minimize adverse effects on the character of the surrounding area.

* * *

APPENDIX F
Inclusionary Housing Designated Areas

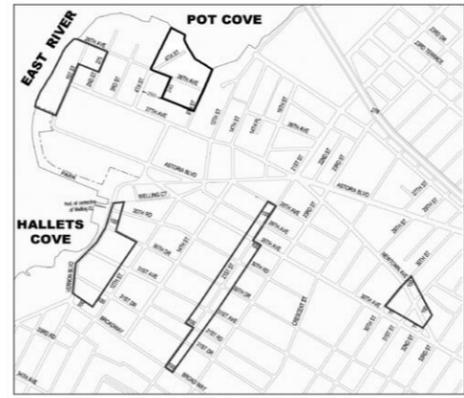
* * *

Queens

Queens Community District 1

In the R7A and R7-3 and R6B Districts within the areas shown on the following Map 1:

Map 1 – (replaces previous map)



Community District 1, Queens
Portion of Community District 1, Queens

* * *

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, November 12, 2014. Other Council Members Attending: Constantinides.

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. 130 & Res. No. 497

Report of the Committee on Land Use in favor of approving Application No. N 140325 ZAQ submitted by 2030 Astoria Developers, LLC for the grant of an authorization pursuant to Sections 62-822(a) of the Zoning Resolution to modify the requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) in connection with a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22. This application is subject to review of the Council only if called up by a vote of the Council pursuant to 62-822(a) of the NYC Zoning Resolution.

The Committee on Land Use, to which the annexed Land Use item was referred on October 7, 2014 (Minutes, page 3633) before being sent by the Council to the City Planning Commission for further review on November 13, 2014 (Minutes, page 3887), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

N 140325 ZAQ

City Planning Commission decision approving an application submitted by 2030 Astoria Developers, LLC for the grant of an authorization pursuant to Sections 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions of waterfront public access areas and visual corridor requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development.

INTENT

This grant of an authorization, in conjunction with the other related actions, would facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1.

PUBLIC HEARING

DATE: October 20, 2014

Witnesses in Favor: Eighteen

Witnesses Against: Twenty

SUBCOMMITTEE RECOMMENDATION

DATE: November 12, 2014

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

In Favor: Weprin, Gentile, Garodnick, Williams, Richards, Reynoso, Torres
Against: None **Abstain:** None

COMMITTEE ACTION

DATE: November 12, 2014

The Committee recommends that the Council approve the attached resolution.

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

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on November 13, 2014. The City Planning Commission filed a letter dated November 17, 2014, with the Council on November 21, 2014, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 497

Resolution approving with modifications the decision of the City Planning Commission for the grant of an authorization, pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York, to modify the location, area and minimum dimensions of waterfront public access areas and visual corridor requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development in Community District 1, Borough of Queens (Non-ULURP No. N 140325 ZAQ; L.U. No. 130).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 29, 2014 its decision dated September 29, 2014 (the "Decision"), on the application submitted by 2030 Astoria Developers, LLC, for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York to modify requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas), which in conjunction with the other related actions would facilitate the development of a mixed-use, large-scale general development located on property generally bounded by a line 280 feet southeasterly of 3rd Street, the U.S. Pierhead and Bulkhead Line, 9th Street, and 27th Avenue, in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development, within the Hallets Point peninsula, Community District 1, Borough of Queens, (Non-ULURP No. N 140325 ZAQ), Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 140323 (A) ZSQ (L.U. No. 126), a special permit, pursuant to Section 74-743, to permit transfer of floor area between zoning lots, modify distance between buildings, modify yard, inner court and distance between windows or lot line requirement; C 140324 (A) ZSQ (L.U. 127), a special permit, pursuant to Section 62-836, to permit bulk modifications within waterfront blocks; C 140322 ZMQ (L.U. No. 128), an amendment to the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District with a C2-4 overlay; changing from an R6 District to an R7A District with a C2-4 overlay; and changing from an R6 District to an R6B District; N 140329 (A) ZRQ (L.U. No. 129), an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing and modifying Article VII, Chapter 4, relating to Large-Scale General Development; and C 130384 MMQ (L.U. No. 131), an amendment to the City Map to (a) establish 4th Street between 26th Avenue to the edge of the proposed waterfront esplanade and; (b) eliminate 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead Line;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 62-822 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 20, 2014;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York;

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

(11) **WHEREAS**, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") (CEQR No. 13DCP127Q), for which a Notice of Completion was issued on September 19, 2014, as adjusted by the subsequent CEQR Technical Memoranda dated September 26, 2014 and November 14, 2014 (collectively, the "Technical Memoranda");

RESOLVED:

Having considered the FEIS and the Technical Memoranda with respect to the Decision and Application, the Council finds that:

(1) The FEIS and the Technical Memoranda meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) From among the reasonable alternatives thereto, action to be approved, with the modifications set forth herein and in the Technical Memoranda (the "Modified Proposed Action"), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable;

(3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by requiring as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A to the CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, those mitigation measures that were identified as practical; and

(4) The Decision along with the FEIS and the Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140325 ZAQ, incorporated by reference herein, the Council approves the Decision with the following modifications and subject to the following terms and conditions:

Matter in ~~strike through~~ is old, deleted by the Council;

Matter in **bold underline** is new, added by the Council.

1. The property that is the subject of this application (N 140325 ZAQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plan, prepared by WORKSHOP: Ken Smith Landscape Architect, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Revised</u>	<u>Date</u>
L-100.00	Waterfront Public Access Area Plan	07/07/2014	
L-110.00	Zoning Calculations 1	07/07/2014	
L-111.00	Zoning Calculations 2	07/07/2014	
L-112.00	Zoning Calculations 3	07/07/2014	
L-300.00	Overall Site Plan	07/07/2014	
L-310.00	Dimension Plan North	07/07/2014	
L-311.00	Dimension Plan South	07/07/2014	
L-320.00	Materials Plan North	07/07/2014	
L-321.00	Materials Plan South	07/07/2014	
L-330.00	Grading Plan North	07/07/2014	
L-331.00	Grading Plan South	07/07/2014	
L-340.00	Seating Plan North	07/07/2014	

<u>Drawing No.</u>	<u>Title</u>	<u>Last Revised</u>	<u>Date</u>
L-341.00	Seating Plan South	07/07/2014	
L-350.00	Furnishings Plan North	07/07/2014	
L-351.00	Furnishings Plan South	07/07/2014	
L-360.00	Planting Plan North	07/07/2014	
L-361.00	Planting Plan South	07/07/2014	
L-400.00	Landscape Sections	07/07/2014	

L-401.00	Landscape Sections	07/07/2014
L-402.00	Landscape Sections	07/07/2014
L-500.00	Landscape Details Paving	07/07/2014
L-501.00	Landscape Details, Curbs, Stairs, Walls	07/07/2014
L-502.00	Landscape Details, Curbs, Stairs, Walls	07/07/2014
L-503.00	Landscape Details Fence & Gate Details	07/07/2014
L-510.00	Landscape Details Site Furnishings	07/07/2014
L-511.00	Landscape Details Site Furnishings	07/07/2014
L-512.00	Landscape Details Play Equipment	07/07/2014
L-513.00	Landscape Details Play Equipment	07/07/2014
L-514.00	Landscape Details Play Equipment	07/07/2014
L-515.00	Landscape Details Signage	07/07/2014
L-520.00	Landscape Details Planting	07/07/2014
LT-100.00	Lighting Plan North	07/07/2014
LT-101.00	Lighting Plan South	07/07/2014
LT-110.00	Photometric Plan North	07/07/2014
LT-111.00	Photometric Plan South	07/07/2014
LT-200.00	Lighting Fixture Details	07/07/2014

<u>Drawing No.</u>	<u>Title</u>	<u>Last Revised</u>	<u>Date</u>
LT-201.00	Lighting Fixture Details	07/07/2014	
LT-202.00	Lighting Fixture Details	07/07/2014	
LT-400.00	Lighting Section	07/07/2014	
LT-401.00	Lighting Section	07/07/2014	
LT-402.00	Lighting Section	07/07/2014	

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. Development pursuant to this resolution shall be allowed only after the attached Restrictive Declaration attached as Exhibit A to CPC Decision C 140323(A) ZSQ, **as modified by the New York City Council as of November 12, 2014**, subject to administrative and technical changes acceptable to Counsel to the Department, is executed by 2030 Astoria Developers, LLC or its successors, and such declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Queens.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the authorization.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agents failure to act in accordance with the provisions of this authorization.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, November 12, 2014. *Other Council Members Attending: Constantinides.*

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. 131 & Res. No. 498

Report of the Committee on Land Use in favor of approving Application No. C 130384 MMQ submitted by 2030 Astoria Developers LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to

the City Map to (a) establish 4th Street between 26th Avenue to the edge of a proposed waterfront esplanade and (b) to eliminate 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead line, including authorization for any acquisition or disposition of real property related thereto, in the Borough of Queens, Community District 1, Council District 22. 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.

The Committee on Land Use, to which the annexed Land Use item was referred on October 7, 2014 (Minutes, page 3634) before being sent by the Council to the City Planning Commission for further review on November 13, 2014 (Minutes, page 3889), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

C 130384 MMQ

City Planning Commission decision approving an application submitted by 2030 Astoria Developers LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of 8th Street between 27th Avenue and the U.S. Pierhead and Bulkhead line;
- the establishment of 4th Street from 26th Avenue to a point 438.62 feet northeasterly along the westerly street line therefrom; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5021 dated April 17, 2014 and signed by the Borough President.

INTENT

This amendment to the City Map, in conjunction with the other related actions, would facilitate the development of a mixed-use, large-scale general development located on the Halletts Point peninsula in Queens Community District 1.

