

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, January 18, 2017, 2:00 p.m.

The Public Advocate (Ms. James)

Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent: Council Members Palma, Reynoso, Rose and Wills.

There is a vacant seat in the Council pending the swearing-in of the certified winner of the February 14, 2017 Special Election in the 9th Council District (Manhattan).

The Public Advocate (Ms. James) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings.

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

There were 46 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Rabbi Rachel Ain, Sutton Place Synagogue, 225 West 51st Street, New York, N.Y. 10022.

Eleanor Roosevelt once said perhaps in God's wisdom
 God is trying to show us that a leader may chart the way,
 may point out the road to lasting peace
 but that many leaders and many people must do the building.
 Eleanor Roosevelt's statement regarding leadership is a crucial one
 during this time of year as we are just days past
 the observance of Dr. Martin Luther King's birthday
 and in anticipation of a new president
 at a time of a deeply divided nation.
 We recognize that all of us must come together
 to find ways to commit and recommit ourselves
 to bringing the world together even through our disagreements.
 We might not all agree on policies
 but I know we agree in the human dignity of each person
 that everyone here in this assembly
 and everyone that is represented by each of you was created
 in the image of God and that demands a sense of respect and love.
 One piece of Jewish tradition that reflects the importance
 of all of us sitting together teaches that for three years
 there was a dispute between Beit Shammai and Beit Hillel
 the first asserting that the law is an agreement with our views
 and the latter sang it is an agreement
 with our views then the heavenly voice announced
 while both of these are the words of the living God
 the law is in agreement with the rulings of Beit Hillel
 because they were kind and modest,
 they studied their own rulings and those of the house of Shammai
 and were as so humbled to mention the actions of Shammai.
 It is clear what the point is
 that even if both sides of an argument have merit
 how we debate will have an impact
 on the dialogue not only the content itself
 and so we pray heavenly God
 who desires us to do justice, love, mercy,
 and walk humbly with you.
 We thank you forgiving us the opportunity
 to be in the presence of one another
 as we do the important work of this great city.
 We ask that you grant us the wisdom to truly understand
 that all of humanity is created equally in your image,
 open our hearts to stand with those who need our love and support
 for today we gather not as people of a particular party,

religion, race, creed, gender orientation,
 today we gather as New Yorkers and we ask God
 to shine God's blessing on this assembly today
 and so in my tradition and in many of yours
 we ask God to give us the strength...
 to perfect the world and so we must understand
 that in a world torn apart by differences
 this room and these ideas must be the bastion of wisdom
 about which Eleanor Roosevelt was speaking, Amen.

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

During the Communication from the Speaker segment of this Stated Meeting, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of NYPD Detective Steven McDonald who passed away on January 10, 2017 at the age of 59. She recognized Detective McDonald as an exemplary model of compassion and empathy since the attempt on his life that left him paralyzed thirty years ago. The Speaker (Council Member Mark-Viverito) spoke of the moving funeral mass and service that took place the previous week and noted his lasting impact on all New Yorkers. She offered her thoughts and prayers to his family and the entire NYPD police force and thanked him for all the efforts he had led over the years.

ADOPTION OF MINUTES

Council Member Deutsch moved that the Minutes of the Stated Meeting of December 6, 2016 be adopted as printed.

LAND USE CALL-UPS

M-466

By Council Member Mendez:

Pursuant to Rule 11.20(b) of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 365 Park Avenue South, Borough of Manhattan, Community Board 5, Application No. 20175151 TCM shall be subject to review by the Council.

Coupled on Roll Call.

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

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

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

REPORT OF THE STANDING COMMITTEES

Report of the Committee on Consumer Affairs

Report for Int No. 1061

Report of the Committee on Consumer Affairs in favor of approving and adopting a Local Law to amend the administrative code of the city of New York, in relation to the sale of plants and flowers during the Asian Lunar New Year.

The Committee on Consumer Affairs, to which the annexed proposed local law was referred on February 5, 2016 (Minutes, page 310), respectfully

REPORTS:

Introduction

On January 12, 2017, the Committee on Consumer Affairs held a vote on Introduction Number 1061 (“Int. No. 1061”), a Local Law to amend the administrative code of the city of New York, in relation to the sale of plants and flowers during the Asian Lunar New Year. The first public hearing on this bill was held on November 26, 2016. The Committee heard testimony from the administration and from key stakeholders, including the business community and street vendors. The Committee voted unanimously in favor of Int. No. 1061.

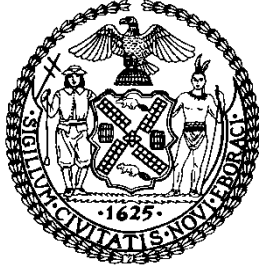
Background

On the day of Asian Lunar New Year and during the week that precedes it, many New Yorkers engage in the sale and purchase of plants and flowers in recognition of this meaningful cultural tradition. Current City law requires that any person who would sell such flowers and plants must first secure a two-year general vendor license from the Department of Consumer Affairs. In recent years, individuals selling flowers and plants have been ticketed and arrested for general vending without a proper license. In recognition that this cultural practice is important to a large population of New York City residents, this bill would amend section 20-458 of the Code to create a one-week exemption of the requirement to secure a general vendor license for the sale of flowers and plants on the day of Asian Lunar New Year, as defined in section 19-163 of the Code, and during the seven days prior.

Analysis of Int. No. 1061

Int. No. 1061 would create an exemption from City laws that require a vendor to first secure a license from DCA for individuals who wish to sell flowers and plants for Asian Lunar New Year. The exemption would begin seven days prior to Asian Lunar New Year, as defined in section 19-163 of the Code. The intent of this bill is to recognize a cultural practice and heritage of a significant population of New Yorkers. By creating a narrow eight-day exemption, this bill accomplishes its goal with minimal impact on city streets. This local law would take effect immediately.

(The following is from the text of the Fiscal Impact Statement for Int No. 1061:)



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

PROPOSED INTRO. NO. 1061

COMMITTEE: Consumer Affairs

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the sale of plants and flowers during the Asian Lunar New Year

SPONSORS: Council Members Chin and Menchaca

SUMMARY OF LEGISLATION: The legislation would grant an exemption to the current laws that require street vendors to secure a license before vending goods and services on the streets of New York. This legislation would allow individuals to sell plants and flowers on the day of the Asian Lunar New Year and during the seven days prior.

Effective Date: The local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation.

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
 Emre Edev, Assistant Director, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1061 on May 2, 2016 and referred to the Committee on Consumer Affairs. A hearing was held by the Committee on October 26, 2016 and the legislation was laid over. The legislation will be considered by the Committee on January 12, 2016. Upon a successful vote by the Committee, Proposed Intro. No. 1061 will be submitted to the full Council for a vote on January 18, 2016.

DATE PREPARED: January 9, 2016

Accordingly, this Committee recommends its adoption.

(The following is the text of Int No. 1061:)

Int. No. 1061

By Council Members Chin, Menchaca, Lancman, Ferreras-Copeland, Van Bramer, Levin and Treyger.

A Local Law to amend the administrative code of the city of New York, in relation to the sale of plants and flowers during the Asian Lunar New Year

Be it enacted by the Council as follows:

Section 1. Section 20-458 of subchapter 27 of chapter 2 of title 20 of the administrative code of the city of New York is amended as follows:

§ 20-458. Exemptions.

a. The commissioner may promulgate regulations exempting any non-profit association including, but not limited to, a government agency, charitable, educational, religious or other such organization from compliance with any of the provisions of this subchapter.

b. On the day of Asian Lunar New Year, as defined in section 19-163 of the administrative code, and during the seven days prior to such day, any person may sell plants and flowers for the purpose of celebrating Asian Lunar New Year without first securing a license pursuant to the provisions of this subchapter. Notwithstanding the above, any individual selling plants and flowers pursuant to this subdivision must comply with all other applicable provisions of this subchapter.

§ 2. This law shall take effect immediately.

RAFAEL L. ESPINAL, Jr., *Chairperson*; VINCENT J. GENTILE, JULISSA FERRERAS-COPELAND, KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, January 12, 2017. *Other Council Members Attending: Council Member Chin.*

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 Cultural Affairs, Libraries and International Intergroup Relations

Report for Int No. 865-B

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to reporting certain data regarding institutions in the Cultural Institutions Group.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed proposed amended local law was referred on July 23, 2015 (Minutes, page 2977), respectfully

REPORTS:

INTRODUCTION

On Tuesday, January 17, 2017, the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Jimmy Van Bramer, will hear Proposed Int. No. 865-B, a local law to amend the New York city charter, in relation to reporting certain data regarding institutions in the Cultural

Institutions Group, Proposed Int. No. 1276-B, a local law to amend the New York city charter, in relation to requiring the art commission to conduct an annual report, Proposed Int. No. 1290-A, a local law to amend the New York city charter, in relation to the percent for art advisory panel; Proposed Int. No. 1295-A, a local law to amend the New York city charter, in relation to requiring the Department of Cultural Affairs to publish information on percent for art projects; Proposed Int. No. 1296-A, a local law to amend the New York city charter, in relation to the percent for art program; and Proposed Int. No. 1297-A, a local law to amend the New York city charter, in relation to outreach and education regarding public art opportunities.

The Committee previously held a hearing on Int. No. 865 on October 30, 2015. Witnesses invited to testify at that hearing included the Department of Cultural Affairs (the Department), members of the Cultural Institutions Group (CIG),¹ various arts and cultural groups and organizations, academic institutions and other interested parties. The legislation was amended to address the witness testimony presented as well as concerns raised at that hearing.

The Committee previously held a hearing on Int. 1276-A on September 20, 2016, Witnesses invited to testify included the New York City Art Commission, the Department of Cultural Affairs (DCLA), various arts and cultural groups and organizations, academic institutions and other interested parties. The legislation was amended to address concerns raised at that hearing.

The Committee previously held a hearing on Int. No. 1290, Int. No. 1295, Int. No. 1296, and Int. No. 1297 on October 20, 2016. Witnesses invited to testify included the Department of Cultural Affairs, members of the Cultural Institutions Group (CIG), various arts and cultural groups and organizations, and other interested parties. The legislation was amended to address concerns raised at that hearing.

ANALYSIS OF PROPOSED INT. NO. 865-B

Section one of Proposed Int. No. 865-B would amend Chapter 67 of the New York City Charter to add a new section 2507. The bill would define the term “cultural institutions group” as the group of cultural institutions that operate on city-owned property and are recognized by the Department as members of such group. The bill would define the term “public school student” as any pupil under the age of 21 who does not have a high school diploma and who is enrolled in a school of the city school district of the city of New York or a charter school that is located within the city of New York, not including pre-kindergarten students. The bill would define the term “non-public school student” as any pupil under the age of 21 who does not meet the definition of public school student in this paragraph, who does not have a high school diploma, and who is enrolled in a school serving students in the elementary, middle or high school grades, or any combination thereof, that is located within the city of New York, not including pre-kindergarten students.

The bill would require that, no later than September 17, 2017, and annually no later than September 17 of each year, the Department shall send to the Council, or shall include in the Mayor’s Management Report prepared pursuant to section 12 of the charter, data in the aggregate regarding the cultural institutions group to the extent such data is made available to the Department. The data would include, at a minimum, total visitor attendance; the number of free or reduced-price visits; total attendance by public school students through school-organized visits; total attendance by non-public school students through school-organized visits; the number of partnerships with public schools; the total number of free admission hours; the number of programs, such as performances, exhibitions, and lectures, related to the cultural institution’s mission or discipline and targeted to a general audience; and the number of programs that are targeted to or designed to reach specific groups of people including, but not limited to, seniors or youth.

Section two of Proposed Int. No. 865-B would establish that this local law take effect immediately.

ANALYSIS OF PROPOSED INT. NO. 1276-B

Section one of Proposed Int. No. 1276-B would amend Chapter 37 of the New York City Charter to add a new section 859. The bill would define the term “acted upon” as an action by the Art Commission (the Commission) on a submission in the form of an approval, approval with conditions, or rejection. It would

¹ The CIG is comprised of 33 member institutions that exist in a public-private partnership with the city. The CIG includes art and natural history museums, historical societies, theaters, concert halls, performing art centers, botanical gardens and zoos. Member institutions operate as nonprofit organizations whose mandate is to provide cultural services to all New Yorkers. See <http://www.nyc.gov/html/dcla/html/funding/institutions.shtml>.

define the term “commented upon” as written comments on a submission provided to the sponsoring agency by the Commission, a special committee within the Commission or the Executive Director as designated by the Commission. The bill would define the term “review cycle” to mean the time between the deadline for the filing of a submission to the Commission and the scheduled date of the next public meeting of the commission.

The bill would require that, not later than August 1, 2018 and no later than August 1 every year thereafter, the Commission shall submit to the mayor and the speaker of the council a report with data from the previous calendar year. The data would include the total number of submissions received by the Commission, including submissions for conceptual, preliminary and final review, and disaggregated by: construction, renovation, or restoration of structures, including but not limited to buildings and bridges; construction or reconstruction of parks, open spaces, and streetscapes; distinctive sidewalks; distinctive lighting; newsstands; signage; installation of new works of art; conservation of works of art; removal or relocation of works of art; and private structures extending over or upon city-owned land.

The report would also include the total number of submissions received by the Commission where the review cycle extended into the following year; the total number of submissions received by the Commission prior to the year being reported that were not acted upon by the Commission in the year being reported; and the number of submissions acted or commented upon, disaggregated by: the number of submissions approved; the number of submissions approved with conditions; the number of submissions rejected in whole; and the number of submissions commented upon. The report would include the percentage of submissions acted upon in one review cycle; the percentage of submissions acted upon in two review cycles; the percentage of submissions acted upon in three or more review cycles; the number of submissions received, disaggregated by city agency and borough; the names of Commission members during the year being reported; a summary of methods or procedure used to determine approval or rejection of submissions; and any other information the Commission deems relevant.

Section two of Proposed Int. 1276-B would establish that this local law takes effect immediately after it becomes law.

ANALYSIS OF PROPOSED INT. NO. 1290-A

Section one of Proposed Int. No. 1290-A would amend section 224 of the New York City Charter to add a new subdivision g. The bill would require that there be an advisory panel to recommend eligible works of art in any capital project administered by the Department of Cultural Affairs pursuant to such section 224.

The bill would further require that the panel be comprised of members who are knowledgeable about public art, knowledgeable about the project, and knowledgeable about the community in which the project will be located. The panel would further include, but not be limited to, at least one representative of the borough in which the project will be located; at least one representative from the City Council member in whose district the project will be located; and at least one representative from the community board for the community district in which the project will be located; provided however, that such representatives would be non-voting ex-officio members.

Section two of Proposed Int. No. 1290-A would establish that this local law take effect immediately.

ANALYSIS OF PROPOSED INT. NO. 1295-A

Section one of Proposed Int. No. 1295-A would amend subdivision a of section 224 of Chapter 9 of the New York City Charter. The bill would define the term “artist demographic background” as including age, gender, race, and any other information the Department of Cultural Affairs (DCLA) deems relevant. The bill would also define the term “design agency” to mean the agency responsible for the preparation of the design for the capital project that includes works of art pursuant to section 224 of the New York City Charter. The bill would define the term “sponsor agency” as the agency whose capital project is subject to the provisions of section 224 of the New York City Charter.

Section two of the bill would add a new subdivision f to section 224 of the New York City Charter. The bill would require that DCLA post on its website a report information about works of art that were included in a capital project pursuant to section 224 of the New York City Charter after the effective date of the local law that would add subdivision f. This information would include, but not be limited to, the name of the work of art, the name of the artist, the capital project completion date, the medium and dimensions of the work of art,

the location of the work of art, including council district and borough, the sponsor agency, and the design agency.

The bill would require that DCLA post on its website aggregated demographic information about the artists whose works of art are subject to the provisions of subdivision f, to the extent such information is provided to the Department.

Section three of Proposed Int. No. 1295-A would establish that this local law take effect immediately after it becomes law.

ANALYSIS OF PROPOSED INT. NO. 1296-A

Section one of Proposed Int. No. 1296-A would amend subdivisions b and c of section 224 of the New York City Charter.

The bill would require that not less than one percent of the first fifty million dollars of capital funds appropriated by the City for each such capital project shall be allocated for works of art; provided, however, that this section shall in no case require, but shall not prohibit, the expenditure of more than nine hundred thousand dollars for works of art for any capital project; nor more than four million dollars for all works of art in any fiscal year.

Section two of Proposed Int. No. 1296-A would establish that this local law take effect one year after it becomes law.

ANALYSIS OF PROPOSED INT. NO. 1297-A

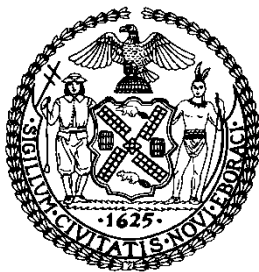
Section one of Proposed Int. No. 1297-A would amend subdivision d of section 224 of the New York City Charter to require that the Department of Cultural Affairs engage in outreach and education efforts regarding the opportunity to submit works of art for consideration in capital projects as provided for by this section.

The bill would require that such outreach and education include, but not be limited to, annual information sessions in each borough that shall be open to the public and the development of written materials containing information about how to register for the Percent for Art image registry and a description of the selection process for artwork included in such projects. The bill would require that the Department of Cultural Affairs make such written materials available to arts and cultural organizations, including community-based organizations, colleges and universities, and any other entities deemed appropriate by DCLA.

The bill would further require that the written materials developed pursuant to subdivision e be made available in English and in the six languages most commonly spoken by limited English proficient individuals in the City as determined by the Department of City Planning.

Section two of Proposed Int. No. 1297-A would establish that this local law takes effect immediately after it becomes law.

(The following is from the text of the Fiscal Impact Statement for Int No. 865-B:)



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

PROPOSED INTRO. NO. 865-B

COMMITTEE: Cultural Affairs

TITLE: A Local Law to amend the New York city charter, in relation to reporting certain data regarding institutions in the Cultural Institutions Group

SPONSORS: Council Members Van Bramer, Rose and Rodriguez

SUMMARY OF LEGISLATION: The legislation would require the Department of Cultural Affairs (DCLA) to report data of the Cultural Institutions Group (CIG) individual organizations' performance for the previous fiscal year. The data would include total visitor attendance, the number of free or reduced-price visits, the total attendance of public school students through school-organized visits, the number of partnerships with public schools, the total number of free admission hours, the number of programs related to the cultural institution's mission or discipline and targeted to a general audience, and the number of programs targeted or designed to reach specific groups of people.

Effective Date: The local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation as this information is currently collected by the organizations and the agency can use existing resources for reporting purposes.

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
John Russell, Unit Head, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 865 on July 23, 2015 and referred to the Committee on Cultural Affairs. A hearing was held by the Committee on October 30, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 865-B, will be considered by the Committee on January 17, 2016. Upon a successful vote by the Committee, Proposed Intro. No. 865-B will be submitted to the full Council for a vote on January 18, 2016.

DATE PREPARED: January 11, 2016

(For text of Int Nos. 1276-B, 1290-A, 1295-A, 1296-A, and 1297-A and their Fiscal Impact Statements please see, respectively, the Reports of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Int Nos. 1276-B, 1290-A, 1295-A, 1296-A, and 1297-A printed in these Minutes; for text of Int No. 865-B, please see below)

Accordingly, this Committee recommends the adoption of Int Nos. 865-B, 1276-B, 1290-A, 1295-A, 1296-A, and 1297-A.

(The following is the text of Int No. 865-B:)

Int. No. 865-B

By Council Members Van Bramer, Rose, Rodriguez, Menchaca, Levin, Kallos and Barron.

A Local Law to amend the New York city charter, in relation to reporting certain data regarding institutions in the Cultural Institutions Group

Be it enacted by the Council as follows:

Section 1. Chapter 67 of the New York city charter is amended by adding a new section 2507 to read as follows:

§ 2507. *Data on cultural institutions group. 1. For purposes of this section:*

Cultural institutions group. The term “cultural institutions group” means the group of cultural institutions that operate on city-owned property and are recognized by the department as members of such group.

Public school student. The term “public school student” means any pupil under the age of 21 who does not have a high school diploma and who is enrolled in a school of the city school district of the city of New York or a charter school that is located within the city of New York, not including pre-kindergarten students.

Non-public school student. The term “non-public school student” means any pupil under the age of 21 who does not meet the definition of public school student in this paragraph, who does not have a high school diploma, and who is enrolled in a school serving students in the elementary, middle or high school grades, or any combination thereof, that is located within the city of New York, not including pre-kindergarten students.

2. No later than September 17, 2017, and annually no later than September 17 of each year, the department shall send to the council, or shall include in the mayor’s management report prepared pursuant to section 12 of the charter, data in the aggregate regarding the cultural institutions group to the extent such data is made available to the department, including at a minimum:

a. total visitor attendance;

b. number of free or reduced-price visits;

c. total attendance by public school students through school-organized visits;

d. total attendance by non-public school students through school-organized visits;

e. number of partnerships with public schools;

f. total number of free admission hours;

g. number of programs, such as performances, exhibitions, and lectures, related to the cultural institution’s mission or discipline and targeted to a general audience; and

h. number of programs that are targeted to or designed to reach specific groups of people including, but not limited to, seniors or youth.

§ 2. This local law takes effect immediately.

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS-COPELAND, PETER A. KOO, STEPHEN T. LEVIN, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 17, 2017.

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. 1276-B

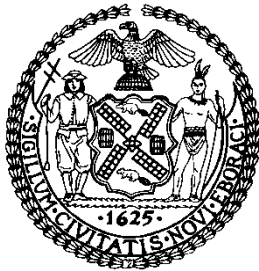
Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the art commission to conduct an annual report.

The Committee on Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed proposed amended local law was referred on September 14, 2016 (Minutes, page 3018), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Int No. 865-B printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1276-B:



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

PROPOSED INTRO. NO. 1276-B

COMMITTEE: Cultural Affairs

TITLE: A Local Law to amend the New York city charter, in relation to requiring the art commission to conduct an annual report
SPONSORS: Council Members Van Bramer, Richards and Gentile

SUMMARY OF LEGISLATION: The legislation would require the New York City Art Commission to submit to the Mayor and the Speaker a report detailing the number of submissions received by the Commission, the number of submissions acted upon, the membership of the Art Commission, a summary of the methods of procedure used to determine the approval or disapproval or rejection of submissions and the number of works of art cleaned, maintained, or repaired, in the previous year.

Effective Date: The local law takes effect immediately after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation. Existing resources can be used for reporting purposes.

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
John Russell, Unit Head, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1276 on September 14, 2016 and referred to the Committee on Cultural Affairs. A hearing was held by the Committee on September 20, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1276-B, will be considered by the Committee on January 17, 2016. Upon a successful vote by the Committee, Proposed Intro. No. 1276-B will be submitted to the full Council for a vote on January 18, 2016.

DATE PREPARED: January 11, 2016

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1276-B:)

Int. No. 1276-B

By Council Members Van Bramer, Richards, Gentile, Levin, Kallos, Crowley, Barron and Borelli.

A Local Law to amend the New York city charter, in relation to requiring the art commission to conduct an annual report

Be it enacted by the Council as follows:

Section 1. Chapter 37 of the New York city charter is amended by adding a new section 859 to read as follows:

§ 859. *Annual report. 1. Definitions. As used in this section, the following terms have the following meanings:*

Acted upon. The term “acted upon” means an action by the commission on a submission in the form of an approval, approval with conditions, or rejection.

Commented upon. The term “commented upon” means written comments on a submission provided to the sponsoring agency by the commission, a special committee within the commission or the executive director as designated by the commission.

Review cycle. The term “review cycle” means the time between the deadline for the filing of a submission to the commission and the scheduled date of the next public meeting of the commission.

2. Not later than August 1, 2018 and no later than August 1 every year thereafter, the commission shall submit to the mayor and the speaker of the council a report with the following data for the previous calendar year:

i. Total number of submissions received by the commission, including submissions for conceptual, preliminary and final review, and disaggregated by the following:

- (a) Construction, renovation, or restoration of structures, including but not limited to buildings and bridges;
- (b) Construction or reconstruction of parks, open spaces, and streetscapes;
- (c) Distinctive sidewalks;
- (d) Distinctive lighting;
- (e) Newsstands;
- (f) Signage;
- (g) Installation of new works of art;
- (h) Conservation of works of art;
- (i) Removal or relocation of works of art;
- (j) Private structures extending over or upon city-owned land;
- ii. (a) Total number of submissions received by the commission where the review cycle extended into the following year;
- (b) Total number of submissions received by the commission prior to the year being reported that were not acted upon by the commission in the year being reported;
- iii. Number of submissions acted or commented upon, disaggregated by the following:
 - (a) Number of submissions approved;
 - (b) Number of submissions approved with conditions;
 - (c) Number of submissions rejected in whole;
 - (d) Number of submissions commented upon;
- iv. (a) Percentage of submissions acted upon in one review cycle;
- (b) Percentage of submissions acted upon in two review cycles;
- (c) Percentage of submissions acted upon in three or more review cycles;
- v. Number of submissions received, disaggregated by city agency and borough;
- vi. Names of commission members during the year being reported;
- vii. Summary of methods or procedure used to determine approval or rejection of submissions;
- viii. Any other information the commission deems relevant.

§2. This local law takes effect immediately after it becomes law.

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS-COPELAND, PETER A. KOO, STEPHEN T. LEVIN, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 17, 2017.

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. 1290-A

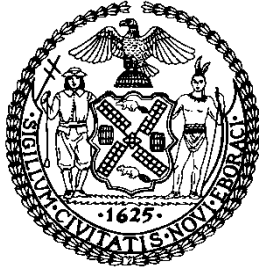
Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the percent for art advisory panel.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed proposed amended local law was referred on September 28, 2016 (Minutes, page 3222), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Int No. 865-B printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1290-A:



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

PROPOSED INTRO. NO. 1290-A

COMMITTEE: Cultural Affairs

TITLE: A Local Law to amend the New York city charter, in relation to the percent for art advisory panel

SPONSORS: Council Members Van Bramer, Cumbo and Salamanca

SUMMARY OF LEGISLATION: The legislation would require an advisory panel to recommend eligible works of art in a project administered by the Department of Cultural Affairs in the Percent for Art program. The bill would require that the panel be comprised of members who are knowledgeable about public art, about the project, and about the community in which the project will be located. The panel would also include, but not be limited to, at least one representative of the Borough President’s office of the borough in which the project will be located, at least one representative of the City Council Member in whose district the project will be located, and at least one representative of the community board for the community district in which the project will be located. These representatives would be non-voting ex-officio members.

Effective Date: The local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation.

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
John Russell, Unit Head, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1290 on September 28, 2016 and referred to the Committee on Cultural Affairs. A hearing was held by the Committee on October 20, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1290-A, will be considered by the Committee on January 17, 2016. Upon a successful vote by the Committee, Proposed Intro. No. 1290-A will be submitted to the full Council for a vote on January 18, 2016.

DATE PREPARED: January 11, 2016

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1290:)

Int. No. 1290-A

By Council Members Van Bramer, Cumbo, Salamanca, Levin, Kallos and Crowley.

A Local Law to amend the New York city charter, in relation to the percent for art advisory panel

Be it enacted by the Council as follows:

Section 1. Section 224 of the New York city charter is amended by adding a new subdivision g to read as follows:

g. There shall be an advisory panel to recommend eligible works of art to be included in a capital project pursuant to this section. The commissioner of cultural affairs or his or her designee shall serve as chairperson of such panel and shall ensure that such panel includes members who are knowledgeable about public art, knowledgeable about the project, and knowledgeable about the community in which the project will be located. The panel shall further include but not be limited to at least one representative of the president of the borough in which the project will be located, at least one representative of the council member in whose district the project will be located, and at least one representative of the community board for the community district in which the project will be located, provided, however, that such representatives shall be non-voting ex officio members.

§ 2. This local law takes effect immediately.

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS-COPELAND, PETER A. KOO, STEPHEN T. LEVIN, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 17, 2017.

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. 1295-A

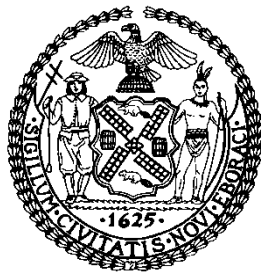
Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the department of cultural affairs to publish information on percent for art projects.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed proposed amended local law was referred on October 13, 2016 (Minutes, page 3348), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Int No. 865-B printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1295-A:



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

PROPOSED INTRO. NO. 1295-A

COMMITTEE: Cultural Affairs

TITLE: A Local Law to amend the New York city charter, in relation to requiring the department of cultural affairs to publish information on percent for art projects

SPONSORS: Council Members Cumbo, Van Bramer, Levin, Palma, Barron and Vacca

SUMMARY OF LEGISLATION: The legislation would require the New York City Department of Cultural Affairs (the Department) to publish on its website information about all works of art in the Percent for Art program. The Department would also be required to publish on its website aggregated demographic information about the artists whose works of art are in the Percent for Art program, to the extent such information is provided to the Department.

Effective Date: The local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation.

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
John Russell, Unit Head, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1295 on October 13, 2016 and referred to the Committee on Cultural Affairs. A hearing was held by the Committee on October 20, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1295-A, will be considered by the Committee on January 17, 2016. Upon a successful vote by the Committee, Proposed Intro. No. 1295-A will be submitted to the full Council for a vote on January 18, 2016.

DATE PREPARED: January 11, 2016

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1295-A:)

Int. No. 1295-A

By Council Members Cumbo, Van Bramer, Levin, Palma, Barron, Vacca, Menchaca, Kallos and Crowley.

A Local Law to amend the New York city charter, in relation to requiring the department of cultural affairs to publish information on percent for art projects

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 224 of the New York city charter, as amended by a vote of the people at the general election of 1989, is amended to read as follows:

a. [As used in] *For purposes of this section [the]:*

Demographic information. The term “demographic information” includes age, gender, race and any other related information the department of cultural affairs deems relevant.

Design agency. The term “design agency” means the agency responsible for the preparation of the design for the capital project that includes works of art pursuant to this section.

Sponsor agency. The term “sponsor agency” means the agency whose capital project is subject to the provisions of this section.

Works of art. The term “works of art” includes all forms of the visual and performing arts conceived in any medium, material or combination thereof.

§ 2. Section 224 of the New York city charter is amended by adding a new subdivision f to read as follows:

f. The department of cultural affairs shall post on the department’s website information about works of art that were included in a capital project pursuant to this section after the effective date of the local law that added this subdivision.

1. Such information shall include but not be limited to the name of the work of art; name of the artist; capital project completion date; medium and dimensions of the work of art; location of the work of art, including council district and borough; sponsor agency; and design agency.

2. The department shall post on the department's website aggregated demographic information about the artists whose works of art are subject to the provisions of this subdivision, to the extent such demographic information is provided to the department.

§ 3. This local law takes effect immediately after it becomes law.

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS-COPELAND, PETER A. KOO, STEPHEN T. LEVIN, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 17, 2017.

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. 1296-A

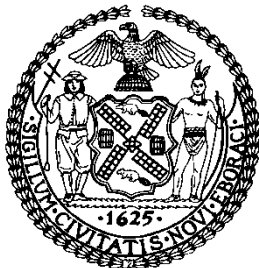
Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the percent for art program.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed proposed amended local law was referred on October 13, 2016 (Minutes, page 3349), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Int No. 865-B printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1296-A:



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

PROPOSED INTRO. NO. 1296-A

COMMITTEE: Cultural Affairs

TITLE: A Local Law to amend the New York city charter, in relation to the percent for art program

SPONSORS: Council Members Cumbo, Van Bramer, Palma, Barron and Vacca

SUMMARY OF LEGISLATION: The legislation would provide that at least one percent of the first 50 million dollars of capital funds appropriated by the city for a capital project be allocated for works of art. This bill would raise the threshold for the expenditure for works of art for any capital project to 900,000 dollars. This bill would also raise the threshold for expenditures for works of art in any fiscal year to \$4 million.

Effective Date: The local law takes effect one year after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation. The costs associated with implementing the Percent for Art projects are incurred from the percentage of the capital budget allocated to the project. How much is allocated in the capital budget is a function of the larger budget process and therefore does not cost the city any additional money, but determines how existing funds are distributed.

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
John Russell, Unit Head, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1296 on October 13, 2016 and referred to the Committee on Cultural Affairs. A hearing was held by the Committee on October 20, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1296-A, will be considered by the Committee on January 17, 2016. Upon a successful vote by the Committee, Proposed Intro. No. 1296-A will be submitted to the full Council for a vote on January 18, 2016.

DATE PREPARED: January 11, 2016

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1296-A:)

Int. No. 1296-A

By Council Members Cumbo, Van Bramer, Palma, Barron, Vacca, Levin, Chin, Kallos and Crowley.

A Local Law to amend the New York city charter, in relation to the percent for art program

Be it enacted by the Council as follows:

Section 1. Subdivisions b and c of section 224 of the New York city charter, subdivision b as added by local law number 65 for the year 1982 and subdivision c as amended by a vote of the people at the general election of 1989, are amended to read as follows:

b. Works of art shall be provided for each capital project which involves the construction or the substantial reconstruction of a city-owned public building or structure the intended use of which requires that it be accessible to the public generally or to members of the public participating in, requiring or receiving programs, services or benefits provided thereat. [For the purposes of this section a police precinct house and a firehouse shall be deemed to be such buildings.]

c. An amount not less than one [per cent] *percent* of the first [twenty] *fifty* million dollars and one-half of one [per cent] *percent* of any amount in excess of [twenty] *fifty* million dollars of capital funds appropriated by the city for each such capital project, other than funds appropriated for the acquisition of real property, shall be allocated for works of art; provided, however, that this section shall in no case require, *but shall not prohibit*, the expenditure of more than [four] *nine* hundred thousand dollars for works of art for any capital project[;] nor more than the sum of [one and one-half] *four* million dollars for *all* works of art in any fiscal year. The mayor may exempt a capital project from the provisions of this section if in [his] *the mayor's* sole judgment the inclusion of works of art as provided hereby would be inappropriate.

§ 2. This local law takes effect one year after it becomes law.

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS-COPELAND, PETER A. KOO, STEPHEN T. LEVIN, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 17, 2017.

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. 1297-A

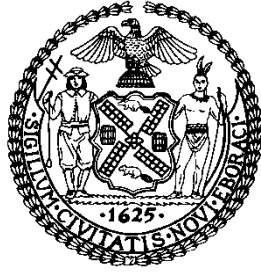
Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to outreach and education regarding public art opportunities.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed proposed amended local law was referred on October 13, 2016 (Minutes, page 3349) respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Int No. 865-B printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1297-A:



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

PROPOSED INTRO. NO. 1297-A

COMMITTEE: Cultural Affairs

TITLE: A Local Law to amend the New York city charter, in relation to outreach and education regarding public art opportunities
SPONSORS: Council Members Cumbo, Van Bramer, Levin, Palma, Barron and Vacca

SUMMARY OF LEGISLATION: The legislation would require the Department of Cultural Affairs (DCLA) to engage in outreach and educational efforts regarding the opportunity to submit works of art for the Percent for Art program. Outreach and education would include information sessions in each borough and the development of written materials containing information on the submission and selection process for works of art in the program. DCLA would be required to make these materials available to arts and cultural organizations, community-based organizations and colleges/universities, and to make them available in the seven most commonly spoken languages in New York City, as determined by the Department of City Planning.

Effective Date: The local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation as existing resources would be used to implement it.

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
John Russell, Unit Head, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1297 on October 13, 2016 and referred to the Committee on Cultural Affairs. A hearing was held by the Committee on October 20, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1297-A, will be considered by the Committee on January 17, 2016. Upon a successful vote

by the Committee, Proposed Intro. No. 1297-A will be submitted to the full Council for a vote on January 18, 2016.

DATE PREPARED: January 11, 2016

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1297-A:)

Int. No. 1297-A

By Council Members Cumbo, Van Bramer, Levin, Palma, Barron, Vacca, Menchaca, Chin, Kallos and Crowley.

A Local Law to amend the New York city charter, in relation to outreach and education regarding public art opportunities

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 224 of the New York city charter, as amended by local law number 52 for the year 2015, is amended to read as follows:

d. 1. *The department of cultural affairs shall engage in outreach and education efforts regarding the opportunity to submit works of art for consideration for inclusion in capital projects as provided for by this section. Such outreach and education efforts shall include but not be limited to information sessions in each borough that shall be open to the public and the development of written materials that describe the submission and selection process for works of art. The department shall make such written materials available in a manner deemed appropriate by the department, including but not limited to making such materials available to arts and cultural organizations, community-based organizations, and colleges and universities. Such written materials shall be made available in English and in the six languages most commonly spoken by limited English proficient individuals in the city as determined by the department of city planning.*

2. Reasonable advance notification of the intention to include works of art in a project shall be provided to the appropriate council member, borough president and chairperson of the community board of the community district in which the project is located. Reasonable advance notification of the intention to include works of art in a project shall also be posted on the website of the department of cultural affairs. Following notification of the intention to include works of art in any project, the department of cultural affairs shall hold or present at a public meeting, such as a meeting of the community board of the community district in which the project is located, on such works of art prior to such inclusion. A notice of such public meeting shall be posted on the website of the department of cultural affairs not less than fourteen days prior to any such meeting. All such works of art shall be subject to the approval of the art commission pursuant to section eight hundred fifty-four of this charter.

§ 2. This local law takes effect immediately.

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS-COPELAND, PETER A. KOO, STEPHEN T. LEVIN, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 17, 2017.

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 Finance

Report for Int No. 1281-A

Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the review and evaluation of economic development tax expenditures, and to repeal chapter 29 of title 11 of such code, relating to the establishment of the tax study commission.

The Committee on Finance, to which the annexed proposed amended local law was referred on September 28, 2016 (Minutes, page 3208), respectfully

REPORTS:

INTRODUCTION

On January 18, 2017, the Committee on Finance, chaired by Council Member Julissa Ferreras-Copeland, will hold a second hearing on Proposed Int. No. 1281-A, introduced by Council Member Ferreras-Copeland, A local law to amend the administrative code of the city of New York, in relation to the review and evaluation of economic development tax expenditures, and to repeal chapter 29 of such code, relating to the establishment of the tax study commission. This legislation was first heard as a pre-considered introduction on September 22, 2016. At that hearing, the Committee heard testimony from the New York City Department of Finance (DOF), the New York City Economic Development Corporation (EDC), the New York City Independent Budget Office (IBO), the Service Employees International Union Local 32B, the Fiscal Policy Institute, and the Partnership for New York City. The legislation was introduced to the full Council on September 28, 2016, and was subsequently amended after introduction.

BACKGROUND

The City uses tax expenditures (also known as tax breaks) for several purposes, such as supporting charities, education, housing investment, and assisting low-income families. Additionally, the City's tax expenditures are used to promote economic development through encouraging investment in commercial real estate, creating jobs, and promoting investment in equipment and training.

While tax expenditures can often be a valuable tool of achieving these varied goals, they represent a significant commitment of City resources. In Fiscal Year 2016, the City's tax expenditures totaled \$7.7 billion.¹ Approximately \$2.8 billion of these were economic development tax expenditures.² Economic development tax expenditures include the Industrial and Commercial Incentive (ICIP) and Industrial and Commercial Abatement (ICAP) programs, major league sports facilities, the commercial expansion program, Industrial Development Agency (IDA) programs, industrial incentive projects, the Chrysler Building, Madison Square Garden, and several others.³ Unlike the majority of the City's expenditures, which are reviewed and allocated annually as part of the budget process, tax expenditures frequently are given multiyear authorizations.⁴ This provides less control over how these funds are spent. Furthermore, while agencies administering the tax expenditures are responsible for applying the law to such spending, they are not responsible for whether or not the specific program achieves its goals.⁵ Thus, this leaves a gap in oversight, as

¹ New York City Council Finance Division, Report of the New York City Council Task Force on Economic Development Tax Expenditures 11 (Sept. 22, 2016), available at <http://legistar.council.nyc.gov/View.aspx?M=F&ID=4698435&GUID=40B72487-100B-4088-A373-FOE3851E5684>

² Id.

³ Id. at 39.

⁴ Id. at 11.

⁵ Id.

“there is currently no systematic way to review and understand the effectiveness and impact of the City’s economic development tax expenditures.”⁶

The New York City Task Force on Economic Development Tax Expenditures (the “Task Force”) was created by the City Council to explore how the Council could improve its oversight responsibility of the City’s nearly \$2.8 billion in economic development tax expenditures.⁷ With an eye towards fiscal responsibility, the Task Force set out to recommend a systematic process for evaluations of economic development tax expenditures to help the public and lawmakers better understand the impacts of these tax breaks.⁸ Proposed Int. 1281-A embodies the recommendations of the Task Force for such a process.

Further details regarding these recommendations, the process by which they were developed and additional information on the review and evaluation of economic development tax expenditures that will be systematized by the Proposed Int. No. 1281-A are set forth in the Task Force’s final report entitled “Evaluating Economic Development Tax Expenditures,” which is attached to the Committee Report for the September 22, 2016 hearing.

PROPOSED INT. NO. 1281-A

Section 1 of Proposed Int. No. 1281-A repeals Chapter 29 of Title 11 of the Administrative Code (the Code), relating to the establishment of the Tax Study Commission.

Section 2 of Proposed Int. No. 1281-A adds a new Chapter 29 to Title 11 of the Code, titled “Tax Expenditure Evaluation.” It also adds new Section 11-2901, titled “Economic development tax expenditure evaluation.” Subdivision a of new Section 11-2901 would define the term “economic development tax expenditure” as including, but not being limited to, any exclusion, exemption, abatement, credit or other benefit allowed against city tax liability that induces behavior related to producing business income or investment income. It also would establish that the term “evaluator” in the section means the Independent Budget Office (IBO).

Subdivision b of new Section 11-2901 governs the evaluation process. Subdivision(b)(1) requires the IBO, to the extent practicable based on its resources, to review and evaluate economic development tax expenditures that are identified by the Council in collaboration with the IBO. The review and evaluation would be conducted in accordance with a schedule that the Council, in collaboration with the IBO, sets annually.

Subdivision (b)(1) would require City agencies (as required by Section 259(c) of the New York City Charter⁹), including the Department of Finance and the Economic Development Corporation, to provide the IBO with the information, data, estimates, and statistics that the IBO determines is necessary for it to conduct its review and evaluation. Furthermore, it would establish that when an agency or entity does not disclose records, information, data, estimates, or statistics to the IBO, it must provide a written explanation to the IBO Director and the Speaker of the Council discussing why the request was denied and citing to the specific law that would prohibit the disclosure.

Subdivision (b)(3) requires the IBO to submit to the Speaker of the Council, and post on its website for public access, a report regarding each economic development tax expenditure reviewed and evaluated in accordance with the schedule set forth by the Council. The report (to the extent practicable) must include, but not be limited to:

- A description of the economic development tax expenditure that was reviewed and evaluated;
- The data considered and the methodology and assumptions used in conducting the review and evaluation;

⁶ Id. at 12.

⁷ Id.

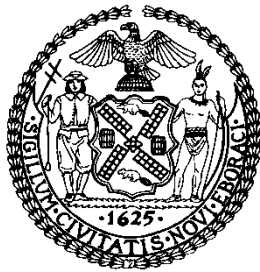
⁸ Id..

⁹ Section 259(c) establishes, in part, that “The [IBO] director shall be authorized to secure such information, data, estimates and statistics from the agencies of the city as the director determines to be necessary for the performance of the functions and duties of the office, and such agencies shall provide such information, to the extent that it is available, in a timely fashion.” N.Y.C. Charter §259(c)

- An analysis of the effectiveness of the economic development tax expenditure, and whether it is achieving the goals that are defined in the legislation that created the expenditure, or the goals as defined by the Council and the IBO;
- Whether, and to what extent, the goals of the economic development tax expenditure are still relevant (including whether and how the goals align with current economic development policy goals);
- Recommendations for future evaluations of the economic development tax expenditure, including whether alternative methods of data collection would allow for better analysis; and
- Any other information that may be requested by the Council or that the IBO deems relevant to the report.

Section 3 of Proposed Int. No. 1281-A establishes that the local law takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Int No. 1281-A:)



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

PROPOSED INTRO. NO. 1281-A

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the review and evaluation of economic development tax expenditures, and to repeal chapter 29 of title 11 of such code, relating to the establishment of the tax study commission

SPONSORS: Council Member Ferreras-Copeland, Garodnick, Lander, Kallos, and Menchaca

SUMMARY OF LEGISLATION: Proposed Int. No. 1281-A would require the Independent Budget Office (“IBO”) to review and evaluate economic development tax expenditures identified by the Council on a schedule set forth by the Council. Such schedule and identification of tax expenditures would be set in collaboration with the IBO.

- For each economic development tax expenditure reviewed and evaluated, the IBO would submit a report to the Council, and post such report on its website, which would include a description of the data considered and the methodology and assumptions used in such review and evaluation, an analysis of the effectiveness of the tax expenditure and whether the tax expenditure is achieving its intended goals, whether those goals are still relevant, and recommendations for future evaluations.
- The bill would state that agencies must provide the IBO with the information necessary for IBO to conduct its review and evaluation, and that such agencies must provide IBO and the Council with an explanation when the agencies cannot disclose certain information pursuant to laws that prohibit such disclosure.
- Finally, the bill would also repeal a provision of the Administrative Code that established a tax study commission, which has expired.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	Full Fiscal Impact FY19	FY Succeeding Full Fiscal Impact FY20
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$146,750	\$146,750
Net	\$0	(\$146,750)	(\$146,750)

IMPACT ON REVENUES: It is anticipated that there would be a \$0 impact on revenue resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: This legislation is expected to impact expenditures. It is anticipated that the IBO would manage the first year's review with existing resources. After that, it would require one additional PhD employee to develop and maintain the evaluation process, starting in mid-Fiscal 2018. We estimate total annual personal service costs of approximately \$73,375 in Fiscal 2018, and \$146,750 starting with Fiscal 2019.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Maria Enache, Senior Economist

ESTIMATE REVIEWED BY: Raymond Majewski, Chief Economist/Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: The legislation was first preconsidered at a hearing held by the Committee on Finance on September 22, 2016. The legislation was then introduced to the Council as Intro. No. 1281 on September 28, 2016 and referred to the Committee on Finance. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1281-A, will be considered by the Committee on Finance on January 18, 2017. Upon a successful vote by the Committee on Finance, Proposed Intro. No. 1281-A will be submitted to the full Council for a vote on January 18, 2017.

DATE PREPARED: January 10th, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1281-A:)

Int. No. 1281-A

By Council Members Ferreras-Copeland, Garodnick, Lander, Kallos, Menchaca, Levin and Crowley.

A Local Law to amend the administrative code of the city of New York, in relation to the review and evaluation of economic development tax expenditures, and to repeal chapter 29 of title 11 of such code, relating to the establishment of the tax study commission

Be it enacted by the Council as follows:

Section 1. Chapter 29 of title 11 of the administrative code of the city of New York is REPEALED.

§ 2. Title 11 of the administrative code of the city of New York is amended by adding a new chapter 29 to read as follows:

Chapter 29
TAX EXPENDITURE EVALUATION

§ 11-2901 Economic development tax expenditure evaluation.

a. Definitions. For the purposes of this section only, the following definitions shall apply:

Economic development tax expenditure. The term “economic development tax expenditure” shall include, but not be limited to, any exclusion, exemption, abatement, credit or other benefit allowed against city tax liability that induces behavior related to producing business income or investment income.

Evaluator. The term “evaluator” shall mean the independent budget office.

b. Evaluation.

1. The evaluator shall, to the extent practicable based on the evaluator’s resources, review and evaluate economic development tax expenditures identified by the council in collaboration with the evaluator. Such review and evaluation shall be conducted in accordance with a schedule set forth annually by the council in collaboration with the evaluator.

2. City agencies, including the department of finance and any entities under contract with the department of small business services to provide or administer economic development benefits on behalf of the city, shall, as required of city agencies under subdivision c of section 259 of the charter, provide the evaluator with such information, data, estimates and statistics as the evaluator determines to be necessary for the evaluator to conduct its review and evaluation. Whenever an agency or entity does not disclose records, information, data, estimates or statistics to the evaluator, it shall provide a written explanation to the director and the speaker of the council for the reason of such denial and include a citation to the specific law that prohibits such disclosure.

3. In accordance with the schedule set forth pursuant to paragraph 1 of subdivision b of this section, the evaluator shall submit a report to the speaker of the council regarding each economic development tax expenditure reviewed and evaluated. Such report, to the extent practicable, shall include, but need not be limited to:

(a) a description of the economic development tax expenditure reviewed and evaluated;

(b) the data considered and the methodology and assumptions used in conducting such review and evaluation;

(c) an analysis of the effectiveness of such economic development tax expenditure and whether it is achieving its goals, as such goals are defined in the legislation creating such economic development tax expenditure or as such goals are defined by the council in collaboration with the evaluator;

(d) whether and to what extent the goals of such economic development tax expenditure are still relevant, including whether and how such goals align with current economic development policy goals;

(e) recommendations for future evaluations of such economic development tax expenditure, including whether alternative methods of data collection would allow for better analysis; and

(f) such other information as may be requested by the council or that the evaluator deems relevant to such report.

Upon submission to the speaker of the council, the evaluator shall make each such report publicly available on its website.

§ 3. This local law takes effect immediately.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, January 18, 2017.

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. 1371

Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the DUMBO business improvement district and an extension of the DUMBO business improvement district.

The Committee on Finance, to which the annexed proposed local law was referred on November 29, 2016 (Minutes, page 3945), respectfully

REPORTS:

BACKGROUND

On January 18, 2017, the Committee on Finance, chaired by Council Member Julissa Ferreras-Copeland, will hold a second hearing on Int. 1371, 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 the DUMBO business improvement district and an extension of the DUMBO business improvement district. The Committee held a first hearing on this item on December 15, 2016. Pursuant to law, the hearing closed without a vote and the 30-day period for property owners to file objections commenced (ending on January 14, 2017). Since the number of objections required to prevent the expansion of the BID have not been filed with the City Clerk, at today's hearing, the Committee will consider adoption of the legislation.

Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (hereinafter the "Law"), the Mayor and the Council are authorized to establish and extend Business Improvement Districts (hereinafter "BIDs") in New York City and thereafter amend each BID's district plan or authorize an increase in annual expenditures. BIDs, which are specifically established areas, use the City's property tax collection mechanism to approve a special tax assessment with which to fund additional services that would enhance the area and improve local business. The additional services are normally in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks, etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising). The District Management Association of a BID carries out the activities described in the BID's district plan.

Under the process established by the Law, the City Council has adopted Resolution 1291, which set a public hearing date of Thursday, December 15, 2016 for the legislation that would authorize an increase in the amount to be expended annually in the DUMBO BID and an extension of the DUMBO BID.

Prior to the Council's action, the Community Board for the district in which the proposed BID extension is located -- Community Board 2 of Brooklyn -- voted to approve the extended district on June 27, 2016. The City Planning Commission ("CPC") also reviewed the amended district plan and held a public hearing on the amended district plan on July 13, 2016. The CPC approved a resolution on August 10, 2016 (Calendar No. 19), which certified the CPC's unqualified approval of the amended district plan.

Resolution 1291 also directed that all notice provisions contained in the law be complied with. Therefore, the Department of Small Business Services was directed to publish the Resolution or its summary in the City Record or a newspaper of general circulation not less than 10 nor more than 30 days before the public hearing. The DUMBO District Management Association was directed to mail the Resolution or its summary to each owner of real property within the proposed extended district at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills for property within the BID, and to occupants of each building within the proposed extended district, also not less than 10 nor more than 30 days before the public hearing. Finally, the DUMBO District Management Association was also directed to publish in a newspaper of general circulation a notice stating the time and place of the hearing and stating the increase in the amount to be expended annually in the District not less than 10 days prior to the hearing.

The public hearing to consider both the amended district plan and the enacting legislation will be closed without a vote. The Committee will then wait at least 30 days before it can again consider and possibly vote to approve this legislation. The 30-day period immediately after this hearing serves as an objection period. Any property owner may, during this time period, formally object to the amended district plan by filing such objection in the Office of the City Clerk, on forms provided by the City Clerk. In the event that either at least 51 percent of the total number of property owners or owners with at least 51 percent of the assessed valuation of all the benefited real property within the proposed extended district object to the plan, then the City Council may not approve the extended district plan.

When the Committee and the full Council considers this legislation after the conclusion of the objection period, it must answer the following four questions:

1. Were all notices of hearing for all hearings required to be held published and mailed as so required?;
 2. Does all the real property within the extended district's boundaries benefit from the extension of the district, except as otherwise provided by the law?;
 3. Is all real property benefited by the extension of the district included within the proposed extension?;
- and
4. Is the extension of the district in the best interests of the public?

If the Committee and the full Council finds in the affirmative on these four questions and the number of objections required to prevent the extension of such district are not filed, then the legislation can be adopted.

In addition, pursuant to Section 25-410(b) 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. So, in addition to the four questions outlined above, the Committee and the full Council must also determine 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 section 25-412 of the Administrative Code will not be exceeded.

This local law takes effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York.

DUMBO BID DETAILS

The DUMBO BID was first established in 2005. Historically, DUMBO was primarily a neighborhood of manufacturing and shipping uses. Following a series of re-zonings from the late 1990s through 2009, the district is now a mixed-use community with offices, artist spaces, retail, and residences. DUMBO's tech sector is its most significant industry, encompassing digital design, digital marketing, and educational tech and e-commerce firms. However, the district retains many industrial uses, such as a New York City Department of Transportation facility and Con Edison properties, as well as several manufacturing firms. Approximately 15% of the BID is in public ownership, including publicly owned land in Brooklyn Bridge Park along the waterfront.

The DUMBO BID provides a number of services in the area, including sweeping, maintenance of public spaces, events, and free WI-FI. Additionally, the BID is working with the City on a planned \$20 million capital project (set to begin in 2017) to upgrade water and sewer lines and reconstruct the streets in Belgian Block.

The BID is currently requesting that the Council approve the following changes to its district plan:

- 1) an extension of its boundaries to add an area east of the existing BID known as DUMBO Heights, properties around the Brooklyn Bridge, and an additional commercial property at the edge of the district; and
- 2) a \$185,000 increase in its annual assessment from \$650,000 to \$835,000.

Boundary Expansion

The current boundaries of the DUMBO BID extend along the East River waterfront on the West, Old Fulton Street on the South, York Street on the East, and generally Gold Street and Bridge Street on the North.

The proposed expansion would add an area east of the existing BID known as DUMBO Heights. Within this area are 5 loft commercial properties (formally owned by the Watchtower Bible and Tract Society) currently under renovation for office and retail uses, comprising approximately 1.2 million square feet. The BID would also be expanded to include five publicly-owned properties around the Brooklyn Bridge that may be redeveloped in the future for increased public use as part of the Brooklyn Strand Greenway Project, as well as one small commercial property at the edge of the district.

Increase in Annual Expenditures

The DUMBO BID is proposing to increase its annual expenditures from \$650,000 to \$835,000. The \$185,000 increase would be used to pay for maintenance and sanitation, marketing and promotion, capital improvements, administration and OTPS, and a small amount for contingency.

DECEMBER 15, 2016 HEARING

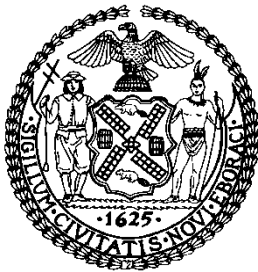
On December 15, 2016, as set forth in Resolution 1271, the Finance Committee held a public hearing to consider the legislation (Int. No. 1371) that would amend the district plan of the DUMBO BID to expand its boundaries and increase its annual assessment. Representatives of the Department of Small Business Services and the DUMBO BID testified in support of the BID's district plan amendment. As required by law, the hearing closed without a vote and the 30-day period for property owners to file objections to the amended district plan with the Office of the City Clerk began. Copies of objection forms were made available at the Office of the City Clerk which is located at 1 Centre Street in Manhattan.

JANUARY 18, 2017 HEARING

The objection period for the establishment of the BID closed on January 14, 2017 at 5:00 p.m. According to the City Clerk, out of the 1,491 property owners located in the proposed BID, none filed a valid objection to the establishment of the BID.

Since the number of objections required to prevent the expansion of the BID have not been filed with the City Clerk, at today's hearing, if the Committee and the full Council finds in the affirmative on the four questions outlined above, then the legislation can be adopted, and the BID will be extended and the annual assessment increased.

(The following is the text of the Fiscal Impact Statement for Int No. 1371:)



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

INTRO. NO. 1371

COMMITTEE: Finance

TITLE: 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 the DUMBO business improvement district and an extension of the DUMBO business improvement district.

SPONSOR: Council Member Ferreras-Copeland (by request of the Mayor)

SUMMARY OF LEGISLATION: This legislation would increase the amount to be expended annually in the DUMBO Business Improvement District (“the BID”) in Brooklyn, and extend the boundaries of the BID. Intro. No. 1371 would increase the maximum amount that can be expended by the BID annually from \$650,000 to \$835,000. The \$185,000 increase in assessment would be used to cover the cost of maintenance and sanitation, marketing and promotion, capital improvements, administration and OTPS, and a small amount for contingency. The bill would also extend the boundary lines of the BID to add DUMBO Heights (east of the existing BID), five publicly-owned properties around Brooklyn Bridge, and a small commercial property at the edge of the district. The inclusion of DUMBO Heights would add five loft commercial properties that are currently being renovated to the existing BID.

EFFECTIVE DATE: Intro. No. 1371 would take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York, which requires that the New York State Comptroller conduct a review to determine that the City is in full compliance with applicable laws.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2017

FISCAL IMPACT STATEMENT

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY17
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES AND EXPENDITURES: This local law would result in no fiscal impact on the City's revenues or expenditures. Proceeds authorized to be assessed by DUMBO BID would be collected by the City on behalf of the BID and could not be used for any purpose other than those set forth in the BID's district plan. The assessment is not funded by the City, and therefore will have no impact on the City's expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: William Kyeremateng, Economist

ESTIMATE REVIEWED BY: Crilhien Francisco, Unit Head
Nathaniel Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced by the Council as Intro. No. 1371 on November 29, 2016 and referred to the Committee on Finance. A hearing was held by the Committee on December 15, 2016, and the legislation was laid over to allow for the statutory 30-day objection period. Intro. No. 1371 will be considered again by the Committee on Finance on January 18, 2017, and upon a successful vote by the Committee, Intro. No. 1314 will be submitted to the full Council for a vote on January 18, 2017.

DATE PREPARED: January 12, 2017

Accordingly, this Committee recommends its adoption.

(The following is the text of Int No. 1371:)

Int. No. 1371

By Council Members Ferreras-Copeland and Levin (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 the DUMBO business improvement district and an extension of the DUMBO business improvement district

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-469.1 of the administrative code of the city of New York, as amended by local law number 118 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the DUMBO business improvement district beginning on July 1, [2013] 2016, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [six hundred fifty thousand dollars (\$650,000)] *eight hundred thirty-five thousand dollars (\$835,000)*.

§ 2. The administrative code of the city of New York is amended by adding a new section 25-469.2 to read as follows:

§ 25-469.2 *DUMBO business improvement district; extension of district.* a. *The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, the DUMBO business improvement district in the borough of Brooklyn is hereby extended. Such district is extended in accordance with the amended district plan required to be filed with the city clerk pursuant to subdivision b of this section.*

b. *Immediately upon adoption of this local law by the council, the council shall file with the city clerk the amended district plan upon which the DUMBO business improvement district, and the extension thereof, is based.*

c. *The amended district plan shall not be further amended except in accordance with chapter four of this title.*

§ 3. This local law takes effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, January 18, 2017.

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. 1385-A

Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the sale of tax liens and notice to property owners when property tax bills are available online.

The Committee on Finance, to which the annexed proposed amended local law was referred on December 6, 2016 (Minutes, page 4070), respectfully

REPORTS:

I. Introduction

On January 18, 2017, the Committee on Finance, chaired by Council Member Julissa Ferreras-Copeland, will hold a hearing on Proposed Int. No. 1385-A, A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the sale of tax liens and notice to property owners when property tax bills are available online, introduced by Council Member Ferreras-Copeland by request of the Mayor. This is the second hearing on this legislation, which was amended after introduction. The legislation was first considered by the Committee at its hearing on January 11, 2017. At this hearing, the Committee heard testimony from the New York City Department of Finance (DOF), the Office of the Manhattan Borough President, and several housing and legal advocacy organizations.

II. Property Tax Lien Background

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

In the City’s lien sale program, the tax lien purchaser is a statutory trust (the Trust), set up and “closely monitored” by the City to ensure that the Trust is acting in compliance with the trust documents.⁴ The Trust must resolve the outstanding debts in a “professional, fair, but unambiguous manner.”⁵ After the liens are sold to the Trust, the Trust only owns the liens, not the underlying property itself. Thus, the property owner still holds title to the property and may pay off the liens to the Trust.⁶

The Trust engages ratings agencies to examine the credit quality of liens that are collateralized, and subsequently sells bonds to investors to pay the City a “cash-advance” for the lien purchase.⁷ The Trust will then hire professional servicers to attempt to collect the delinquent taxes and charges.⁸ Once a sufficient amount is collected to retire the Trust’s bonds (i.e. pay back the investors), the residual amount is paid to the City.⁹ If the property owner does not voluntarily redeem their lien or enter into a forbearance agreement within one year after the date the liens were sold, it is then that the liens become subject to foreclosure.¹⁰

III. Legislative History

In 1996, the Council adopted Local Law No. 26 of 1996, which provided that “a tax lien or tax liens on a property or any component of the amount thereof may be sold by the city when such tax lien or tax liens shall have remained unpaid in whole or in part for one year, provided, however, that a tax lien or tax liens on any

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

² See NYC Administrative Code § 11-332.

³ See *id.*

⁴ New York City Department of Finance, *Report of the Lien Sale Task Force 5* (September 2016), available at http://www1.nyc.gov/assets/finance/downloads/pdf/reports/lien_sale_report/lien_sale_task_force_report.pdf

⁵ *Id.*

⁶ *Id.* at 7

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

class 1 property or on class 2 property that is a residential condominium or residential cooperative, as such classes of property are defined in subdivision 1 of section 1802 of the real property tax law, may be sold by the city only when the real property tax component of such tax lien or tax liens shall have remained unpaid in whole or in part for three years....” Local Law No. 26 did not permit the City to sell *any* tax lien or tax liens that did not contain a real property tax component. In other words, tax liens on any property that were comprised solely of unpaid water and sewer charges and/or non-property tax lienable charges could not be sold by the City.¹¹

In 1997, and again in 2001, the Council enacted legislation that extended the Commissioner’s authority to sell tax liens.¹² Together, these local laws excluded from the lien sale property owned by a company organized pursuant to article XI of the State Private Housing Finance Law (Housing Development Fund Corporations-HDFCs), and allowed the sale of liens on class 4 properties with only a water or sewer component so long as the property was in arrears for a minimum of one year. In 2006, after a series of amendments and extensions, the tax lien program, pursuant to Local Law 2 of 2006, was extended until August 31, 2006.¹³

In 2007 the Council enacted Local Law 68, which reauthorized and extended the Commissioner’s authority to sell tax liens based on delinquent property taxes or delinquent water and sewer charges until December 31, 2010.¹⁴ This legislation authorized the Commissioner for the first time to conduct stand-alone lien sales of delinquent water and sewer charges on certain residential properties.

In 2011, the Council again enacted legislation that extended the Commissioner’s authority to sell tax liens.¹⁵ Local Law 15 of 2011 made significant changes to the lien sale law, as described in more detail below, and added a host of property owner protections that had never before existed in the law. The legislation also authorized the Commissioner to sell liens for delinquent charges pursuant to the Emergency Repair Program and the Alternative Enforcement Program. The Commissioner’s authority to sell tax liens under Local Law 15 expired on December 31, 2014.

The Council next extended the Commissioner’s authority in January 2015 with the enactment of Local Law 14 of 2015.¹⁶ This renewed the program until December 31, 2016.¹⁷ Additionally, Local Law 14 excluded certain properties impacted by Superstorm Sandy from lien sales, provides that certain notices be provided to Not-For-Profits, required a report to the Council by lien sale servicers containing specified property details for each lien, and authorized Council Members to request outreach sessions with DOF, DEP and HPD.¹⁸ Finally, Local Law 14 established a temporary lien sale task force to be comprised of ten members (representatives of the Mayor, Mayor’s Office of Management and Budget, DOF, HPD, DEP, and five Council members) to review and evaluate the Lien Sale Program (Program) in an effort to ensure that it is “fair, efficient and effective” and to present the findings of the Task Force in a report issued to the Mayor and the Speaker.¹⁹

IV. Property Tax Delinquency

Since the lien sale was first implemented in 1996, the Commissioner has had the authority to sell the liens of properties with unpaid real property taxes. One goal of the tax lien sale program was to increase property tax collections and thereby lower the delinquency rate. According to the 1999 Mayor’s Management Report, the real property tax delinquency rate was almost 5 percent in the early to mid-1990s, before implementation of the tax lien sale program.²⁰ The following table shows the property tax delinquency rates from Fiscal 1995 (the year before the enactment of Local Law 26 of 1996) through 2015 from data provided by the Mayor’s

¹¹ See Local Law 26 of 1996, as codified in NYC Administrative Code § 11-319 (a).

¹² See Local Law 98 of 1997 and Local Law 26 of 2001.

¹³ See NYC Administrative Code § 11-319(b).

¹⁴ See Local Law 68 of 2007.

¹⁵ See Local Law 15 of 2011.

¹⁶ Local Law 15 of 2015

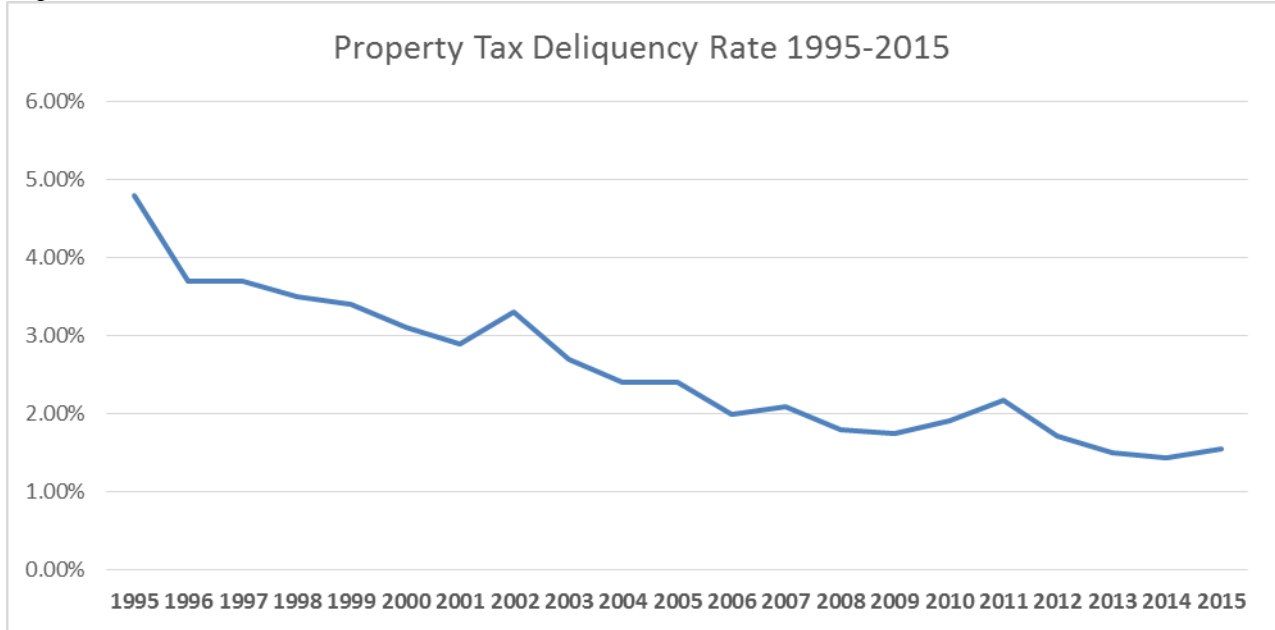
¹⁷ Id.

¹⁸ Id.

¹⁹ Id.

²⁰ City of New York, *Mayor’s Management Report Fiscal 1999 67*, available at http://www1.nyc.gov/assets/operations/downloads/pdf/mmr/0999_summary.pdf

Office of Management and Budget and the New York City Department of Finance's Annual Property Tax Report.