PUBLIC HEARING

DATE: October 20, 2014

Witnesses in Favor: Eighteen

Witnesses Against: Twenty

SUBCOMMITTEE RECOMMENDATION

DATE: November 12, 2014

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

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

Against: None **Abstain:** None

COMMITTEE ACTION

DATE: November 12, 2014

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Rodriguez, Koo, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: None **Abstain:** Barron

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

Res. No. 498

Resolution approving the decision of the City Planning Commission on ULURP No. C 130384 MMQ, an amendment to the City Map (L.U. No. 131).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 29, 2014 its decision dated September 29, 2014 (the "Decision"), on the

application submitted by 2030 Astoria Developers, LLC, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination of 8th Street between 27th Avenue and the U.S. Pierhead and Bulkhead line;
- the establishment of 4th Street from 26th Avenue to a point 438.62 feet northeasterly along the westerly street line therefrom; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5021 dated April 17, 2014 and signed by the Borough President, (ULURP No. C 130384 MMQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the application is related to Applications C 140323 (A) ZSQ (L.U. No. 126), a special permit, pursuant to Section 74-743, to permit transfer of floor area between zoning lots, modify distance between buildings, modify yard, inner court and distance between windows or lot line requirement; C 140324 (A) ZSQ (L.U. 127), a special permit, pursuant to Section 62-836, to permit bulk modifications within waterfront blocks; C 140322 ZMQ (L.U. No. 128), an amendment to the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District with a C2-4 overlay; changing from an R6 District to an R7A District with a C2-4 overlay; and changing from an R6 District to an R6B District; N 140329 (A) ZRQ (L.U. No. 129), an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing and modifying Article VII, Chapter 4, relating to Large-Scale General Development; and N 140325 ZAQ (L.U. No. 130), an authorization by the City Planning Commission, pursuant to Section 62-822(a), to permit area and dimension modifications for a waterfront public access area and visual corridors within a large-scale general development;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 20, 2014;

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

(12) **WHEREAS**, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") (CEQR No. 13DCP127Q), for which a Notice of Completion was issued on September 19, 2014, as adjusted by the subsequent CEQR Technical Memoranda dated September 26, 2014 and November 14, 2014 (collectively, the "Technical Memoranda");

RESOLVED:

Having considered the FEIS and the Technical Memoranda with respect to the Decision and Application, the Council finds that:

- (1) The FEIS and the Technical Memoranda meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, action to be approved, with the modifications set forth herein and in the Technical Memoranda (the "Modified Proposed Action"), is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable;
- (3) The adverse environmental impacts of the Modified Proposed Action will be minimized or avoided to the maximum extent practicable by requiring as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A to the CPC Decision C 140323(A) ZSQ, as modified by the New York City Council as of November 12, 2014, those mitigation measures that were identified as practical; and
- (4) The Decision along with the FEIS and the Technical Memoranda constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 130384 MMQ, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination of 8th Street between 27th Avenue and the U.S. Pierhead and Bulkhead line;

- the establishment of 4th Street from 26th Avenue to a point 438.62 feet northeasterly along the westerly street line therefrom; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in the Borough of Queens, Community District 1, in accordance with Map No. 5021 dated April 17, 2014 and signed by the Borough President, is approved, subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 5021, dated April 17, 2014, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter; and
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition "a" above until the applicant shall have executed a mapping agreement protecting the city's interest, in form and sufficiency acceptable to the Corporation Counsel, and which agreement shall be accepted by the City Planning Commission (the "Mapping Agreement"). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, November 12, 2014. *Other Council Members Attending: Constantinides.*

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).

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>
Vannezza Pulliza	40 Madison Street #16A New York, N.Y. 10038	2
Guadalupe Aleman	190 Brown Place Bronx, N.Y. 10454	8
Eugenia Mickens	2850 8th Avenue #14A New York, N.Y. 10039	9
Stephanie Morales	3530 Rochambeau Avenue #1K Bronx, N.Y. 10467	11
Manly Santiago	2823 Gunther Avenue Bronx, N.Y. 10469	12
Esthephany DeLaCruz	147-12 72nd Road #3C Queens, N.Y. 11367	24
Carmen Otero Sanchez	653 Central Avenue #3A Brooklyn, N.Y. 11207	37
Carlo Joseph Bellantuono	462 81st Street Brooklyn, N.Y. 11209	43
Jason Dyer	771 East 56th Street Brooklyn, N.Y. 11234	46
Olga Kushnitskaya	25 Deppe Place #2D Staten Island, N.Y. 10314	49
Judith Xiao	29 Dew Hurst Street Staten Island, N.Y. 10314	50

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Ceceila A. Mogilansky	213 Mott Street #C2 New York, N.Y. 10012	1
Katherine Sostre	180 South Place #10J New York, N.Y. 10038	1

Jennie S. Too	217 Mulberry Street #4 New York, N.Y. 10012	1	Richmond Hill, N.Y. 11418	
Christopher Mills	338 East 19th Street #A New York, N.Y. 10003	2	Denise Motta	160-12 89th Street Queens, N.Y. 11414 32
Jeanmarie Weber	201 East 17th Street #30F New York, N.Y. 10003	2	Jeanne Marie Powell	155-52 101st Street Howard Beach, N.Y. 11414 32
Jean Lee Anderson	609 Columbus Avenue #2K New York, N.Y. 10024	6	Sharon Goodin	593 Vanderbilt Avenue #241 Brooklyn, N.Y. 11238 35
Carolyn R. Thompson	725 Riverside Drive #11A New York, N.Y. 10031	7	Ray Jackson	1437 Carroll Street #3A Brooklyn, N.Y. 11213 35
Mina Amador	330 East 104th Street #6G New York, N.Y. 10029	8	Sara Murphy	455 Carlton Street #12D Brooklyn, N.Y. 11238 35
Alexandro J. Gomez	239 East 110th Street #1 New York, N.Y. 10029	8	Michael P.A. Ramoutar	224 Jefferson Avenue Brooklyn, N.Y. 11216 35
Marisol Sempritt	725 FDR Drive #2G New York, N.Y. 10009	8	Myra Salmond	1670 Fulton Street #4.1 Brooklyn, N.Y. 11213 35
Joan Culpepper	2541 Seventh Avenue #11J New York, N.Y. 10039	9	Sandra Darden	257 Eldert Street Brooklyn, N.Y. 11207 37
Larry B. Steptoe	2333 5th Avenue #11E New York, N.Y. 10037	9	Katherine Jackson	289 Essex Street #1 Brooklyn, N.Y. 11208 37
Deborah Taft	112-126 East 128th Street #10LL New York, N.Y. 10035	9	Deneen L. King	1015 Halsey Street Brooklyn, N.Y. 11207 37
Lonnie Elson	525 West 236th Street #3H Bronx, N.Y. 10463	11	Armida Alarcon	571 39th Avenue #2F Brooklyn, N.Y. 11232 38
Miriam Neustein	3001 Arlington Avenue Bronx, N.Y. 10463	11	Soraida Burgos	525 45th Street Brooklyn, N.Y. 11220 38
Benjamin F. Brown	2420 Sedgwick Avenue #3/2B Bronx, N.Y. 10468	14	Evangeline Wilson	9507 Kings Highway #5E Brooklyn, N.Y. 11212 41
Lillian Dixon	1270 Webster Avenue #9A Bronx, N.Y. 10456	16	Dayne E. Banks	1426 Loring Avenue #55C Brooklyn, N.Y. 11208 42
Stephanie Gonzalez	860 Grand Concourse 41F Bronx, N.Y. 10451	16	Marilyn A. McNeill	1490 Hornell Loop #2A Brooklyn, N.Y. 11239 42
Helen Aponte	999 East 163rd Street #5C Bronx, N.Y. 10459	17	Valerie Woodford	225 Conklin Avenue Brooklyn, N.Y. 11236 42
Darlene Cruz	913 Elder Avenue #C Bronx, N.Y. 10473	17	J. Ramon Madrazo	1065 East 31st Street Brooklyn, N.Y. 11210 45
Iris N. Echevarria	1018 East 163rd Street # 6 H Bronx, N.Y. 10459	17	Marciana G. Sealey	592 East 38th Street Brooklyn, N.Y. 11203 45
Kathy Chiodi	1268 Olmstead Avenue #6L Bronx, N.Y. 10462	18	Stephen Kirby	1466 East 102nd Street Brooklyn, N.Y. 11236 46
Crystal Ferguson	1705 Purdy Street #9H Bronx, N.Y. 10462	18	Vanessa Fudge	20 Post Lane Staten Island, N.Y. 10303 49
Lillian Tirado	1550 Unionport Road #2H Bronx, N.Y. 10462	18	John C. Kempczynski	165 Wright Street Staten Island, N.Y. 10304 49
Teresa Santos-Gonzalez	144-40 38th Avenue #D2 Queens, N.Y. 11354	20	Dolores Bongiorno	310 Buel Avenue Staten Island, N.Y. 10305 50
Vivian Shapiro Kochanoff	77-37 168th Street #2 Fresh Meadow, N.Y. 11366	24	Gigi L. Semaan	1064 Rockland Avenue Staten Island, N.Y. 10314 50
Beatriz Duran	35-24 87th Street Queens, N.Y. 11372	25	Susan A. Vizzotti	139 Suffolk Avenue #1 Staten Island, N.Y. 10314 50
Paulette Blucher-Percival	112-24 208th Street Queens, N.Y. 11429	27	Lynn C. Fiume	32 King James Court Staten Island, N.Y. 10308 51
Ysmerlyn Baez	145-04 Arlington Terrace Queens, N.Y. 11435	28	Jennifer LaMattina	506 Sharrotts Road Staten Island, N.Y. 10309 51
Joanne Scott-Wright	163-29 130th Avenue #1G Queens, N.Y. 11434	28	Alison Leggio	46 Notus Avenue Staten Island, N.Y. 10312 51
David Abramov	98-19 64th Avenue #3B Rego Park, N.Y. 11374	29	Patricia A. Walker	47 Carlin Street Staten Island, N.Y. 10309 51
Dariusz Matuszowski	60-46 86th Street Queens, N.Y. 11379	29		
Mariann Rowan	82-42 Penelope Avenue Queens, N.Y. 11379	30		
John Rowan	82-42 Penelope Avenue Queens, N.Y. 11379	30		
Jo-Ann Earl	253-64 149th Road Rosedale, N.Y. 11422	31		
Mayury Jimenez	100-21 87th Avenue	32		

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) **Int 216-B -** Increasing the number of accessible pedestrian signals.
- (2) **Int 356-A -** Improving compliance with the city's pro-voter law.
- (3) **Int 361-A -** Requiring the department of homeless services to grant a presumption of eligibility for applicants to the shelter

- system who are exiting human resources administration domestic violence shelters.
- (4) **Int 493-A -** Expanding agency based voter registration to additional city agencies.
 - (5) **Res 462 -** Resolution concerning the increase in the annual expenditure for the Steinway Street, 34th Street, 125th Street, 47th Street, 86th Street Bay Ridge, Columbus/Amsterdam, Forest Avenue, Myrtle Avenue Brooklyn, 161st Street, and Sunnyside Business Improvement Districts.
 - (6) **Res 476 -** Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).
 - (7) **L.U. 126 & Res 493 -** App. C 140323(A) ZSQ Queens, Community District 1, Council District 22.
 - (8) **L.U. 127 & Res 494 -** App. C 140324(A) ZSQ Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22.
 - (9) **L.U. 128 & Res 495 -** App. C 140322 ZMQ Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22.
 - (10) **L.U. 129 & Res 496 -** App. N 140329(A) ZRQ Halletts Point Peninsula, in the Borough of Queens, Community District 1.
 - (11) **L.U. 130 & Res 497 -** App. N 140325 ZAQ Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22.
 - (12) **L.U. 131 & Res 498 -** App. C 130384 MMQ Borough of Queens, Community District 1, Council District 22.
 - (13) **L.U. 133 & Res 482 -** App. 20155113 HAM Manhattan, Community Board 9, Council District 7.
 - (14) **L.U. 134 & Res 483 -** App. 20155064 TCM, Manhattan, Community District 4, Council District 3.
 - (15) **L.U. 139 & Res 484 -** App. 20155062 HAK 890 Flushing Avenue (Block 3139 Lot 12), Brooklyn, Community Board 4, Council District 34.
 - (16) **L.U. 140 & Res 485 -** App. 20155171 HAX Borough of Bronx, Community Board 4, Council District 16.
 - (17) **L.U. 141 & Res 486 -** App. 20155172 HAX Borough of Bronx, Community Board 4, Council District 16.
 - (18) **L.U. 142 & Res 487 -** App. 20155173 HAX Borough of Bronx, Community Board 4, Council District 16.
 - (19) **L.U. 143 & Res 488 -** App. 20155034 TCM, Borough of Manhattan, Community District 6, Council District 2 (**Coupled to be Filed pursuant to a Letter of Withdrawal**).
 - (20) **L.U. 146 & Res 489 -** App. N 140410 ZRM, Borough of Manhattan, Community Board 4, Council District 3.
 - (21) **L.U. 148 & Res 490 -** App. 20155177 HAM, Borough of Manhattan, Community Board 11, Council District 8.
 - (22) **L.U. 149 & Res 491 -** App. 20155178 HAM, Borough of Manhattan, Community Board 11, Council District 8.
 - (23) **L.U. 150 & Res 492 -** App. 20155179 HAM, Borough of Manhattan, Community Board 11, Council District 8.
 - (24) **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, Cabrera, Chin, Cohen, Constantinides, Crowley, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Menchaca, Mendez, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **43**.