(Source: Mayor's Office of Management and Budget, New York City Department of Finance)

Since 2008, according to the Department of Finance's Annual Property Tax Report, the percentage of property owners who pay their property tax bills on time remains approximately 98%.²¹

V. New York City Lien Sale Program

Currently, the threshold amounts and years overdue that once met, make a property eligible for the lien sale depend on the particular type of property²²:

Property Type	Property Tax Debt		Water/Sewer Debt		Emergency Repair and Alternative Enforcement Program Charges***	
	Minimum Amount	Years Overdue	Minimum Amount	Years Overdue	Minimum Amount	Years Overdue
1-Family House	\$1,000	3	n/a*	n/a	n/a	n/a
2-3-Family House	\$1,000	3	\$2,000	1	\$1,000**	1**
Residential Condominium & Residential Cooperation	\$1,000	3	\$1,000	1	\$1,000	1

²¹ New York City Department of Finance, *Annual Property Tax Report*, available at <http://www1.nyc.gov/site/finance/taxes/property-reports/property-reports-annual-property-tax.page>

²² New York City Department of Finance, *Report of the Lien Sale Task Force 5* (September 2016), available at http://www1.nyc.gov/assets/finance/downloads/pdf/reports/lien_sale_report/lien_sale_task_force_report.pdf

Housing Development Fund Corporation (HDFC) Rentals	\$5,000	2	\$5,000	2	\$5,000	2
Other Class 2 Properties (non-HDFC rentals 4+ Family)	\$1,000	1	\$1,000	1	\$1,000	1
Class 4 Properties	\$1,000	1	\$1,000	1	\$1,000	1
<p>*Although the water/sewer debt may not be sold, DEP may report it to a credit reporting agency if the charges remain delinquent.</p> <p>**Only applies to 3-Family non-owner occupied homes in Alternative Enforcement Program.</p> <p>***Only charges posted on or after January 1, 2006 may be included.</p>						

Source: New York City Department of Finance

However, certain properties remain exempt from lien sales. Liens on owner-occupied one, two, and three-family homes and residential condominiums for which the property owner qualifies for the senior citizen homeowners' exemption, the disabled homeowners' exemption, and/or certain veteran exemptions may not be sold.²³ Active duty military personnel may request exclusions from the lien sale by completing an affidavit.²⁴ Furthermore, property owners who received the State Real Property Tax Credit for Homeowners (known as the "Circuit Breaker" credit) in Tax Year 2015 were excluded from tax lien sales in 2016.²⁵

The lien sale process begins with a 90-day notice of intention to sell the liens that is sent to the property in question.²⁶ The notice indicates that to avoid the sale of a lien on the property, the debt must be resolved within 90 days.²⁷ Liens may be sold even in cases where the individual is contesting the assessed value of the property or the amount of other charges.²⁸ A property owner can resolve the debt either by paying the full amount, arranging a payment agreement, or bringing a payment agreement in default up to date.²⁹ Individuals may make these payments online, by mail, or in person at DOF offices.³⁰

If the debt is not resolved within the prescribed period, the City will sell the lien(s) to a single authorized buyer.³¹ Within 90 days following the sale, the DOF will notify all property owners by mail of the terms and conditions under which the lien was sold, the name and address of the new lienholder, and the name of the lienholder's authorized representative.³² After a lien is sold, the property owner owes the taxes, charges, and accrued interest to the new lienholder.³³ The amount on the lien increases once it is sold by the City, and lienholders are authorized to charge a 5% surcharge on the entire lien amount, interest (compounded daily and payable semi-annually), and administrative costs of the sale (including approximately \$300 to cover notice and advertisement costs).³⁴ The authorized representative of the new lienholder will contact the property owner regarding the arrangement of payments after the sale.³⁵

²³ Id. at 6.

²⁴ Id.

²⁵ New York City Department of Finance, "90 Day Notice of Intention to Sell Tax and Water Liens" B3 (Feb. 10, 2016), available at http://www1.nyc.gov/assets/finance/downloads/pdf/lien_sale/2016/90_day/90-day_notices.pdf

²⁶ Id. at 1.

²⁷ Id. at B1

²⁸ Id. at B4

²⁹ Id. at B1

³⁰ Id.

³¹ Id.

³² Id. at B4

³³ Id.

³⁴ Id.

³⁵ Id.

While the new lienholder is not automatically entitled to sell the property to which the lien is attached, the foreclosure process may begin one year after the lien sale date if the property owner has failed to pay the lien in full or enter into a payment agreement with the lienholder.³⁶ Foreclosure proceedings may begin earlier than this where the semi-annual interest payment is not paid within 30 days of the payment due date or current taxes or charges remain unpaid for six months before the lien is paid in full.³⁷

VI. Impact of the 2011 Lien Sale Reforms

Despite many of the protections added in 2011, the percentage of property owners who pay their outstanding charges prior to the tax lien sale (but after being noticed for sale) is consistent with the percentage prior to the reform of the lien sale law in 2011.

The following chart illustrates the number of properties with tax liens eligible to be sold 90 days before the tax lien sale and the number of properties with liens actually sold in the tax lien sale³⁸:

Lien Sale year	Properties Noticed for Sale – 90 Day	Properties in Lien Sale	Percentage of Properties in Lien Sale
2012	22,111	4,093	18.51%
2013	27,930	5,420	19.41%
2014	25,556	5,347	20.92%
2015	27,233	4,228	15.53%
2016	24,202	3,461	14.3%

In 2016, the default rates for individuals engaged in a payment plan with DOF and DEP were³⁹:

2016 Payment Plan Default Rates	
DOF	DEP
38%	20%

Additionally, between 2008 and 2016, 41,000 liens were sold to the Trust, but only 354 were subject to foreclosure and judicial action.⁴⁰

VII. Lien Sale Task Force

As discussed earlier, Local Law 14 of 2015 established the Lien Sale Task Force, which was comprised of the following Mayoral and Council appointees⁴¹:

- Co-Chair Council Member Julissa Ferreras-Copeland
- Co-Chair Peter Hatch, Office of the Mayor
- Council Member Donovan Richards
- Council Member Deborah Rose
- Council Member Robert Cornegy
- Rebecca Chasan, City Council Finance Division
- Jeffrey Shear, DOF
- Alan Anders, OMB
- Christopher Allred, HPD
- Joseph Murin, DEP

³⁶ Id.

³⁷ Id.

³⁸ Information on file with the New York City Council Finance Division.

³⁹ *Report of the Lien Sale Task Force*, *supra* note 13, at 13.

⁴⁰ Id. at 3.

⁴¹ Id.

The Task Force held meetings on October 1, 2015, November 23, 2015, and January 28, 2016.⁴² At those meetings, the Task Force discussed areas in which the Program could be modified to address various issues and concerns, heard presentations from outside groups and advocates, and exchanged ideas and proposals.⁴³ In addition, Administration and Council staff met on numerous occasions outside of the official Task Force meetings to review data and research questions proposed by the Task Force members.⁴⁴

In September 2016, the Task Force released a report with its recommendations.⁴⁵ It presented four guiding principles that should be considered as part of any legislative and administrative reforms to the lien sale⁴⁶:

1. Minimize the Number of Properties with Liens Sold in the Tax Lien Sale
2. Create Clear and User-friendly Bills and Notification
3. Better Understand the Lien Sale Impact
4. Assess Whether the Resolution of Outstanding Debt Could Be an Opportunity to Advance Other City Priorities

The Task Force also recommended that renewals of the authority to conduct the Lien Sale be reauthorized for a period of four years, which allows City agencies to manage the process in an efficient and effective manner.⁴⁷

The report recognized that over the past two years, the City has taken several steps in furtherance of the guiding principles. These steps have included offering monthly payment arrangements, reaching out to non-profits that are candidates for the lien sale, reducing the interest rate charged to delinquent property owners, surveying customers to better understand why they end up in the lien sale, emailing notifications to lien sale candidates, and the establishment of the Water Debt Assistance Program⁴⁸.

Proposed Intro. No. 1385-A builds off of these steps to further improve the lien sale in regards to the guiding principles adopted.

VIII. Analysis of Proposed Int. No. 1385-A

Section 1 of Proposed Int. No. 1385-A would require the DOF Commissioner, when property tax bills are available online, to send notification emails to property owners who have registered for such notifications.

Section 2 would renumber Section 11-245.8 of the Code (entitled “ENERGY STAR appliances”) as Section 11-245.10.⁴⁹

Section 3 would require that the notices that DOF is required to send out by October 31 of each year to any property owner who is delinquent in the payment of any real property taxes, assessments, or any other charges that are made a lien (and are \$1,000 or greater) include contact information for the Department of Consumer Affairs’ Office of Financial Empowerment.

Section 4 would provide that lien sale eligibility for one, two, and three family homes that are not owner occupied would be triggered by outstanding Emergency Repair Program (ERP) and Alternative Enforcement Program (AEP) charges that have remained unpaid for a year and exceed \$1,000.

Section 5 would extend the authority of the DOF Commissioner to sell tax liens (which expired on December 31, 2016) through and including December 31, 2020.

Section 6 would establish that the interest rate of liens sold by the Department would be the same as the interest rates adopted by the City as part of its annual process of setting property tax and water bill delinquency interest rates. Furthermore, it would provide that liens that were sold would accrue interest at the rate effective on January 1 of the year the lien was sold.

Section 7 would require the DOF Commissioner to post information identifying which properties listed in the 90-day lien sale eligibility notice are classified as vacant land, or had received a Not-for-Profit (NFP) Exemption at any point in the prior five years.

⁴² Id.

⁴³ Id.

⁴⁴ Id.

⁴⁵ Id. at 1.

⁴⁶ Id. at 12-18.

⁴⁷ Id. at 18.

⁴⁸ Id.

⁴⁹ Currently, there are two different sections numbered 11-245.8.

Section 8 would require, to the extent possible, DOF and DEP (the Departments) to include outreach by telephone or email to any property owner who has registered their contact information with the Departments and whose property is on the 90-day lien sale notice.

Section 9 would require that property owners who have paid or resolved their lien sale debt (as determined by the DOF Commissioner) receive prompt written notification that they are no longer eligible for the lien sale.

Section 10 would require the telephone numbers and email addresses of employees designated to respond to inquiries concerning lien sales to be included on all publications and notices concerning lien sales required by Section 11-320 of the Code.

Section 11 would require the DOF Commissioner to make a good faith effort to have financial counselors available at outreach sessions. It would also provide that a customer survey would be distributed to property owners who receive notice of lien sale eligibility to collect information on the circumstances that led to their delinquency. Finally, it would include in the 90-day lien sale report information about the number of events at which financial counselors were available, the number of property owners with whom they consulted, and the results of the surveys.

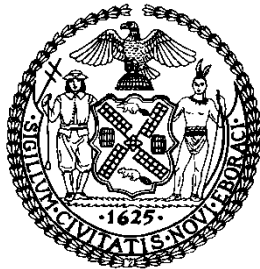
Section 12 would establish that the quarterly status report of properties with liens sold (currently delivered to the Council) would also be posted online, but that this would not include information that specifically identifies any property or property owner (except by zip code and a randomly generated identifier).

Section 13 would provide property owners (and other eligible persons) entering into a payment agreement with the option of monthly payments, in addition to the current method of quarterly payments. Additionally, property owners and other eligible persons would have the ability to enter into a second payment agreement plan, as long as a down payment of 20% of the outstanding debt is made.

Section 14 would require the DOF Commissioner to provide to the Council a report identifying which of the properties with liens sold from 2015-2019 had title transfers or mortgages recorded. This report would be due no later than August 31, 2020.

Section 15 would establish that this local law takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Int No. 1385-A:)



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

PROPOSED INTRO. NO. 1385-A

COMMITTEE: Finance

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the sale of tax liens and notice to property owners when property tax bills are available online

SPONSORS: Council Members Ferreras-Copeland and Cornegy (in conjunction with the Mayor)

SUMMARY OF LEGISLATION: Proposed Int. No. 1385-A would authorize the City's tax lien sale program for another four years. Additionally, it would make several changes, such as:

- 1) Allow for greater flexibility with payment plans, including the option of monthly payments and a one-time opportunity to enter into a second payment plan if the property owner has defaulted on a previous plan;

- 2) Change notification and communication requirements, including the provision of written notification to the owner when a property is removed from the lien sale due to payment or any other reason, expansion of the use of telephone and email as outreach methods, and connecting property owners to financial counseling resources;
- 3) Mandate greater data collection and reporting on the impact of the lien sale, including the reporting of currently available data on the charges accrued to properties after the lien sale, mortgage and title transfers of properties included in the lien sale, and surveys to determine the circumstances that lead property owners to fall behind on municipal charges; and
- 4) Allow emergency repair charges of at least \$1,000, that had remained unpaid for at least one year, to trigger lien sale eligibility for non-owner occupied one-, two-, and three-family homes.
- 5) Establish that the interest rate of liens sold by the Department of Finance would be the same as the interest rates adopted by the City as part of its annual process of setting property tax and water bill delinquency interest rates.

It would also renumber one of the two sections 11-245.8 of the Administrative Code to become 11-245.10 to resolve the conflict between the two identically numbered sections.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY17	Full Fiscal Impact FY17	FY Succeeding Full Fiscal Impact FY18
Revenues (+)	\$20.9 million	\$20.9 million	\$6.5 million
Expenditures (-)	\$32,000	\$32,000	\$32,000
Net	\$20.87 million	\$20.87 million	\$6.47 million

IMPACT ON REVENUES: It is anticipated that the impact on revenues resulting from the enactment of this legislation would be \$20.9 million in FY 2017, when the full impact of the legislation would occur.

This revenue is a result of the emergency repair charges (ERP) reform, where all 1-3 family homes would now be eligible for the lien sale if it has an ERP charge of at least \$1,000 overdue for one year. The cost of this reform for FY 2017 is estimated to be \$22.4 million. According to the Department of Housing Preservation and Development, after FY 2017, the revenue resulting from the ERP change is expected to be \$8 million annually, because the FY 2017 lien sale will already have accounted for the majority of the current 1,469 new eligible owners which have accumulated over the years.

The legislation would also establish that the interest rate of liens sold by the Department of Finance would be the same as the interest rates adopted by the City as part of its annual process of setting property tax and water bill delinquency interest rates. In May 2016, the City adopted a six percent interest rate on properties with an assessed value below \$250,000. It is anticipated that there would an annual revenue reduction of \$1.5 million due to this change.

IMPACT ON EXPENDITURES: It is anticipated that there would be a \$32,000 impact on expenditures resulting from the enactment of this legislation. This is due to an increased cost from new outreach, including increased mailings from the Department of Finance and additional robocalls from the Department of Environmental Protection.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCES OF INFORMATION: New York City Council Finance Division
New York City Department of Housing Preservation and Development
New York City Department of Finance

ESTIMATE PREPARED BY: Maria Enache, Senior Economist

ESTIMATE REVIEWED BY: Emre Edev, Assistant Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1385 on December 6, 2016 and referred to the Committee on Finance. A hearing was held by the Committee on January 11, 2017. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1385-A, will be considered by the Committee on Finance on January 18, 2017. Upon a successful vote by the Committee on Finance, Proposed Intro. No. 1385-A will be submitted to the full Council for a vote on January 18, 2017.

DATE PREPARED: January 10th, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1385-A:)

Int. No. 1385-A

By Council Members Ferreras-Copeland, Cornegy, Levin and Kallos (in conjunction with the Mayor)

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the sale of tax liens and notice to property owners when property tax bills are available online

Be it enacted by the Council as follows:

Section 1. Section 1519-a of the New York city charter is amended by adding a new subdivision 10 to read as follows:

10. When property tax bills for the quarterly or semi-annual installments of tax due in accordance with this section are available online, the commissioner shall notify by electronic mail owners of real property who have registered an electronic mail address online with the commissioner to receive department of finance property information updates that such bills are available online.

§ 2. Section 11-245.8 of the administrative code of the city of New York, entitled “ENERGY STAR appliances,” as added by local law number 107 for the year 2005, is renumbered as section 11-245.10.

§ 3. Section 11-245.8 of the administrative code of the city of New York, entitled “Notice of residential property tax exemptions,” is amended by adding a new subdivision c to read as follows:

c. The notice that is required, pursuant to this section, to be provided by the commissioner of finance or his or her designee no later than October thirty-first of each year shall include contact information for the office of financial empowerment at the department of consumer affairs.

§ 4. Subdivision a-4 of section 11-319 of the administrative code of the city of New York, as added by local law number 15 for the year 2011, is amended to read as follows:

a-4. In addition to any sale authorized pursuant to subdivision a, a-1, a-2 or a-3 of this section and notwithstanding any provision of this chapter to the contrary, beginning on March first, two thousand eleven, the emergency repair charges component or alternative enforcement expenses and fees component, where such emergency repair charges accrued on or after January first, two thousand six and are made a lien pursuant to

section 27-2144 of this code, or where such alternative enforcement expenses and fees are made a lien pursuant to section 27-2153 of this code, of any tax lien on any class of real property, as such real property is defined in subdivision one of section eighteen hundred two of the real property tax law, may be sold by the city pursuant to this chapter, where such emergency repair charges component or alternative enforcement expenses and fees component of such tax lien, as of the date of the first publication, pursuant to subdivision a of section 11-320 of this chapter, of the notice of sale: (i) shall have remained unpaid in whole or in part for one year, and (ii) equals or exceeds the sum of one thousand dollars or, beginning on January first, two thousand twelve, in the case of any class two residential property owned by a company organized pursuant to article XI of the state private housing finance law that is not a residential condominium or a residential cooperative, as such class of property is defined in subdivision one of section eighteen hundred two of the real property tax law, for two years, and equals or exceeds the sum of five thousand dollars; provided, however, that such emergency repair charges component or alternative enforcement expenses and fees component of such tax lien may [not] *only* be sold pursuant to this subdivision on any one, two or three family residential real property in class one, [except a] *where such one, two or three family residential property in class one [where such property is subject to the provisions of section 27-2153 of this code and] is not the primary residence of the owner.* After such sale, any such emergency repair charges component or alternative enforcement expenses and fees component of such tax lien may be transferred in the manner provided by this chapter.

§ 5. The opening paragraph of subdivision b of section 11-319 of the administrative code of the city of New York, as amended by local law number 14 for the year 2015, is amended to read as follows:

The commissioner of finance, on behalf of the city, may sell tax liens, either individually, in combinations, or in the aggregate, pursuant to the procedures provided herein. The commissioner of finance shall establish the terms and conditions of a sale of a tax lien or tax liens. [Enactment of the local law that added this sentence shall be deemed to constitute authorization by the council for the commissioner of finance to conduct a sale or sales of tax liens through and including December thirty-first, two thousand sixteen. Subsequent to December thirty-first, two thousand sixteen, the city shall not have the authority to sell tax liens.] *Enactment of the local law that added this sentence shall be deemed to constitute authorization by the council for the commissioner of finance to conduct a sale or sales of tax liens through and including December thirty-first, two thousand twenty. Subsequent to December thirty-first, two thousand twenty, the city shall not have the authority to sell tax liens.*

§ 6. Paragraph 6 of subdivision b of section 11-319 of the administrative code of the city of New York, as amended by local law number 15 for the year 2011, is amended to read as follows:

6. The rate of interest on any tax lien certificate shall be the rate adopted for nonpayment of taxes on real property, pursuant to subdivision (e) of section [11-224.1 of this title on the effective date of the local law that added this sentence] 11-224.1, *that is in effect on January first of the year in which the tax lien is sold.*

§ 7. Subdivision a of section 11-320 of the administrative code of the city of New York, as amended by local law number 68 for the year 2007, is amended to read as follows:

a. 1. The tax lien on property in the city shall not be sold pursuant to section 11-319 of this chapter unless notice of such sale as provided herein has been published twice, the first publication to be in a newspaper of general circulation in the city, not less than ninety days preceding the date of the sale, and the second publication to be in a publication designated by the commissioner of finance, not less than ten days preceding the date of the sale. Such publication shall include a description by block and lot or by such other identification as the commissioner of finance may deem appropriate, of the property upon which the tax lien exists that may be included in the sale, and a statement that a list of the tax liens that may be included in the sale is available for inspection in the office of the city register and the office of the county clerk of Richmond county. The commissioner of finance shall file such list in the office of the city register and the office of the county clerk of Richmond county not less than ninety days prior to the date of sale.

2. *Not less than ninety days preceding the date of the sale, the commissioner of finance shall post online, to the extent such information is available, the borough, block and lot of any property on which a lien has been or will be noticed for sale in accordance with paragraph one of this subdivision and that, in one or more of the five fiscal years preceding the date of the sale, was in receipt of a real property tax exemption pursuant to section four hundred twenty-a, four hundred twenty-b, four hundred forty-six or four hundred sixty-two of the real property tax law and, in addition, shall post online, to the extent such information is available, the*

borough, block and lot of any vacant land classified as class one or class four pursuant to section eighteen hundred two of the real property tax law on which a lien has been or will be noticed for sale in accordance with paragraph one of this subdivision. Any failure to comply with this paragraph shall not affect the validity of any sale of tax liens pursuant to this chapter.

§ 8. Subdivision b of section 11-320 of the administrative code of the city of New York is amended by adding a new paragraph 5 to read as follows:

5. The department of finance and the department of environmental protection shall, to the extent practicable, contact by telephone or electronic mail any person who (i) has registered their telephone number or electronic mail address with such departments and (ii) has received the ninety-day notice described in paragraph one of this subdivision. Any such contact shall be made within a time period reasonably proximate to the mailing of such notice, shall inform such person of the intention to sell a tax lien and shall provide such other information as the respective commissioner deems appropriate, which may include, but need not be limited to, the telephone numbers and electronic mail addresses of the employees designated pursuant to subdivision f of this section. Failure by the department of finance or the department of environmental protection to contact any such person by telephone or electronic mail shall not affect the validity of any sale of tax liens pursuant to this chapter.

§ 9. Section 11-320 of the administrative code of the city of New York is amended by adding a new subdivision c-1 to read as follows:

c-1. Where a tax lien on property in the city has been noticed for sale pursuant to subdivision b of this section and such lien, prior to the date of sale, has been paid or is otherwise determined by the commissioner not to be eligible to be sold, the commissioner shall promptly provide written notification to the owner of such property that such lien will not be or was not included in such sale and the reason therefor.

§ 10. Subdivision f of section 11-320 of the administrative code of the city of the New York, as amended by local law number 68 for the year 2007, is amended to read as follows:

f. The commissioner of finance shall designate an employee of the department to respond to inquiries from owners of property for which a tax lien has been sold or noticed for sale pursuant to subdivision a of this section and shall designate an employee of the department to respond to inquiries from owners sixty-five years of age or older of property for which a tax lien has been sold or noticed for sale pursuant to subdivision a of this section. The commissioner of environmental protection shall designate at least one employee of the department of environmental protection to respond to inquiries from owners of property for which a tax lien containing a water rents, sewer rents or sewer surcharges component has been sold or noticed for sale pursuant to subdivision a of this section. The telephone numbers and electronic mail addresses of employees designated pursuant to this subdivision shall be posted online and shall be included on all publications and notices required by subdivisions a and b of this section. Failure to include such numbers and addresses on all such publications and notices shall not affect the validity of any sale of tax liens pursuant to this chapter.

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

j. At the request of a council member, the commissioner of finance, in consultation with the commissioner of housing preservation and development and the commissioner of environmental protection, may conduct outreach sessions in the district of such council member. The scope of such outreach sessions shall include, but need not be limited to, (i) actions property owners can take if a lien is sold on such property; (ii) the type of tax lien or tax liens that can be sold in a tax lien sale; (iii) installment agreement information, including informing attendees in such outreach sessions of their option to enter into an installment agreement for exclusion from the tax lien sale with no down payment, and their option to enter such agreement for a term not more than ten years; (iv) credits and property tax exemptions that may exclude a property from a tax lien sale; (v) distribution of a customer survey to property owners who have received notice of the intention to sell a tax lien on their property, in order to determine the circumstances that led to the creation of the lien; and [(v)] (vi) any other credit or residential real property tax exemption information, which, in the discretion of the commissioner, should be included in such outreach sessions. The commissioner shall make a good faith effort to have a financial counselor available at such outreach sessions. No later than ninety days after the tax lien sale, the commissioner of finance shall submit to the council a report on the number of outreach sessions performed in each council district during the ninety-day period preceding the tax lien sale. Such report shall include: (i) the number of installment agreements begun by property owners or, as defined in subdivision b of section 11-322

of this chapter, other eligible persons, acting on behalf of property owners at each outreach session; (ii) the number of property tax exemption applications begun at each outreach session; [and] (iii) the total number of attendees at each outreach session; *(iv) the number of outreach sessions at which a financial counselor was available; (v) the number of property owners, or other eligible persons acting on behalf of property owners, who consulted a financial counselor at each outreach session at which a financial counselor was available; and (vi) the results of such surveys.* Such report and the results of each outreach session shall be disaggregated by council district.

§ 12. Section 11-320 of the administrative code of the city of New York is amended by adding a new subdivision k to read as follows:

k. The commissioner of finance shall post online the information reported to the council pursuant to subdivisions h and i of this section, provided that no information shall be posted online that specifically identifies any property or property owner, except by zip code and a randomly generated identifier.

§ 13. Subdivision b of section 11-322 of the administrative code of the city of New York, as amended by local law number 147 for the year 2013, paragraph 5 of subdivision b as added by local law number 14 for the year 2015, is amended to read as follows:

b. In accordance with rules promulgated by the commissioners of finance and environmental protection, a property owner, or other eligible person, as defined by rule, acting on behalf of an owner, may enter into agreements with the departments of finance and environmental protection for the payment in installments of any delinquent real property taxes, assessments, sewer rents, sewer surcharges, water rents, or any other charges that are made a lien subject to the provisions of this chapter. The proposed sale of a tax lien or tax liens on property shall be cancelled when a property owner, or other eligible person acting on behalf of an owner, enters into an agreement with the respective agency for the payment of any such lien. Such rules shall also provide that such property owners or such other eligible persons be given information regarding eligibility for real property tax exemption programs prior to entering into such agreements. As used in this subdivision, the term "other eligible person" shall include a fiduciary, as defined in paragraph three of subdivision (a) of section 11-1.1 of the estates, powers and trusts law, acting with respect to the administration of the property of an estate of a decedent who owned the real property as to which an agreement under this subdivision is sought, or on behalf of a beneficiary of such real property from such estate. Any rules promulgated in accordance with this subdivision defining "other eligible person" shall include in such definition the means by which a beneficiary of real property of the estate of a decedent who owned real property as to which an agreement under this subdivision is sought meets the definition of "other eligible person." Such means shall include the furnishing of any death certificates or other relevant documents that substantiate the claim of a beneficiary that they are the legal owner of the property. Notwithstanding any other provision of this section, no more than one such agreement with each respective agency may be in effect for a property at any one time.

1. If payments required from a property owner, or other eligible person acting on behalf of an owner, pursuant to such an agreement are not made for a period of six months, such property owner, or such other eligible person, shall be in default of such agreement, and the tax lien or tax liens on the subject property may be sold, provided, however, that such default may be cured upon such property owner's, or such other eligible person's, bringing all installment payments and all current charges that are outstanding at the time of the default to a current status, which shall include, but not be limited to, any outstanding interest and fees, prior to the date of sale, *provided, however, that such property owner, or such other eligible person, may elect to cure such default by entering into a new installment agreement with a down payment of twenty percent, or more, of all delinquent real property taxes, assessments, sewer rents, sewer surcharges, water rents and other charges that are made a lien subject to the provisions of this chapter, including any outstanding interest and fees, prior to the date of sale.* If such default is not cured prior to the date of sale, such property owner, and any other eligible person acting on behalf of an owner, shall not be eligible to enter into an installment agreement for the subject property for five years, unless there is a finding of extenuating circumstances by the department that entered into the installment agreement with the property owner or such other eligible person. *Notwithstanding the prohibition against entering into an installment agreement for the subject property for five years, a property owner, or such other eligible person, who has defaulted on an installment agreement and whose lien has been sold and, subsequent to the sale of the lien, whose property on which the lien was sold is subject to another tax lien that is eligible to be sold, may elect to enter into another installment agreement with respect to such other lien before the end of such five-year period, provided that such property owner, or such other*

eligible person, makes a down payment of twenty percent, or more, of all delinquent real property taxes, assessments, sewer rents, sewer surcharges, water rents and other charges that are made a lien subject to the provisions of this chapter, including any outstanding interest and fees, prior to the date of the sale. No such property owner, or such other eligible person, may make the election that is authorized pursuant to this paragraph to enter into an installment agreement with a down payment more than once for the subject property. The standards relating to defaults and cures of defaults of installment agreements set forth in this paragraph apply to installment agreements entered into pursuant to such election.

2. An installment agreement shall provide for payments by the property owner, or other eligible person acting on behalf of an owner, on a quarterly or monthly basis, [in the discretion of the appropriate commissioner,] for a period not less than eight years and not more than ten years, provided that a property owner, or other eligible person acting on behalf of an owner, may elect a period less than eight years. [There] *Except as provided in paragraph one of this subdivision, there shall be no down payment required upon the property owner's, or such other eligible person's, entering into the installment agreement with the respective department, but the property owner, or other eligible person acting on behalf of an owner, may elect to make a down payment. With respect to installment agreements with the commissioner of environmental protection, the determination of whether payments shall be on a quarterly or monthly basis shall be in the discretion of such commissioner, except as provided in paragraph three of this subdivision. With respect to installment agreements with the commissioner of finance, the determination of whether payments shall be on a quarterly or monthly basis shall be in the discretion of the property owner, or other eligible person acting on behalf of an owner.*

3. Beginning January first, two thousand twelve, any property owner who has entered into an installment agreement with the commissioner of environmental protection pursuant to this subdivision and who has automated meter reading shall receive a consolidated monthly bill for current sewer rents, sewer surcharges and water rents and any payment due under such installment agreement.

4. No later than September first, two thousand eleven, the commissioners of finance and environmental protection shall promulgate rules governing installment agreements, including but not limited to, the terms and conditions of such agreements, the payment schedules, and the definition and consequences of default; no later than June first, two thousand fourteen, the commissioners of finance and environmental protection shall promulgate rules governing eligibility of owners or other eligible persons acting on behalf of owners to enter into installment agreements.

5. All installment agreements executed on or after March first, two thousand fifteen shall include a conspicuous statement that if payments required from a property owner pursuant to such an agreement are not made for a period of six months, such property owner shall be in default of such agreement, and the tax lien or tax liens on the subject property may be sold, provided, however, that such default may be cured upon such property owner's bringing all installment payments and all current charges that are outstanding at the time of the default to a current status, which shall include, but not be limited to, any outstanding interest and fees, prior to the date of sale. Such statement shall also include a notification that if such default is not cured prior to the date of sale, such property owner shall not be eligible to enter into an installment agreement for the subject property for five years, unless there is a finding of extenuating circumstances in accordance with rules promulgated by the department that entered into the installment agreement with the property owner. Such statement shall include the definition of extenuating circumstances. *All installment agreements executed on or after the effective date of the local law that added this sentence shall also include a statement describing the conditions under which the property owner, or any other eligible person acting on behalf of an owner, may be eligible, after default, to enter into another installment agreement after such default, in accordance with paragraph one of this subdivision.*

6. *If a property owner, or other eligible person acting on behalf of an owner, who has entered into an installment agreement with the department of finance, fails to make a payment pursuant to such agreement, then the department of finance shall, after the first missed payment, mail a letter to the property owner, or other eligible person acting on behalf of an owner, stating that such owner, or other eligible person, is at risk of being in default of such agreement. The letter shall be mailed after the first missed payment if the department has not received payment within two weeks of the due date.*

§ 14. Section 11-355 of the administrative code of the city of New York, as amended by local law number 98 for the year 1997, is amended to read as follows:

§ 11-355 Reporting. The commissioner of finance shall submit an annual report to the council concerning the sale or sales of tax liens during the preceding year pursuant to this chapter. Such report shall include the following information regarding such sale or sales: a list of properties for which a tax lien or tax liens has or have been sold, including identification of the particular tax lien or tax liens sold; the proceeds received from the sale or sales of tax liens; identification of the purchaser of and servicer for the tax lien or tax liens sold; a report of servicer activities during the immediately preceding year; the redemption rate for tax liens that have been sold; the delinquency rate for real property taxes for the immediately preceding year; and any other information pertinent to the sale of tax liens that may be requested by the council and which is not made confidential pursuant to section 11-208.1 of the code. Upon request by the council, information provided in such report shall be arranged by community board. In addition to such report, the commissioner of finance shall from time to time provide any other information pertinent to the sale of tax liens that may be requested by the council and which is not made confidential pursuant to section 11-208.1 of the code, including updated information regarding the sale or sales of tax liens pursuant to this chapter. *In addition to such report, no later than August thirty-first, two thousand twenty, the commissioner shall provide to the council a report listing all properties on which liens have been sold during the period from January first, two thousand fifteen through December thirty-first, two thousand nineteen. The report shall indicate, based on records in the office of the register, whether a transfer of or mortgage recorded on any of such properties has occurred during such period after the sale of any tax lien sold during such period.*

§ 15. This local law takes effect immediately.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, January 18, 2017.

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. 1352

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on January 18, 2017, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 14, 2016, the Council adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”). On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”).

Analysis. This Resolution, dated January 18, 2017, approves the new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, and amends the description for the Description/Scope of Services of certain

organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 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 2017 Expense Budget, new designations and/or changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as well as amendments to the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 1; sets forth the change in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 2; sets forth the change in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 3; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2017 Expense Budget, as described in Charts 4-29; sets forth the new designation and the changes in the designation of certain organizations receiving Local Initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 30; sets forth the new designation and the changes in the designation of certain organizations receiving Youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 31; sets forth the new designation and changes in the designation of funding pursuant to the certain initiatives in the Fiscal 2015 Expense Budget, as described in Chart 32; amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as described in Chart 33; and sets forth the organizations that will receive equipment from the organization funded by a certain initiative, as described in Chart 34.

In addition, 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 2017 Expense Budget, dated June 14, 2016, and Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014.

Specifically, Chart 1 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the changes in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 3 sets forth the changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 4 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 5 sets forth the changes in the designation of a certain organizations receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 6 sets forth the new designation of a certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2017 Expense Budget. Such funds were

transferred from the Bail Fund Initiative in Chart 18, Gender Equity Liaisons in Chart 26, and Young Women's Leadership Development Initiative in Chart 27. Some of these changes will be effectuated upon a budget modification.

Chart 7 sets forth the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 8 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 9 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 10 sets forth the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 11 sets forth the new designation of certain organizations receiving funding pursuant to Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 12 sets forth the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 13 sets forth the new designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 14 sets forth the new designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith-Based Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 15 sets forth the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 16 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 17 sets forth the change in the designation of a certain organization and sets forth the removal of funds from a certain organization pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the LGBT Inclusive Curriculum Initiative in Chart 28. Such removal of funds will be effectuated upon a budget modification.

Chart 18 sets forth the change in the designation of certain organizations and sets forth the removal of funds from a certain organization pursuant to the Bail Fund Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Speaker's Initiative to Address Citywide Needs in Chart 6. Such removal of funds will be effectuated upon a budget modification.

Chart 19 sets forth the change in the designation of certain organizations receiving funding pursuant to the Art as a Catalyst for Change Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 20 sets forth the change in the designation of certain organizations receiving funding pursuant to the Children Under Five Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 21 sets forth the change in the designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 22 sets forth the change in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 23 sets forth the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 24 sets forth the change in the designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 25 sets forth the new designation of a certain organization receiving funding pursuant to the Nurse Family Partnership Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 26 sets forth the removal of funds from certain organizations pursuant to the Gender Equity Liaisons in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Speaker's Initiative to Address Citywide Needs in Chart 6. Such removal of funds will be effectuated upon a budget modification.