The General Order vote recorded for this Stated Meeting was 43-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **LU No. 134 & Res No. 483:**

Affirmative – Arroyo, Cabrera, Chin, Cohen, Constantinides, Crowley, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levine, Maisel, Matteo, Menchaca, Mendez, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, and the Speaker (Council Member Mark-Viverito) – **39**.

Negative – Johnson, Levin, Rose and Van Bramer – **4**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 216-B, 356-A, 361-A, and 493-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:

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

Report for voice-vote Res. No. 480

Report of the Committee on Governmental Operations in favor of approving a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation permitting voter registration forms utilized by agencies participating in the agency assisted voter registration program to code their registration forms, and for such codes to be withheld from public inspection.

The Committee on Governmental Operations, to which the annexed preconsidered resolution was referred on November 25, 2014, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 356-A printed in these Minutes).

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 480:)

Res. No. 480

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation permitting voter registration forms utilized by agencies participating in the agency assisted voter registration program to code their registration forms, and for such codes to be withheld from public inspection.

By Council Members Williams, Kallos, Lander and Levine.

Whereas, New York State has an agency assisted voter registration program; and

Whereas, This program requires certain state and local agencies to distribute voter registration forms to individuals along with initial applications for services, renewal or recertification for services, and change of address relating to such services; and

Whereas, New York City has a similar program for city agencies, some of which are also covered by the state program; and

Whereas, The New York City agency based voter registration program requires agencies to distribute forms with a New York City Board of Elections-designated code; and

Whereas, The New York City Board of Elections reports on the total number of registration forms entered into its database each year as part of its annual report; and

Whereas, This reporting shows the number of entered registration forms originated at agencies participating in the agency based voter registration program, but not which particular participating agency each form came from; and

Whereas, Determining the originating agency for these forms would assist the New York City Council, advocates, and other interested parties in ensuring that the agency based voter registration program is being implemented by each agency in accordance with the law; and

Whereas, The state law creating the agency assisted voter registration program requires that the source of the forms remain confidential; and

Whereas, Determining the originating agency is therefore not feasible under current law for those city agencies covered by the state agency assisted voter registration law; and

Whereas, Registration records are public documents under state law, with certain categories of information, such as driver's license and social security number, remaining confidential; and

Whereas, A number identifying the source agency on a registration form is not included as one of the categories excepted from public review; and

Whereas, The law could be amended to include a number identifying the source agency on a registration form as one of the categories excepted from public review; and

Whereas, The benefit of the transparency that would come from coding such forms outweighs the burden on those who utilize the services of agencies covered by the state agency assisted voter registration law having their identity and service provision, if such information is non-public, and is disclosed only to another employee of the City government, an employee of the New York City Board of Elections; 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 permitting voter registration forms utilized by agencies participating in the agency assisted voter registration program to code their registration forms, and for such codes to be withheld from public inspection.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, STEVEN MATTEO; Committee on Governmental Operations, November 24, 2014. *Other Council Members Attending: Williams.*

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.

INTRODUCTION AND READING OF BILLS

Int. No. 551

By Council Members Chin, Johnson, Kallos, Arroyo, Constantinides, Dromm, Gentile, Lander, Levine, Mendez, Richards, Weprin, Reynoso, Koslowitz, Miller, Levin, Rodriguez, Vallone, Palma and Lancman.

A Local Law to amend the New York city charter, in relation to requiring city agencies to amend their official forms and databases to accommodate multiracial identification where racial identification is required.

Be it enacted by the Council as follows:

Section 1. Section 15 of the New York city charter is amended by adding a new subdivision h to read as follows:

h. 1. The office of operations shall ensure that any city agency that collects via form documents demographic information regarding the ancestry or ethnic origin of city residents seeking services shall include on any such form documents an option for multiracial ancestry or ethnic origin; provided, however, that such requirement shall not apply to form documents used by a city agency that originate from a state or federal agency.

2. Within three years of the effective date of this subdivision, every agency that collects via form documents demographic information regarding the ancestry or ethnic origin of city residents seeking services shall ensure that any computer system or database used by such agency for the purpose of maintaining or compiling such information has the capacity to receive and maintain information regarding multiracial ancestry or ethnic origin.

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

Referred to the Committee on Governmental Operations.

Res. No. 472

Resolution calling on the state and federal governments to amend their official forms and databases to accommodate multiracial identification in all instances where racial identification is required.

By Council Members Chin, Johnson, Kallos, Arroyo, Constantinides, Dromm, Gentile, Lander, Levine, Mendez, Weprin, Reynoso, Koslowitz, Levin, Rodriguez, Vallone, Palma and Lancman.

Whereas, The 2000 United States Census ("Census") was the first census to allow individuals to record their race using more than one category; that year, more than 2.4 percent of the population selected a multiracial identity; and

Whereas, By the 2010 Census, the number of people identifying as more than one race grew 32 percent, accounting for 9 million people nationwide; and

Whereas, Between the 2000 Census and the 2010 Census, individuals of two or more races grew at a faster rate than any group identifying with a single race; and

Whereas, According to the United States Census Bureau, approximately 2.2 percent of the population of New York State and 2.3 percent of the population of the United States identify as belonging to two or more races; and

Whereas, Additionally, a 2012 Pew Research report found that interracial marriages have increased significantly over the past three decades, accounting for 5.7 percent of new marriages in 1980 and 15 percent in 2010; and

Whereas, Despite a growing population of people who identify as being multiracial, forms at the federal and state levels do not always reflect the realities of these demographic trends; and

Whereas, The Federal Bureau of Investigation's fingerprinting form, for example, is coded in such a way that only one of five different demographic categories can be entered: Asian or Pacific Islander, Black, American Indian or Alaskan Native, Unknown, and White; and

Whereas, Employees in the United States Army and Air National Guard wishing to file a complaint alleging racial discrimination are similarly limited, able only to identify their race as Black, White, American Indian/Alaskan Native or Asian Pacific Islander, with no indication that selecting more than one race is permitted; and

Whereas, At the state level, minority businesses applying for certification as Minority and Women-Owned Business Enterprises are only able to select one of the following categories: Black, Hispanic, Asian-Pacific, Asian-Indian Subcontinent and Native American; and

Whereas, It is unfair to ask people that belong to more than one racial demographic to choose only the race selections provided on government documents, essentially forcing them to misrepresent themselves; and

Whereas, Failure to include multiracial identifiers on state and federal forms can also have broader consequences, as it produces an inaccurate picture of the state's and the country's racial diversity; now, therefore, be it

Resolved, That the Council of the City of New York calls on the state and federal governments to amend their official forms and databases to accommodate multiracial identification in all instances where racial identification is required.

Referred to the Committee on Governmental Operations.

Res. No. 473

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.2342/S.6900, to create a property tax abatement for homeowners and a water and sewer charge abatement for not-for-profit entities that install a sewer line check valve.

By Council Members Constantinides, Crowley, Dickens, Gentile, Gibson, Mendez and Ulrich.

Whereas, According to the New York City Department of Environmental Protection ("DEP"), under heavy rain conditions where the flow in the sewer rises and meets or exceeds the sewer's capacity, basement plumbing fixtures such as toilets, sinks, and drains are vulnerable to sewer backups; and

Whereas, When the City's sewers back up into residential homes it can cause thousands of dollars' worth of damage; and

Whereas, The installation of a sewer line check valve could prevent sewer water back up; and

Whereas, When sewer water rises to the level of basement plumbing, the sewer line check valve closes and prevents entry of the sewer water through the plumbing into the home; and

Whereas, DEP encourages the use of these check valves to prevent sewage backup; and

Whereas, The New York State Assembly introduced legislation on January 14, 2013, specifically Assembly bill A.2342, and the New York State Senate introduced legislation on March 27, 2014, specifically Senate Bill S.6900, which would be called the "Sewage Flooding Prevention Act"; and

Whereas, The legislation would provide any homeowner who installs a sewer line check valve in his or her home with a property tax credit equal to half the value of purchasing and installing the check valve, up to two thousand dollars; and

Whereas, The legislation would provide any not-for-profit entity that owns a building or a dwelling and installs a sewer line check valve in that building or

dwelling with an abatement of its water and sewer charges equal to half the value of purchasing and installing the check valve, up to two thousand dollars; and

Whereas, According to the State Legislature's Memorandum in Support of A.2342 and S.6900, the sewer line check valve is an expensive device which makes it difficult or unattainable for many homeowners and not-for-profit entities to install; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.2342/S.6900, to create a property tax abatement for homeowners and a water and sewer charge abatement for not-for-profit entities that install a sewer line check valve.

Referred to the Committee on State and Federal Legislation.

Res. No. 474

Resolution calling upon the Legislature to pass, and for the Governor to sign, legislation that would create parity among the different pension tiers for employees of the uniformed services.

By Council Members Crowley, Vallone, Espinal, Arroyo, Cabrera, Chin, Constantinides, Deutsch, Dickens, Gentile, Gibson, King, Koo, Koslowitz, Lancman, Maisel, Wills, Miller, Cohen, Vacca, Weprin, Greenfield, Matteo, Ulrich and Ignizio.

Whereas, According to the New York State Legislature, police officers receiving disability benefits under Tier 2 receive 75 percent of pay, with no Social Security offset; and

Whereas, According to the New York State Legislature, police officers receiving disability benefits under Tier 3 receive 50 percent of pay, which is further offset by Social Security payments; and

Whereas, According to the New York State Legislature the expiration of Tier 2 benefits and the creation of Tier 3 benefits left uniformed employees, including firefighters and medical officers, of the Fire Department with greatly reduced disability benefits; and

Whereas, It has been estimated by the State Legislature that the discrepancy in benefits between Tier 2 and Tier 3 can result in substantially reduced payments to disabled employees of the fire department and police officers; and

Whereas, Legislation has been introduced in the State Legislature to eliminate such discrepancy in benefits; and

Whereas, A. 9975 (Sponsored by Assemblyman Peter Abbate) and S. 7736 (Sponsored by Senator Martin Golden) would ensure that all employees of the Fire Department receive equal disability benefits; and

Whereas, A.9594 (Sponsored by Assemblyman Peter Abbate) and S.7326 (Sponsored by Senator Martin Golden) would amend subdivisions a and b of section 13-254 of the Administrative Code of the City of New York, which governs disability benefits under the New York City Police Pension fund, to extend Tier 2 disability benefits to members of Tier 3; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Legislature to pass, and for the Governor to sign, legislation that would create parity among the different pension tiers for employees of the uniformed services.

Referred to the Committee on State and Federal Legislation.

Int. No. 552

By Council Members Dromm, Johnson, Menchaca, Mendez, Torres, Van Bramer, Arroyo, Chin, Constantinides, Lander, Levine, Cohen and Rodriguez.

A Local Law to amend the New York city charter, in relation to collecting and reporting data related to sexual orientation and gender identity.

Be it enacted by the Council as follows:

Section 1. Findings and Intent. The Council finds that the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community has significant needs with respect to physical and mental health. Research suggests that due to societal homophobia and its consequences, LGBTQ individuals are likely to be at higher risk for mental health problems such as depression, anxiety, substance abuse, and suicide. According to the National Alliance on Mental Illness, lesbian, gay and bisexual individuals are approximately 2.5 times more likely than heterosexual men and women to have a mental health disorder in their lifetime. In addition, research conducted by the Southern Poverty Law Center suggests that LGBT people in the United States are 8.3 times more likely than their straight counterparts to be victimized by a violent hate crime. In a 2011 national survey, the Gay, Lesbian and Straight Education Network found that 81.9% percent of LGBT students aged 13-20 in the United States had been verbally harassed at school, 4 in 10 had been physically harassed at school, and 1 in 5 had been a victim of a physical assault at school because of their sexual orientation.

Currently, it is unclear how many individuals who identify themselves as LGBTQ receive services from New York City agencies including the Administration for Children's Services, the Department for the Aging, the Department of Correction, the Department of Education, the Department of Health and Mental Hygiene, the

Department of Homeless Services, the Human Resources Administration, the New York City Housing Authority, or the New York City Police Department. The Council finds that as the stigma against the LGBTQ community gradually erodes, as evidenced by the fact that the U.S. Census began collecting data on same-sex households in 2010, individuals are increasingly willing to identify themselves as LGBTQ. It is the intent of the Council, therefore, to ensure that City agencies capture this information and utilize it to tailor programs to best serve the LGBTQ community. Accordingly, the Council finds that it is necessary for City agencies to include an additional field on certain form documents that will capture data on individuals' sexual orientation and gender identity.

The Council additionally finds that although the data being collected will not initially be a fully accurate representation of New York City's LGBTQ and gender non-conforming communities due to generations of stigma attached to identifying as LGBTQ and/or gender non-conforming, the Council finds that over time the normalization of the collection of such data will lead to more accurate statistics regarding these communities.

§ 2. Section 15 of Chapter 1 of the New York city charter is amended by adding a new subdivision h to read as follows:

h. 1. Except as provided below, the office of operations shall ensure that any city agency that directly or by contract collects via form documents demographic information of city residents seeking services shall include collection categories on any such form documents for the sexual orientation and gender identity of the individuals who are the subjects of such forms. The sexual orientation collection category shall include the options heterosexual, gay, lesbian, bisexual, and queer, and the gender identity collection category shall include the options cisgender, transgender, intersex, and gender non-conforming. This section shall only apply to form documents that are within the authority of any city agency to edit.

2. No later than November 1, 2015, the office of operations shall submit to the mayor and the speaker of the city council a plan to provide a mandatory training program and develop a manual for city agency staff on how to appropriately conduct intake regarding sexual orientation and gender identity. Such training and manual shall include, but not be limited to, the following:

- (a) an overview of the categories of sexual orientation and gender identity;*
- (b) providing constituents the option of completing all paperwork in a private space and filling out any paperwork without verbal guidance from city agency staff;*
- (c) explaining to constituents that providing such information on sexual orientation and gender identity is voluntary;*
- (d) explaining to constituents that any data collected from such information will not be connected to the individual specifically; and*
- (e) addressing constituents by their self-identified gender.*

3. Beginning no later than January 31, 2016, and no later than every January 31 thereafter, the office of operations shall submit to the city council and post on the office of operations' website a report for the prior calendar year that includes but is not limited to the total number of individuals who have identified their sexual orientation and gender identity, sorted by the number of individuals who have identified themselves as each of these categories: heterosexual, gay, lesbian, bisexual, queer, cisgender, transgender, intersex and gender non-conforming.

§ 3. This local law shall take effect 120 days after it is enacted into law.

Referred to the Committee on General Welfare.

Int. No. 553

By Council Members Eugene, Arroyo, Chin, Deutsch, Espinal, Gibson, Koo, Mendez, Rodriguez and Cumbo.

A Local Law to amend the administrative code of the city of New York, in relation to requiring bilingual after-school programs.

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-404 to read as follows:

§ 21-404 *Bilingual after-school programs. a. Definitions. For the purposes of this section the following terms shall have the following meanings:*

1. "After-school program" means recreational, educational or cultural programs provided by the department or a provider under contract or similar agreement with the department meeting on a daily basis for less than 24 hours a day and providing care for five or more enrolled children between the ages of 6 and 18 years on a year-round or perennial basis. Such programs shall include but not be limited to programs operated by settlement houses, community or religious schools, and other similar public and private organizations, firms, groups and associations;

2. "English-language learner" means students who speak a language other than English at home and score below proficient on English assessments administered when such students enter the department of education school system.

b. For all after-school programs located in school districts where more than one-third of the total number of students in such school districts are English-language learners, the department shall require that such programs have bilingual components, including but not limited to, bilingual instructors and staff, and activities conducted in native languages of the students. Such components shall be provided in the top two most commonly spoken native languages, other than English, of the students of such programs.

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

Referred to the Committee on Education.

Int. No. 554

By Council Members Eugene, Arroyo, Chin, Gentile, Gibson, Koo, Mendez and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to training for certain employees of the city of New York on runaway and homeless youth and sexually exploited children.

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 21-404 to read as follows:

§ 21-404 *City employee training. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:*

1. "Homeless youth" means persons under the age of 21 who are in need of services and are without a place of shelter where supervision and care are available;

2. "Runaway youth" means persons under the age of 18 years who are absent from their legal residence without the consent of their parent, legal guardian or custodian.

b. The department, in conjunction with the administration for children's services, shall conduct biannual trainings for employees of the city of New York and of any entity under contract with the city of New York whose job position involves regular contact with children, including but not limited to, employees of the department of parks and recreation, the department of homeless services, the New York city housing authority, and the department of education, on best practices in identifying runaway youth, homeless youth, and sexually exploited children, and how to connect such groups to appropriate resources.

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

Referred to the Committee on Youth Services.

Res. No. 475

Resolution declaring the last day in February as Rare Disease Day in New York City.

By Council Member Eugene.

Whereas, According to Global Genes, a rare disease patient advocacy organization based in California, a disease is considered rare in the United States (U.S.) if it affects fewer than 200,000 persons; and

Whereas, There are approximately 7,000 different types of rare diseases and disorders; and

Whereas, Ten percent of the U.S. population, or 30 million people, are living with rare diseases and it is estimated that 350 million people worldwide suffer from rare diseases; and

Whereas, Eighty percent of rare diseases are genetic and approximately 50 percent of the people affected by rare diseases are children; and

Whereas, Rare diseases are often prevalent in pockets of ethnic minorities due to their genetic origin; and

Whereas, For example, sickle cell anemia is rare globally but an estimated 1 in 11 African Americans is a carrier and a person of 100 percent Ashkenazi Jewish descent has a 50 percent chance of carrying one of several rare genetic diseases, according to the Genetic Disease Foundation; and

Whereas, According to an April 2013 Shire Rare Disease Impact Report, it takes an average of 7.6 years in the U.S. for a patient with a rare disease to receive a proper diagnosis; and

Whereas, A patient typically visits up to eight physicians and receives two to three misdiagnoses before the correct diagnosis is made; and

Whereas, The Shire report finds that rare disease patients in the U.S. face considerable financial hardship, including 55 percent of survey respondents stating that direct medical expenses were not covered by insurance, 37 percent had to borrow money from family and/or friends to pay for expenses, 34 percent sought help from charity or public assistance and 32 percent reported a negative impact on their credit score; and

Whereas, The economic strains and lengthy diagnosis process, as well as the lack of treatment options, available information and resources can take a major emotional toll on patients and their caregivers; and

Whereas, Patient and caregiver respondents in the Shire study reported depression (75% for patients, 72% for caregivers), anxiety and stress (86% for patients, 89% for caregivers), isolation from friends/family (65% for patients, 64% for caregivers), and worry based on future outlook of disease (90% for patients, 97% for caregivers); and

Whereas, The Orphan Drug Act of 1983 facilitates the development and commercialization of drugs to treat rare diseases by offering federal benefits to developers of medication designated as "orphan drugs"; and

Whereas, According to Global Genes, during the first 25 years of the Orphan Drug Act, only 326 new drugs were approved by the Food and Drug Administration and brought to market for all rare disease patients combined; and

Whereas, Global Genes also reports that approximately 50 percent of rare diseases do not have a dedicated foundation supporting or researching their rare disease; and

Whereas, Rare diseases with increased awareness also have an increased opportunity for research funding, as is the case with well-known but uncommon diseases such as Amyotrophic Lateral Sclerosis (ALS); and

Whereas, Rare Disease Day is an international awareness day on the last day in February organized by Eurordis, a non-governmental alliance of patient organizations and individuals focused on rare diseases in Europe, and the National Alliances, which are umbrella organizations who regroup several rare disease organizations in a given country or region; and

Whereas, The number of countries participating in Rare Disease Day grows every year with 84 countries participating in 2014; and

Whereas, The objective of Rare Disease Day is to raise awareness among the general public, policy-makers, industry representatives, researchers, and health professionals about rare diseases and their impact on patients' lives; and

Whereas, The National Organization for Rare Disorders (NORD) partnered with Eurordis to sponsor and advocate for Rare Disease Day in the U.S., with education programs in schools and a "Handprints Across America" photo campaign to raise awareness; now, therefore, be it

Resolved, That the Council of the City of New York declares the last day in February as Rare Disease Day in New York City.

Referred to the Committee on Health.

Int. No. 555

A Local Law to amend the administrative code of the city of New York, in relation to the senior citizen rent increase exemption.

By Council Members Ferreras, Arroyo, Dickens, King, Koo, Koslowitz, Williams, Vacca, Rodriguez, and Mendez.

Section 1. The administrative code of the city of New York is amended by adding a new section 11-136 to read as follows:

§11-136. *Senior citizen rent increase exemption. 1. Ombudsperson. (a) The commissioner of finance shall designate an employee of the department to serve as a senior citizen rent increase exemption ombudsperson. The duties of the ombudsperson shall include, but not be limited to: (i) responding to written and verbal inquiries from tenants and landlords regarding the senior citizen rent increase exemption set forth in title twenty-six of this code; (ii) making recommendations to the commissioner regarding the administration of the senior citizen rent increase exemption; and (iii) establishing procedures for the training of department staff regarding tenant eligibility and the administration of the senior citizen rent increase exemption.*

(b) The commissioner shall establish a dedicated email address to receive written inquiries regarding the senior citizen rent increase exemption program. The name and title of the ombudsperson, the dedicated email address, and a telephone number at which verbal inquiries may be made shall be included in all written communication regarding the senior citizen rent increase exemption program from the department to the landlords and tenants enrolled in the program. Such contact information shall also be made available on the department website on a page dedicated to the senior citizen rent increase exemption program.