Chart 27 sets forth the removal of funds from a certain organization pursuant receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Speaker's Initiative to Address Citywide Needs in Chart 6. Such removal of funds will be effectuated upon a budget modification.

Chart 28 sets forth the new designation of a certain organization pursuant to the LGBT Inclusive Curriculum Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred from the Crisis Management System Initiative in Chart 17. Such addition of funds will be effectuated upon a budget modification.

Chart 29 sets forth the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 30 sets forth the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 31 sets forth the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 32 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

Chart 33 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, from the organization, Staten Island Heart Society, Inc., funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017.

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 2017 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. 1352:)

Preconsidered Res. No. 1352

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

By Council Member Ferreras-Copeland.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017 and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves sets forth the changes in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves sets forth the changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Speaker’s Initiative to Address Citywide Needs in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 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 Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith-Based Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 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 NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves change in the designation of a certain organization receiving funding and approves the removal of funds from a certain organization pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organizations receiving funding and approves the removal of funds from a certain organization pursuant to the Bail Fund Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Art as a Catalyst for Change Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Children Under Five Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Nurse Family Partnership Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the removal of funds from certain organizations pursuant to the Gender Equity Liaison in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the removal of funds of a certain organization pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the LGBT Inclusive Curriculum Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 33.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Mealy	Excellence Girls Charter School K712	13-6400434	DOE	(\$15,000.00)	040	402			
Mealy	Excellence Girls Charter School K712	13-6400434	DYCD	\$15,000.00	260	312			
Dromm	Leslie Lohman Gay Art Foundation, Inc.	13-3453871	DCLA	(\$5,000.00)	126	003			*
Dromm	Leslie-Lohman Museum of Gay and Lesbian Art, The	46-1245243	DCLA	\$5,000.00	126	003			*
Reynoso	UnionDocs, Inc.	68-1150496	DYCD	(\$8,000.00)	260	005			*
Reynoso	UnionDocs, Inc.	86-1150496	DYCD	\$8,000.00	260	005			
Van Bramer	Doe Fund Inc. The**	13-3412540	DHS	(\$26,000.00)	071	200			*
Van Bramer	Association of Community Employment for the Homeless (ACE)**	13-3846431	DYCD	\$26,000.00	260	005			
Crowley	Doe Fund Inc. The**	13-3412540	DHS	(\$38,800.00)	071	200			*
Crowley	Wildcat Service Corporation**	13-2725423	DYCD	\$38,800.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 2: Aging Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Borelli	Council on the Arts and Humanities for Staten Island	13-3713211	DFTA	(\$5,000.00)	125	003			
Borelli	Staten Island Community Services Friendship Clubs, Inc.	13-2778244	DFTA	\$5,000.00	125	003			

* Indicates pending completion of pre-qualification review.

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

CHART 3: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Cornegy	Digital Girl, Inc.	47-8822307	DYCD	(\$5,000.00)	260	312			
Cornegy	Digital Girl, Inc.	47-2288307	DYCD	\$5,000.00	260	312			

* Indicates pending completion of pre-qualification review.

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

CHART 4: Anti-Poverty Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Salamanca	Youth Ministries for Peace and Justice	13-4006535	DYCD	(\$15,000.00)	260	005			
Salamanca	Word of Life International, Inc.	39-2063356	DYCD	\$15,000.00	260	005			
Ferreras-Copeland	Elmcor Youth and Adult Activities, Inc.**	11-2224539	DFTA	(\$21,500.00)	125	003			
Ferreras-Copeland	Elmcor Youth and Adult Activities, Inc.**	11-2224539	DYCD	\$21,500.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 5: Borough-wide Needs Initiative - Fiscal 2017

Delegation	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Brooklyn Delegation	Ryan Repertory Company, Inc.	11-5279252	DCLA	(\$5,000.00)	126	003			
Brooklyn Delegation	Ryan Repertory Company, Inc.	11-2579252	DCLA	\$5,000.00	126	003			

* Indicates pending completion of pre-qualification review.

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

CHART 6: Speakers Initiative to Address Citywide Needs - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Speaker	Public School 191M**	13-6400434	DOE	\$9,000.00	040	402			
Speaker	Service Alliance for Youth**	13-3354150	DYCD	\$15,000.00	260	312			*
Speaker	Neighborhood Initiatives Development Corporation (NIDC)**	13-3110811	DYCD	\$5,000.00	260	312			
Speaker	Bed-Stuy Campaign Against Hunger, Inc.**	20-0934854	DYCD	\$25,000.00	260	005			
Speaker	Queens Village Hollis Bellerose Volunteer Ambulance Corps, Inc.**	23-7366237	FDNY	\$5,000.00	057	005			
Speaker	United Federation of Teachers**	13-9226721	DOE	\$250,000.00	040	454			*

* Indicates pending completion of pre-qualification review.

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

CHART 7: Digital Inclusion and Literacy Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Lander	Npower, Inc.	13-4145441	DYCD	(\$20,000.00)	260	005	
Lander	2020 Vision for Schools, Inc.	45-3023036	DYCD	\$20,000.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 8: Cultural After-School Adventure (CASA) - Fiscal 2017

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Cultural Affairs	13-6400434	DCLA	(\$20,000.00)	126	003
Mealy	Circuit Productions, Inc. - Public School 028 The Warren Prep Academy	13-2881858	DCLA	\$20,000.00	126	003
Mark-Viverito	Marquis Studios, Ltd. - Public School 43X Jonas Bronck	13-3047206	DCLA	(\$20,000.00)	126	003
Mark-Viverito	Pregones Touring Puerto Rican Theater Collection, Inc. - Public School 43 Jonas Bronck School	13-3266893	DCLA	\$20,000.00	126	003
Mealy	Noel Pointer Foundation, Inc. - Public School 21K	11-3271472	DCLA	(\$20,000.00)	126	003
Mealy	Noel Pointer Foundation, Inc. - Excellence Girls Charter School Middle Academy	11-3271472	DCLA	\$20,000.00	126	003
Mealy	Brooklyn Arts Council, Inc. - Public School 21K	23-7072915	DCLA	(\$20,000.00)	126	003
Mealy	Brooklyn Arts Council, Inc. - Public School 770 The New American Academy	23-7072915	DCLA	\$20,000.00	126	003
Mendez	Marquis Studios, Ltd. - P94 M @118	13-3047206	DCLA	(\$20,000.00)	126	003
Mendez	Marquis Studios, Ltd. - P94 M @188	13-3047206	DCLA	\$20,000.00	126	003
Rodriguez	Alvin Ailey Dance Foundation, Inc. - MS326 Writers Today Leaders Tomorrow	13-2584273	DCLA	(\$20,000.00)	126	003
Rodriguez	Alvin Ailey Dance Foundation, Inc. - Middle School 328M	13-2584273	DCLA	\$20,000.00	126	003
Maisel	Community Works, Inc. - Public School 114	13-3580813	DCLA	(\$20,000.00)	126	003
Maisel	Midtown Management Group, Inc. - Public School 114K	13-3192793	DCLA	\$20,000.00	126	003
Greenfield	Brooklyn Arts Council, Inc. - Elementary School 325K Frieda Girls Elementary School	23-7072915	DCLA	(\$20,000.00)	126	003
Greenfield	Brooklyn Arts Council, Inc. - Frieda Girls Elementary School	23-7072915	DCLA	\$20,000.00	126	003
Gibson	Research Foundation of CUNY - Creative Arts Team - Bronx Early Learning Academy	13-1988190	DCLA	(\$20,000.00)	126	003
Gibson	Research Foundation of CUNY - Creative Arts Team - Bronx Early College Academy for Teaching and Learning	13-1988190	DCLA	\$20,000.00	126	003
Vacca	Publicolor, Inc. - Public School 89	13-3912768	DCLA	(\$20,000.00)	126	003
Vacca	Publicolor, Inc. - J.H.S. 144X	13-3912768	DCLA	\$20,000.00	126	003
King	Publicolor, Inc. - Globe School for Environmental ResearchX	13-3912768	DCLA	(\$20,000.00)	126	003
King	Publicolor, Inc. - North Bronx School of Empowerment	13-3912768	DCLA	\$20,000.00	126	003
Gibson	Research Foundation of CUNY - Creative Arts Team - Morris High School	13-1988190	DCLA	(\$20,000.00)	126	003
Gibson	Research Foundation of CUNY - Creative Arts Team - Morris Academy for Collaborative Studies	13-1988190	DCLA	\$20,000.00	126	003
CD 9	Research Foundation of CUNY - Creative Arts Team - Frederick Douglass Academy II Secondary School	13-1988190	DCLA	(\$20,000.00)	126	003
CD 9	Research Foundation of CUNY - Creative Arts Team - Frederick Douglass Academy I	13-1988190	DCLA	\$20,000.00	126	003
King	Research Foundation of CUNY - Creative Arts Team - The Forward School	13-1988190	DCLA	(\$20,000.00)	126	003
King	Research Foundation of CUNY - Creative Arts Team - The North Bronx School of Empowerment	13-1988190	DCLA	\$20,000.00	126	003

* Indicates pending completion of pre-qualification review.

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

CHART 9: Cultural Immigrant Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$360,000.00)	126	003	
Ulrich	Queens Symphony Orchestra, Inc.	11-2106191	DCLA	\$20,000.00	126	003	
Ulrich	Historic Districts Council, Inc.	13-3389566	DCLA	\$20,000.00	126	003	
Crowley	New York Women in Film and Television, Inc.	13-2983705	DCLA	\$40,000.00	126	003	*
Mark-Viverito	Los Pleneros De La 21, Inc.	13-3353110	DCLA	\$20,000.00	126	003	
Mark-Viverito	Bronx Children's Museum	26-0579140	DCLA	\$20,000.00	126	003	
Mark-Viverito	Center for Traditional Music and Dance	23-7379877	DCLA	\$20,000.00	126	003	
Mark-Viverito	Latin American Workshop, Inc., The	13-2995536	DCLA	\$20,000.00	126	003	
Mark-Viverito	BronxArtSpace	45-4636159	DCLA	\$20,000.00	126	003	
Ferreras-Copeland	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	\$20,000.00	126	003	
Ferreras-Copeland	Houses on the Moon Theater Company	20-4691926	DCLA	\$10,000.00	126	003	
Ferreras-Copeland	Make the Road	11-3344389	DCLA	\$50,000.00	126	003	
Ferreras-Copeland	Calpulli Mexican Dance Company, Inc.	20-0642440	DCLA	\$10,000.00	126	003	
Ferreras-Copeland	Brooklyn Steppers, Inc., The	27-1223035	DCLA	\$10,000.00	126	003	
Espinal	Elder Share the Arts, Inc.	13-3135292	DCLA	(\$40,000.00)	126	003	
Espinal	Elders Share the Arts, Inc.	13-3135292	DCLA	\$40,000.00	126	003	
Treyger	Art's House Schools, Inc.	87-0790139	DCLA	\$60,000.00	126	003	
Treyger	Federation of Italian American Organizations of Brooklyn, Ltd.	11-2507910	DCLA	\$20,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 10: SU-CASA Initiative - Fiscal 2017

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$870,000.00)	126	003	
	Bronx Council on the Arts, Inc.	13-2601303	DCLA	\$80,000.00	126	003	
	Brooklyn Arts Council, Inc.	23-7072915	DCLA	\$160,000.00	126	003	
	Council on the Arts and Humanities for Staten Island	13-3713211	DCLA	\$30,000.00	126	003	
	Lower Manhattan Cultural Council, Inc.	23-7348782	DCLA	\$100,000.00	126	003	*
	Queens Council on the Arts, Inc.	11-2219193	DCLA	\$140,000.00	126	003	
Reynoso	UnionDocs, Inc. - Cooper Park Social Club, Jewish Association For Services For The Aged	86-1150496	DCLA	\$15,000.00	126	003	
Reynoso	Urbanglass New York Contemporary Glass Center, Inc. - Roundtable Neighborhood Senior Center, Ridgewood Bushwick Senior Citizens Council, Inc.	13-3098471	DCLA	\$15,000.00	126	003	
Palma	Spanish Theatre Repertory Company, Ltd. - Kips Bay Castle Hill Neighborhood Sr Ctr, Kips Bay Boys And Girls Club	13-2672755	DCLA	\$15,000.00	126	003	
Palma	Spanish Theatre Repertory Company, Ltd. - RAIN Parkchester Neighborhood Senior Ctr, Regional Aid For Interim Needs Inc.	13-2672755	DCLA	\$15,000.00	126	003	
Koslowitz	Research Foundation of CUNY - Creative Arts Team - Forest Hills Neighborhood Senior Center, Queens Community House Inc.	13-1988190	DCLA	\$15,000.00	126	003	
Crowley	Dance Entropy, Inc. - Selfhelp Maspeth Neighborhood Senior Ctr, Selfhelp Community Services Inc.	20-4388158	DCLA	\$15,000.00	126	003	
Crowley	Isamu Noguchi Foundation And Garden Museum, The - Ridgewood Older Adult Neighborhood Sc, Ridgewood Older Adult Center And Services Inc.	61-1472746	DCLA	\$15,000.00	126	003	*
Torres	Afro-Latin Jazz Alliance of New York, Inc. - PSS Parkside Neighborhood Senior Center, Presbyterian Senior Services	45-3665976	DCLA	\$15,000.00	126	003	
Torres	Lehman College Art Gallery - SEBCO Mt Carmel Neighborhood Senior Ctr, Sebco Development, Inc.	13-3391212	DCLA	\$15,000.00	126	003	
Vallone	Dance Parade, Inc. - Selfhelp Clearview Neighborhood Sc, Selfhelp Community Services, Inc.	20-8576378	DCLA	\$15,000.00	126	003	*
Vallone	Queens Theatre in the Park, Inc. - HANAC Angelo Petromelis Neighborhood Sc, Hellenic American Neighborhood Action Committee Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Grodenschik	Queens Theatre in the Park, Inc. - SNAP Innovative Senior Center, Services Now For Adult Persons Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Grodenschik	Queens Theatre in the Park, Inc. - Samuel Field Neighborhood Senior Center, Samuel Field YM & YWHA, Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Gentile	Young Dancers in Repertory, Inc. - Shore Hill Neighborhood Senior Center, Sunset Bay Community	11-2799128	DCLA	\$15,000.00	126	003	
Gentile	Young Dancers in Repertory, Inc. - Bay Ridge Neighborhood Senior Center, Bay Ridge Center Inc.	11-2799128	DCLA	\$15,000.00	126	003	
Van Bramer	Isamu Noguchi Foundation And Garden Museum, The - Sunnyside Community Neighborhood	61-1472746	DCLA	\$15,000.00	126	003	
Van Bramer	Dance Entropy, Inc. - HANAC Ravenswood Senior Center, Hellenic American Neighborhood Action	20-4388158	DCLA	\$15,000.00	126	003	
Mendez	La Mama Experimental Theatre Club, Inc. - Sirovich Isc, The Educational Alliance Inc.	13-2620861	DCLA	\$15,000.00	126	003	
Mendez	Loisaida, Inc. - Grand Coalition Of Seniors Neighbor Sc, Grand Street Settlement, Inc.	13-3023183	DCLA	\$15,000.00	126	003	
Mendez	Dancewave, Inc. - Ridgewood Bushwick Neighborhood Sc, Ridgewood Bushwick Senior	11-2726558	DCLA	\$15,000.00	126	003	
Espinal	Dancewave, Inc. - Sirovich Isc, The Educational Alliance, Inc.	11-2726558	DCLA	\$15,000.00	126	003	
Eugene	West Indian American Day Carnival Association, Inc. - Saint Gabriels Neighborhood Senior Ctr, St.	23-7176396	DCLA	\$15,000.00	126	003	
Kallos	Ansonia Music Outreach Organization, Inc. - Lenox Hill Innovative Senior Center, Lenox Hill	13-3674001	DCLA	\$15,000.00	126	003	*
Kallos	Elders Share the Arts, Inc. - Stanley Isaacs Neighborhood Senior Ctr, Stanley M Isaacs	13-3135292	DCLA	\$15,000.00	126	003	
Cohen	Bronx Opera Company, Inc. - Riverdale Y Senior Center, YM/YWHA Of The Bronx/Riverdale YM/YWHA	23-7170675	DCLA	\$15,000.00	126	003	

Cohen	Dancewave, Inc. - Van Cortlandt Neighborhood Senior Center, Jewish Association For Services For The Aged	11-2726558	DCLA	\$15,000.00	126	003	
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* Indicates pending completion of pre-qualification review.

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

CHART 11: Parks Equity Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Parks and Recreation	13-6400434	DPR	(\$30,000.00)	846	006	
Levin	Cadman Park Conservancy	45-2063716	DPR	\$10,000.00	846	006	*
Barron	East New York Restoration Local Development Corporation	46-1763706	DPR	\$10,000.00	846	006	
Barron	East New York Restoration Local Development Corporation	46-1763706	DPR	\$10,000.00	846	006	

* Indicates pending completion of pre-qualification review.

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

CHART 12: Food Pantries Initiative - Fiscal 2017

Delegation	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn	International Pentecostal	11-3052243	DYCD	(\$7,448.00)	260	005	*
Brooklyn	International Pentecostal City Mission, Inc.	11-3052243	DYCD	\$7,448.00	260	005	*

* Indicates pending completion of pre-qualification review.

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

CHART 13: Neighborhood Development Grant Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Small Business Services	13-6400434	DSBS	(\$22,000.00)	801	002	
Levine	New York Women's Chamber of Commerce, Inc.	14-1845651	DSBS	\$22,000.00	801	002	

* Indicates pending completion of pre-qualification review.

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

CHART 14: HIV/AIDS Faith Based Initiative - Fiscal 2017

Delegation	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$232,077.00)	816	112	
Bronx	BOOM!Health	13-3599121	DOHMH	\$7,500.00	816	112	
Bronx	You're Eligible Too, Inc. (YET)	20-4824991	DOHMH	\$7,500.00	816	112	
Bronx	Islamic Center, Inc.	13-4108308	DOHMH	\$10,000.00	816	112	*
Bronx	Church of God's Children	13-3905414	DOHMH	\$6,457.00	816	112	*
Bronx	In the Life Ministries	03-0585577	DOHMH	\$6,457.00	816	112	*
Bronx	St. Luke's Episcopal Church	13-2747442	DOHMH	\$6,458.00	816	112	
Bronx	Parkchester Baptist Church	13-2836302	DOHMH	\$10,000.00	816	112	*
Bronx	Second Chance Resources Group	45-4345759	DOHMH	\$10,000.00	816	112	
Queens	Young Women of Color HIV/AIDS Coalition	26-3178076	DOHMH	\$22,400.00	816	112	*
Queens	Greater Allen AME Cathedral of New York	11-2527706	DOHMH	\$5,059.00	816	112	*
Queens	Mount Horeb Baptist Church	11-2074467	DOHMH	\$15,061.00	816	112	
Queens	Mt Moriah AME Church	20-8427029	DOHMH	\$5,059.00	816	112	*
Manhattan	Love Alive International, Inc.	26-4819108	DOHMH	\$10,000.00	816	112	*
Manhattan	New Hope for the World Ministries, Inc.	26-0434061	DOHMH	\$10,000.00	816	112	*
Brooklyn	Berean Community And Family Life Center, Inc.	11-2870465	DOHMH	\$13,021.00	816	112	
Brooklyn	Churches United for Fair Housing, Inc.	26-4698161	DOHMH	\$13,021.00	816	112	
Brooklyn	Emmanuel Baptist Church (Brooklyn)	11-1666232	DOHMH	\$13,021.00	816	112	
Brooklyn	Friendship Baptist Church	11-3657224	DOHMH	\$13,021.00	816	112	*
Brooklyn	Grace Baptist Church	03-0570707	DOHMH	\$13,021.00	816	112	*
Brooklyn	More Grace Redemptive Center Inc.	11-3360284	DOHMH	\$13,021.00	816	112	*
Staten Island	Central Family Life Center	13-3626127	DOHMH	\$10,000.00	816	112	
Staten Island	Second Chance Resources Group	45-4345759	DOHMH	\$12,000.00	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 15: A Greener NYC Initiative - Fiscal 2017

Member	School	EIN Number	Agency	Amount	Agy #	U/A	*
King	Public School 111X Seton Falls School**	13-6400434	DOE	(\$34.00)	040	402	
King	Public School 103X Hector Fontanez School**	13-6400434	DOE	(\$33.00)	040	402	
King	Academy for Scholarship and Entrepreneurship**	13-6400434	DOE	(\$33.00)	040	402	
	Department of Youth and Community Development**	13-6400434	DYCD	\$100.00	260	005	

* Indicates pending completion of pre-qualification review.

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

CHART 16: NYC Cleanup Initiative - Fiscal 2017

Delegation	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development**	13-6400434	DYCD	(\$76,292.00)	260	005	
Ulrich	Queens Economic Development Corporation	11-2436149	DYCD	\$27,272.00	260	005	
Levin	Department of Sanitation**	13-6400434	DSNY	\$49,020.00	827	102	
Mark-Viverito	Doe Fund Inc. The	13-3412540	DYCD	(\$72,110.00)	260	005	
Mark-Viverito	Association of Community Employment for the Homeless (ACE)	13-3846431	DYCD	\$72,110.00	260	005	
Vallone	Doe Fund Inc. The	13-3412540	DYCD	(\$53,470.00)	260	005	
Vallone	Center for Employment Opportunities	13-3843322	DYCD	\$53,470.00	260	005	
Rosenthal	Doe Fund Inc. The	13-3412540	DYCD	(\$76,470.00)	260	005	
Rosenthal	Goddard Riverside Community Center	13-1893908	DYCD	\$76,470.00	260	005	
Van Bramer	Doe Fund Inc. The	13-3412540	DYCD	(\$33,970.00)	260	005	
Van Bramer	Association of Community Employment for the Homeless (ACE)	13-3846431	DYCD	\$33,970.00	260	005	
Williams	Doe Fund Inc. The	13-3412540	DYCD	(\$51,960.00)	260	005	
Williams	Wildcat Service Corporation	13-2725423	DYCD	\$51,960.00	260	005	
Crowley	Doe Fund Inc. The	13-3412540	DYCD	(\$46,819.00)	260	005	
Crowley	Wildcat Service Corporation	13-2725423	DYCD	\$46,819.00	260	005	
Kallos	Doe Fund Inc. The**	13-3412540	DYCD	(\$76,641.00)	260	005	
Kallos	Department of Sanitation**	13-6400434	DSNY	\$76,641.00	827	109	

* Indicates pending completion of pre-qualification review.

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

January 18, 2017

CHART 17: Crisis Management System Initiative- Fiscal 2017

Organization - School	EIN Number	Agency	Amount	Agy #	U/A	*
Gangstas Making Astronomical Community Changes, Inc. - Middle School of Marketing and Legal Studies 18K598	45-3359451	DOE	(\$40,000.00)	040	402	
Gangstas Making Astronomical Community Changes, Inc. - Brooklyn Bridge Academy 18K578	45-3359451	DOE	\$40,000.00	040	402	
Floating Hospital, Inc., The	13-1624169	DOHMH	(\$35,000.00)	816	120	*

* Indicates pending completion of pre-qualification review.

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

CHART 18: Bail Fund Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Bronx Freedom Fund, Inc.	23-1385792	MOCJ	(\$100,000.00)	098	002	*
Bronx Freedom Fund, Inc.	26-1385792	MOCJ	\$95,000.00	098	002	*
Mayor's Office of Criminal Justice	13-6400434	MOCJ	\$5,000.00	098	002	
Liberty Fund, Inc.	38-3974312	MOCJ	(\$136,500.00)	098	002	

* Indicates pending completion of pre-qualification review.

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

January 18, 2017

CHART 19: Art as a Catalyst for Change Initiative - Fiscal 2017

Organization - Schools	EIN Number	Agency	Amount	Agy #	U/A	*
Education Through Music, Inc. - Junior High School 117	13-3613210	DCLA	(\$18,000.00)	126	003	
ENACT, Inc. - Junior High School 117	13-3422660	DCLA	\$18,000.00	126	003	
Afro-Latin Jazz Alliance of New York, Inc. - Public School 284	45-3665976	DCLA	(\$18,000.00)	126	003	
Afro-Latin Jazz Alliance of New York, Inc. - Brownsville Academy	45-3665976	DCLA	\$18,000.00	126	003	
Central Brooklyn Jazz Consortium, Inc. - Brownsville Academy	11-3549224	DCLA	(\$18,000.00)	126	003	
Central Brooklyn Jazz Consortium, Inc. - Public School 284	11-3549224	DCLA	\$18,000.00	126	003	
Brooklyn Music School - Launch Charter	11-6000202	DCLA	(\$18,000.00)	126	003	
Brooklyn Music School - Middle School - The School for Integrated Learning	11-6000202	DCLA	\$18,000.00	126	003	
NY Writer's Coalition, Inc. - Middle School - The School for Integrated Learning	11-3604970	DCLA	(\$18,000.00)	126	003	
NY Writer's Coalition, Inc. - Brooklyn East Collegiate	11-3604970	DCLA	\$18,000.00	126	003	
American Museum of the Moving Image - Public School / Intermediate School 114	11-2730714	DCLA	(\$18,000.00)	126	003	
American Museum of the Moving Image - Public School / Intermediate School 111Q	11-2730714	DCLA	\$18,000.00	126	003	
Victory Music and Dance Company, Inc. - Van Siclen Community Middle School	47-2167056	DCLA	(\$18,000.00)	126	003	
Victory Music and Dance Company, Inc. - Public School 184 (Brooklyn)	47-2167056	DCLA	\$18,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 20: Children Under Five Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Safe Space NYC, Inc.	11-1711014	DOHMH	(\$230,769.00)	816	120	
Sheltering Arms Children and Family Services, Inc.	13-3709095	DOHMH	\$230,769.00	816	120	

* Indicates pending completion of pre-qualification review.

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

CHART 21: Geriatric Mental Health Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
St. Barnabas Hospital	13-1740122	DOHMH	(\$82,000.00)	816	120	
Department of Health and Mental Hygiene	13-6400434	DOHMH	\$82,000.00	816	120	

* Indicates pending completion of pre-qualification review.

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

January 18, 2017

CHART 22: Maternal and Child Health Services Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$80,000.00)	816	113	*
Urban Health Plan, Inc.	23-7360305	DOHMH	\$80,000.00	816	113	

* Indicates pending completion of pre-qualification review.

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

CHART 23: Ending the Epidemic Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$360,000.00)	816	112	
Project Hospitality, Inc.	13-3234441	DOHMH	\$90,000.00	816	112	
BOOM!Health	13-3599121	DOHMH	\$90,000.00	816	112	
After Hours Project, Inc.	33-1007278	DOHMH	\$90,000.00	816	112	
AIDS Center of Queens County, Inc.	11-2837894	DOHMH	\$90,000.00	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 24: Adult Literacy Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Youth and Community Development**	13-6400434	DYCD	(\$4,000,000.00)	260	005	
City University of New York**	13-6400434	CUNY	\$2,000,000.00	042	001	
Department of Education**	13-6400434	DOE	\$2,000,000.00	040	402	

* Indicates pending completion of pre-qualification review.

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

January 18, 2017

CHART 25: Nurse Family Partnership Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$600,000.00)	816	113	
Upper Room AIDS Ministry, Inc. (URAM)	13-3841701	DOHMH	\$600,000.00	816	113	*

* Indicates pending completion of pre-qualification review.

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

CHART 26: Gender Equity Liaisons - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Housing Preservation and Development**	13-6400434	HPD	(\$45,000.00)	806	001	
Department of Health and Mental Hygiene**	13-6400434	DOHMH	(\$45,000.00)	816	101	
Department of Social Services**	13-6400434	DSS/HRA	(\$45,000.00)	069	201	

* Indicates pending completion of pre-qualification review.

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

January 18, 2017

CHART 27: Young Women's Leadership Development - FY 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Youth and Community Development	13-6400434	DYCD	(\$37,500.00)	260	312	*

* Indicates pending completion of pre-qualification review.

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

CHART 28: LGBT Inclusive Curriculum - FY 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
WNET**	26-2810489	DOE	\$35,000.00	040	454	

* Indicates pending completion of pre-qualification review.

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

CHART 29: Local Initiatives- Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Espinal	Overcoming-Love Ministries, Inc.	11-2774575	DYCD	(\$20,000.00)	260	005			
Espinal	Overcoming-Love Ministries, Inc.	11-2774575	DYCD	\$20,000.00	260	005	Cypress Hills Local Development Corporation, Inc.	112683663	
Mendez	Service Fund Of The National Organization For Women	13-3083202	DYCD	(\$4,000.00)	260	005			
Mendez	Loisaida, Inc.	13-3023183	DYCD	\$4,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 30: Youth Discretionary - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Gibson	Bronx Colts Foundation, Inc.	13-4124114	DYCD	(\$5,000.00)	260	312			*
Gibson	Capitol District Management Association	27-0699754	DYCD	\$5,000.00	260	312			*

* Indicates pending completion of pre-qualification review.

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

CHART 31: Food Pantries Initiative- Fiscal 2015

Delegation	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn Delegation	International Pentecostal		DYCD	(\$5,438)	260	005	*
Brooklyn Delegation	International Pentecostal City Mission, Inc.	11-3052243	DYCD	\$5,438	260	005	*

* Indicates pending completion of pre-qualification review.

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

CHART 32: Purpose of Funds Changes - Fiscal 2017

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Cumbo	Prospect Heights Neighborhood Development Council, Inc.	41-2138050	DYCD	(\$3,500.00)	The funds requested will help to improve the retail environment on Vanderbilt Avenue between Plaza Street and Atlantic Avenue by replacing existing street lighting with historic lighting.	
Local	Cumbo	Prospect Heights Neighborhood Development Council, Inc.	41-2138050	DYCD	\$3,500.00	Funds will be used to provide outreach and education regarding tenant rights and anti-displacement assistance to Prospect Heights residents. The funds would be used for communications, printing and postage expenses. Many tenants in this community are under significant pressure due to rising housing costs, and the grant would enable PHNDNC to reach more affected residents with timely information and advice.	
Local	Levine	New York Women's Chamber of Commerce, Inc.	14-1845651	DSBS	(\$5,000.00)	Funding to support the Street Vendor Microenterprise Program which will focus on equipping formerly incarcerated women with the skills needed to start and run their own microenterprises.	
Local	Levine	New York Women's Chamber of Commerce, Inc.	14-1845651	DSBS	\$5,000.00	Funding to support the Microenterprise Program to equip district 7 small businesses with skills needed to start and run their own microenterprises.	
Local	Menchaca	Chinese-American Sunshine House, Inc.	27-4599610	DOHMH	(\$5,000.00)	Funds to cover operational and programmatic costs for various on-site and off-site mental health workshops.	
Local	Menchaca	Chinese-American Sunshine House, Inc.	27-4599610	DOHMH	\$5,000.00	Funds to cover operational and programmatic costs for various on-site and off-site workshops	
Parks Equity Initiative	Ulrich	Forest Park Trust, Inc.	31-1558645	DPR	(\$20,000.00)	Community events in Forest Park	
Parks Equity Initiative	Ulrich	Forest Park Trust, Inc.	31-1558645	DPR	\$20,000.00	Restoration of pine grove in forest park	
Local	Ulrich	Forest Park Trust, Inc.	31-1558645	DPR	(\$17,000.00)	Funds will be used for concerts and festivals in Forest Park, Senior programming at Oak Ridge, Landscape Restoration and festivals, activities and concerts in Rockaway Beach.	
Local	Ulrich	Forest Park Trust, Inc.	31-1558645	DPR	\$17,000.00	Funds will be used for concerts and festivals in Forest Park, Senior programming at Oak Ridge, Landscape Restoration and festivals.	
Anti-Poverty	Cabrera	Millennium Dance Company, Inc.	13-3916131	DYCD	(\$10,000.00)	Mentor a Child - financial support for children who are unable to make a contribution towards class fees. Women's Outreach - supports women and children who are in Domestic Violence situations. Dream Network - provides tickets to dance programs like Alvin Ailey for children to explore the arts outside of their neighborhood. Senior - provides free work out classes to seniors in the neighborhood. Boys Program - free dance instruction for boys aged 7-17 to learn the technique of dance. Ladies Only - free dance class and work out class for women in the neighborhood. Summer Program Summer Bus Outing. 2 Community Free Performances - Black History Month and Hispanic Heritage Month	*
Anti-Poverty	Cabrera	Millennium Dance Company, Inc.	13-3916131	DYCD	\$10,000.00	Funding will be used to support various activities including: the cost of dance classes for youth and seniors, the Millennium's Dream Network which provides tickets to arts programming. Millennium will also provide 2 free community performances.	*
Local	Levine	New York Women's Chamber of Commerce, Inc.	14-1845651	DSBS	(\$5,000.00)	Funding to support the Street Vendor Microenterprise Program which will focus on equipping formerly incarcerated women with the skills needed to start and run their own microenterprises.	
Local	Levine	New York Women's Chamber of Commerce, Inc.	14-1845651	DSBS	\$5,000.00	Funds will be used to provide business development services and training to small businesses and microenterprises in Upper Manhattan.	
Local	Speaker	Corbin Hill Food Project, Inc.	46-1206478	DYCD	(\$75,000.00)	The funds requested will provide 10,000 Community Boxes that has the potential of reaching 10,000 families or 25,000 people.	

Local	Speaker	Corbin Hill Food Project, Inc.	46-1206478	DYCD	\$75,000.00	The funds requested will provide for the distribution of food boxes to various groups and pantries around the five boroughs.	
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* Indicates pending completion of pre-qualification review.