(c) No later than October first of each year, the department shall submit a report to the council indicating the number and nature of any written or verbal inquiries received by the ombudsperson and any recommendations made by the ombudsperson to the commissioner regarding the administration of the senior citizen rent increase exemption. Such data shall also be disaggregated by Council District.

2. Written communications to tenants. All written communication sent from the department to tenants participating or applying to participate in the senior citizen rent increase exemption program, including but not limited to applications, notices, and any communication required pursuant to title twenty-six of this code, shall include a listing of all eligibility requirements for the program.

§2. This local law shall take effect immediately.

Referred to the Committee on Finance.

Preconsidered Res. No. 476

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

By Council Member Ferreras.

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

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

Whereas, On June 29, 2011, the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the "Fiscal 2012 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012, Fiscal 2014, and 2015 Expense Budgets

by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012, Fiscal 2014, and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now therefore be it

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of the administering agency of the Create New Technology Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Job Readiness Programs in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

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

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency, receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a name change, receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the the changes in the designation of certain organizations receiving funding pursuant to the Discretionary Childcare Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Asthma Control Program Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for a certain organization receiving local and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 18.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 476 printed in these Minutes).

Int. No. 556

By Council Members Greenfield, Arroyo, Crowley, Gentile, Koo, Koslowitz and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting for hire vehicles from charging excessive rates.

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-543 to read as follows:

§ 19-543 *Prohibition on charging excessive rates.* a. No driver of a for-hire vehicle shall charge a fare that is greater than 100 percent higher than the normal range of prices. The normal range of prices shall be determined by identifying the fourth highest rate charged by the base station dispatching such vehicle, on four separate days, during the previous sixty days.

b. Any driver who has been found to have violated subdivision a of this section shall be subject to a civil penalty not less than two hundred dollars nor more than five hundred dollars for the first offense. Any driver who has been found in violation of such subdivision for a second time within a twenty-four month period shall be subject to a civil penalty of not less than three hundred fifty dollars nor more than one thousand dollars, and the commission may suspend the commission issued driver's license of such driver for a period not to exceed thirty days.

§ 2. This local law shall take effect ninety days after its enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation.

Int. No. 557

By Council Members King, Cabrera, Crowley, Dickens, Eugene, Gentile, Gibson and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the city to repair damage to sidewalks caused by trees owned by the city.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 7-210 of the administrative code of the city of New York, as added by local law number 49 for the year 2003, is amended to read as follows:

a. It shall be the duty of the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, to maintain such sidewalk in a reasonably safe condition. *This subdivision shall not require the owner of a one-, two- or three-family residential property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes, to repair damage caused to an abutting sidewalk by a city-owned tree.*

§ 2. Section 7-210 of the administrative code of the city of New York is amended by adding a new subdivision a-1 to read as follows:

a-1. *Notwithstanding any other provision of law, it shall be the duty of the owner of any residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, to notify the department of parks and recreation or the department of transportation in the event that a sidewalk flag abutting such property is damaged by a city-owned tree. Failure to notify either department of such damage shall constitute a violation, the penalty for which shall be determined in accordance with section 19-150(b) of the code.*

§ 3. Subdivision a of section 19-152 of the administrative code of the city of New York, as amended by local law 64 of the year 1995, is amended to read as follows:

a. The owner of any real property, at his or her own cost and expense, shall (1) install, construct, repave, reconstruct and repair the sidewalk flags in front of or abutting such property, including but not limited to the intersection quadrant for corner property, and (2) fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property whenever the commissioner of the department shall so order or direct. The commissioner shall so order or direct the owner to reinstall, construct, reconstruct, repave or repair a defective sidewalk flag in front of or abutting such property, including but not limited to the intersection quadrant for corner property or fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property after an inspection of such real property by a departmental inspector. The commissioner shall not direct the owner to reinstall, reconstruct, repave or repair a sidewalk flag which was damaged by the city, its agents or any contractor employed by the city during the course of a city capital construction project. *The commissioner shall not direct the owner of one-, two- or three-family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes, to reinstall, reconstruct, repave or repair an abutting sidewalk flag which was damaged by a city-owned tree.* The commissioner shall direct the owner to install, reinstall, construct, reconstruct, repave or repair only those sidewalk flags which contain a substantial defect. For the purposes of this subdivision, a substantial defect shall include any of the following:

§ 4. Section 19-152 of the administrative code of the city of New York is amended by adding a new subdivision d-1 to read as follows:

d-1. Notwithstanding any other provision of law, if the owner of a one-, two- or three-family residence that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes, has notified the department of the existence of a defective, unsafe, dangerous or obstructed condition of a sidewalk abutting such property pursuant to subdivision (a-1) of section 7-210 of the code, and the department determines that such condition was not caused by a city-owned tree, such owner shall have ninety days to repair such condition.

§ 5. This local law shall take effect one hundred twenty days after its enactment, except that the department of transportation and the department of parks and recreation shall each take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation.

Res. No. 477

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.8702/S.6716, which would create the Empire State Music Production Credit.

By Council Members Levin, Chin, Espinal and Lander.

Whereas, New York City has been the epicenter of the American music industry for over a century; and

Whereas, New York City is the birthplace of many genres of music, such as hip-hop, salsa, and disco, and other genres, such as jazz, rock, and musical theatre have also thrived here; and

Whereas, According to a 2014 article in the New York Times titled “Music Industry Pushes for New York Tax Credits Like Film Industry’s,” some music industry figures worry that New York City’s prominence in the music industry is beginning to fade as other states are creating incentives for musicians to produce their music in their home state; and

Whereas, Tennessee, Georgia, Louisiana, California, and Texas, as well as certain cities in Canada, have all begun to offer some sort of tax benefit or other financial incentive to increase music production in their localities; and

Whereas, According to the article, it might cost \$10,000 to produce an album in New York City whereas in other cities and states it could cost as low as \$4,500; and

Whereas, In 2005, the Council passed legislation to provide a film and television industry tax credit to help lure film productions back to the City and counter the flight of production jobs to more affordable and profitable locales and municipalities; and

Whereas, According to the NYC Mayor’s Office of Film, Theatre and Broadcasting, production days in the City increased from 23,321 in 2004, the year before the credit was enacted, to 34,718 in 2006, the first year the credit was enacted; and

Whereas, The film tax credit was so successful in bringing film production back to the City that the maximum allocation of credits were expended by mid-2009; and

Whereas, The City’s music artists deserve the same type of incentive to produce their music locally rather than being forced to travel outside the State to find affordable production services; and

Whereas, The Empire State Music Production Credit would provide companies and individuals who record and produce music in New York State with a tax credit of up to 20% of the qualified production costs; and

Whereas, The program’s initial maximum allocation of credits would be \$60 million dollars per tax year; and

Whereas, Establishing such a tax credit will allow for more music recording and production to occur in New York City, thereby generating tax revenue, economic activity and good jobs for New York; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.8702/S.6716, which would create the Empire State Music Production Credit.

Referred to the Committee on State and Federal Legislation.

Int. No. 558

By Council Members Levine, Chin, Constantinides, Gentile, Gibson, Lander, Mendez, Richards, Cohen, Vacca, Rodriguez, Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to an annual report on compliance with the Americans with disabilities act by the department of parks and recreation.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 18 of the administrative code of the city of New York is amended by adding a new section 18-142 to read as follows:

§ 18-142 Report on compliance with the Americans with disabilities act. By no later than December first of 2015 and each year thereafter, the commissioner shall for the immediately preceding fiscal year, submit a report to the mayor and the council identifying which park facilities under the jurisdiction of the commissioner

are compliant with the standards for accessible design of the Americans with disabilities act of 1990. Such report shall include the following information for each park restroom station, park comfort station, playground restroom station, playground comfort station, recreation center, pool and beach: (i) the address of such facility; (ii) a statement as to whether such facility is in compliance with such act; and (iii) for each such facility that is not in compliance with such act, the proposed timeframe by which such facility will be brought into compliance.

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

Referred to the Committee on Parks and Recreation.

Int. No. 559

By Council Members Rodriguez, Dromm, Espinal, Ferreras and Vacca.

A Local Law to amend the administrative code of the city of New York, in relation to agreements between livery base stations.

Be it enacted by the Council as follows:

Section 1. Chapter five of title 19 of the administrative code of the city of New York section is amended to add a new section 19-544 to read as follows:

§ 19-544 Livery base station agreements. A base station shall not dispatch a vehicle that is not affiliated with that base owner’s base unless the base owner’s base has an agreement with the base with which the vehicle is affiliated authorizing the base owner’s base to dispatch affiliated vehicles of the base with which the vehicle is affiliated.

§ 2. This local law shall take effect 90 days after its enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation.

Res. No. 478

Resolution recognizing the contributions of the members of Shorewalkers, Inc. which promotes and preserves New York City’s shores and wetlands, and recognizing the first Saturday in May each year as “The Great Saunter Day.”

By Council Members Rosenthal, Chin and Koo.

Whereas, Shorewalkers, Inc. is a non-profit organization formed in 1982 to promote shorewalking and preserve the City’s shorelines; and

Whereas, Shorewalkers, Inc. has held an annual 32-mile walk around Manhattan’s perimeter for over thirty years called The Great Saunter; and

Whereas, The Great Saunter is a rain or shine event that attracts hundreds of tourists and walkers from New York, as well as other states and countries; and

Whereas, The walk is approximately twelve hours, starting at the South Street Seaport, and passes through 21 parks and promenades, as well as city landmarks, art installations and over a dozen neighborhoods throughout the City and ends in the Financial District; and

Whereas, The Great Saunter has raised awareness of the Manhattan Waterfront Greenway and also promotes a healthy lifestyle and tourism in New York City; and

Whereas, May 3, 2014 commemorated the 30th anniversary of The Great Saunter; now, therefore, be it

Resolved, That the Council of the City of New York recognizes the contributions of the members of Shorewalkers, Inc. which promotes and preserves New York City’s shores and wetlands, and recognizing the first Saturday in May each year as “The Great Saunter Day.”

Referred to the Committee on Waterfronts.

Int. No. 560

By Council Members Treyger, Greenfield, Rosenthal, Matteo, Cumbo, Chin, Gentile, Vacca and Ulrich.

A Local Law to amend the New York city charter, in relation to clarifying that independent expenditures are not authorized by candidates.

Be it enacted by the Council as follows:

Section 1. Subparagraph (c) of paragraph 15 of subdivision a of section 1052 of the New York city charter is amended to read as follows:

(c) Any literature, advertisement or other communication in support of or in opposition to any candidate in any covered election that is paid for by an individual or entity making independent expenditures aggregating one thousand dollars or more shall[, in addition to any applicable disclosure requirements in state law,] disclose information as follows:

(i) on any written, typed, or printed communication, or on any internet text or graphical advertisement, in a conspicuous size and style, the words “Paid for by” followed by the name of the individual or the name of the entity, the name of its

owner, if any, and the name of its chief executive officer or equivalent, if any, and, following the words “Top Three Donors,” a list of the three largest aggregate donors to such entity in the twelve months preceding the election, except that no donor that contributed less than five thousand dollars to the disclosing entity in the twelve months preceding the election shall be included in such disclosure, and except that if such entity has only one or two donors that contributed at least five thousand dollars the words “Top Three Donors” shall be replaced by the words “Top Donor” or “Top Donors” as applicable, and except that expenditures funded by an individual or where no such donors exist need not include the words “Top Three Donors” or a list of donors, and except that this clause shall not apply to communications required to include a disclosure pursuant to subdivision sixteen of section 3-703 of the administrative code. If the third largest donor to the disclosing entity has donated the same amount in the twelve months preceding the election as the fourth largest donor during such period, such entity may choose which three donors to include so long as no donor is included that has donated less in the twelve months preceding the election than any other donor that is not included. Such written disclosures shall further include, in a conspicuous size and style, the following words: “*This communication is an independent expenditure and was not authorized by any candidate.*” More information at nyc.gov/FollowTheMoney.” The board may, at its discretion, designate a website other than nyc.gov/FollowTheMoney as the website that must be included in such disclosure. All disclosures required by this clause shall be enclosed in a box within the borders of the communication or advertisement that contains only those disclosures required by this subparagraph, the rules of the board, the election law, or any other applicable law or rule. For the purposes of this clause, the “owner” of an entity shall be an individual or entity with a greater than fifty percent ownership interest in such entity. The disclosures required by this clause shall not apply to bumper stickers, pins, buttons, pens, and similar small items upon which such disclosures cannot be reasonably printed;

(ii) on any paid television advertisement or paid internet video advertisement, clearly spoken in a pitch and tone substantially similar to the rest of the advertisement, at the beginning or end of the advertisement, the words “paid for by” followed by the name of the individual or the name of the entity, and, in a conspicuous size and style simultaneous with such spoken disclosure, the written words “Paid for by” followed by the name of the individual or the name of the entity, followed by the words “The top three donors to the organization responsible for this advertisement are,” followed by a list of the three largest aggregate donors to such entity in the twelve months preceding the election, except that no donor that contributed less than five thousand dollars to the disclosing entity in the twelve months preceding the election shall be included in such disclosure, and except that if such entity has only one or two donors that contributed at least five thousand dollars the words “top three donors” shall be replaced by the words “top donor” or “top donors” as applicable, and except that expenditures funded by an individual or where no such donors exist need not include the words “The top three donors to the organization responsible for this advertisement are” or a list of donors, and except that this clause shall not apply to communications required to include a disclosure pursuant to subdivision sixteen of section 3-703 of the administrative code. If the third largest donor to the disclosing entity has donated the same amount in the twelve months preceding the election as the fourth largest donor during such period, such entity may choose which three donors to include so long as no donor is included that has donated less in the twelve months preceding the election than any other donor that is not included. Such written disclosures shall further include, in a conspicuous size and style, the following words: “*This communication is an independent expenditure and was not authorized by any candidate.*” More information at nyc.gov/FollowTheMoney.” The board may, at its discretion, designate a website other than nyc.gov/FollowTheMoney as the website that must be included in such disclosure. All written disclosures required by this clause shall be enclosed in a box that contains only those disclosures required by this subparagraph, the rules of the board, the election law, or any other applicable law or rule;

(iii) in any paid radio advertisement, paid internet audio advertisement, or automated telephone call, clearly spoken in a pitch and tone substantially similar to the rest of the advertisement or call, at the end of the advertisement or call, the words “paid for by” followed by the name of the individual or the name of the entity, followed by the words “with funding provided by,” followed by a list of the three largest aggregate donors to such entity in the twelve months preceding the election, except that no donor that contributed less than five thousand dollars to the disclosing entity in the twelve months preceding the election shall be included in such disclosure, and except that expenditures funded by an individual or where no such donors exist need not include the words “with funding provided by” or a list of donors, and except that this clause shall not apply to communications required to include a disclosure pursuant to subdivision sixteen of section 3-703 of the administrative code. If the third largest donor to the disclosing entity has donated the same amount in the twelve months preceding the election as the fourth largest donor during such period, such entity may choose which three donors to include so long as no donor is included that has donated less in the twelve months preceding the election than any other donor that is not included. *Such spoken disclosures shall further include the following words: “This communication is an independent expenditure and was not authorized by any candidate.”* In the case of a radio or internet audio advertisement covered by this clause that is thirty seconds in duration or shorter, the clearly spoken words “more information at nyc.gov/FollowTheMoney” may be included in a pitch and tone substantially similar to the rest of the advertisement, instead of the words “with funding provided by” followed by a list of the three largest aggregate donors in the twelve months preceding the election and the words “*this communication is an independent expenditure and was not authorized by any candidate.*” The board may, at its discretion, designate a website other than nyc.gov/FollowTheMoney as the website that must be included in such disclosure; and

(iv) in any non-automated telephone call, clearly spoken during any such call lasting longer than ten seconds, the words “this call is paid for by,” followed by the name of the individual or the name of the entity, followed by the words “more information is available at nyc.gov/FollowTheMoney.” The board may, at its discretion, designate a website other than nyc.gov/FollowTheMoney as the website that must be included in such disclosure.

(v) For communications primarily in languages other than English for which disclosure is required under this subparagraph, such disclosure shall be in the primary language of the communication instead of English, except that the web address nyc.gov/FollowTheMoney, or such other website as the board has designated, if required to be written or spoken in such disclosure, shall be in English.

§2. This local law shall take effect on August 28, 2015.

Referred to the Committee on Governmental Operations.

Int. No. 561

By Council Members Treyger, Chin, Eugene, Gentile, Gibson, Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to posting public notices in multiple languages.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-198 to read as follows:

§ 17-198 Public Notices. a. For the purposes of this section the term “covered languages” means the top six limited-English proficiency languages spoken by the population of New York city, as those languages are determined by the department of city planning, based on the United States census data.

b. Any material, order, or notice posted or required to be posted by the department at any outdoor public location to inform the public of any health alerts shall at a minimum be in English and the top two most commonly spoken covered languages in the zip code where such notice is posted. The department, in conjunction with the department of city planning, shall determine the most commonly spoken covered languages in each zip code.

§ 2. This local law shall take effect 120 days after its enactment, provided that the commissioner may take such actions as necessary prior to such effective date for the implementation of this local law including the promulgation of rules.

Referred to the Committee on Health.

Int. No. 562

By Council Members Treyger, Cabrera, Deutsch, Eugene, Gentile, Koslowitz, Richards and Ulrich.

A Local Law in relation to the creation of a Hurricane Sandy community groups and houses of worship recovery task force.

Be it enacted by the Council as follows:

Section 1. Hurricane Sandy community groups and houses of worship recovery task force. a. There shall be a task force to study the recovery and rebuilding of not-for-profit corporations operating locally and houses of worship in areas of the city affected by Hurricane Sandy, to make specific recommendations to the mayor and council for effective allocation of resources, knowledge, and technical support for such recovery and rebuilding, and how best to prepare and utilize such organizations after future natural disasters.

b. Such task force shall consist of eleven members as follows:

i. Five public members shall be appointed by the mayor, provided that at least one such member shall be a member of the clergy that participated in Hurricane Sandy relief work and one such member shall be an individual with experience with both not-for-profit corporations and Hurricane Sandy relief work;

ii. Five public members shall be appointed by the speaker of the council, provided that at least two such members shall be members of the clergy that participated in Hurricane Sandy relief work and two such members shall be individuals with experience with both not-for-profit corporations and Hurricane Sandy relief work;

iii. The director of the office of recovery and resiliency, or his or her designee, shall serve ex officio;

iv. The public members shall be appointed within sixty days of the enactment of this local law; and

v. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.

c. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment.

d. Members of the task force shall serve without compensation and shall meet as necessary.

e. No later than eight months from the effective date of this local law, the task force shall submit to the mayor and the speaker of the council a report that shall

include the findings and recommendations of the task force. Those findings and recommendations shall address, at minimum, the following subjects:

i. A description of the role played by not-for-profit corporations and houses of worship in the aftermath of Hurricane Sandy and the services provided by them to the community, whether individually or in coordination with other entities;

ii. An analysis of the damage and loss suffered by not-for-profit corporations and houses of worship by Hurricane Sandy, including damage to physical structures as well as funding losses, and to what extent those damages or losses have been rebuilt or recovered;

iii. An analysis of possible sources of recovery and rebuilding aid currently or formerly available to not-for-profit corporations and houses of worship as a result of Hurricane Sandy and the extent to which that aid was utilized, as well as a description of the restrictions, if any, on aid programs that prevented their use by not-for-profit corporations or houses of worship;

iv. Recommendations on how best to meet any existing recovery and rebuilding needs of not-for-profit corporations and houses of worship, as determined by paragraph ii of subdivision e of this section, including a consideration of when actions should be taken by city agencies to facilitate such rebuilding and what actions might be most beneficial; and

v. Recommendations on how the city could best utilize not-for-profit corporations and houses of worship in the aftermath of future natural disasters and what steps can be taken beforehand to facilitate those efforts, including a consideration of the use of pre-disaster contractual agreements with such entities for the use of their space or resources in future recovery efforts, and what steps can be taken by the city to improve the resiliency of spaces utilized by not-for-profit corporations and houses of worship.

f. The task force shall cease to exist sixty days after the submission of the report required by subdivision e of this local law.

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

Referred to the Committee on Recovery and Resiliency.

Int. No. 563

By Council Members Ulrich, Deutsch and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to repealing the call up provision following the granting of base station licenses.

Be it enacted by the Council as follows:

Section 1. Section 19-511.1 of chapter 5 of title 19 of the administrative code of the city of New York is hereby REPEALED.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 564

By Council Members Vacca, Chin, Eugene and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to online submission of city business permits, licenses and applications.

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 section 23-602 to read as follows:

§23-602 *Online submission of city business permits, licenses and applications. No later than January first, two thousand sixteen, all city permits, licenses and registrations shall be available for online submission to the applicable city agency via a single web portal located on the city's website.*

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

Referred to the Committee on Technology.

Int. No. 565

By Council Members Vacca, Chin, Gentile, Koo and Mendez.

A Local Law to amend the New York city charter, in relation to evaluating the fiscal impact of rules.

Be it enacted by the Council as follows:

Section 1. Section 1043 of chapter 45 of the New York city charter is amended by adding a new subdivision j to read as follows:

j. Fiscal impact statements. 1. No proposed rule shall be included in the City Record for initial publication unless it is accompanied by a fiscal impact statement; except that such a fiscal impact statement shall not be required for a proposed rule if

the anticipated fiscal impact of such proposed rule is provided in the fiscal impact statement prepared pursuant to section 33 of the charter relating to the local law pursuant to which the applicable agency is proposing such rule.