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

CHART 32: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Parks Equity Initiative	Levine	City Parks Foundation	13-3561657	DPR	(\$10,000.00)	Funds will be used to support expenses associated with Montefiore Park	
Parks Equity Initiative	Levine	City Parks Foundation	13-3561657	DPR	\$10,000.00	Funds will be used to support expenses associated with Montefiore Park & Riverside Oval	
Local	Mendez	Society of the Third Street Music School Settlement, Inc.	13-5596825	DCLA	(\$7,500.00)	Funding to provide tuition subsidies for students in CD 2 unable to meet tuition fees	*
Local	Mendez	Society of the Third Street Music School Settlement, Inc.	13-5596825	DCLA	\$7,500.00	Funding will be used towards implementation of a satellite site at Campos Plaza Cornerstone	*
Local	Eugene	Church Avenue District Management Association	11-2835403	DSBS	(\$5,500.00)	Funding will allow for the continuation of the BID's contract with The Doe Fund at current levels, which provides supplemental sanitation 7 days per week and regular monitoring and reporting of sanitation conditions and illegal dumping, as well as exploring options to clean long-graffitied commercial second floors. The funding will also allow for the continuation of the annual volunteer driven neighborhood beautification day, and would be used for staff time to organize the event, conduct outreach to publicize and recruit volunteers, register sites that need graffiti removal, purchase supplies for the graffiti removal activities, and conduct a post-event evaluation.	
Local	Eugene	Church Avenue District Management Association	11-2835403	DSBS	\$5,500.00	Funding will support supplemental sanitation, regular monitoring/reporting of sanitation conditions and illegal dumping. Funding will also support the annual neighborhood beautification day and its associated costs.	
Local	Lander	Hester Street Collaborative, Inc.	20-0774906	DYCD	(\$3,500.00)	To provide technical assistance that supports the Children's Magical Garden (CMG) in its land use and community design needs.	
Local	Lander	Hester Street Collaborative, Inc.	20-0774906	DYCD	\$3,500.00	Funds will support HSC staff as they work in Gowanus with youth and residents, non-profit art organizations, small manufacturers, and artists to develop a set of tools, a network of opportunities, and a culture of inclusion to coincide with a neighborhood rezoning for increased density.	
Boro	Manhattan Delegation	Housing Conservation Coordinators, Inc.	51-0141489	DSS/HRA	(\$10,556.00)	Funding will support a weekly tenants clinic	
Boro	Manhattan Delegation	Housing Conservation Coordinators, Inc.	51-0141489	DSS/HRA	\$10,556.00	Funding will support the provision of legal services including but not limited to the following topics/areas: consumer/finance, education, employment, family, juvenile, health, housing, income maintenance, individual rights, immigration consultations and assistance and miscellaneous benefits aid.	
Anti-Poverty	Salamanca	Cardinal McCloskey School and Home for Children13-1740443		DYCD	(\$10,000.00)	To support physical upgrades to the food pantry area to increase efficiencies to operate the weekly food program.	
Anti-Poverty	Salamanca	Cardinal McCloskey School and Home for Children13-1740443		DYCD	\$10,000.00	To upgrade the bathroom shower stall and tiles; and to purchase furniture for the runaway and homeless youth served at the Sunrise Drop-In Center.	
Youth	Salamanca	Cardinal McCloskey School and Home for Children13-1740443		DYCD	(\$10,000.00)	Fund will be used to support the Installation of new refrigeration and provide fresh, healthy meals for the runaway and homeless youth served at our Sunrise Drop-in Center	
Youth	Salamanca	Cardinal McCloskey School and Home for Children13-1740443		DYCD	\$10,000.00	To purchase and install a new refrigerator and freezer, kitchen equipment and supplies; and to provide healthy food for the runaway and homeless youth served at the Sunrise Drop-In Center.	
Autism Awareness Initiative		Association for Metroarea Autistic Children	13-1974582	DOHMH	(\$94,903.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	

Autism Awareness Initiative		Association for Metroarea Autistic Children	13-1974582	DOHMH	\$94,903.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
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** Requires a budget modification for the changes to take effect

CHART 32: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Autism Awareness Initiative		Birch Family Services, Inc.	11-2503193	DOHMH	(\$120,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Birch Family Services, Inc.	11-2503193	DOHMH	\$120,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Care for Special Needs Children Foundation, Inc.	47-2616448	DOHMH	(\$25,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Care for Special Needs Children Foundation, Inc.	47-2616448	DOHMH	\$25,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Eden II School for Autistic Children, Inc.	13-2872916	DOHMH	(\$95,031.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Eden II School for Autistic Children, Inc.	13-2872916	DOHMH	\$95,031.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Grace Foundation of New York	13-4131863	DOHMH	(\$107,372.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Grace Foundation of New York	13-4131863	DOHMH	\$107,372.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Heartshare Human Services of New York	11-1633549	DOHMH	(\$128,540.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Heartshare Human Services of New York	11-1633549	DOHMH	\$128,540.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Imagine Foundation, Inc. d/b/a Imagine Academy	20-2336717	DOHMH	(\$70,031.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Imagine Foundation, Inc. d/b/a Imagine Academy	20-2336717	DOHMH	\$70,031.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	

* Indicates pending completion of pre-qualification review.

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

CHART 32: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Autism Awareness Initiative		Jewish Community Center in Manhattan, Inc., The	13-3490745	DOHMH	(\$67,183.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Jewish Community Center in Manhattan, Inc., The	13-3490745	DOHMH	\$67,183.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Jewish Community Center of Staten Island, Inc.	13-5562256	DOHMH	(\$50,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Jewish Community Center of Staten Island, Inc.	13-5562256	DOHMH	\$50,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Job Path, Inc.	13-4038495	DOHMH	(\$87,250.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Job Path, Inc.	13-4038495	DOHMH	\$87,250.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Lifespire, Inc.	13-2526022	DOHMH	(\$140,548.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Lifespire, Inc.	13-2526022	DOHMH	\$140,548.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Manhattan Children's Center	64-0952338	DOHMH	(\$50,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Manhattan Children's Center	64-0952338	DOHMH	\$50,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Mosholu-Montefiore Community Center, Inc.	13-3622107	DOHMH	(\$147,132.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Mosholu-Montefiore Community Center, Inc.	13-3622107	DOHMH	\$147,132.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	

* Indicates pending completion of pre-qualification review.

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

CHART 32: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Autism Awareness Initiative		My Time, Inc.	68-0646329	DOHMH	(\$130,047.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		My Time, Inc.	68-0646329	DOHMH	\$130,047.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		New Alternatives for Children, Inc.	13-3149298	DOHMH	(\$50,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		New Alternatives for Children, Inc.	13-3149298	DOHMH	\$50,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		New York Families for Autistic Children, Inc.	11-3442879	DOHMH	(\$219,665.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		New York Families for Autistic Children, Inc.	11-3442879	DOHMH	\$219,665.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		New York University	13-5562308	DOHMH	(\$55,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		New York University	13-5562308	DOHMH	\$55,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		NYSARC, Inc., NYC Chapter Association for Help	13-5596746	DOHMH	(\$25,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		NYSARC, Inc., NYC Chapter Association for Help	13-5596746	DOHMH	\$25,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		OHEL Children's Home and Family Services, Inc.	11-6078704	DOHMH	(\$88,263.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		OHEL Children's Home and Family Services, Inc.	11-6078704	DOHMH	\$88,263.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	

* Indicates pending completion of pre-qualification review.

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

CHART 32: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Autism Awareness Initiative		On Your Mark, Inc.	13-3128315	DOHMH	(\$25,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		On Your Mark, Inc.	13-3128315	DOHMH	\$25,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Pesach Tikvah-Hope Development, Inc.	11-2642641	DOHMH	(\$50,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Pesach Tikvah-Hope Development, Inc.	11-2642641	DOHMH	\$50,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		QSAC, Inc.	11-2482974	DOHMH	(\$189,970.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		QSAC, Inc.	11-2482974	DOHMH	\$189,970.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Ramapo for Children	13-5600422	DOHMH	(\$124,187.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Ramapo for Children	13-5600422	DOHMH	\$124,187.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Reach for the Stars Learning Center	20-3042280	DOHMH	(\$55,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Reach for the Stars Learning Center	20-3042280	DOHMH	\$55,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Resources for Children with Special Needs, Inc.	11-2594790	DOHMH	(\$191,938.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Resources for Children with Special Needs, Inc.	11-2594790	DOHMH	\$191,938.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	

* Indicates pending completion of pre-qualification review.

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

CHART 32: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Autism Awareness Initiative		Samuel Field YM & YWHA, Inc.	11-3071518	DOHMH	(\$83,526.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Samuel Field YM & YWHA, Inc.	11-3071518	DOHMH	\$83,526.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Shema Kolainu - Hear Our Voices	11-3503085	DOHMH	(\$50,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Shema Kolainu - Hear Our Voices	11-3503085	DOHMH	\$50,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Shield of David, The d/b/a Shield Institute, The	13-1740041	DOHMH	(\$113,136.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Shield of David, The d/b/a Shield Institute, The	13-1740041	DOHMH	\$113,136.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Shorefront YM-YWHA of Brighton-Manhattan Beach, Inc.	11-3070228	DOHMH	(\$105,046.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Shorefront YM-YWHA of Brighton-Manhattan Beach, Inc.	11-3070228	DOHMH	\$105,046.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Sinergia, Inc.	13-3183344	DOHMH	(\$25,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Sinergia, Inc.	13-3183344	DOHMH	\$25,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Theatre Development Fund, Inc.	13-6216919	DOHMH	(\$85,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Theatre Development Fund, Inc.	13-6216919	DOHMH	\$85,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	

* Indicates pending completion of pre-qualification review.

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

CHART 32: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Autism Awareness Initiative		United Cerebral Palsy of New York City, Inc.	13-5562374	DOHMH	(\$53,078.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		United Cerebral Palsy of New York City, Inc.	13-5562374	DOHMH	\$53,078.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		University Settlement Society of New York	13-5562374	DOHMH	(\$25,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		University Settlement Society of New York	13-5562374	DOHMH	\$25,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Yaldeinu School, Inc.	26-3373908	DOHMH	(\$55,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Yaldeinu School, Inc.	26-3373908	DOHMH	\$55,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Young Adult Institute, Inc.	11-2030172	DOHMH	(\$125,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Young Adult Institute, Inc.	11-2030172	DOHMH	\$125,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Autism Awareness Initiative		Young Men's and Young Women's Hebrew Assoc13-1635308		DOHMH	(\$50,000.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Autism Awareness Initiative		Young Men's and Young Women's Hebrew Assoc13-1635308		DOHMH	\$50,000.00	This allocation supports wraparound services for autistic children in after-school and summer programs and during school closings. The programs may also provide forums and training seminars to teach coping skills to families and caregivers affected by autism or other relevant services.	
Youth	Rose	Seamen's Society for Children and Families	13-5563010	DYCD	(\$5,000.00)	Funds will support administrative, staffing and operational costs associated with expanding outreach for students and tutors and to track students performance.	

Youth	Rose	Seamen's Society for Children and Families	13-5563010	DYCD	\$5,000.00	Funds will support costs associated with extra curricula activities not covered by foster care payments which include enrichment classes; sports enrollment & equipment fees; special classes at the Staten Island Children's Museum and the YMCA; and costs associated with specialized HS exam classes for students in junior high school. Funds will also be used to assist PYA youth who are graduating high school and entering college or a vocational school with purchasing household necessities and personal care items.
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* Indicates pending completion of pre-qualification review.

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

CHART 33: Beating Hearts Initiative - Fiscal 2017

Member	Organization	EIN Number	*
Mealy	Not Just Hoops, Inc.	90-0607202	
Mealy	Victory Music and Dance Company, Inc.	47-2167056	
Mealy	Wayside Out-Reach Development, Inc. (WORD) - Van Dyke II	11-3528680	
Mealy	Wayside Out-Reach Development, Inc. (WORD) - Mt. Ararat	11-2528680	
Ferreras-Copeland	Lefrak City Youth and Adult Activities, Inc.	11-3106422	
Ferreras-Copeland	Elmcor Youth and Adult Activities, Inc.	11-2224539	
Ferreras-Copeland	Dominico- American Society of Queens, Inc.	06-1389895	
Ferreras-Copeland	Make the Road New York	11-3344389	
Richards	SNAP Brookville Neighborhood Senior Center	11-2591783	
Richards	Jewish Association for Services for the Aged - Roy Reuther Senior Center	13-2620896	
Vallone	Dwarf-Giraffe Athletic League	11-2523053	
Vallone	Dwarf-Giraffe Athletic League	11-2523053	

*****Staten Island Heart Society, Inc. has received \$350,000 that will go towards providing automated external defibrillators (AEDs) to non-profit organizations that primarily serve the youth and aging populations. The non-profit organizations are listed above.**

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, January 18, 2017.

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 Land Use

Report for Res. No. 1349

Report of the Committee on Land Use in favor of approving a Resolution pursuant to Section 363 of the New York City Charter, authorizing the New York City Department of Transportation to grant a franchise for the provision of aerial tramway service over the East River between Manhattan and Roosevelt Island to the Roosevelt Island Operating Corporation.

The Committee on Land Use, to which the annexed resolution was referred on January 4, 2017, (Minutes, page 29) respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 8

20175173 GFM

Resolution pursuant to Section 363 of the New York City Charter, authorizing the New York City Department of Transportation (DOT) to grant a franchise for the provision of aerial tramway service over the East River between Manhattan and Roosevelt Island to the Roosevelt Island Operating Corporation.

INTENT

To approve an authorizing resolution to allow DOT to grant a franchise for the provision of aerial tramway service.

PUBLIC HEARING

DATE: January 5, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 5, 2017

The Subcommittee recommends that the Land Use Committee approve the Authorizing Resolution.

In Favor:

Richards, Gentile, Garodnick, Reynoso, Torres.

Against: **Abstain:**
None None

COMMITTEE ACTION

DATE: January 10, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger.

Against: **Abstain:**
None None

Accordingly, this Committee recommends its adoption.

(The following is the text of Res No. 1349:)

Res No. 1349

Resolution pursuant to Section 363 of the New York City Charter, authorizing the New York City Department of Transportation to grant a franchise for the provision of aerial tramway service over the East River between Manhattan and Roosevelt Island to the Roosevelt Island Operating Corporation.

By Council Members Greenfield, Richards and Kallos (by request of the Mayor).

WHEREAS, by Executive Order 25, dated August 23, 1995, the Mayor designated the New York City Department of Transportation (DOT) as the responsible agency for the granting of franchises for tramways; and

WHEREAS, by contract dated February 19, 1974, the City of New York (City) granted to the New York State Urban Development Corporation (UDC), a public benefit corporation, the franchise and right to "...construct, maintain and use an aerial tramway from Roosevelt Island over the East River to the west side of Second Avenue between 59th and 60th Streets, Borough of Manhattan" (hereinafter referred to as the "Roosevelt Island Aerial Tramway" or "Tramway"; and

WHEREAS, in 1984 the Legislature of the State of New York created the Roosevelt Island Operating Corporation (hereinafter referred to as "RIOC" or the "franchisee") (Chapter 899, Laws of the State of New York, 1984) and granted it the power to "...assume and perform the obligations and responsibilities of the UDC under the ...tramway franchise ... and exercise all of the rights ... with respect thereto ..."; and

WHEREAS, on June 29, 1990, the Board of Estimate of the City of New York (Board of Estimate) granted RIOC interim operating authority to continue to maintain and operate the Tramway which was amended and approved by resolution dated May 13, 1992, linking the Tramway fare to one continuous trip on a New York City Transit Authority (NYCTA) subway or local bus, which was adopted by the New York City Franchise and Concession Review Committee (FCRC); and

WHEREAS, on August 9, 1996, the United States Coast Guard issued Bridge Permit Amendment 46-74a-1, stating that “the existing aerial tramway shall be removed in its entirety no later than 90 days after it ceases to operate for the purpose for which it was permitted or by the year 2068, whichever occurs first”; and

WHEREAS, RIOC has continued to operate the Tramway and to pay the City the franchise fee of one half of one percent (.5%) of gross receipts as required pursuant to the June 29, 1990 Board of Estimate resolution; and

WHEREAS, RIOC entered into a reimbursement agreement with the Metropolitan Transportation Authority (MTA) in 2004 whereby the Tramway was accepted as part of the NYCTA’s Metrocard system and the MTA installed Metrocard fare box turnstiles at the Tramway’s two (2) stations and agreed to reimburse RIOC for the Metrocard fares, including transfers, collected from Tramway riders; and

WHEREAS, RIOC and the State of New York together have invested approximately \$25 million in the refurbishment of the Tramway so that it may have a useful life of an additional thirty (30) years; and

WHEREAS, pursuant to Section 363 of Chapter 14 of the New York City Charter (Charter), the Commissioner of DOT has made the initial determination of the need for a Tramway; and

WHEREAS, the Council has determined that the granting of such a franchise will promote the public interest by enhancing the health, welfare, and convenience of the public;

NOW, THEREFORE BE IT RESOLVED,

That the Council hereby authorizes DOT to grant a franchise for the Roosevelt Island Aerial Tramway to RIOC, provided that such franchise shall be subject to the approval of the FCRC and the separate and additional approval of the Mayor. The authorization to grant a franchise pursuant to this Resolution shall expire on the fifth anniversary of the date on which this Resolution is adopted by the Council (Expiration Date). No franchise shall be granted pursuant to this Resolution by DOT, nor approved by the FCRC or the Mayor after the Expiration Date.

AND BE IT FURTHER RESOLVED,

FIRST, that the franchisee shall pay to the City a franchise fee of one-half of one percent (.5%) of the franchisee’s gross receipts which franchise fee shall be set forth in the franchise agreement; and

SECOND, that prior to the granting of such franchise, an environmental review, if necessary, shall be conducted in accordance with City Environmental Quality Review; and

THIRD, that no franchise granted pursuant to this Resolution may receive direct financial assistance from the City; and

FOURTH, that any agreement authorized pursuant to this Resolution shall state the maximum fare to be charged passengers for services and shall also state that upon request of the franchisee, DOT may, subsequently at any time, petition the FCRC for a modification of the maximum fare, and that upon the approval of the FCRC of any such proposed change, the franchise agreement shall be deemed to be modified to provide for the revised maximum fare; and

FIFTH, that the franchise granted pursuant to this Resolution shall be by written agreement that shall without limitation provide that:

- (1) the term of the franchise shall not exceed twenty-five (25) years, with the right to renew, at the option of the City, for a period not to exceed (a) the maximum period allowed under the Charter at the end of

the term, or (b) the term of the United States Coast Guard issued Bridge Permit Amendment 46-74a-1, whichever is less;

- (2) the franchisee shall assume all the costs and expenses for the maintenance and operation of the Tramway (for purposes of maintenance and operation, Tramway shall be deemed to include all stations used for embarking and disembarking the aerial tramway), and obtain all necessary licenses, permits, and consents therefor from governmental agencies having jurisdiction of the matter;
- (3) the franchisee shall provide adequate service to the public at all times during operational hours in accordance with schedules published by the franchisee from time to time;
- (4) there shall be provisions in the franchise agreement which establish standards of performance and reporting mechanisms related to the operation and maintenance of the Tramway;
- (5) the franchisee shall at all times maintain the Tramway in good repair and safe condition;
- (6) the Tramway shall be adequately illuminated between dusk and daylight of each day or whenever artificial lighting is required for the safety and welfare of the public;
- (7) the enclosed portions of the Tramway shall be sufficiently lighted, heated, and properly ventilated to assure the safety and comfort of the public;
- (8) the Tramway shall be constructed and operated in such a manner as to prevent water, oil, grease, dirt or other substances from falling to the surface of the street or waterway;
- (9) the franchisee shall, at its sole cost and expense, retain an independent licensed and qualified engineer for the purpose of conducting, on an annual basis, unless more frequently required by the New York State Department of Labor and/or the American National Standards Institute, inspections and examinations of the structures, equipment, appliances and mechanical operation of the Tramway and filing with DOT a report documenting the outcome of all inspections and examinations;
- (10) the City shall have the right at all times to inspect the facilities, service and equipment used by the franchisee and to order the franchisee to comply with operational requirements and performance standards set forth in the franchise agreement;
- (11) the right of the City to perform public works or improvements in and around those areas subject to the franchise shall be preserved;
- (12) the extent to which public use of the streets of the City is disrupted in connection with the operation, maintenance and repair of the Tramway shall be minimized;
- (13) the franchise is subject to whatever right, interest or privilege others may have in the use and occupation of affected streets and waterways;
- (14) the franchisee shall, in constructing, reconstructing, maintaining, operating or dismantling the Tramway, comply with all applicable federal, state and local laws, rules and regulations now in force or hereafter enacted, including those relating to accessibility for persons with disabilities;
- (15) there shall be adequate insurance and/or indemnification requirements to protect the interests of the public and the City;
- (16) unless otherwise provided by an act of the New York State legislature, or except in the case where there is an assignment to the MTA or any other public benefit corporation, there shall be provisions to

restrict the assignment or other transfer of the franchise or portions thereof without the prior written consent of the City and provisions to restrict changes in control of the franchisee without the prior written consent of the City;

- (17) there shall be provisions to allow the franchisee, with the approval of the Commissioner of DOT, to enter into an agreement with another entity to perform maintenance services on the Tramway or to operate the Tramway;
- (18) the franchisee shall at all times keep complete and accurate books of account and records of the Tramway with Generally Accepted Accounting Principles and with any and all specific requirements for record keeping as shall be required by DOT and such books and records shall be made available on demand to the City for inspection;
- (19) there shall be remedies to protect the City's interests in the event of the franchisee's failure to comply with the terms and conditions of the franchise agreement;
- (20) the payment of compensation shall not be considered in any manner to be in the nature of a tax, but shall be in addition to any and all taxes of whatsoever kind or description now or hereafter required to be paid under any local law of the City of New York or by any law of the State of New York, or of the federal government, or pursuant to any contract, lease or agreement;
- (21) the franchisee shall at all times maintain on file with DOT a complete, accurate, and current normal schedule of service and fares, which may be amended from time to time, constituting an appendix to the agreement and fully part of the agreement.;
- (22) the franchise may be terminated or canceled by the Commissioner of DOT in the event of the franchisee's failure to comply with the material terms and conditions of the agreement;
- (23) there shall be provisions containing the agreements required pursuant to paragraph 6 of subdivision (h) of Section 363 of the Charter, relating to collective bargaining and other matters; and
- (24) the franchisee may place advertising in the interior of the Tramway stations and cars only. Advertisements shall not be permitted on the exterior portions of the Tramway stations or Tramway cars. Advertising which is false or misleading, which promotes unlawful or illegal goods, services or activities, or which is otherwise unlawful, including but not limited to advertising that constitutes the public display of offensive sexual material in violation of Penal Law Section 245.11, shall be prohibited. Advertising related to alcohol, tobacco products and electronic cigarettes shall also be prohibited.

AND BE IT FURTHER RESOLVED,

That DOT shall file with the Council the following documents:

- (1) within fifteen (15) days of approval by the Mayor, a copy of the franchise agreement for the franchise granted pursuant to this Resolution; a copy of any subsequent modification thereof or amendment thereto, and
- (2) on or before July 1 of each year, for the preceding calendar year, a report detailing the revenues received by the City from the franchise granted pursuant to this Resolution.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN

KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, January 10, 2017.

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 Technology

Report for Int No. 1052-A

Report of the Committee on Technology 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 agency disposal of electronics.

The Committee on Technology, to which the annexed proposed amended local law was referred on January 19, 2016 (Minutes, page 198), respectfully

REPORTS:

I. INTRODUCTION

On Tuesday, January 17, 2017, the Committee on Technology, chaired by Council Member James Vacca, will hold a hearing to consider Proposed Int. 1052-A, in relation to agency disposal of electronics. The Committee on Technology previously held a hearing on this bill on February 1, 2016 and received testimony from the Department of Information Technology & Telecommunications (DoITT).

II. PERSONAL INFORMATION SECURITY AND DATA BREACHES

Data breaches are unauthorized acquisitions of computerized data that compromise the security, confidentiality, or integrity of personal information, and can occur with anything from a single record to millions of records.¹ Such breaches are not just privacy concerns but can also be used to facilitate fraudulent activity such as identity theft, which can have devastating consequences for individuals and lead to annual losses in the tens of billions of dollars in the United States alone.² In 2015, there were 979 data breach notifications sent to the New York State Department of State, affecting 5.5 million New Yorkers.³

Among the reported government breaches that occurred in New York City in 2015 were: multiple breaches of an Administration for Children's Services (ACS) server containing preventive services client information,⁴ a Bellevue Hospital employee improperly emailing a spreadsheet containing personal information of over 3,000 patients to an unauthorized recipient,⁵ a Jacobi Medical Center employee emailed files with protected health information of 90,000 patients to a personal email account and an account at her new city agency employer,⁶ a Metropolitan Hospital Center employee emailed the protected health information of almost 4,000 to a personal email account,⁷ and a Woodhull Medical and Mental Health Center laptop that was locked and password-

¹ 'Information Exposed: Historical Examination of Data Breaches in New York State,' NYS Attorney General, p. 2, http://www.ag.ny.gov/pdfs/data_breach_report071414.pdf

² Id. at 2-3

³ http://www.dos.ny.gov/consumerprotection/security_breach/notification_statistics.html

⁴ 'Hack Attacks on City Computers,' WNYC, April 20, 2015, <http://www.wnyc.org/story/hack-attacks-city-computers/>

⁵ 'Thousands of Bellevue Hospital Center patients notified of data breach,' SC Magazine, May 22, 2015,

<http://www.scmagazine.com/thousands-of-bellevue-hospital-center-patients-notified-of-data-breach/article/416405/>

⁶ 'NY: Jacobi Medical Center notifies 90,060 patients after employee emailed PHI to her personal account and new email address at another employer,' Databreaches.net, May 19, 2015, <http://www.databreaches.net/ny-jacobi-medical-center-notifies-90060-patients-after-employee-emailed-phi-to-her-personal-account-and-new-email-address-at-another-employer/>

⁷ 'NY: Metropolitan Hospital Center notifies almost 4,000 patients of breach,' Databreaches.net, June 19, 2015, <http://www.databreaches.net/ny-metropolitan-hospital-center-notifies-almost-4000-patients-of-breach/>

protected but not encrypted, and which contained information on 1,500 patients, was stolen from a patient exam room.⁸

Among the examples in prior years, personal and financial information of 1,000 bike-share account holders was exposed,⁹ backup drives containing the information of 1.7 million Health and Hospitals Corporation (HHC) patients, staff and vendors were stolen out of an unattended and unlocked van while being transported by a firm specializing in the secure transport of sensitive data,¹⁰ and, in 2011, the constituent services database of the Public Advocate's office was seemingly hacked and exposed online.¹¹

As the above examples demonstrate, breaches can occur from both maliciousness and from negligence. Similarly, there is no one single type of breach. Hacking, abuse of access by employees, theft or loss of physical media, glitches and other possible causes must all be protected against. However, these problems might be exacerbated if the computers involved are obsolete or if the city's security is uneven across agencies, such as it seems to have been for the ACS breach, as the agency was reportedly then operating outside of DoITT's secure infrastructure.¹² It has also been reported that some large agencies have refused DoITT security products and processes.¹³

In New York City, licensees of the Department of Consumers Affairs (DCA) are required to disclose security breaches to that agency, the New York Police Department (NYPD) and affected persons.¹⁴ There is also a notification requirement for licensees who have judgments or convictions against them for identity theft or unlawful possession of personal identification information.¹⁵ And, there are requirements on both DCA licensees¹⁶ and city agencies¹⁷ that whenever disposing of a record containing personal identifying information it should be done in a manner intended to prevent retrieval of the information therein or thereon, although that manner is not specified for electronic devices and the requirement does not seem to cover the disposal of data that does not contain personal identifying information.

III. DEVICE DISPOSAL AND DATA SECURITY

Improper disposal of electronic devices and media that store private data is one of the ways that a data breach can occur.

If a computer, hard disk, thumb drive, mobile phone or optical storage media is disposed of without properly destroying either the device or the data, through wiping, degaussing, physical destruction, or some other method (simple delete functions are usually insufficient¹⁸), then the data therein may be recoverable. This can cause serious breaches such as, just recently, when a 30-gigabyte hard drive discovered at a recycling depot in Canada was found to retain the personal information, including security clearance applications, of defense personnel in the Canadian military.¹⁹ Locally, a CD containing the personal information of 15,000 New York City Transit Authority workers was found inside a refurbished computer sold by a retailer.²⁰

⁸ 'NYC Health Center Notifies 1,500 Patients of PHI Data Breach,' Health IT Security, Oct. 28, 2015, <http://healthitsecurity.com/news/nyc-health-center-notifies-1500-patients-of-phi-data-breach>

⁹ 'Personal data briefly exposed at NYC bike share,' Phys.org, July 24, 2013, <http://phys.org/news/2013-07-personal-briefly-exposed-nyc-bike.html>

¹⁰ 'HHC Press release on backup tapes stolen from GRM van,' Databreaches.net, Feb. 12, 2011, <http://www.databreaches.net/hhc-press-release-on-backup-tapes-stolen-from-grm-van-2/>

¹¹ 'New York City Public Advocate notifies web site submitters of security breach, but did they downplay its scope?,' Databreaches.net, Dec. 28, 2011, <http://www.databreaches.net/new-york-city-public-advocate-notifies-web-site-submitters-of-security-breach-but-did-they-downplay-its-scope/>

¹² 'Hack Attacks on City Computers,' WNYC, April 20, 2015, <http://www.wnyc.org/story/hack-attacks-city-computers/>

¹³ Id

¹⁴ NYC Admin. Code §20-117

¹⁵ NYC Admin. Code §20-118

¹⁶ NYC Admin. Code §20-117(g)

¹⁷ NYC Admin. Code §10-503

¹⁸ 'How to Get Personal Data off Your Devices,' Consumer Reports, February 2015, <http://www.consumerreports.org/cro/2013/11/remove-personal-data-from-any-device/index.htm>

¹⁹ 'Canadian military investigating after hard drive found at recycling depot,' CBC News, Jan. 10, 2016, <http://www.cbc.ca/news/canada/nova-scotia/military-investigating-hard-drive-1.3397465>

²⁰ 'NYC transit agency has data breach,' Phys.org, March 13, 2014, <http://phys.org/news/2014-03-nyc-transit-agency-breach.html>

Copy machines and multifunction printers also often retain information about the items scanned or copied or printed by them and when they are disposed of to third parties, this information may be retrievable.²¹ This can be of serious public concern and risks significant disclosures. For instance, Affinity Health Plan returned multiple photocopiers to a leasing agent without erasing the data contained on the copier hard drives, which was found by the U.S. Dept. of Health and Human Services to be a potential violation of the HIPAA Privacy and Security Rules.²²

In New York City, the Department of Citywide Administrative Services oversees the disposition of surplus property and, for that purpose, DCAS has partnered with a company called ‘Public Surplus,’ to sell the city’s surplus property via online public auctions.²³ On January 28, 2016, among the items being auctioned was a large Ricoh printer being disposed of by the Department of Corrections,²⁴ a package of 53 smartphones and 3 regular cellphones being disposed of by the Department of Design and Construction,²⁵ as well as computer monitors, in an assorted lot, being disposed of by the Department of Environmental Protection.²⁶ Thus, city agency computer equipment is not necessarily being destroyed when it is being disposed of and such devices, like the Ricoh printer and smartphones above, could have an internal storage device capable of containing agency data, or personal identifying information. If those storage devices are not properly wiped, they could be a potential source of a data breach in the future.

DoITT has promulgated a Citywide Information Security Policy regarding ‘Digital Media Re-use and Disposal Policy’ that states “[a]ll digital media must undergo a data sanitization process prior to disposal or reuse to protect against unauthorized access to information” and that such sanitization procedures are to be internally documented by each agency. This policy covers all non-volatile storage devices and offers three options for data destruction: a data wiping program that irreversibly wipes the physical area of storage, a full disk encryption method that is compliant with the Citywide Encryption Policy, or degaussing/physical media shredding which meets NIST standard 800-88.²⁷ This policy may be bypassed for internal or inter-agency equipment transfers. Finally, the actual data destruction is not required to be done by the agencies themselves, and can instead be fulfilled by transferal to a vendor who has contractually committed to one of the above data destruction methods.

Finally, it should be noted that data destruction is generally recognized as not just a good practice for the disposal of government-owned electronics, but for consumer electronics as well. The New York State Electronic Equipment Recycling and Reuse Act, for instance, recognizes the importance of data removal by requiring manufacturer electronic waste acceptance programs to provide “information on how consumers can destroy all data on any electronic waste, either through physical destruction of the hard drive or through data wiping”²⁸ and permits manufacturers to offer premium data removal services.²⁹ Stores that sell refurbished computers generally make data removal a part of their process before reselling the item³⁰ but this does not always occur³¹ and consumers’ files, personal records and passwords may be exposed. For example, data recovery experts testing a sampling of used hard drives and mobile phones purchased from online retailers like Amazon and eBay were able to recover data, such as emails and texts, from 35% of the mobile phones and

²¹ ‘Are Digital Copy Machines Really a Security Concern?’ Government Technology, Aug. 8, 2010, <http://www.govtech.com/pcio/Are-Digital-Copy-Machines-Really-a.html> and ‘The Hidden IT Security Threat: Multifunction Printers,’ Forbes, Feb. 7, 2013, <http://www.forbes.com/sites/ciocentral/2013/02/07/the-hidden-it-security-threat-multifunction-printers/#2715e4857a0b1d2df7b73e4c>

²² ‘HHS Settles with Health Plan in Photocopier Breach Case,’ HHS.gov, <http://www.hhs.gov/ocr/privacy/hipaa/enforcement/examples/affinity-agreement.html>

²³ <http://www.nyc.gov/html/dcass/html/business/surplus.shtml>

²⁴ <http://www.publicsurplus.com/sms/nycdcas.ny/auction/view?auc=1532692>

²⁵ <http://www.publicsurplus.com/sms/nycdcas.ny/auction/view?auc=1519192>

²⁶ <http://www.publicsurplus.com/sms/nycdcas.ny/auction/view?auc=1515107>

²⁷ http://csrc.nist.gov/publications/nistpubs/800-88/NISTSP800-88_rev1.pdf

²⁸ NYS Environmental Conservation Law §27-2605(5)(b)

²⁹ NYS Environmental Conservation Law §27-2605(8) and ‘Recycling Your Electronic Waste,’ DEC website, FAQ 5 (“Consumers should erase all personal and confidential data before sending it for recycling or reuse...”), <http://www.dec.ny.gov/chemical/66872.html>

³⁰ For example, Best Buy’s Geek Squad (“All data has been removed and notebook has been restored to factory settings”) <http://www.geeksquad.com/certified-refurbished.aspx> and Apple (“As part of the refurbishment process, Apple erases and reformats all hard drives to help address any concerns about data security or identity theft”) <https://support.apple.com/en-us/HT201857>

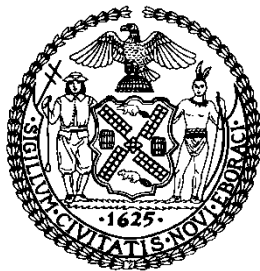
³¹ ‘How Best Buy’s computer-wiping error turned me into an amateur blackhat,’ Ars Technica, June 12, 2015, <http://arstechnica.com/security/2015/06/how-best-buys-computer-wiping-error-turned-me-into-an-amateur-blackhat/>

48% of the hard drives analyzed.³² This has led organizations such as Consumer Reports to advise consumers not to “recycle, trade in, sell, or donate your device without wiping it clean” themselves.³³

IV. PROPOSED INT. NO. 1052-A SUMMARY

Proposed Int. No. 1052-A would require any City agency disposing of electronic equipment that is capable of storing information while depowered to ensure, prior to such electronic equipment’s disposal, that all information therein has been erased. It would also require any third party who disposes of such electronic equipment on behalf of a city agency to provide that agency and DoITT with a written certification that it complied with the law. This local law would take effect one year after enactment.