2. Each fiscal impact statement prepared pursuant to this section shall indicate the fiscal year in which the proposed rule would first become effective and the first fiscal year in which the full fiscal impact of the proposed rule is expected to occur; and shall contain an estimate of the fiscal impact of the proposed rule on the revenues and expenditures of the city during the fiscal year in which the proposed rule is to first become effective, during the succeeding fiscal year, and during the first fiscal year in which the full fiscal impact of the proposed rule is expected to occur.

3. Each fiscal impact statement prepared pursuant to this section shall identify the sources of the information used in its preparation.

4. If the estimate or estimates contained in any fiscal impact statement prepared pursuant to this section are inaccurate, such inaccuracies shall not affect, impair, or invalidate the rule.

5. This subdivision shall not be construed to create a private right of action to enforce its provisions. Inadvertent failure to comply with this subdivision shall not result in the invalidation of any rule.

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

Referred to the Committee on Governmental Operations.

Int. No. 566

By Council Members Vallone, Cabrera, Gentile, Koo, Mendez and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to requiring muni-meters receipts that can be affixed to motorcycles.

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 *Muni-meter receipts. a. For the purposes of this section, "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.*

b. The department shall ensure that muni-meter receipts utilize adhesive to allow for such receipts to be affixed to a motorcycle or other motor vehicle registered by the department of motor vehicles with a dashboard that is not capable of being fully enclosed.

§ 2. This local law shall take effect 90 days after its enactment into law.

Referred to the Committee on Transportation.

Res. No. 479

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation establishing a property tax credit for Class 2 cooperative and condominium buildings that are designated safe after a Façade Inspection Safety Program inspection.

By Council Members Vallone, Gentile and Ulrich.

Whereas, Local Law 11 of 1998 requires all buildings in New York City that are greater than six stories to have a Qualified Exterior Wall Inspector ("QEWI") inspect all exterior walls and appurtenances of the building, except exterior walls less than twelve inches from an adjacent building, at least once every five years to make sure they are safe and in good repair; and

Whereas, The inspection process, commonly referred to as "Local Law 11 inspections" has been officially renamed the "Façade Inspection and Safety Program" ("FISP") by the City's Department of Buildings ("DOB"); and

Whereas, The FISP inspection covers all the exterior façades and appurtenances of the building, including any balconies, fire escapes, parapets, window casings, and railings; and

Whereas, At least one of the façades, that is representative of the building's other exterior walls, must have a hands-on inspection from a scaffold or other observation platform, while the remaining façades may be inspected visually, typically through the use of high-powered binoculars; and

Whereas, After the QEWI has concluded the FISP inspection, he or she must file a technical façade report with the DOB detailing the results of the inspection; and

Whereas, The results of the inspection could either be: 1) Safe – which indicates that the façade has no problems and is in good condition; 2) Safe With a Repair and Maintenance Program – which indicates that the façade is safe, but requires repairs or maintenance; or 3) Unsafe – which indicates that the façade has problems or defects that could pose a threat to public safety; and

Whereas, Because the inspections require the construction of scaffolding or observation platform, the services of QEWI's who must be licensed architects or engineers, and the drafting of a detailed technical report, among other things, the inspections are extremely expensive and can cost thousands of dollars or more; and

Whereas, In Class 2 condominium and cooperative buildings, these costs are generally passed on directly to the homeowners through increased maintenance fees or special assessments; and

Whereas, Buildings are required to undertake these costly façade inspections every five years even if they are diligent in safely maintaining their exteriors, thereby increasing the likelihood that the FISP inspection will result in a Safe rating; and

Whereas, The buildings, and in the case of Class 2 condominiums and cooperatives, the individual homeowners, whose façades are deemed Safe after the FISP inspection should not have to bear the burden of the costly inspection process; 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 establishing a property tax credit for Class 2 cooperative and condominium buildings that are designated Safe after a Façade Inspection Safety Program inspection.

Referred to the Committee on Finance.

Int. No. 567

By Council Members Van Bramer, Dromm, Arroyo, Chin, Constantinides, Gibson, Levine and Mendez.

A Local Law to amend the New York city charter, in relation to informing parent teacher associations, community education councils, and principals of instructional arts education requirements.

Be it enacted by the Council as follows:

Section 1. Subdivision (e) of section 530-f of the New York city charter, as added by local law number 123 for the year 2013, is amended to read as follows:

(e) Not later than February 15th, 2014, and on an annual basis thereafter by the 15th of February, the department shall submit to the council and post on the department's website, data regarding the provision of instructional requirements for the arts in schools for the preceding school year. *The department shall also make available to all parent teacher associations, community education councils, and principals such data, through electronic means or otherwise, not later than the fifth day of each school year.* Such report shall include, but not be limited to:

1. The total number and percentage of schools serving students in grades one through six that have met all instructional requirements in all of the following disciplines: music, dance, theatre and visual arts;

2. The total number and percentage of students in grade eight who have:

i. completed all instructional requirements for the arts grades seven through eight;

3. The total number and percentage of high school graduates who have:

i. completed all instructional requirements for the arts for grades nine through twelve;

4. The total number of full-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification; and

5. The total number of part-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification.

c. Data shall include demographic information regarding the racial and ethnic composition of the school and shall include, but shall not be limited to, the percentage of special education students and the percentage of English language learners.

d. All information required to be reported by this section shall be aggregated citywide, as well as disaggregated by city council district, community school district and school.

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

§2. This local law shall take effect 90 days after its enactment into law.

Referred to the Committee on Education.

Int. No. 568

By Council Members Williams, Chin, Gibson, Lander and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit to the council reports relating to motor vehicle stops.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 14 of the administrative code of the city of New York is amended to add a new section 14-155, to read as follows:

§14-155. *Motor vehicle stop report.*

a. *Definitions. For the purpose of this section "motor vehicle stop" means:*

(1) any instance in which a police officer directs an operator of a motor vehicle of any type traveling on any highway or road to stop and in which the operator or passenger is detained for any period of time; and

(2) any instance in which a police officer for any reason detains for any period of time a person or persons in a motor vehicle, regardless of whether the vehicle was stopped at the direction of a police officer.

b. *Reporting requirement. On a quarterly basis the department shall submit to the council a report indicating the total number of motor vehicle stops for each patrol precinct, housing police service area, and highway division. Such report shall be disaggregated by the race and gender of the operator of the motor vehicle that was stopped and shall indicate whether or not such stop resulted in an arrest or summons of such operator. For each motor vehicle stop listed in the report, the department shall also provide the factors leading up to each motor vehicle stop.*

c. *The reports prepared pursuant to this section shall be provided to the council within 30 days of the end of the reporting period to which the reports correspond or for which the relevant data may be collected, whichever is later and shall be contemporaneously made available via the department's website.*

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

Referred to the Committee on Public Safety.

Int. No. 569

By Council Members Williams, Chin, Deutsch, Gibson, Koo, Levine, Mendez and Vacca.

A Local Law in relation to the creation of a taskforce to study improving safety in homeless shelters.

Be it enacted by the Council as follows:

Section 1. a. There shall be a task force to study, develop, and recommend changes to the laws, rules, regulations, and policies related to the department of homeless services, specifically in regard to the safety in homeless shelters throughout the city of New York.

b. Such task force shall consist of nine members as follows:

1. Five members shall be appointed by the mayor, including the commissioner of the department of homeless services or the designee of the commissioner of the department of homeless services, who shall be the chairperson of such task force, and four members shall be appointed by the speaker of the city council, provided that all appointees of such task force shall have backgrounds in homeless services or law enforcement. One of the appointees of the speaker shall be a current homeless shelter resident.

c. Each member shall serve for a term of one year to commence after the final member of the task force is appointed. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve the unexpired portion of the term of the succeeded member. All members shall be appointed to the task force within sixty days of the enactment of this local law.

d. No member shall be removed from the task force except for cause and upon notice and hearing by the appropriate appointing official.

e. Members of the task force shall serve without compensation and shall meet no less often than on a quarterly basis.

f. The task force shall issue a report with suggestions to the mayor and the speaker of the council, and post on the department's website within one year of the formation of the task force, detailing its activities and recommendations.

g. The task force shall terminate upon issuance of the report.

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

Referred to the Committee on General Welfare.

Int. No. 570

By Council Members Williams, Kallos and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to eliminating the prearrangement and passenger manifest requirements for commuter vans, repealing the requirement that commuter vans renew their license every six years, and repealing subdivision k of section 19-504.2.

Be it enacted by the Council as follows:

Section 1. Subdivision q of section 19-502 of the administrative code of the city of New York is amended to read as follows:

q. "Commuter van service" means a subclassification of common carriers of passengers by motor vehicles as such term is defined in subdivision seven of section two of the transportation law, that provides a transportation service through the use of one or more commuter vans [on a prearranged regular daily basis], over [non-specified or irregular routes] a fixed route, with designated stops for picking up and discharging passengers, between a zone in a residential neighborhood and a location which shall be a work related central location, a mass transit or mass transportation facility, a shopping center, recreational facility or airport. A "commuter van service"

shall not include any person who exclusively provides: (1) any one or more of the forms of transportation that are specifically exempted from article seven of the transportation law; or (2) any one or more of the forms of transportation regulated under this chapter other than transportation by commuter vans.

§ 2. Paragraph one of subdivision e of section 19-504.2 of the administrative code of the city of New York is amended to read as follows:

(1) The applicant shall have the burden of demonstrating that the service proposed will be required by the present or future public convenience and necessity. The commission shall not issue an authorization to operate a commuter van service unless the commissioner of transportation determines that the service proposed will be required by the present or future public convenience and necessity. Such determination that the service proposed will be required by the present or future public convenience and necessity shall be in effect [for six years after the date of issuance of such authorization, unless] *until* such authorization has [not been renewed or has] been revoked by the commission [prior to the end of such six-year period in which case such determination shall be in effect only until the expiration or revocation of such authorization]. After the [expiration or] revocation of such determination of public convenience and necessity, no authorization to operate a commuter van service shall be renewed unless a new determination is made by the commissioner of transportation that the service proposed will be required by the present or future public convenience and necessity.

§ 3. Paragraph 2 of subdivision e of section 19-504.2 of the administrative code of the city of New York is amended to read as follows:

(2) When such determination by the commissioner of transportation is required by this subdivision, the application for authorization to operate a commuter van service shall set forth the geographic area proposed to be served by the applicant, *the fixed route and proposed stops to pick up and discharge passengers within such geographic area* and the maximum number of vehicles to be operated and the capacity of each such vehicle, and the commission shall forward a copy of such application to the commissioner of transportation.

§ 4. Paragraph 7 of subdivision a of section 19-504.3 of the administrative code of the city of New York is amended to read as follows:

(7) A commuter van service and an owner of a commuter van shall maintain such records as the commission shall prescribe by rule [including, but not limited to, records of requests for service and trips]. Such records shall be subject to inspection by authorized officers or employees of the commission during regular business hours.