(The following is from the text of the Fiscal Impact Statement for Int No. 1052-A:)



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

PROPOSED INTRO. NO. 1052-A

COMMITTEE: Technology

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to agency disposal of electronics.

SPONSORS: Council Member Vacca and Levin

SUMMARY OF LEGISLATION: This bill would require any agency disposing of electronic equipment that contains a data storage device, including printers, copiers and computers, to fully erase such device before its disposal.

EFFECTIVE DATE: This local law takes effect one year after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: This legislation is not expected to impact revenue.

³² ‘Factory settings FAIL: Data easily recovered from eBayed smartphones, disks,’ The Register, Oct. 7, 2015, http://www.theregister.co.uk/2015/10/07/data_wiping_analysis_ebay_disk/

³³ ‘How to Get Personal Data off Your Devices,’ Consumer Reports, February 2015, <http://www.consumerreports.org/cro/2013/11/remove-personal-data-from-any-device/index.htm>

IMPACT ON EXPENDITURES: It is anticipated that City agencies can use existing resources to comply with the legislation. Most, if not all, City agencies are already in compliance with a New York City Department of Information Technology and Telecommunications policy on digital media re-use and disposal, which is not substantially different from the bill. As such, the bill is a codification of existing policy on the disposal of electronics and would require no additional resources to implement.

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

SOURCES OF INFORMATION: New York City Council Finance Division
New York City Office of Management and Budget

ESTIMATE PREPARED BY: James Subudhi, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
John Russell, Unit Head, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1052 on January 9, 2016 and referred to the Committee on Technology. A hearing was held by the Committee on February 1, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1052-A, will be considered by the Committee on January 17, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1052-A will be submitted to the full Council for a vote on January 18, 2017.

DATE PREPARED: January 13, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1052-A:)

Int. No. 1052-A

By Council Members Vacca, Levin, Kallos and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to agency disposal of electronics

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-504 to read as follows:

§ 10-504 Agency disposal of electronics. a. Any agency that disposes of electronic equipment that contains a hard disk drive, solid state drive or similar device capable of storing information while powered off, including but not limited to printers, copiers and computers, shall ensure, before its disposal, the erasure of all information contained therein, either through degaussing, physical destruction of the drive, a data wiping that includes at least two full overwrites or another erasure method specified by the department of information technology and telecommunications after consultation with all relevant agencies. This requirement shall not apply to boot related firmware.

b. Each agency shall require any third party who disposes of electronic equipment on its behalf to provide the agency a written certification that the disposal complies with the requirements set forth in this section and shall forward such certification to the department of information technology and telecommunications. Every two years each agency that has disposed of electronic equipment itself shall submit a statement to the department of information technology and telecommunications certifying that its disposal of such electronic equipment complies with the requirements set forth in this section.

c. For the purposes of this section, the term “dispose” includes a transfer of electronic equipment from one agency to another when such equipment has stored information that is confidential or sensitive in nature and is not relevant to the work of the agency receiving such equipment.

§ 2. This local law takes effect one year after it becomes law.

JAMES VACCA, *Chairperson*; DAVID G. GREENFIELD, BARRY S. GRODENCHIK, JOSEPH C. BORELLI; Committee on Technology, January 17, 2017.

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. 570-A

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 eliminating the passenger manifest and public support statement requirements for commuter vans, eliminating the requirement that commuter vans renew their license every six years, and repealing subdivision k of section 19-504.2.

The Committee on Transportation, to which the annexed proposed amended local law was referred on November 25, 2014 (Minutes, page 4179), respectfully

REPORTS:

INTRODUCTION

On January 17, 2017, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, held a second hearing on Int. No. 570-A, a Local Law eliminating passenger manifest and public support statement requirements for commuter vans, repealing the requirement that commuter vans renew their license every six years, and repealing language that instituted a temporary moratorium on commuter van service licenses in 1997; Int. No. 860-A, a Local Law requiring studies of safety in the commuter van industry and limiting the number of new commuter van licenses; and Int. No. 861-A, a Local Law in relation to the unlicensed operation of any vehicle as a commuter van and to increasing certain penalties applicable to operators of commuter vans. At the first hearing on these bills on October 22, 2015, Committee heard testimony from the New York City Taxi and Limousine Commission (“TLC”) and other interested stakeholders.

BACKGROUND

Commuter vans (also sometimes known as “dollar vans”) have existed in some form in New York City for decades, but they began to become particularly prevalent during the transit strike of 1980.¹ Without subway or bus service, vans filled the transportation void in many neighborhoods, taking advantage of the high-occupancy vehicle rules put in place on the East River crossings during the strike.² In 1993, the Council passed Local Law 115 in an effort to regulate and legalize the industry for the first time. Today, commuter vans

¹ Aaron Reiss, *New York’s Shadow Transit*, Jun. 27, 2014, NEW YORKER, available at <http://www.newyorker.com/business/currency/interactive-new-yorks-shadow-transit-system>.

² *Id.*

provide “an economical means of transportation for areas of New York City that are underserved by traditional for-hire vehicles and mass transit.”³ They are also one of the City’s most flexible transportation services, able to adapt to serve customers during emergencies such as hurricanes.⁴

The City’s Administrative Code defines a commuter van as “having a seating capacity of at least nine passengers but not more than twenty passengers” and “carrying passengers for hire in the City duly licensed as a commuter van by [TLC] and not permitted to accept hails from prospective passengers in the street.”⁵ It defines a commuter van service as an entity 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, 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.”⁶

The Code requires commuter van services to gain approval from TLC in order to operate legally in the City.⁷ Before TLC can approve an application to operate a commuter van service, the Department of Transportation (“DOT”) must determine that the service proposed “will be required by the present or future public convenience and necessity” and must “specify the geographic area where service is authorized and the number of commuter vans authorized to be used in providing such service.”⁸ DOT must notify all affected Council Members and Community Boards of the application for the purposes of obtaining their comments.⁹ Although commuter vans are technically required to conduct service by prearrangement and are not allowed to respond to street hails or to pick up passengers at bus stops, in many ways these rules do not align with the way commuter vans conduct their business in practice.¹⁰

Over the years, commuter vans have been the source of various community complaints, including passengers littering while waiting to be picked up, traffic congestion, and double parking.¹¹ Community leaders have also claimed that the City insufficiently consults with Community Boards regarding commuter van service applications.¹² Nonetheless, vans continue to be popular with riders, who largely see them as an economical, flexible, convenient, and fast alternative form of transportation.

Transit worker unions also argue that commuter vans provide service that public transit should provide, allowing the Metropolitan Transportation Authority (“MTA”) to underinvest in bus service. In September 1997, the Council imposed a moratorium on the issuance of new commuter van authorizations and directed the Department of City Planning to conduct a study on the impact of increasing numbers of commuter vans on bus service.¹³ The study found that, at the time, 17 neighborhoods could benefit from new or increased van service without “undue impact” on bus ridership and that at least 900 vans could operate without hurting bus service.¹⁴ In 2010, the TLC contracted with commuter vans to provide service along three routes where MTA bus service had been eliminated, but the program largely failed to attract riders.¹⁵

Pursuant to Local Law 136 of 2013, TLC lists on its website approved commuter van services, their authorized geographic service areas, and the number of vans authorized to be used by each service. According to the TLC, of December 2016, there were 55 authorized commuter van service providers which together

³ N.Y.C. Taxi and Limousine Commission, Commuter Van Decal Rule, Jul. 16, 2015, available at http://www.nyc.gov/html/tlc/downloads/pdf/newly_passed_rule_commuter_van_decal.pdf.

⁴ Carrie Melago, *With Mass Transit Missing, Dollar Vans Fill the Gap*, Oct. 29, 2012, WALL STREET JOURNAL, available at <http://blogs.wsj.com/metropolis/2012/10/29/with-mass-transit-missing-dollar-vans-fill-the-gap/>.

⁵ N.Y.C. Admin. Code § 19-502.

⁶ *Id.*

⁷ N.Y.C. Admin. Code § 19-504.2.

⁸ *Id.*

⁹ *Id.*

¹⁰ Dino Grandoni, *The high-speed, anything-goes, sort-of-legal world of dollar vans*, Apr. 3, 2014, BKLYNR, available at <http://bklynr.com/brooklyns-dollar-vans-will-not-yeild/>.

¹¹ Holly Tsang, *Commuter van industry growing in Maspeth*, Apr. 22, 2010, FOREST HILLS TIMES, available at http://www.foresthillstimes.com/view/full_story/7167066/article-Commuter-van-industry-growing-in-Maspeth.

¹² *Id.*

¹³ Andy Newman, *More Vans Are No Threat To Bus Lines, A Study Finds*, Dec. 24, 1997, N.Y. TIMES, available at <http://www.nytimes.com/1997/12/24/nyregion/more-vans-are-no-threat-to-bus-lines-a-study-finds.html>.

¹⁴ *Id.*

¹⁵ Dino Grandoni, *supra* note 10.

operated 359 licensed vehicles. Their authorized geographic service areas cover neighborhoods throughout Brooklyn, Queens, and Manhattan, as well as a few areas of the Bronx and Staten Island.¹⁶

In addition to licensed commuter vans, unlicensed commuter vans are also widely prevalent in many parts of the City. Unlicensed vans illegally provide similar services as licensed vans, but they operate without the safety and consumer protection safeguards that TLC-licensed vehicles are bound by, such as insurance and inspection requirements, as well as driver licensing requirements, including background checks and drug testing. According to the TLC, “illegal vans are typically operated in a reckless and dangerous manner while transporting passengers” posing a “grave” safety risk to pedestrians, motorists, and passengers.¹⁷ In September 2014, an unlicensed commuter van fleeing police struck a pedestrian in Jamaica.¹⁸ This summer, another unlicensed van leaving a crash scene hit two pedestrians in Crown Heights.¹⁹

The TLC regularly seizes illegal vans—taking possession of over 1,000 between January 2013 and September 2014—but most return to the street after the owner pays a penalty and posts a \$2,000 bond.²⁰ Currently, the penalty for a first offense of violating any law or rule related to commuter vans is \$1,000, rising to \$2,500 for second and subsequent offenses within two years.²¹ The penalty for illegally operating a commuter van is \$500 to \$1,000 for a first offense and \$1,000 to \$2,500 for second and subsequent offenses within two years.²²

To help riders more easily identify legal services, in July 2015 the TLC passed rules making a Commuter Van Decal (designed to evoke the “T” logo found on the side of all yellow taxis) and a TLC License Number decal required markings for all licensed commuter vans following a successful pilot program.²³ The markings are intended not just to improve public visibility of legal vans, but to “assist the TLC and the NYPD remove from City streets dangerous, unlicensed vans that pose a threat to the public,”²⁴

Figure 1: Sample of newly-required commuter van markings



In 2014 the TLC, in conjunction with the NYPD, conducted 67 enforcement operations against unlicensed commuter vans and seized and summonsed 520 illegal commuter vans.²⁵ Last month a federal district court

¹⁶ N.Y.C. Taxi and Limousine Commission, Commuter Vans, <http://www.nyc.gov/html/tlc/html/industry/vans.shtml> (last accessed Jan. 17, 2017).

¹⁷ N.Y.C. Taxi and Limousine Commission, *supra* note 3.

¹⁸ Ewa Kern-Jedrychowska, *Dollar Van Driver Who Fleed From Police Had 14 Arrests Since 2008: Police*, Sept. 15, 2014, DNAINFO, available at <http://www.dnainfo.com/new-york/20140915/jamaica/dollar-van-driver-who-fled-from-police-had-14-arrests-since-2008-police>.

¹⁹ Rachel Holliday Smith, *Dollar Van Driver Hit 2 People in Crown Heights and Fleed, Officials Say*, Jul. 20, 2015, DNAINFO, available at <https://www.dnainfo.com/new-york/20150720/crown-heights/dollar-van-driver-hit-2-people-crown-heights-fled-officials-say>.

²⁰ *Id.*

²¹ N.Y.C. Admin. Code § 19-506(i)(1).

²² *Id.*

²³ N.Y.C. Taxi and Limousine Commission, *supra* note 3.

²⁴ *Id.*

²⁵ N.Y.C. Taxi and Limousine Commission, *supra* note 16.

judge found that the TLC's vehicle seizure practices were unconstitutional.²⁶ It remains to be seen how exactly this decision will affect TLC's enforcement efforts against illegal commuter vans.

ANALYSIS OF INT. NO. 570-A

Section one of Int. No. 570 would amend paragraph one of subdivision e of section 19-504.2 of the Code by removing language stating that DOT's determination that a proposed commuter van service will be "required by the present or future public convenience and necessity" expires after a six-year period and adds language reiterating that the Department's authorization remains in effect unless it has been revoked by the Commissioner.

Section two would amend section 19-504.2 of the Code to provide that public statements of support are not required for authorization application submitted to DOT.

Section three would amend paragraph 7 of subdivision a of section 19-504.3 of the Code by removing the requirement that commuter van services maintain records of requests for service and trips.

Section four would amend subdivision b of section 19-516 of the Code by removing language requiring services to maintain records of prearrangement.

Section five would amend subdivision d of section 19-529.4 of the Code by removing the requirement that commuter vans carry a passenger manifest and evidence of prearrangement.

Section six would repeal subdivision k of section 19-504.2 of Code, which instituted the 1997 moratorium and study referenced above.

Section seven would reletter subdivision l of section 19-504.2 as subdivision k.

Section eight states that the local law would take effect in 120 days.

ANALYSIS OF INT. NO. 860-A

Section one of Int. No. 860-A would limit the number of commuter van licenses to 735, provided that the TLC could increase the number of available licenses upon a finding that there is a need for additional vans in an annual study.

Section two would amend the Code to add a new section 19-529.7 in relation to annual study of safety in the commuter van industry. Under the new section, the TLC would conduct a study of safety related issues in the commuter van industry to be submitted to the Council and posted online by July 1 of each year, beginning in 2017. The study would include, at a minimum, information on: safety-related violations and collisions; the number of vans, services, and drivers; the operation of illegal commuter vans; efforts to prevent vans from operating on bus routes; the number of vans seized; the most utilized routes and ridership; commuter van ridership; efforts to reduce the number of unlicensed vans; and the number of licenses renewed and issued.

Section three states that the local law would take effect immediately.

ANALYSIS OF INT. NO. 861-A

Section one of Int. No. 861-A would amend paragraph 1 to subdivision b of section 19-506 of the Code to clarify that the unlicensed operation of any vehicle as a commuter van is punishable by a fine of \$1,000-\$2,000, imprisonment of up to 60 days, or both.

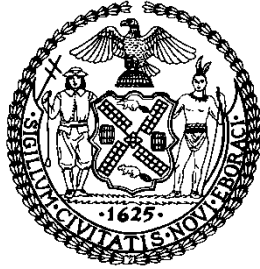
Section two would amend paragraph 1 of subdivision i of section 19-506 of the Code to increase the civil penalties applicable to operators of commuter vans. The minimum civil penalty for a first violation involving the operation of a commuter van would be set at \$1,000. Currently, the maximum penalty is \$1,000, with no minimum. The civil penalty for a violation involving the operation of a commuter van service without the required authorizations or license would be raised from a range \$500-\$1,000 to \$1,000-\$3,000 for a first offense and \$1,000-\$2,500 to \$2,000-\$4,000 for subsequent offenses within two years. Section two states that the local law would take effect in 90 days.

²⁶ Sybille Penhirin, *TLC Car Seizures Rule Unconstitutional by Federal Judge*, Oct. 1, 2015, DNAINFO, available at <https://www.dnainfo.com/new-york/20151001/midtown/tlc-car-seizures-ruled-unconstitutional-by-federal-judge>.

UPDATE

On January 17, 2017, the Committee on Transportation passed Int. No. 570-A, Int. No. 680-A, and Int. No. 681-A by a vote of ten in the affirmative and zero in the negative, with zero abstentions.

(The following is from the text of the Fiscal Impact Statement for Int No. 570-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 570-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to eliminating the passenger manifest and public support statement requirements for commuter vans, eliminating the requirement that commuter vans renew their license every six years, and repealing subdivision k of section 19-504.2

SPONSORS: Council Members Williams, Kallos, Koo, Menchaca, Ferreras-Copeland, Cornegy, Richards, Reynoso and Levine

SUMMARY OF LEGISLATION: Proposed Intro. 570-A would remove the requirement that commuter van services renew their authorization with the Department of Transportation (DOT) every six years and that such services provide DOT with public support statements (petitions) upon their initial application. Additionally, commuter van services would no longer be required to maintain records of requests for service and trips, as well as passenger manifests as currently required by the Taxi and Limousine Commission (“TLC”).

EFFECTIVE DATE: The local law would take effect 120 days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that this legislation would have 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
 Mayor’s Office of Legislative Affairs

ESTIMATE PREPARED BY: Brandon West, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Chima Obichere, Unit Head

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 570 on November 25, 2014 and referred to the Committee on Transportation. The Committee considered the legislation at a hearing on October 22, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 570-A, will be considered by the Transportation Committee on January 17, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 570-A will be submitted to the full Council for a vote on January 18, 2017.

DATE PREPARED: January 13, 2017

(For text of Int Nos. 860-A and 861-A and their Fiscal Impact Statements, please see the respective Reports of the Committee on Transportation for Int Nos. 860-A and 861-A printed in these Minutes; for text of Int No. 570-A, please see below)

Accordingly, this Committee recommends the adoption of Int Nos. 570-A, 860-A, and 861-A.

(The following is the text of Int No. 570-A:)

Int. No. 570-A

By Council Members Williams, Kallos, Koo, Menchaca, Ferreras-Copeland, Cornegy, Richards, Reynoso, Levine, Chin, Levin and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to eliminating the passenger manifest and public support statement requirements for commuter vans, eliminating 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. Paragraph 1 of subdivision e of section 19-504.2 of the administrative code of the city of New York, as added by local law number 115 for the year 1993, 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] *or such determination has been revoked by the commissioner of transportation*. After the [expiration or] revocation of such *authorization or 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.

§ 2. Paragraph 3 of subdivision e of section 19-504.2 of the administrative code of the city of New York, as added by local law number 115 for the year 1993, is amended to read as follows:

(3) The commissioner of transportation, after consultation with the state department of transportation, shall make a determination whether the service proposed in the application will be required by the present or future public convenience and necessity. The commissioner of transportation may request that the applicant provide any additional information relevant to such determination; *provided, however, that public support statements shall not be required.* The commissioner of transportation shall notify the New York city transit authority and all council members and community boards representing any portion of the geographic area set forth in the application for the purpose of obtaining comment on the present or future public convenience and necessity for any proposed service. The commissioner of transportation shall provide for publication in the City Record of a notice of any such application and shall allow for public comment on such application for a period not to exceed sixty days after the date of publication of such notice. If any such application is protested by a bus line operating in the city or by the New York city transit authority, and such bus line and/or transit authority has timely submitted objections to the application to the commissioner of transportation, the commissioner shall, in making such determination, evaluate such objections in accordance with the following criteria:

- (a) the adequacy of the existing mass transit and mass transportation facilities to meet the transportation needs of any particular segment of the general public for the proposed service; and
- (b) the impact that the proposed operation may have on any existing mass transit or mass transportation facilities.

Any determination by the commissioner that a service proposed will be required by the present or future public convenience and necessity shall specify the geographic area where service is authorized and the number of commuter vans authorized to be used in providing such service.

§ 3. Paragraph 7 of subdivision a of section 19-504.3 of the administrative code of the city of New York, as added by local law number 115 for the year 1993, 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.

§ 4. Subdivision b of section 19-516 of the administrative code of the city of New York, as added by local law number 115 for the year 1993, 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]. 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.

§ 5. Subdivision d of section 19-529.4 of the administrative code of the city of New York, as added by local law 115 for the year 1993, 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; *and*
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].

§ 6. Subdivision k of section 19-504.2 of the administrative code of the city of New York is hereby REPEALED.

§ 7. 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.

§ 8. This local law takes effect 120 days after its enactment into law.

YDANIS A. RODRIGUEZ, *Chairperson*; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, CARLOS MENCHACA, I. DANEEK MILLER, DONOVAN J. RICHARDS; Committee on Transportation, January 17, 2017. *Other Council Members Attending: Council Member 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. 860-A

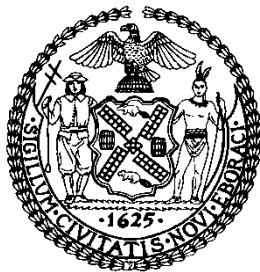
Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring studies of safety in the commuter van industry and limiting the number of new commuter van licenses.

The Committee on Transportation, to which the annexed proposed amended local law was referred on July 23, 2015 (Minutes, page 2967), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 570-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 860-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 860-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring a study of safety related issues in the commuter van industry and suspending new commuter van licenses pending the completion of such study.

SPONSORS: Council Members Miller, Lancman, Koo, Williams, Richards, Menchaca, Ferreras-Copeland, Cornegy, Jr., Kallos, Reynoso, Levine

SUMMARY OF LEGISLATION: Proposed Intro. 860-A would limit the number of commuter van licenses to 735, provided that the Taxi and Limousine Commission (TLC) could increase the number of available licenses upon a finding that there is a need for additional vans. In addition, the bill would require that the TLC conduct an annual study on commuter van safety. The study would include, at a minimum: information on safety related violations; data on vans, bases, and drivers; information on illegal commuter vans; a plan for

preventing vans from operating on bus routes; the number of vans seized; information on the most utilized routes and ridership; a plan to reduce illegal commuter vans; information on license renewals for vans, bases, and drivers; and a discussion on the selection of routes. The annual report is to be submitted to the Mayor and the Council Speaker and posted online by July 1, 2017 and every July 1 thereafter.

EFFECTIVE DATE: The local law would take effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: Because the TLC would use existing resource to implement this legislation, it is estimated that the enactment of this legislation would have no impact on expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Brandon West, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Chima Obichere, Unit Head

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 860 on July 23, 2015 and referred to the Committee on Transportation. The Committee considered the legislation at a hearing on October 22, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 860-A, will be considered by the Committee on Transportation on January 17, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 860-A will be submitted to the full Council for a vote on January 18, 2017.

DATE PREPARED: January 13, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 860-A)

Int. No. 860-A

By Council Members Miller, Lancman, Koo, Williams, Richards, Menchaca, Ferreras-Copeland, Cornegy, Kallos, Reynoso, Levine, Vacca, Chin, Levin, Crowley and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to requiring studies of safety in the commuter van industry and limiting the number of new commuter van licenses

Be it enacted by the Council as follows:

Section 1. Section 19-504 of the administrative code of the city of New York is amended by adding a new subdivision r to read as follows:

r. Notwithstanding any contrary provision of law, there shall be no more than 735 licenses for commuter vans. The commission shall not accept new applications for such licenses and shall not issue any such license if such issuance would result in the total number of such licenses exceeding 735; provided, however, that the number of licenses for commuter vans may exceed 735, and the commission may accept applications for and issue licenses for commuter vans in a number exceeding 735, if the commission determines, pursuant to item 12 of section 19-529.7, that there is a need for commuter vans in a number exceeding 735.

§ 2. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-529.7 to read as follows:

§ 19-529.7 Commuter van safety. Not later than July 1, 2017 and not later than every July 1 thereafter, commission shall submit to the mayor and the speaker of the council and publish on its website a report on safety in the commuter van industry. Such report shall include, but not be limited to, the following information from the previous calendar year:

- 1. the number of safety-related violations issued by the commission committed by those operating a commission-licensed commuter van or an unlicensed commuter van;*
- 2. the total number of collisions involving a commission-licensed commuter van, and to the extent known to the commission, such collisions involving an unlicensed commuter van, disaggregated by those resulting in a fatality, critical injury, or injury of any severity;*
- 3. the number of commuter vans, commuter van drivers, and commuter van services licensed or authorized by the commission;*
- 4. the number of unlicensed commuter vans operating, to the extent known to the commission or estimated;*
- 5. the commission's efforts to ensure commuter vans do not operate on bus routes, including, but not limited to, current enforcement efforts and future plans regarding such efforts;*
- 6. the number of commuter vans seized by the commission;*
- 7. the 20 most utilized commuter van corridors;*
- 8. available commuter van ridership, including information on whether commuter vans are being utilized to connect to other mass transit, to the extent known to the commission;*
- 9. the commission's efforts to reduce the number of unlicensed commuter vans operating and future plans regarding such efforts;*
- 10. the number of licenses for commuter vans and commuter van drivers and authorizations for commuter van service that were renewed and rejected, as well as any changes in the number of commuter vans affiliated with each authorized service;*
- 11. a discussion of how commuter van service areas are selected; and*
- 12. whether, in the judgment of the commission, there is a need for commuter vans in a number exceeding the number specified in subdivision r of section 19-504.*

§ 3. This local law takes effect immediately.

YDANIS A. RODRIGUEZ, *Chairperson*; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, CARLOS MENCHACA, I. DANEEK MILLER, DONOVAN J. RICHARDS; Committee on Transportation, January 17, 2017. *Other Council Members Attending: Council Member 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. 861-A

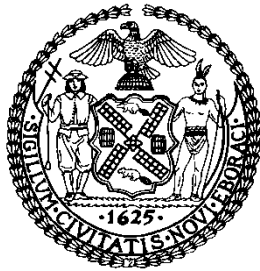
Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the unlicensed operation of any vehicle as a commuter van and to increasing certain penalties applicable to operators of commuter vans.

The Committee on Transportation, to which the annexed proposed amended local law was referred on July 23, 2015 (Minutes, page 2968), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 570-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 861-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 861-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to increasing certain penalties applicable to operators of commuter vans.

SPONSORS: Council Members Miller, Lancman, Koo, Williams, Richards, Menchaca, Ferreras-Copeland, Cornegy, Jr., Kallos, Reynoso, Levine

SUMMARY OF LEGISLATION: Proposed Intro. 861-A would make the unlicensed operation of any vehicle as a commuter van punishable by a fine of between \$1,000 and \$2,000, imprisonment of up to 60 days, or both and set the minimum civil penalty for a violation involving the operation of a commuter van to \$1,000 for a first violation and \$2,500 for second and subsequent violations committed within two years. In addition, the bill would increase the civil penalty for a violation involving the operation of a commuter van service without the required authorization or license to a range between \$1,000 and \$3,000 for a first offense and between \$2,000 and \$4,000 for subsequent violations within two years. Currently, the civil penalty for violating any law or rule relating to commuter vans is \$1,000 for a first offense and \$2,500 for second and subsequent offenses within two years. The civil penalty for illegally operating a commuter van is between \$500 and \$1,000 for a first offense and \$1,000 to \$2,500 for second and subsequent offenses within two years.

EFFECTIVE DATE: The local law would take effect 90 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2018

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: Because this legislation is intended as a deterrent to would-be violators of the vehicle and traffic law and full compliance is anticipated, it is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that 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: Brandon West, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Chima Obichere, Unit Head

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 861 on July 23, 2015 and referred to the Committee on Transportation. The Committee considered the legislation at a hearing on October 22, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 861-A, will be considered by the Committee on Transportation on January 17, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 861-A will be submitted to the full Council for a vote on January 18, 2017.

DATE PREPARED: January 13, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 861-A:)

Int. No. 861-A

By Council Members Miller, Lancman, Koo, Williams, Richards, Menchaca, Ferreras-Copeland, Cornegy, Kallos, Reynoso, Levine, Vacca, Chin, Levin, Crowley and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to the unlicensed operation of any vehicle as a commuter van and to increasing certain penalties applicable to operators of commuter vans

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision b of section 19-506 of the administrative code of the city of New York, as amended by local law number 32 for the year 2012, is amended to read as follows:

1. Except as provided in paragraph 2 of this subdivision, any person who shall permit another to operate or who shall knowingly operate or offer to operate for hire any vehicle as a taxicab, coach, wheelchair accessible van, *commuter van*, HAIL vehicle or for-hire vehicle in the city, without first having obtained or knowing that another has obtained a license for such vehicle pursuant to the provisions of section 19-504 of this chapter, shall be guilty of a violation, and upon conviction in the criminal court shall be punished by a fine of not less than one thousand dollars or more than two thousand dollars or imprisonment for not more than sixty days, or both such fine and imprisonment. This paragraph shall apply to the owner of such vehicle and, if different, to the operator of such vehicle.

§ 2. Paragraph 1 of subdivision i of section 19-506 of the administrative code of the city of New York, as added by local law number 115 for the year 1993, is amended to read as follows:

(1) Notwithstanding any inconsistent provision of this chapter, any person who violates any provision of this chapter or any rule promulgated hereunder applicable to commuter van services, commuter vans or drivers of commuter vans shall be subject to a civil penalty in an amount to be prescribed by the commission by rule for specific violations which amount shall [not exceed] *be* one thousand dollars for a first violation and twenty-five hundred dollars for a second and subsequent violation committed within two years of a first violation. Where such violation involves the operation of a commuter van service without the authorization required by this chapter, the operation of a commuter van without the license required by this chapter or the operation of a commuter van that is not pursuant to a current, valid authorization to operate a commuter van service, such person shall be liable for a civil penalty of not less than [five hundred] *one thousand* dollars and not more than [one] *three* thousand dollars, and for a subsequent violation committed within two years of the first violation, such person shall be liable for a civil penalty of not less than [one] *two* thousand dollars and not more than [twenty-five hundred] *four thousand* dollars.

§ 2. This local law takes effect 90 days after it becomes law.

YDANIS A. RODRIGUEZ, *Chairperson*; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, CARLOS MENCHACA, I. DANEEK MILLER, DONOVAN J. RICHARDS; Committee on Transportation, January 17, 2017. *Other Council Member Attending: Council Member 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).

GENERAL ORDER CALENDAR**Resolution approving various persons Commissioners of Deeds**

By the Presiding Officer –

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

Approved New Applicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Timmy Adams	40 West 90th Street #BB New York, N.Y. 10024	6

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Hilda Garcia	309 West 54th Street #2B New York, N.Y. 10019	3
Marilyn Bree	330 East 46th Street #7J New York, N.Y. 10017	4
Jeffrey Hunter	521 East 82nd Street #2A New York, N.Y. 10028	5
Eva Foggie	156-20 Riverside Drive West #11H New York, N.Y. 10032	7
Tanja E. Boynes	1735 Madison Avenue #5A New York, N.Y. 10029	8
Ellen Chambers	2110 First Avenue #2201 New York, N.Y. 10029	8
Michael C. Ortiz	524 Southern Blvd Bronx, N.Y. 10455	8
Denisse Paulino	946 Anderson Avenue Bsmt Bronx, N.Y. 10452	8
Ambar C. Ventura	457 West 166th Street #2A New York, N.Y. 10032	10

LaVonne C. Bost-Barksdale	900 Baychester Avenue #18F Bronx, N.Y. 10475	12
Gwendolyn V. Junious	3550 Bivona Street #7H Bronx, N.Y. 10475	12
Carrie Marable	900 Co-op City Blvd #10F Bronx, N.Y. 10475	12
Crystal N. Paris	100 Debs Place #16D Bronx, N.Y. 10475	12
Dawn Stephens	801 Tilden Street #5D Bronx, N.Y. 10467	12
Melanie Thomas	1765 Pitman Avenue Bronx, N.Y. 10466	12
Laura Acosta	1315 Kearney Avenue #1 Bronx, N.Y. 10465	13
Ana M. Maldonado	3289 Ampere Avenue Bronx, N.Y. 10465	13
Joel Purser	2275 Cruger Avenue #5A Bronx, N.Y. 10467	13
Marily Santiago	768 Wilcox Avenue Bronx, N.Y. 10465	13
Miguel Gomez	355 East 187th Street #H3 Bronx, N.Y. 10458	15
Charlene Patrick	775 Concourse Village East #15G Bronx, N.Y. 10451	16
Diana Scott	775 Concourse Village East #23G Bronx, N.Y. 10451	16
Darlene Cruz	913 Elder Avenue #C Bronx, N.Y. 10473	17
Lizabeth Maldonado	820 Harding Park Bronx, N.Y. 10473	18
Mark H. Winnegrad	1450 Parkchester Road #5A Bronx, N.Y. 10462	18
Dolores Kushel	18-15 215th Street #4S Bayside, N.Y. 11360	19
Jeong Hwa Lee	36-22A Frances Lewis Blvd #201 Flushing, N.Y. 11358	19

Patricia McHugh	23-20 128th Street College Point, N.Y. 11356	19
Lyudmila Safiyeva	83-38 Smedley Street Briarwood, N.Y. 11435	24
Theodore H. Johnson	92-15 50th Avenue Elmhurst, N.Y. 11373	25
Dorris Battle	112-26 179th Street Jamaica, N.Y. 11433	27
Patricia Tucker	109-43 164th Street Jamaica, N.Y. 11433	27
Cynthia Crawford	160-15 118th Road Jamaica, N.Y. 11434	28
Natasha Davis	134-35 166th Place #8A Queens, N.Y. 11434	28
Kevin Hopkins	120-23 Inwood Street Queens, N.Y. 11436	28
David Abramov	98-19 64th Avenue #3B Rego Park, N.Y. 11374	29
Melody V. Ruiz	86-77 76th Street Woodhaven, N.Y. 11421	30
Beverly A. Austin	146-41 230th Street Rosedale, N.Y. 11413	31
Tnan Ingrid Daniels	184 Beach 62nd Street #46 Far Rockaway, N.Y. 11692	31
Leithland L. Garnett	140-18 170th Street Jamaica, N.Y. 11434	31
Pamela D. Jeter	433 Beach 40th Street #10A Far Rockaway, N.Y. 11691	31
Frances Cuadrado	163-37 96th Street Howard Beach, N.Y. 11414	32
Claudia Jurgens	87-01 85th Road Woodhaven, N.Y. 11421	32
Kathleen Dibble	1824 Putnam Avenue #3L Ridgewood, N.Y. 11385	34

Patricia Denise Briggs	2 Stoddard Place #2E Brooklyn, N.Y. 11225	35
Duke Saunders	208 St. Marks Avenue Brooklyn, N.Y. 11238	35
Eve Dockery	253 Lexington Avenue #3 Brooklyn, N.Y. 11216	36
Lillian Manuel	846 Prospect Place #20 Brooklyn, N.Y. 11216	36
Angela Yancy-Foster	118 McKinley Avenue #2B Brooklyn, N.Y. 11208	37
Joanne Rizzuto	347 Smith Street Brooklyn, N.Y. 11231	39
Sylvia Cox	183 Dumont Avenue Brooklyn, N.Y. 11212	41
Karen Moye	31 Kane Place Brooklyn, N.Y. 11233	41
Alex Sheldon	465 Utica Avenue Brooklyn, N.Y. 11203	41
Tamerlyn M. Harris	245 Wortman Avenue #2F Brooklyn, N.Y. 11207	42
Alice Canizio	1251 75th Street Brooklyn, N.Y. 11228	43
Kathleen Johnson	31 87th Street Brooklyn, N.Y. 11209	43
Joan T. LaPierre	792 East 51st Street Brooklyn, N.Y. 11203	45
Judith Posniack	1566 East 29th Street Brooklyn, N.Y. 11229	45
Latasha Richardson	3714 Avenue J Brooklyn, N.Y. 11210	45
Stuart Rimmer	3018 Avenue M Brooklyn, N.Y. 11210	45
Pamela Bozeman	2275 Utica Avenue Brooklyn, N.Y. 11234	45

Anna Maria Walsh	189 Bay 43rd Street Brooklyn, N.Y. 11214	47
Margarita Bogolyubova	2018 Voorhies Avenue #B24 Brooklyn, N.Y. 11235	48
Anna Elman	2228 East 28th Street Brooklyn, N.Y. 11229	48
Mary Faust	475 Vanderbilt Avenue #1 Staten Island, N.Y. 10304	49
Billie L. Rawls	247 Westwood Avenue #6A Staten Island, N.Y. 10314	49
Lisa Turman	24 Bailey Place Staten Island, N.Y. 10303	49
Richard A. Gralla	173 Paulding Avenue Staten Island, N.Y. 10314	50
Nadezhda Kravehenko	104 Brook Avenue Staten Island, N.Y. 10306	50
Gigi L. Semaan	1064 Rockland Avenue Staten Island, N.Y. 10314	50
Judith Xiao	29 Dewhurst Street Staten Island N.Y. 10314	50
Roberta Balber	65 Hooper Avenue Staten Island, N.Y. 10306	51
Candi N. Lee-Yau	21 Winston Street Staten Island, N.Y. 10312	51
Jennifer Miller	104 Evergreen Street Staten Island, N.Y. 10308	51
Elvira Tkach	44 Gunton Place Staten Island, N.Y. 10309	51

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

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

- | | | |
|------|---|---|
| (1) | Int 570-A - | Passenger manifest and public support statement. |
| (2) | Int 860-A - | Studies of safety in the commuter van industry. |
| (3) | Int 861-A - | Unlicensed operation of any vehicle as a commuter van. |
| (4) | Int 865-B - | Reporting certain data regarding institutions. |
| (5) | Int 1052-A - | Agency disposal of electronics |
| (6) | Int 1061 - | Sale of plants and flowers during the Asian Lunar New Year. |
| (7) | Int 1276-B - | Conduct an annual report. |
| (8) | Int 1281-A - | Review and evaluation of economic development tax expenditures. |
| (9) | Int 1290-A - | Percent for art advisory panel. |
| (10) | Int 1295-A - | Publish information on percent for art projects. |
| (11) | Int 1296-A - | Percent for art program. |
| (12) | Int 1297-A - | Outreach and education regarding public art opportunities. |
| (13) | Int 1371 | Authorizing an increase in the amount to be expended annually in the DUMBO business improvement district. |
| (14) | Int 1385-A - | Sale of tax liens and notice to property owners. |
| (15) | Res 1349 - | Grant a franchise for the provision of aerial tramway service over the East River. |
| (16) | Res 1352 - | Receive funding in the Expense Budget (Transparency Resolution). |
| (17) | 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 – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **46**.

The General Order vote recorded for this Stated Meeting was 46-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 570-A**:

Affirmative – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

Abstention – Gentile – **1**.

The following was the vote recorded for **Int No. 1061**:

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

Abstention – Koo and Vallone – **2**.

The following was the vote recorded for **Int No. 1296-A**:

Affirmative – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

Negative – Borelli and Matteo – **2**.

The following was the vote recorded for **Int No. 1385-A**:

Affirmative – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

Negative – Espinal – 1.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 570-A, 860-A, 861-A, 865-B, 1052-A, 1061, 1276-B, 1281-A, 1290-A, 1295-A, 1296-A, 1297-A, 1371, and 1385-A.

RESOLUTIONS

presented for voice-vote

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

Report for voice-vote item Res No. 104

Report of the Committee on Women’s Issues in favor of approving a Resolution calling upon the New York State Unified Court System to require the Integrated Domestic Violence Courts in New York City to issue regular reports on batterer intervention programs.

The Committee on Women’s Issues, to which the annexed resolution was referred on March 12, 2014, (Minutes, page 621) respectfully

REPORTS:

Introduction

On January 17, 2017, the Committee on Women’s Issues, chaired by Council Member Laurie Cumbo, held a hearing on Res. No. 604, a resolution calling upon the New York State Unified Court System to require the Integrated Domestic Violence Courts in New York City to issue regular reports on batterer intervention programs. On October 20, 2014, there was a previous hearing on Res. No. 104. Those invited to testify included Rosemonde Pierre-Louis, former Commissioner of the Mayor’s Office to Combat Domestic Violence, Steven Banks, Commissioner of the Human Resources Administration, the District Attorneys from the five boroughs, advocates and victims service providers.

UPDATE

On January 17, 2016 the Committee voted 4 to 0, with no abstentions, in favor of Res. No. 604.

Res. No. 104

Resolution Number 104 would describe the Integrated Domestic Violence (IDV) courts in New York State, explaining that they are designed to have a family's multiple cases come before a single judge, and that the IDV courts provide judicial monitoring, access to advocacy and services, and communication with outside agencies and programs. The Resolution would explain that the IDV courts ensure consistency in judicial orders, which allows the court to respond on a particularized basis to each family's situation.

The Resolution would indicate that Batterers Intervention Programs are educational programs for domestic violence offenders, which focuses on encouraging participants to take responsibility for abusive acts and explores the effects and impact of violence. The Resolution would explain that although there are several possible ways to enter a batterer program, one of the more common is upon order from a court. The Resolution would note that when batterers go through court-ordered programs, there is no readily accessible public record of outcomes to determine if there are identifiable changes in the behavior patterns of batterers and whether the programs are successful. The Resolution would reason that it is important that batterer programs address the substantive issues behind domestic violence, and not simply act as a procedural requirement that the batterer must fulfill. The Resolution would further state that reporting on the placement in and outcomes of batterer intervention programs would help researchers and advocates to measure the success of the programs and trends in changing the behavior of batterers. Therefore, the Resolution would call upon the New York State Unified Court System to require the Integrated Domestic Violence Courts in New York City to issue regular reports on batterer intervention programs.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res No. 104:)

Res. No. 104

Resolution calling upon the New York State Unified Court System to require the Integrated Domestic Violence Courts in New York City to issue regular reports on batterer intervention programs.

By Council Members Cabrera, Barron, Chin, Eugene, Ferreras-Copeland, Gibson, Levine, Palma, Rose, Williams, Rosenthal, Mendez, Cumbo, Cohen, Levin, Lander, Wills, Menchaca, Koslowitz and Kallos.

Whereas, The Integrated Domestic Violence (IDV) courts in New York State are designed to have a family's multiple cases come before a single judge; and

Whereas, IDV courts provide judicial monitoring, access to advocacy and services, and close communication with outside agencies and programs; and

Whereas, These courts help to ensure consistency in judicial orders, which allows the court to respond on a particularized basis to each family's situation; and

Whereas, A Batterers Intervention Program is an educational program for domestic violence offenders, which focuses on encouraging participants to take responsibility for abusive acts and explores the effects and impact of violence; and

Whereas, Although there are several possible ways to enter a batterer program, one of the more common is upon order from a court; and

Whereas, However, when batterers go through court-ordered programs, there is currently no readily accessible public record of outcomes to determine if there are identifiable changes in the behavior patterns of batterers and whether the programs are successful; and

Whereas, It is important batterer programs address the substantive issues behind domestic violence, and not simply act as a procedural requirement that the batterer must fulfill; and

Whereas, Reporting on the placement in and outcomes of batterer intervention programs would help researchers and advocates to measure the success of the programs and trends in changing the behavior of batterers; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Unified Court

System to require the Integrated Domestic Violence Courts in New York City to issue regular reports on batterer intervention programs.

LAURIE A. CUMBO, *Chairperson*; ELIZABETH S. CROWLEY, KAREN KOSLOWITZ, BEN KALLOS; Committee on Women's Issues, January 17, 2017. *Other Council Members Attending: Council Member Cabrera.*

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 1419

By The Speaker (Council Member Mark-Viverito) and Council Members Crowley, Salamanca, Dromm, Gentile, Rosenthal, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy, Richards and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to penalties for aggravated violations of the construction codes

Be it enacted by the Council as follows:

Section 1. Item 13 of section 28-201.2.1 of the administrative code of the city of New York, as amended by local law number 17 for the year 2010, is amended to read as follows:

13. A violation of any provision of chapter 4 of this title for engaging in any business or occupation without a required license or other authorization.

[13.1. The minimum civil penalty that shall be imposed for a violation of section 28-408.1 or section 28-410.1 of this code and the minimum fine that shall be imposed for a violation of such sections shall be two thousand five hundred dollars for the first violation and five thousand dollars for each subsequent violation.]

§ 2. Section 28-202.1 of the administrative code of the city of New York, as amended by local law number 59 for the year 2016, is amended to read as follows:

§ 28-202.1 Civil penalties. Except as otherwise specified in this code or other law, violations of this code, the 1968 building code, the zoning resolution or other laws or rules enforced by the department shall be punishable by civil penalties within the ranges set forth below:

1. For immediately hazardous violations, a civil penalty of not less than [one thousand dollars] \$1,000 nor more than [twenty-five thousand dollars] \$25,000 may be imposed for each violation. In addition to such civil penalty, a separate additional penalty may be imposed of not more than [one thousand dollars] \$1,000 for each day that the violation is not corrected. The commissioner may by rule establish such specified daily penalties.
2. For major violations, a civil penalty of not more than [ten thousand dollars] \$10,000 may be imposed for each violation. In addition to such civil penalty, a separate additional penalty may be imposed of not more than [two hundred fifty dollars] \$250 for each month that the violation is not corrected. The commissioner may by rule establish such specified monthly penalties.
3. For lesser violations, a civil penalty of not more than [five hundred dollars] \$500 may be imposed for each violation.

Exceptions:

1. The owner, lessee, occupant, manager or operator of a building affected by a natural or man-made disaster, as determined by the commissioner, shall not be subject to a civil penalty for a violation involving such building if (i) notice of such violation is issued by the department during the 90-day period immediately after such disaster or, in the case of a major natural or man-made disaster as determined by the commissioner, during the six-month period immediately after such disaster, and (ii) such violation is corrected on or before 40 days after such disaster period or such greater amount of time as determined by the commissioner for such violation. The notice of such

violation shall state that such violation is subject to this exception and shall set forth the procedure and time period for correcting such violation without incurring a civil penalty. This exception shall not apply to immediately hazardous violations, violations charged as aggravated violations or violations without connection to such disaster, as determined by the department.

2. The owner, lessee, occupant, manager or operator of a building where a violation occurs shall not be subject to a civil penalty for such violation if (i) such violation was connected to a natural or man-made disaster, as determined by the commissioner, and (ii) such building is undergoing, or scheduled or under evaluation for, work or acquisition through a city-operated disaster recovery program responding to such disaster.
3. The owner, lessee, occupant, manager or operator of a building shall not be subject to a civil penalty for a violation resulting from work done by a city employee, or by a third party under contract with the city, in response to a natural or man-made disaster, provided that such violation is corrected on or before 60 days after the issuance of such violation, or such greater amount of time as determined by the commissioner for such violation. If such owner, lessee, occupant, manager or operator of a building can demonstrate to the satisfaction of the department that a city employee or third party under contract with the city has committed to correcting such violation then such violation shall be rescinded, without penalty. The notice of such violation shall state that such violation is subject to this exception and shall set forth the procedure and time period for correcting such violation without incurring a civil penalty. This exception shall not apply to immediately hazardous violations or violations charged as aggravated violations.
4. *The minimum civil penalty for a violation of section 28-408.1 or section 28-410.1 of this code shall be \$2,500 for a first violation and \$5,000 for a second violation, in addition to any separate daily penalty imposed pursuant to item 1 of this section.*
5. *The minimum civil penalty for an immediately hazardous or major violation of chapter 33 of the New York city building code, where such violation is accompanied by or results in a fatality or serious physical injury, as such term is defined in article 10 of the New York state penal law, shall be \$500,000 and the maximum civil penalty for such a violation shall be \$1,500,000, in addition to a separate daily penalty of not more than \$2,000.*

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before its effective date.

Referred to the Committee on Housing and Buildings.

Res. No. 1350

Resolution calling upon the New York State Legislature, and the Governor, to enact legislation to require New York City and State employees to forfeit their pensions when they are found to have violated the law and deemed ineligible for employment.

By Council Members Barron and Salamanca.

Whereas, Article V of the New York State Constitution provides that membership in a public pension plan “shall be a contractual relationship, the benefits of which shall not be diminished or impaired;” and

Whereas, New York State Retirement and Social Security Law (“RSS”) governs employment pension plans of City and State employees; and

Whereas, RSS allows pension forfeiture for certain New York State office holders and officers; and

Whereas, Moreover, pursuant to RSS, overpayment of benefits to a retiree that is the result of fraud or mistake is subject to recoupment; and

Whereas, The overwhelming majority of City and State employees are hard-working individuals who deserve our gratitude and respect; and

Whereas, A very small minority of these employees have recently come to public attention for illegal or criminal activities committed while in public service; and

Whereas, Some of these employees have used their public office for personal gain, while others have benefited from City or State employment as a result of fraudulent concealment of material facts related to their employment; and

Whereas, Public sector employees who commit affirmative acts of fraud in order to obtain City or State employment, and therefore to become eligible for a public pension, should be required to forfeit their pension benefits; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature, and the Governor, to enact legislation to require New York City and State employees to forfeit their pensions when they are found to have violated the law and deemed ineligible for employment.

Referred to the Committee on Civil Service and Labor.

Int. No. 1420

By Council Members Cabrera, Cumbo and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to regulating the use of conducted electrical weapons by the New York city police department.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-166 to read as follows:

§ 14-166 Conducted electrical weapons

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

Appropriate personnel. The term "appropriate personnel" means any police officer and any other employee of the department that the department determines would benefit from possessing a conducted electrical weapon.

Conducted electrical weapon. The term "conducted electrical weapon" means any device designed to incapacitate a person through the use of an electric shock.

b. The department shall provide all appropriate personnel with conducted electrical weapons, and train such personnel on the proper usage of such weapons.

c. The department shall post on the department website by the 30th day of January on a yearly basis a report containing information pertaining to the training and usage of conducted electrical weapons for the prior calendar year. Such annual report shall include:

- 1. the total number of conducted electrical weapons distributed to departmental personnel;*
- 2. the number of departmental personnel trained on the usage of conducted electrical weapons, and the number of hours so provided;*
- 3. the number of instances in which departmental personnel utilized conducted electrical weapons, not including instances in which such weapons were used as part of training; and*
- 4. The rate of injuries to a civilian resulting from the use of a conducted electrical weapon, in total and disaggregated by the following categories for ever instance in which a conducted electrical weapon is discharged: (a) no injury, (b) physical injury, such as minor swelling, contusion, laceration, abrasion or complaint of substantial contracted pain, (c) substantial physical injury, such as a significant contusion or*

laceration that requires sutures or any injury that requires treatment at a hospital emergency room, and (d) serious physical injury, such as a broken or fractured bone, heart attack, stroke, or any injury requiring hospital admission. Such injuries shall also be disaggregated by the precinct or other departmental unit to which the officer who used such weapon was assigned. This information shall be compared to the same information for the previous three reporting periods, where available.

d. The information in subdivision c of this section shall be permanently accessible from the department's website.

§2. This local law takes effect 18 months after it becomes law, provided that the department provides the council with a written update on plans to implement this local law on a quarterly basis.

Referred to the Committee on Public Safety.

Int. No. 1421

By Council Members Chin, Crowley, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy, Richards and Ulrich.

A Local Law to amend the New York city building code, in relation to requiring cranes to be equipped with global positioning systems or similar locating devices

Be it enacted by the Council as follows:

Section 1. Section BC 3319 of the New York city building code, as amended by local law 141 for the year 2013, is amended by adding a new section 3319.11 to read as follows:

3319.11 Crane location device. *No crane shall operate unless such crane is equipped with a global positioning system or other similar device that is approved by the department and capable of transmitting the location of the crane to which it is attached to the department.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1422

By Council Members Chin, Crowley, Reynoso, Levin, Espinal, Cornegy, Richards and Menchaca (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to crane wind restrictions

Be it enacted by the Council as follows:

Section 1. Section BC 3319 of chapter 33 of the building code of the city of New York is amended to add new sections 3319.11 to read as follows:

3319.11 Wind restrictions for cranes. *The following wind restrictions shall apply to cranes that require a certificate of on-site inspection.*

3319.11.1 Special provisions for configurations that require certain actions to be taken at 20 mph or less. No crane that utilizes a lattice boom, lattice jib, or lattice mast during the course of the job shall be placed into a configuration that requires, at a wind speed of 20 mph (32 kph) or less, the boom or boom/jib combination to be laid down, placed in a jackknife position, or other special protective measures to be implemented, unless:

1. At the end of the shift, or as weather conditions warrant, the boom or boom/jib combination is laid down, jackknifed, or other special protective measures are implemented; and
2. The crane is set up and operated within a safety zone, where:
 - 2.1. The distance from the crane to the boundary of the safety zone is equal to or greater than the length of the boom, jib, and any other attachments; and
 - 2.2. All areas within the safety zone are closed to the public;

3319.11.2 Special provisions for configurations that require certain actions to be taken above 20 mph but at or under 30 mph. No crane that utilizes a lattice boom, lattice jib, or lattice mast during the course of the job shall be placed into a configuration that requires, at a wind speed above 20mph (32 kph) but at or under 30 mph (48 kph), the boom or boom/jib combination to be laid down, placed in a jackknife position, or other special protective measures to be implemented, unless at the end of the shift, or as weather conditions warrant, the boom or boom/jib combination is laid down, jackknifed, or other special protective measures are implemented; and one of the following:

1. The crane is set up and operated within a safety zone that meets the requirements of item 2 of Section 3319.11.1; or
2. A plan for monitoring and securing the crane is submitted to the department and approved by the department, the fire department, and the department of transportation. Such plan must be specific to the site and, at a minimum, detail the:
 - 2.1. Safeguards to be provided for the public and adjoining property;
 - 2.2. Monitoring protocols and thresholds for wind and other conditions;
 - 2.3. Communication protocol for when thresholds are exceeded; and
 - 2.4. Emergency response procedures for when thresholds are exceeded.

3319.11.3 Orientation.

3319.11.3.1 Orientation for the assembly/disassembly director. No person shall perform the duties of an assembly/disassembly director for a crane that meets the requirements of Section 3319.11.1 or 3319.11.2 until the assembly/disassembly director has successfully completed an orientation conducted by a qualified person designated by the equipment user. Such orientation shall, at a minimum, review the applicable manufacturer assembly/disassembly procedures and the approved assembly/disassembly plan for the crane in the configuration to be assembled or disassembled.

3319.11.3.2 Orientation for the lift director. No person shall perform the duties of a lift director for a crane that meets the requirements of Section 3319.11.1 or 3319.11.2 until the lift director has successfully completed an orientation conducted by a qualified person designated by the equipment user. Such orientation shall, at a minimum, review the applicable sections of the approved crane

notice plan in relation to site conditions, crane location and configuration, and traffic and pedestrian controls, and the applicable sections of the wind action plan with regard to the wind speed thresholds for the crane in the configurations to be operated.

3319.11.3.3 Orientation for hoisting machine operator. *No person shall operate a crane that meets the requirements of Section 3319.11.1 or 3319.11.2 until:*

1. The hoisting machine operator has successfully completed an orientation conducted by a qualified person designated by the equipment user. Such orientation shall, at a minimum, review the applicable sections of the approved crane notice plan in relation to site conditions, crane location and configuration, and pick, swing, and landing zones, and the wind action plan for the crane in the configuration to be operated, as well as the controls, computer displays, operator aids, and safety devices for the specific make, model, and configuration of crane to be operated; and

2. The equipment user has verified that the hoisting machine operator has, within 30-days prior to the orientation, completed simulator training specific to the make, model, and configuration of the crane to be utilized. Such training shall, at a minimum, simulate the sequence specified in the wind action plan to raise and lower the boom or the boom/jib combination in the configuration to be operated. The simulator training shall take place at a facility operated by an educational institution or school chartered, licensed or registered by the New York state department of education, a New York state department of labor-approved training provider registered apprenticeship program, or an entity acceptable to the crane manufacturer.

3319.11.3.4 Documentation. *Successful completion of an orientation required by this section shall be documented in the form of a letter, signed and dated by the qualified person who performed the orientation. Such letter must, at a minimum, state the name of the person who conducted the orientation, the name of the person to whom the orientation was provided, the date of the orientation, and the topics covered. Such letter shall be maintained at the jobsite by the equipment user, and made available to the commissioner upon request.*

§ 2. This local law takes effect immediately except that this local law shall not apply to the use of a mobile crane at a construction site where a certificate of on-site inspection for the use of such crane at such site is issued prior to July 1, 2017; provided that this exception shall not apply to a mobile crane that is a crawler crane. As used in this section, the terms certificate of on-site inspection, mobile crane and crawler crane are as defined in chapter 33 of the New York city building code.

Referred to the Committee on Housing and Buildings.

Int. No. 1423

By Council Members Chin, Levine, Kallos, Levin, Mendez, Rose, Crowley, Barron and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to requiring information on sidewalk sheds

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

CHAPTER 9. DASHBOARDS

§ 23-901 Definitions. As used in this chapter:

Dashboard” means a data visualization tool publicly available on the internet that includes a customizable interface and uses current data from one or more sources, including, but not limited to, the web portal required by section 23-503 of this code.

“Department” means the department of information technology and telecommunications or any successor agency.

§ 23-902 Sidewalk sheds. Within one year of the effective date of the local law that added this section, the department shall, in conjunction with the department of buildings, create a dashboard consisting of city data on sidewalk sheds, including, but not limited to, the data required to be reported in section 28-103.26 of this code.

§ 2. Article 103 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-103.26 to read as follows:

§ 28-103.26 Report on sidewalk sheds. *By no later than December 31, 2017, and annually thereafter, the department shall submit to the mayor and the speaker of the city council, and post on its website, a report on the number of sidewalk sheds installed or maintained in the city in the previous fiscal year, disaggregated by council district and community board. For each such sidewalk shed, the report shall include, at a minimum:*

- 1. The date of installation and, if applicable, the date of removal;*
- 2. The number of, and a description of, any violations attributable to such sidewalk shed;*
- 3. The address of all buildings affected by such sidewalk shed;*
- 4. The name of the company that installed such sidewalk shed;*
- 5. The name of the company performing the work which required such sidewalk shed;*
- 6. A description of the work which required the installation of such sidewalk shed;*
- 7. The name of the owner of the building which requires such sidewalk shed;*
- 8. The size of such sidewalk shed; and*
- 9. The number of complaints received regarding the sidewalk shed, disaggregated by number and type.*

§ 3. This local law takes effect immediately after it becomes law. Section 2 of this law shall expire and be of no further force and effect on and after January 1, 2026.

Referred to the Committee on Housing and Buildings.

Int. No. 1424

By Council Members Cohen, Borelli, Crowley, Salamanca, Gentile, Cornegy and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring autism spectrum disorder reporting from the department of education

Be it enacted by the Council as follows:

Section 1. Paragraphs 4 and 5 of subdivision a of section 21-957 of the administrative code of the city of New York are amended, and a new paragraph 6 is added to such subdivision, to read as follows:

4. reside in temporary housing; [and]
5. are attending school out of the community school district in which the student resides; *and*
6. *are known to the department to have received an autism spectrum disorder diagnosis.*

§ 2. Paragraphs 4 and 5 of subdivision a of section 21-958 of the administrative code of the city of New York are amended, and a new paragraph 6 is added to such subdivision, to read as follows:

4. reside in temporary housing; [and]
5. are enrolled over the counter; *and*
6. *are known to the department to have received an autism spectrum disorder diagnosis.*

§ 3. This local law takes effect 180 days after it becomes law.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services.

Int. No. 1425

By Council Members Constantinides, Crowley, Barron, Gentile and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the city to prepare a plan to prevent sewer system backups

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-503.1 to read as follows:

§ 24-503.1 *Plan to prevent sewer backups. a. As used in this section:*

Sewer system. The term “sewer system” shall mean all sewers, drains, pipes and appurtenances owned, operated or maintained by the city and used to convey sewage.

Sewer backup. The term “sewer backup” means a non-permitted release of sewage from the sewer system.

b.. By no later than December 31, 2018, the commissioner of environmental protection shall submit to the mayor and the council, and post on the department of environmental protection’s website, a plan to prevent sewer backups. Such plan shall include, but need not be limited to:

1. *A general cleaning and maintenance schedule for the sewer system;*
2. *An identification of areas with, on average, more than one sewer backup in a twelve month period;*
3. *A targeted cleaning and maintenance schedule for areas with, on average, more than one sewer backup in a twelve month period;*
4. *A schedule for the citywide roll out of remote sewer monitoring devices;*
5. *A citywide assessment of the impact of fats, oils and grease on the sewer system; and*
6. *A citywide root control strategy.*

§ 2. This local law takes effect ninety days after it becomes law.

Referred to the Committee on Environmental Protection.

Res. No. 1351

Resolution calling on the New York State Department of Environmental Conservation to make publicly available on their website the air pollutant emissions and fuel use data that facilities with Title V Permits are required to submit annually.

By Council Members Constantinides, Barron and Chin.

Whereas, Title V of the federal Clean Air Act requires facilities that are major sources of air pollutants to obtain, and operate in compliance with, an operating permit (Title V Permit); and

Whereas, The New York State Department of Environmental Conservation (DEC) issues the required Title V Permits to facilities, such as power plants and distributed generation units, which are located in New York; and

Whereas, Title V Permits effectively support enforcement of air pollution laws by (1) recording in a single document all of the air pollution control requirements that are applicable to regulated facilities, (2) requiring such facilities to report regularly on their emissions and controls on such emissions, (3) adding monitoring, testing and record-keeping requirements on such facilities, and (4) increasing transparency by providing the public with information about air polluting facilities; and

Whereas, Presently, data on air pollutant emissions, fuel use and other information that facilities with Title V Permits are required to submit annually to DEC is not publicly available, and the only way for members of the public to access this information is by filing a Freedom of Information Law request with DEC; and

Whereas, DEC should make such data and information regarding facilities with Title V Permits more readily available and accessible to the public by publishing it on their website; and

Whereas, By making data and information about facilities with Title V Permits more accessible to the public, DEC will increase transparency and support its own enforcement efforts; and

Whereas, According to the Mayor's Office of Sustainability there are 24 in-City power plants, all of which require Title V Permits, and there are also several smaller distributed generation in-City facilities which require Title V Permits; and

Whereas, These in-City power plants and facilities contribute a significant amount of pollution to the City's air; and

Whereas, Pollutants emitted by these power plants and facilities include particulate matter, nitrogen oxides, sulfur dioxide and carbon dioxide, all of which have impacts on public health, the environment and climate change; and

Whereas, According to data from "Emission Statements" submitted by facilities with Title V Permits to DEC in 2015, several of these in-City power plants are still burning Number 6 heating oil, which is a crude and dirty fuel; and

Whereas, In 2014, the Council passed, and Mayor Bill de Blasio signed, Local Law 66, requiring New York City to reduce citywide greenhouse gas emissions by 80%, relative to 2005 levels, by the year 2050; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Department of Environmental Conservation to make publicly available on their website the air pollutant emissions and fuel use data that facilities with Title V Permits are required to submit annually.

Referred to the Committee on Environmental Protection.

Int. No. 1426

By Council Members Cornegy, Espinal, Salamanca, Barron, Gentile, Rosenthal and Torres.

A Local Law to amend the administrative code of the city of New York, in relation to banning companies that charge a fee for "student debt relief" already provided by the federal government and creating a private cause of action for borrowers who fall victim to these scams

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 19 to read as follows:

SUBCHAPTER 19
PROHIBITION ON STUDENT DEBT RELIEF SERVICES REGARDING FEDERAL LOANS FOR A FEE

§ 20-824 a. No person shall offer or advertise student debt relief services regarding federal student loans for a fee where such services are offered for free by the federal department of education.

b. This law does not apply to persons who, before providing such services, provide to customers written disclosures that contain the following information:

1. A statement informing customers that the federal department of education provides free assistance to holders of federal loans, including:

- (a) Lowering or capping monthly payments;*
- (b) Checking eligibility for loan forgiveness;*
- (c) Consolidating federal loans; and*
- (d) Giving advice on getting out of default.*

2. Contact information for the federal student aid information center, including:

- (a) The phone number; and*
- (b) The website URL.*

§ 20-825 Penalties. Any person that violates 20-824 is liable for a civil penalty of not less than \$500 or more than \$2,000 for the first violation and a civil penalty of not less than \$800 or more than \$3,000 for each succeeding violation.

§ 20-826 Civil cause of action. Any person claiming to have been harmed by a person offering student debt relief services for a fee has a cause of action against such person in any court of competent jurisdiction for compensatory and punitive damages; injunctive and declaratory relief; attorney's fees and costs; and such other relief as a court deems appropriate.

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

Referred to the Committee on Consumer Affairs.

Int. No. 1427

By Council Members Dromm, Salamanca, Barron and Cornegy.

A Local Law to amend the administrative code of the city of New York, in relation to defining the term reside in the lead law

Be it enacted by the Council as follows:

Section 1. Section 27-2056.2 of the administrative code of the city of New York, as added by local law 1 for the year 2004, is amended by adding a new subdivision (16) to read as follows:

(16) "Reside" or "residency" shall mean being present in a dwelling unit for 15 or more hours in a typical week.

§ 2. This local law takes effect 180 days after it becomes law, except that the board of health, department of health and mental hygiene, and department of housing preservation and development may take such actions, including the promulgation of rules, as are necessary for its timely implementation prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1428

By Council Members Dromm, Espinal, Rosenthal, Rodriguez and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to age limitations on school buses and replacing such school buses with all electric school buses

Be it enacted by the Council as follows:

Section 1. Paragraph (1) of subdivision d of section 24-163.9 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, is amended to read as follows:

(1) No diesel fuel-powered school bus of the designation "Type A bus" or "Type B bus," as set forth in subdivisions x and y of section 720.1 of title seventeen of New York codes, rules and regulations, with an engine model year of 2007 or later or that is utilizing a closed crankcase ventilation system pursuant to subdivision c of this section and no diesel fuel-powered school bus of the designation "Type C bus" or "Type D bus," as set forth in subdivisions z and aa of section 720.1 of title seventeen of New York codes, rules and regulations, shall be used to fulfill any school bus contract beyond the end of the [sixteenth] *tenth* year from the date of manufacture, as noted on the vehicle registration, or the end of the school year in which that date falls, whichever is later.

§ 2. Subdivision d of section 24-163.9 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, is amended by adding a new paragraph (3) to read as follows:

(3) *Except for any all-electric zero emission school bus, no non-diesel fuel-powered school bus shall be used to fulfill any school bus contract beyond the end of the tenth year from the date of manufacture, as noted on the vehicle registration, or the end of the school year in which that date falls, whichever is later.*

§ 3. Subdivision e of section 24-163.9 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, is amended to read as follows:

e. School buses shall be replaced pursuant to subdivision d of this section with (1) a school bus meeting the most recent diesel engine emissions standards issued by the United States environmental protection agency, or (2) an all-electric, gasoline-powered, compressed natural gas, or hybrid school bus, as long as the particulate matter emissions of such school bus do not exceed emission levels permitted in the most recent diesel engine emissions standards issued by the United States environmental protection agency, *provided that on and after September 1, 2040 such school buses must be replaced with all-electric zero emission school buses.*

§ 4. This local law takes effect 180 days after it becomes law, except that the commissioner of environmental protection may take such measures as are necessary for its implementation, including the promulgation of rules, prior to such date.

Referred to the Committee on Environmental Protection.

Int. No. 1429

By Council Members Ferreras-Copeland, Crowley, Rose, Reynoso, Levin, Espinal, Cornegy, Richards, Menchaca and Chin.

A Local Law to amend the New York city building code, in relation to requiring task-specific safety meetings for workers at all construction sites

Be it enacted by the Council as follows:

Section 1. Section BC 3310 of the New York city building code is amended to add a new section 3310.10.1.1 to read as follows:

3310.10.1.1 Task-specific safety meetings. *Each worker employed at a building site shall receive task-specific safety instructions before commencing work that (i) is required to be supervised by a person licensed under this code or (ii) involves a hazardous activity, as defined in department rules. Such instructions shall include a review of all tasks and activities to be performed by such worker in connection with such work, including specific safety concerns or risks associated with fulfilling such tasks and activities. If such worker identifies as being, or is evidently, unable to communicate meaningfully in English because English is not such worker's primary language, such orientation shall be made available in a language such worker chooses. A record of all such meetings shall be maintained and kept at the site.*

§ 2. This local law shall take effect 180 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Housing and Buildings.

Preconsidered Res. No. 1352

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

By Council Member Ferreras-Copeland.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017 and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves sets forth the changes in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves sets forth the changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 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 Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith-Based Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 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 NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves change in the designation of a certain organization receiving funding and approves the removal of funds from a certain organization pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organizations receiving funding and approves the removal of funds from a certain organization pursuant to the Bail Fund Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Art as a Catalyst for Change Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Children Under Five Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Nurse Family Partnership Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the removal of funds from certain organizations pursuant to the Gender Equity Liaison in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the removal of funds of a certain organization pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the LGBT Inclusive Curriculum Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 33.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 1352 printed in these Minutes).

Int. No. 1430

By Council Members Gentile and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to street containers

Be it enacted by the Council as follows:

Section 1. Section 19-121 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. No permit shall be granted pursuant to this section for a container used for construction debris unless the applicant for such permit submits to the department the location of the construction work necessitating the use of such container and either (i) a copy of a permit issued by the commissioner of buildings for such

location or (ii) a statement certifying that the construction work necessitating the use of such container does not require a permit from the commissioner of buildings.

§ 2. Section 19-123 of the administrative code of the city of New York is amended to read as follows:

§ 19-123 Commercial refuse containers. It shall be unlawful for any person using a commercial refuse container or the owner or lessee thereof to place or to permit the placement of such container on any street unless the [owner of such container] *person seeking to use such container* has obtained a permit therefor from the commissioner and unless such container is in compliance with the provisions of this section and the rules of the department in relation thereto. *Such permit shall be for a period of seven days and can be renewed no more than two times.* Commercial refuse containers may be placed temporarily on the street for such purposes and in such manner as the commissioner shall prescribe. Such containers shall not be used for the deposit of putrescible waste. The name and address of the owner of the container and the permit number shall be posted on the container in the manner provided in the rules of the department. The container shall be painted with a phosphorescent substance, in a manner to be set forth in the rules of the department, so that the dimensions thereof shall be clearly discernible at night. The street under such container shall be shielded by wooden planking, skids or other protective covering approved by the commissioner. The provisions of this section which require the [owner of a] *person seeking to use a container* to obtain a permit prior to the placement of such container on the street shall not apply to containers which are specifically authorized to be placed on the street under a permit issued pursuant to section 19-121 of this subchapter.