§ 5. Subdivision b of section 19-516 of the administrative code of the city of New York is amended to read as follows:

b. No commuter van service and no person who owns, operates or drives a commuter van, shall provide, permit or authorize the provision of transportation service to a passenger unless such [service to a] passenger is [on the basis of a telephone contract or other prearrangement and such prearrangement is evidenced by such records as are required by the commission to be maintained] *picked up or discharged at a designated stop set forth in the authorization to operate a commuter van service issued pursuant to section 19-504.2 of this chapter*. Where a violation of this subdivision has been committed by a driver of a commuter van, the commuter van service and the owner of such vehicle shall also be liable for a violation of this subdivision.

§ 6. Subdivision d of section 19-529.4 of the administrative code of the city of New York is amended to read as follows:

d. All commuter vans shall at all times carry inside the vehicle and the operator shall produce upon demand of any officer or employee designated by the commission, any police officer or any authorized officers or employees of the department of transportation or the New York city transit authority:

- 1.the commuter van license;
- 2.the driver's commuter van driver's license;
- 3.the authorization to operate a commuter van service, or copy thereof reproduced in accordance with the specifications set forth in the rules of the commission;
- 4.the vehicle registration and evidence of current liability insurance; and
- 5.[a passenger manifest, and such records evidencing prearrangement as are prescribed by rule of the commission] a map of such commuter van's fixed route.

§ 7. Subdivision k of section 19-504.2 of the administrative code of the city of New York is hereby REPEALED.

§ 8. Subdivision l of section 19-504.2 is relettered as subdivision k to read as follows:

[l] k. The commission shall post on its website links to all New York city laws and rules governing the operation of commuter vans. Not more than three days after issuing an authorization to operate a commuter van service, the commission shall post on its website the geographic area where such service is authorized and the number of commuter vans authorized to be used in providing such service.

§ 9. This local law shall take effect 120 days after its enactment into law.

Referred to the Committee on Transportation.

Preconsidered Res. No. 480

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation permitting voter registration forms utilized by agencies participating in the agency assisted voter registration program to code their registration forms, and for such codes to be withheld from public inspection.

By Council Members Williams, Kallos, Lander and Levine.

Whereas, New York State has an agency assisted voter registration program; and

Whereas, This program requires certain state and local agencies to distribute voter registration forms to individuals along with initial applications for services, renewal or recertification for services, and change of address relating to such services; and

Whereas, New York City has a similar program for city agencies, some of which are also covered by the state program; and

Whereas, The New York City agency based voter registration program requires agencies to distribute forms with a New York City Board of Elections-designated code; and

Whereas, The New York City Board of Elections reports on the total number of registration forms entered into its database each year as part of its annual report; and

Whereas, This reporting shows the number of entered registration forms originated at agencies participating in the agency based voter registration program, but not which particular participating agency each form came from; and

Whereas, Determining the originating agency for these forms would assist the New York City Council, advocates, and other interested parties in ensuring that the agency based voter registration program is being implemented by each agency in accordance with the law; and

Whereas, The state law creating the agency assisted voter registration program requires that the source of the forms remain confidential; and

Whereas, Determining the originating agency is therefore not feasible under current law for those city agencies covered by the state agency assisted voter registration law; and

Whereas, Registration records are public documents under state law, with certain categories of information, such as driver's license and social security number, remaining confidential; and

Whereas, A number identifying the source agency on a registration form is not included as one of the categories excepted from public review; and

Whereas, The law could be amended to include a number identifying the source agency on a registration form as one of the categories excepted from public review; and

Whereas, The benefit of the transparency that would come from coding such forms outweighs the burden on those who utilize the services of agencies covered by the state agency assisted voter registration law having their identity and service provision, if such information is non-public, and is disclosed only to another employee of the City government, an employee of the New York City Board of Elections; 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 permitting voter registration forms utilized by agencies participating in the agency assisted voter registration program to code their registration forms, and for such codes to be withheld from public inspection.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Governmental Operations).

Res. No. 481

Resolution calling on the New York City Human Resources Administration to explore obtaining state, federal and private funds for the Teen Relationship Abuse Prevention Program.

By Council Members Wills, Chin and Mendez.

Whereas, According to The High School Youth Risk Behavior survey conducted by the United States Centers for Disease Control and Prevention, 10.8% of New York City high school youth reported experiencing sexual dating violence in 2013, an estimated total 35,573 students that year; and

Whereas, This study reported that 10.5% of New York City high school youth reported experiencing physical dating violence in 2013 an estimated total of 34,585 students that year; and

Whereas, In 2007, the New York City Mayor's Office to Combat Domestic Violence reported that 16,861 teen calls were received by the City's Domestic Violence Hotline; and

Whereas, According to the New York City Department of Health and Mental Hygiene (DOHMH), each year in New York City, approximately 4,000 women and 900 men are treated in emergency rooms for intimate partner violence related injuries; and

Whereas, According to the New York City DOHMH, about 40% of women killed in New York City each year are killed by their intimate partners; and

Whereas, Furthermore, women are more likely to be killed by an intimate partner than men; and

Whereas, According to an analysis of the New York City DOHMH's Injury Surveillance System data from 2000–2007, 160 women between the ages of 15 and 19 visited an emergency room department because of injuries resulting from intimate partner violence; and

Whereas, The Teen Relationship Abuse Prevention Program (Teen RAPP), a school-based domestic violence prevention program, which began in 1999 and is operated by the New York City Human Resource Administration (HRA), has helped teens attending public high schools and middle schools develop healthier relationships; and

Whereas, Teen RAPP currently serves 54 high schools and 8 middle schools; and

Whereas, While funding by New York City HRA for Teen RAPP, has decreased since Fiscal Year (FY) 2010, the number of female students in New York City public schools increased by over 100,000 students from 2010 to 2014; and

Whereas, In FY 2014, 10,700 students participated in workshops and received counseling through Teen RAPP; and

Whereas, The number of New York City high school students who report having experienced sexual dating violence and physical dating violence exceeds the number of New York City high school students who participated in workshops and received counseling through RAPP in FY14; and

Whereas, Intimate partner violence is an insidious crime that affects the health of individuals, families and entire communities; and

Whereas, Despite great gains in education and services provided, intimate partner violence continues to shatter the lives of many New York City teenagers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Human Resources Administration to explore obtaining state, federal and private funds for the Teen Relationship Abuse Prevention Program.

Referred to the Committee on State and Federal Legislation.

L.U. No. 151

By Council Member Greenfield:

Application No. C 110122 ZMR, submitted by the Estate of Letizia Sollazzo pursuant to Sections 197-c and 201 of the Charter for the amendment of the Zoning Map, Section No. 20d, eliminating a C1-1 District from within an existing R3-2 District and establishing a C1-2 within an existing R3-2 District, in between Mariner’s Harbor and Elm Park areas, Borough of Staten Island, Community Board 1, Council District 49.

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

L.U. No. 152

By Council Member Greenfield:

Application No. C 140411 HAK, submitted by the Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law and Section 197-c of the Charter, for an Urban Development Action Area Project located at 695 Grand Street (Block 2782, Lot 36), and the disposition of such property to a developer to be selected by HPD, Borough of Brooklyn, Community Board 1, Council District 34.

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:

Thursday, November 27, 2014
THANKSGIVING DAY OBSERVED

Tuesday, December 2, 2014

Subcommittee on ZONING & FRANCHISES.....9:30 A.M.
See Land Use Calendar
Committee Room – 250 Broadway, 16th Floor Mark Weprin, Chairperson

Subcommittee on LANDMARKS, PUBLIC SITING
& MARITIME USES11:00 A.M.
See Land Use Calendar
Committee Room – 250 Broadway, 16th Floor Peter Koo, Chairperson

Subcommittee on PLANNING, DISPOSITIONS
& CONCESSIONS..... 1:00 P.M.
SEE LAND USE CALENDAR
Committee Room – 250 Broadway, 16th FloorInez Dickens, Chairperson

Committee on JUVENILE JUSTICE 1:00 P.M.
Oversight – Examining DYFJ’s Juvenile Justice Oversight Board
Committee Room – 250 Broadway, 14th Floor Fernando Cabrera, Chairperson

Subcommittee on ZONING & FRANCHISES..... 2:00 P.M.

Oversight – Cablevision Franchise Agreement and Collective Bargaining
Committee Room – City Hall.....Mark Weprin, Chairperson

Wednesday, December 3, 2014

Committee on TRANSPORTATION.....10:00 A.M.
Oversight - App Technology and the Transformation of the Taxi and For-Hire Industries
Int 47 - By Council Member Cabrera - A Local Law to amend the administrative code of the city of New York, in relation to removing the off-street parking requirement for base station licenses.
Council Chambers – City HallYdanis Rodriguez, Chairperson

Committee on CIVIL RIGHTS.10:00 A.M.
Int 318 - By Council Members Williams, Johnson, Torres, Miller, Gibson, Chin, Palma, the Public Advocate (Ms. James), Arroyo, Cornegy, Dromm, Koo, Levine, Reynoso, Richards, Treyger, Espinal, Levin, Menchaca, Dickens, Barron, Rosenthal, Cumbo, Rose, Rodriguez, King, Koslowitz, Wills, Mendez, Kallos, Lander, Eugene, Cabrera, Constantinides, Ferreras and Maisel (by the request of the Manhattan Borough President) - A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination based on one’s arrest record or criminal conviction.
Committee Room – City HallDarlene Mealy, Chairperson

Thursday, December 4, 2014

Committee on GENERAL WELFARE10:00 A.M.
Oversight – EarlyLearn NYC
Council Chambers – City Hall Stephen Levin, Chairperson

Committee on ENVIRONMENTAL PROTECTION11:00 A.M.
Oversight – On Citywide Localized Flooding
Int 240 - By Council Members Williams, Richards, Constantinides, Gentile, Koo, Mendez, Cornegy, Rodriguez, King, Treyger, Reynoso, Rosenthal, Wills, Gibson, Vallone, Miller, Barron, Crowley, Koslowitz, Dickens, Cohen, Vacca, Cumbo, Lancman, Torres, Deutsch, Johnson, Kallos, Arroyo, Levin, Chin, Espinal and Van Bramer - A Local Law to amend the administrative code of the city of New York, in relation to filing semi-annual reports on catch basin cleanup and maintenance.
Committee Room – 250 Broadway, 16th Floor
..... Donovan Richards, Jr., Chairperson

Committee on LAND USE11:00 A.M.
All items reported out of the subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – City HallDavid G. Greenfield, Chairperson

Friday, December 5, 2014

★ Deferred
Committee on SANITATION AND
SOLID WASTE MANAGEMENT.....10:00 A.M.
Oversight — NYC’s E-Waste Policy: How the City is Ramping Up its Efforts in Light of the 2015 Disposal Ban
Council Chambers — City HallAntonio Reynoso, Chairperson

Monday, December 8, 2014

Committee on FINANCE.....10:00 A.M.
Int 530 - By Council Members Ferreras, Espinal and Koo (by request of the Mayor) - A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in ten business improvement districts.
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – City Hall.....Julissa Ferreras, Chairperson

Stated Council Meeting..... Ceremonial Tributes – 1:00 p.m.
..... Agenda – 1:30 p.m.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Monday, December 8, 2014.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int Nos. 486-A and 487-A, adopted by the Council at the October 22, 2014 Stated Meeting, were signed into law by the Mayor on November 14, 2014 as, respectively, Local Law Nos. 58 and 59 of 2014.