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

Referred to the Committee on Transportation.

Res. No. 1353

Resolution calling on the New York State Legislature to pass and the Governor to sign legislation which would require the New York City Department of Transportation to allow New York City homeowners to repair curbs adjacent to their sidewalk and receive a tax credit for the cost of the repair

By Council Members Grodenchik, Crowley, Barron and Gentile.

Whereas, In New York City, the curb is where the roadbed meets the sidewalk and is raised to divide the sidewalk from the roadway; and

Whereas, Curbs are considered a part of the roadway and the City of New York is responsible for their repair and maintenance; and

Whereas, The Department of Transportation (DOT) defines a sidewalk to mean, “the portion of the street, whether paved or unpaved, between the curb lines, or lateral lines of a roadway and the adjacent property lines intended for use of pedestrians”; and

Whereas, Pursuant to New York City law, private property owners are required to repair and maintain sidewalks adjacent to their property; and

Whereas, According to the *New York Daily News*, requests to fix broken curbs outnumber the resources available to fix them and property owners are forced to wait years for curb repairs; and

Whereas, If DOT is unable to complete the curb repair in the ninety day period the homeowner should be able to have their curb repaired by a licensed contractor and receive a property tax credit for the cost of completing the repair; 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 which would require the New York City Department of Transportation to allow New York City homeowners to repair curbs adjacent to their sidewalk and receive a tax credit for the cost of the repair.

Referred to the Committee on Transportation.

Int. No. 1431

By Council Members Grodenchik, Crowley, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy and Richards (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the registration and duties of lift directors

Be it enacted by the Council as follows:

Section 1. The schedule of fees in section 28-401.15 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended by adding a new entry for lift director registration to read as follows:

LICENSE TYPE	INITIAL FEE	RENEWAL FEE	ADDITIONAL FEES
<i>Lift director registration</i>	<i>As provided by dept rules.</i>	<i>As provided by dept rules.</i>	<i>As provided by dept rules.</i>

§ 2. Chapter 4 of Title 28 of the Administrative Code of the city of New York is amended by adding a new article 424 to read as follows:

**ARTICLE 424
LIFT DIRECTOR REGISTRATION**

§ 28-424.1 Lift director required. *No crane or derrick for which a certificate of on-site inspection is required, or for which use is required to be supervised by or is supervised by a licensed master rigger, may be used unless a lift director is present at the site at all times when:*

1. *The crane or derrick is picking a load;*
2. *The crane is traveling at the site, including but not limited to being moved onto or off of cribbing or up or down a ramp;*
3. *The crane or derrick is being placed into a parked condition or otherwise being taken out of service;*
4. *The crane's or derrick's boom/jib is being laid down or jackknifed;*
5. *The crane's or derrick's boom/jib is being raised from a laid down or jackknifed position; or*
6. *Other special protective measures for wind are being installed or removed.*

Exception: *The requirement for a lift director does not apply to the assembly or disassembly of a crane or derrick, nor to the use of an assist crane or derrick during assembly/disassembly, provided an assembly/disassembly director is supervising the assembly/disassembly operation in accordance with rules promulgated by the commissioner.*

§ 28-424.2 Registration required. *On and after July 1, 2018, it shall be unlawful for any person to act as a lift director or to perform the duties of a lift director unless such person is registered as a lift director pursuant to this article.*

§ 28-424.3 Qualifications. *Applicants for a lift director registration shall submit satisfactory proof establishing that the applicant:*

1. *Is a licensed master rigger;*
2. *Possesses a valid certification as a lift director from an organization acceptable to the commissioner and accredited by the National Commission for Certifying Agencies (NCCA) or the American National Standards Institute (ANSI); or*
3. *Has satisfied the training requirements for a rigging supervisor in accordance with section 3316.9.2 of the New York city building code and has successfully completed a department approved training course for lift directing that is at least 32 hours in length. Such lift directing training course shall cover topics relating to mobile cranes, tower cranes, and derricks, including, but not limited to, roles and responsibilities of site personnel, operational planning, weather warnings, conducting on-site meetings, and log and reporting requirements. Successful completion of a lift directing training course shall be based upon passage of a written exam, and evidenced by the issuance of a certificate card that is in accordance with the provisions of item 2.5 of section 3316.9.2 of the New York city building code; and, beginning for applications submitted on or after July 1, 2018:*
 - 3.1. *Has at least two years' experience within three years prior to application supervising rigging operations in the city in accordance with section 3316.9.1 of the New York city building code;*
 - 3.2. *Has been licensed as a New York city hoisting machine operator for at least three years prior to application; or*
 - 3.3. *Is a master rigging foreman designated in accordance with rules promulgated by the commissioner.*

§ 3. Section 3319.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

3319.2 [Operation. Riggers and hoisting machine operators shall be licensed as required by Chapter 4 of Title 28 of the Administrative Code.] **Personnel.** *Personnel shall comply with Sections 3319.2.1 through 3319.2.3.*

3319.2.1 Hoisting machine operators. *The hoisting machine operator shall be licensed as required by Chapter 4 of Title 28 of the Administrative Code.*

3319.2.2 Riggers. *Rigging work must be supervised in accordance with Section 3316.9.1 and where required, riggers must be licensed in accordance with Chapter 4 of Title 28 of the Administrative Code.*

3319.2.3 Lift directors. *Lift directors shall be designated and perform the duties required by Sections 3319.2.3.1 through 3319.2.3.10.*

3319.2.3.1 Equipment user to designate. *The equipment user must designate a lift director and ensure a lift director is present at the site when required by Section 28-424.1 of the Administrative Code. The equipment user may only designate a qualified and competent person to serve as the lift director. Beginning July 1, 2018, lift directors must be registered in accordance with Chapter 4 of Title 28 of the Administrative Code.*

3319.2.3.2 Designation of existing personnel. *Personnel at the site who perform other tasks, including but not limited to the rigging supervisor required by Section 3316.9, may be designated to serve as the lift director, provided they meet the qualification requirements for a lift director and can fulfill the responsibilities of a lift director. Where the use of the crane or derrick is supervised by a licensed master rigger, the lift director must be licensed as a master rigger or a designated as a master rigging foreman in accordance with rules promulgated by the commissioner.*

Exceptions:

1. *Hoisting machine operators may not serve as the lift director at the same time they are operating a hoisting machine or supervising the operation of a hoisting machine by a learner.*
2. *A site safety manager, site safety coordinator, registered construction superintendent, concrete safety manger, or construction site fire safety manager who is serving in such role at the site may not serve as the lift director.*

3319.2.3.3 Notification to the department of the lift director. *The equipment user must notify the department of the designated primary lift director prior to the commencement of work. If a designated alternate lift director will be acting in the place of the primary lift director for a period longer than two consecutive weeks, the department must be so notified by the equipment user. The equipment user must immediately notify the department of any permanent change of the primary lift director.*

Exception: *For a crane or derrick whose crane or derrick notice application was submitted prior to July 1, 2018, notification to the department is not required. A letter designating the lift director, signed and dated by the equipment user, must be kept at the site and available for inspection by the commissioner upon request.*

3319.2.3.4 Responsibilities of the lift director. *The primary lift director, or a designated alternate lift director, must be present at the site at all times when required by Section 28-424.1 of the Administrative Code. The primary lift director, or in the event that an alternate lift director will be acting in the place of the primary lift director, the alternate lift director, is responsible for ensuring the following, either by personally performing the task, or directly overseeing and assigning personnel to perform the task:*

1. *That the crane or derrick is located and configured in accordance with the approved crane or derrick notice plans prior to the start of each shift and whenever the crane or derrick is relocated or reconfigured;*
2. *That site conditions match the approved crane or derrick notice plans prior to the start of each shift and whenever the crane or derrick is relocated or reconfigured;*
3. *That traffic and pedestrian controls are in place, prior to the start of and throughout:*
 - 3.1. *The work shift;*
 - 3.2. *Any crane or derrick relocation;*
 - 3.3. *Any laying down or jackknifing of the crane's or derrick's boom/jib;*

- 3.4. Any raising of the crane's or derrick's boom/jib from a laid down or jackknifed position;
or*
- 3.5. Any other special protective measures for wind are being installed or removed.*
- 4. That the hoisting machine operator, rigging supervisor, and rigging crew members, including signalpersons, possess the proper license, foreman card, certification card, or training card, as appropriate, prior to their commencement of work at the site;*
 - 5. That the hoisting machine operator and rigging supervisor are present throughout the shift;*
 - 6. That weather conditions and forecasts are monitored as warranted;*
 - 7. That, in coordination with the hoisting machine operator and the rigging supervisor, operations cease when warranted by weather conditions or forecasts and an evaluation of current crane or derrick operations, anticipated pick times, and the lead time required to stop picks and park or secure the crane or derrick in accordance with the approved wind action plan, or where a wind action plan is not required, in accordance with the specifications of the crane or derrick manufacturer;*
 - 8. That, at the end of the shift, or as weather conditions warrant, the hoisting machine operator has ceased operations;*
 - 9. That, where required, the hoisting machine operator has completed a written record prior to leaving the site;*
 - 10. That, when warranted during out of service periods, appropriate personnel return to the site and take further steps to secure the crane or derrick;*
 - 11. That, when carrying loads over an occupied building, the top two floors are vacated or proper roof protection is in place prior to the start of such operation in accordance with rules promulgated by the commissioner;*
 - 12. That, prior to a critical pick, a licensed master rigger or registered design professional verified compliance with the critical pick plan in accordance with Section 3316.9.1;*
 - 13. That, prior to operating near overhead power lines, there is compliance with rules promulgated by the commissioner for the operation of a crane or derrick near an overhead power line;*
 - 14. That, prior to hoisting personnel with a crane or derrick, there is compliance with rules promulgated by the commissioner for the hoisting of personnel;*
 - 15. That required frequent inspections of the crane, derrick, and rigging equipment are performed prior to the start of the shift;*
 - 16. That the crane operator is informed of the weight of loads to be lifted, as well as the lifting, moving, and placing locations for these loads;*
 - 17. That the crane operator's verification has been obtained that this weight does not exceed the crane's rated capacity;*

18. *That constant communication is maintained between the operator, rigging supervisor, and signalpersons; and*
19. *That the load is properly rigged for the lifting conditions before it is lifted more than a few inches.*

3319.2.3.5 Ordering corrective action and notification to the department. *If the lift director discovers a violation of one or more of the items identified in Section 3319.2.3.4, the lift director must immediately notify the appropriate personnel to correct the condition, and if necessary, order the crane or derrick and rigging operations to stop. If the violation is not promptly corrected, the lift director must notify the department of the violation. Upon the condition being corrected, or where it is not corrected, upon the lift director notifying the department of the violation, any responsibility the lift director has, as it pertains to their role as the lift director, arising out of, or as a result of the existence of that condition, will cease.*

3319.2.3.6 Authority to stop operations. *The lift director, hoisting machine operator and rigging supervisor each have authority to order crane, derrick and rigging operations to stop. When the lift director orders operations to stop, the hoisting machine operator and rigging supervisor must take appropriate action to safely implement the directive. The lift director may not overrule the hoisting machine operator or rigging supervisor when the hoisting machine operator or rigging supervisor orders operations to stop.*

3319.2.3.7 Does not diminish responsibility. *The presence of the lift director does not relieve, alter, or diminish any responsibility or obligation of any other party, including but limited to the equipment user, hoisting machine operator, rigging supervisor, site safety manager, site safety coordinator, or construction superintendent.*

3319.2.3.8 Ensuring personnel understand duties. *The lift director is responsible for ensuring that personnel involved in crane or derrick operations understand their responsibilities, assigned duties, and the associated hazards.*

3319.2.3.9 Pre-shift meeting. *Prior to the start of every shift the lift director must lead a pre-shift meeting with the hoisting machine operator, rigging supervisor, signalpersons, and the supervisor of the flagpersons and pedestrian traffic managers. This meeting may be conducted via radio or phone.*

3319.2.3.9.1 Meeting topics. *The following topics must be discussed at every meeting:*

1. *The day's planned operations;*
2. *Pedestrian and traffic controls;*
3. *Current weather conditions and forecasts; and*
4. *As applicable, signaling/communication protocols for tandem picks, multiple crane or derrick operations, and operating in the blind.*

3319.2.3.9.2 Additional meeting topics. *The following topics must also be discussed at the initial meeting, and at any subsequent meeting where tasks, personnel, or crane or derrick configurations have changed:*

1. *Roles of personnel;*

2. *Objects to be lifted/lowered, including a review of their weights, lifting points, and any special considerations;*
3. *Rigging equipment to be used;*
4. *Site conditions;*
5. *Pick and landing zones;*
6. *Fall, crush, electrical, and other hazards;*
7. *In-service and out-of-service wind thresholds for the crane or derrick; and;*
8. *Permit validity.*

3319.2.3.10 Review of plans. *Prior to the lift director's initial commencement of work with the crane or derrick at the site, each time the crane or derrick enters into a new phase, and each time relevant sections of plans are amended, the lift director must review the applicable sections of the approved crane or derrick notice plan in relation to site conditions, crane or derrick location and configuration, and traffic and pedestrian control; the applicable sections of the approved wind action plan with regard to the wind speed thresholds for the crane or derrick; and, as applicable, relevant rigging plans. It is the responsibility of the equipment user to verify that the lift director has reviewed the relevant materials, as required, and to notify the lift director each time the crane or derrick notice plans, the wind action plan, or rigging plans, are amended.*

Exception: *Where a certificate of on-site inspection is not required, all of the above requirements apply, except that in lieu of the above requirement to review the applicable sections of the approved crane or derrick notice plan and the applicable sections of the wind action plan, the lift director must instead review the applicable sections of the crane or derrick manual with regards to the setup, founding, lift or swing restrictions, and the wind speed threshold for the crane or derrick configuration to be utilized, as well as, where prepared, any plans or drawings with regards pertinent site features, obstacles, and restrictions, the location and configuration of the crane or derrick at the site, and matting or dunnage.*

§ 4. This local law takes effect immediately except that this local law shall not apply to the use of a mobile crane at a construction site where a certificate of on-site inspection for the use of such crane at such site is issued prior to July 1, 2017; provided that this exception shall not apply to a mobile crane that is a crawler crane. The terms used in this section shall have the meanings ascribed to such terms in the New York city building code.

Referred to the Committee on Housing and Buildings.

Int. No. 1432

By Council Members Kallos, Crowley, Miller and Espinal.

A Local Law to amend the administrative code of the city of New York, in relation to training and transparency requirements for certain projects receiving city financial assistance

Be it enacted by the Council as follows:

Section 1. Title 22 is amended by adding a new chapter 9 to read as follows:

CHAPTER 9
TRAINING AND DISCLOSURE REQUIREMENTS FOR
PROJECTS RECEIVING CITY FINANCIAL ASSISTANCE

- § 22-901 Definitions.
- § 22-902 Apprenticeship requirement.
- § 22-903 Disclosure requirements.
- § 22-904 Contract threshold.
- § 22-905 Retaliation.
- § 22-906 Enforcement and monitoring.

§ 22-901 Definitions. As used in this chapter:

Administering agency. The term “administering agency” means, with respect to a covered project, the mayor or an agency or office designated by the mayor to administer and enforce the provisions of this chapter for such project.

City economic development entity. The term “city economic development entity” means an entity that provides or administers financial assistance on behalf of the city pursuant to paragraph (b) of subdivision 1 of section 1301 of the New York city charter.

City financial assistance. The term “city financial assistance” means financial assistance that is provided or administered by the city or by a city economic development entity acting on the city’s behalf.

Contract threshold. The term “contract threshold” means a dollar amount equal to \$35,000 or a different contract threshold established pursuant to section 22-904 of this chapter.

Covered contractor. The term “covered contractor” means, with respect to a covered developer for a covered project, a person who has entered into a contract or other agreement with such developer to perform construction work in connection with such project where the total amount to be paid under all contracts or other agreements for similar work in connection with such project is (i) the contract threshold or more in any year or (ii) three times the contract threshold or more in total over the term of such contracts or agreements, except that the term “covered contractor” does not include the city or a city economic development entity.

Covered developer. The term “covered developer” means a person who receives city financial assistance in connection with a covered project.

Covered project. The term “covered project” means a project that:

1. (i) Is funded in whole or in part with city financial assistance expected to have a present value of \$1,000,000 or more and (ii) the agreement for providing any part of such assistance is executed, renewed or substantially amended on or after the effective date of the local law that added this chapter; and

2. Involves construction work on a building that has, or is expected to have after the completion of such project, (i) more than 100,000 square feet of floor area, as defined in section 12-10 of the New York city zoning resolution, or (ii) more than 50 dwelling units, as such term is defined section 310 of the New York city building code.

Construction work. The term “construction work” means construction, alteration or demolition work, except that the term excludes (i) architectural, engineering, legal, accounting or other professional services; (ii) clerical or other similar office support services; and (iii) the managing, directing or supervising of construction, rehabilitation, alteration or demolition work.

Financial assistance. The term “financial assistance” means money or any other thing of value, including, but not limited to, cash payments, grants or other subsidies; loans; bond financing; tax abatements or exceptions; tax increment financing; debt forgiveness; filing fee waivers or other fee waivers; energy cost reductions; environmental remediation costs; real property conveyance for less than market value; and write-downs in the market value of buildings, lands or leases or the cost of capital improvements related to real property that, under ordinary circumstances, the city would not pay for. The term “financial assistance” includes both discretionary and as-of-right assistance.

Principal investor. The term “principal investor” means, with respect to a covered project, a person who has (i) invested \$250,000 or more in furtherance of such project or (ii) entered into one or more contracts or

other agreements with one or more other persons, under which \$250,000 or more has been or reasonably will be invested in such covered project.

Principal officer. The term “principal officer” means, with respect to an entity, a person who serves as or performs the functions of a chief executive officer, chief financial officer or chief operating officer of an entity.

Principal owner. The term “principal owner” means, with respect to an entity, a person who holds a ten percent or greater ownership interest in such entity or who holds an ownership interest as a general partner, managing partner or other position conducting or participating directly in the conduct of the affairs of such entity.

§ 22-902 Apprenticeship requirement. No city financial assistance shall be provided for a covered project unless the covered developer for such project executes an agreement with the administering agency for such financial assistance requiring that each covered contractor for such project have, for the duration of such project, an apprenticeship agreement with an apprenticeship program that (i) is appropriate for the type and scope of construction work to be performed on such project, (ii) has been registered with, and approved by, the commissioner of labor of the state of New York pursuant to article 23 of the labor law and (iii) has a certificate of completion issued by the New York state department of labor showing that such program has graduated at least one apprentice in a trade or job title appropriate to the type and scope of construction work to be performed on such project within a time period before such contractor commences construction work on such project, where such time period equals 24 months plus the length of such program.

§ 22-903 Disclosure requirements. a. Each covered developer for a covered project shall provide the following information for such project to the administering agency for such project on a quarterly basis:

1. The name and address of each covered developer, each principal investor and each covered contractor for such project and, for each such developer, investor and contractor that is a corporation or other entity, the name and address of each principal officer thereof and each principal owner thereof;

2. The source, type and amount of city financial assistance provided for such project and, if such assistance was provided or otherwise administered through a government program, the name of such program;

3. The source, type and amount of state and federal financial assistance provided for such project and, if such assistance was provided or otherwise administered through a government program, the name of such program;

4. For projects that involve construction work on a city-owned building that has been leased to a person who is not a city economic development entity, a copy of such lease;

5. For each covered contractor for such project, a description of the construction work performed by such contractor in connection with such project;

6. A description of each finding that a covered developer or covered contractor for such project has violated a local, state or federal law or rule relating to employment, wages, employment discrimination, unemployment, workers compensation or workplace safety;

7. Proof, in a manner determined by the administering agency for such project, that each person who performs construction work in connection with such project has been provided with workers compensation insurance coverage and unemployment insurance, as required by law or rule; and

8. The number of such persons, disaggregated by workers compensation insurance coverage classification code.

b. Each person who applies to receive city financial assistance for a covered project shall provide the following information for such project to the administering agency for such project, in a form and manner determined by such agency:

1. If such person is a corporation or other entity, the name and address of each principal officer thereof and each principal owner thereof;

2. The number of full-time jobs and the number of part-time jobs that such applicant expects to be created as a result of such project, disaggregated by job title and industry, and a description of the basis for such expected job creation;

3. The name and address of each person who is or is reasonably expected to be a covered contractor for such project;

4. A description of each finding by a court of competent jurisdiction that such applicant or a person identified pursuant to paragraph 1 or 3 of this subdivision has:

(a) *Within the ten years preceding the filing of such application, violated a local, state or federal law or rule relating to employment, wages, employment discrimination, unemployment, workers compensation or workplace safety; or*

(b) *Violated a local, state or federal law or rule relating to employment, wages, employment discrimination, unemployment, workers compensation or workplace safety in connection with a covered project;*

5. *A list of any pending bankruptcy proceedings initiated in the ten years preceding the filing of such application by or against such applicant or a person identified pursuant to paragraph 1 or 3 of this subdivision; and*

6. *For such applicant and each person identified pursuant to paragraph 1 or 3 of this subdivision, a list of all names that such person has conducted business under in the ten years preceding the filing of such application.*

c. *The information required by subdivisions a and b of this section shall be submitted electronically to the administering agency in a form and manner to be determined by such agency.*

§ 22-904 *Contract threshold. If the highest expenditure that a contract for public work may involve and be exempt from the requirement that such contract be awarded to the lowest responsible bidder pursuant to paragraph 1 of section 103 of the general municipal law is amended or repealed on or after the effective date of the local law that added this chapter, the administering agency shall by rule establish a new contract threshold. If the amount of such expenditure has been amended and the new contract threshold proposed by such agency is different than such amended expenditure amount, then the administering agency shall submit to the council, and make publicly available online, the reasons for such difference at least 30 days before such rule takes effect.*

§ 22-905 *Retaliation. 1. It shall be unlawful for a covered developer for a covered project or any person acting on behalf of such developer to discriminate or retaliate against a person who (i) performs construction work in connection with such project and (ii) seeks information regarding, or enforcement of, this chapter.*

2. *A person claiming to be aggrieved by a violation of this section and who has not filed a complaint with the comptroller pursuant to section 22-906 of this chapter may, within three years after such violation is alleged to have occurred, petition any court of competent jurisdiction for (i) damages, including punitive damages; (ii) injunctive relief; and (iii) other appropriate relief, including reinstatement. If such court finds in favor of such person, it shall award to such person, in addition to any other appropriate relief, reasonable attorney's fees and costs.*

§ 22-906 *Enforcement and monitoring. a. 1. A covered developer who violates this chapter with respect to a covered project shall be subject to a civil penalty of no less than \$1,000 and no more than \$10,000 for each day until such violation is corrected to the satisfaction of the administering agency and may, at the discretion of such agency, be subject to full or partial disgorgement of city financial assistance provided to such developer in connection with such project.*

2. *Before imposing a penalty under this subdivision, the administering agency shall comply with the following requirements:*

(a) *Such agency shall provide such developer with an opportunity to be heard and shall provide notice to such developer and any other affected person at least 14 days before such hearing. Such notice shall be served upon such developer and each such affected person personally or by mail and shall include a copy of any report issued by the comptroller pursuant to subdivision b of this section.*

(b) *Such agency shall provide such developer with an opportunity to cure such violation within a reasonable period of time determined by such agency. If such developer cures such violation to the satisfaction of such agency within such period of time, no such penalty shall be imposed.*

b. 1. *In addition to any monitoring of compliance with the requirements of this chapter conducted by the administering agency, the comptroller shall monitor compliance with the requirements of this chapter.*

2. *Whenever the comptroller has reason to believe that there has been a violation of this chapter or has received a verified complaint in writing, on a form established and made publicly available online by the comptroller, from a person who performs construction work in connection with a covered project, or a representative of such person, claiming a violation of this chapter, the comptroller shall conduct an investigation to determine the facts relating thereto, except that no such investigation shall be conducted*

relating to violations committed more than three years before (i) the commencement of such investigation or (ii) the filing of such a complaint, whichever occurs earlier.

3. The comptroller shall report the results of such investigation, including a copy of any such verified complaint, to (i) the administering agency and (ii) for a covered project in which the city financial assistance relating to such project was administered by a city economic development entity, such entity.

§ 2. This local law takes effect immediately.

Referred to the Committee on Economic Development.

Int. No. 1433

By Council Members Kallos, Rosenthal, Levine, Torres, Crowley, Miller, Salamanca, Barron, Gentile, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to report on all construction incidents that result in an injury or fatality to a member of the public or a construction worker

Be it enacted by the Council as follows:

Section 1. Section 28-103.21 of article 103 of chapter 1 of title 28 of the administrative code of the city of New York is amended to read as follows:

§ 28-103.21 Incident lists. The commissioner shall, *by June 2017 and monthly thereafter*, post on the department's website a list of every incident that occurred on every construction site within the city of New York that [resulted in an injury and/or a fatality, either or both of which were reported to the department or of which the department otherwise became aware. Such list shall be updated monthly.] *resulted in (i) a fatality to a member of the general public or a construction worker or (ii) an injury to a member of the general public or a construction worker that requires transport by emergency medical services or requires immediate emergency care at a hospital or offsite medical clinic, regardless of whether such incident involved a violation of this code or any other law or rule.* Such list shall [identify the] *identify, at a minimum, the following information for each incident that the department is required to report on pursuant to this section:*

- 1. The owner and the general contractor of the site where the incident [occurred, the] occurred;*
- 2. A detailed description of the incident, including the nature of the work being performed at the time of the [incident, violations] incident;*
- 3. Violations issued by the department as a result of the incident and to whom such violations were [issued, and the] issued;*
- 4. The number of persons injured and/or killed[. Such list shall also set forth the total number of injuries and fatalities reported to the department or of which the department otherwise became aware that occurred on construction sites within each borough and within the entire city for each of the previous five calendar years.] in the incident, and whether such persons were members of the public or construction workers;*
- 5. If the incident involved an injury, a description of the type of injury;*
- 6. The date and time of the incident;*

7. *The address where the incident occurred;*
8. *The number of floors and height of the building involved where the incident occurred or, in the case of a new building, the proposed number of floors and proposed height;*
9. *If the incident involved a construction worker, the length of time the injured or deceased worker had been employed by their employer at the time of the incident;*
10. *If the incident involved a construction worker, the number of hours the injured or deceased worker had been working when the incident occurred; and*
11. *If the incident involved a construction worker, whether or not the injured or deceased worker was a union member.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 1354

Resolution acknowledging January 16-20 as No Name-Calling Week in New York City schools.

By Council Members Levin, Dromm and Barron.

Whereas, Bullying, name-calling and harassment are serious issues in schools and impact millions of students nationwide; and

Whereas, According to the United States Department of Education, about 22 percent of students aged 12-18 reported being bullied during the 2013 school year, and the National Center for Education Statistics reported that 13 million students are impacted by bullying each year; and

Whereas, Being a victim of bullying can hinder a student's academic achievement, and according to the National Voices for Education and Enlightenment approximately 160,000 teens do not go to school every day because of bullying; and

Whereas, A National Institute of Child Health and Human Development (NICHD) study of public, private, and parochial school students in grades 6 through 10 found that almost a third of these students, 5.7 million children nationwide, have experienced some sort of bullying; and

Whereas, Numerous researchers have indicated that victims of bullying have an increased risk of experiencing difficulties with depression, anxiety and sleep; and

Whereas, In addition, students who bully others are more likely to drink alcohol, smoke and carry a weapon; and

Whereas, While any student can be victimized by bullying and name-calling, students of marginalized groups are disproportionately victimized; and

Whereas, A parent survey by the Interactive Autism Network found that 63 percent of 1,167 children with autism spectrum disorder, aged 6 to 15, had been bullied; and

Whereas, Research published by the Journal of Developmental and Physical Disabilities discovered that students with disabilities worried about their safety in schools more often than their peers; and

Whereas, Additionally, there has been a recent increase of reported bullying and name-calling directed toward Muslim students in the United States; and

Whereas, According to the California chapter of the Council on American-Islamic Relations, 55 percent of Muslim students were victimized by at least one form of religious-based bullying, which is double the national average of students who report bullying; and

Whereas, Lesbian, gay, bisexual, transgender, and queer (LGBTQ) students are also disproportionately victims of bullying; and

Whereas, According to a national report released by the Gay Lesbian Straight Education Network (GLSEN), 70.8 percent of LGBTQ students reported that they were verbally harassed at school because of their sexual orientation and 54.5 percent reported being verbally harassed because of their gender expression; and

Whereas, In 2015, 27 percent of LGBTQ students reported being physically harassed because of their sexual orientation and 20.3 percent reported being physical harassed because of their gender expression; and

Whereas, Bullying and name-calling disrupts tolerance, inclusion and respect, which are important values stressed by the New York City Department of Education; and

Whereas, School is supposed to be a safe place, and no student should be subjected to bullying and name-calling while trying to pursue an education; and

Whereas, GLSEN's No Name-Calling Week, scheduled for January 16-20, 2017, is an invaluable project that is supported by a broad-based coalition of education and youth services organizations that are concerned about the detrimental effects name-calling has on students; and

Whereas, No Name-Calling Week is a week in which thousands of schools celebrate kindness and help counteract bullying; and

Whereas, It is imperative that schools continue to promote kindness throughout the school year given the high prevalence of bullying and name-calling in schools, and the impact such actions have on students; now, therefore, be it

Resolved, That the Council of the City of New York acknowledges January 16-20 as No Name-Calling Week in New York City schools.

Referred to the Committee on Education.

Int. No. 1434

By Council Members Levin, Johnson, Crowley, Salamanca, Gentile, Rodriguez and Chin.

A Local Law to amend the New York city charter, in relation to mandated reporting of PCB remediation in city public schools

Be it enacted by the Council as follows:

Section 1. Section 530-d of the New York city charter, as added by local law number 68 for the year 2011, is amended to read as follows:

[§ 530-d] § 530-d. Notification requirements, PCBs. a. For the purposes of this section, the following terms [shall] have the following meanings:

Building materials. The term "building materials" means applied dried paints, varnishes, waxes or other similar coatings, sealants and caulking.

[1. "Department" shall mean] *Department. The term "department" means the New York city department of education.*

HVAC system. The term "HVAC system" means heating, air conditioning, ventilating and similar equipment, including but not limited to individual unit ventilators for classrooms.

[2. "PCBs" shall mean] *PCBs. The term "PCBs" means polychlorinated biphenyls.*

[3. "PCB light ballast" shall mean] *PCB light ballast. The term "PCB light ballast" means a device that electrically controls fluorescent light fixtures and that includes a PCB small capacitor containing dielectric.*

[4. "PCB lighting removal plan" shall mean] *PCB management plan. The term "PCB management plan" means the department's comprehensive plan to remove, replace, remediate or manage in place light fixtures that have used or are using PCB light ballasts or are presumed to have used or to be using PCB light ballasts, building materials that contain or are presumed to contain PCBs, soil that contains or is presumed to contain PCBs, and HVAC systems that contain or are presumed to contain components with PCBs.*

[6. "Public school" shall mean] *Public school. The term "public school" means any school in a building owned or leased by the department, including charter schools, that contains any combination of grades from kindergarten through grade [twelve] 12.*

[5. "Reportable PCB levels" shall mean] *Reportable PCB levels. The term "reportable PCB levels" means written test results of light fixtures, building materials, soil, and HVAC systems including, but not limited to, air, wipe or bulk sample analysis, performed by or at the request of the department, the New York city school construction authority or the United States environmental protection agency that show concentrations of PCBs [which] that exceed the amount allowable pursuant to the applicable regulations and guidance promulgated by the United States environmental protection agency, including, but not limited to, written test results that show concentrations of PCBs that exceed recommendations regarding exposure levels for evaluation of PCBs in indoor school air, and [shall also mean] also means the inspection results of light fixtures that are leaking and presumed to have used or to be using PCB light ballasts, building materials that contain or are presumed to contain PCBs, soil that contains or is presumed to contain PCBs, and HVAC systems that contain or are presumed to contain components with PCBs.*

b. The department shall notify the parents of students and the employees in any public school that has been inspected or tested for reportable PCB levels of the results of such inspection or testing, and whether the results of such inspection or testing were negative or positive, within seven days of receiving such results; provided that if such results are received during a scheduled school vacation period exceeding five days and the area where such inspection or testing occurred is not being used by students during such period, such notification shall occur no later than seven days following the end of such period. The department shall also post such results on the department's website within seven days of receiving such results.

c. The notification required pursuant to subdivision b of this section shall include information setting forth the steps the department has taken and will take to address such reportable PCB levels, including the timeframe during which such reportable PCB levels were or will be addressed. If such steps are not completed within such timeframe then the department shall notify such parents and employees of the new timeframe for such steps. The department shall also notify such parents and employees within seven days of the date such steps to address reportable PCB levels are completed.

d. Not later than the [fifteenth] 15th day of April of the year [2012] 2018 and annually thereafter not later than the [fifteenth] 15th day of November, the department shall notify the parents of students and the employees in any public school identified as part of the department's PCB [lighting] management plan that such school has been identified as part of such plan and shall provide in such annual notice an explanation regarding the department's PCB [lighting] management plan including, but not limited to, the reasons for removal, replacement, or remediation, the fact that [certain] some light fixtures, building materials, soil, and HVAC systems are presumed to contain PCBs, and the schedule for such removal, replacement or remediation.

§ 2. Section 530-e of the New York city charter, as added by local law number 69 for the year 2011, is amended to read as follows:

[§ 530-e] § 530-e. PCB reporting data. a. For the purposes of this section, the following terms [shall] have the following meanings:

Building materials. The term "building materials" means applied dried paints, varnishes, waxes or other similar coatings, sealants and caulking.

[1. "Department" shall mean] *Department. The term "department" means the New York city department of education.*

HVAC system. The term "HVAC system" means heating, air conditioning, ventilating and similar equipment, including but not limited to individual unit ventilators for classrooms.

[2. "PCBs" shall mean] *PCBs. The term "PCBs" means polychlorinated biphenyls.*

[3. "PCB light ballast" shall mean] *PCB light ballast. The term "PCB light ballast" means a device that electrically controls fluorescent light fixtures and that includes a PCB small capacitor containing dielectric.*

[4. "PCB lighting removal plan" shall mean] *PCB management plan. The term "PCB management plan" means the department's comprehensive plan to remove, replace, remediate or manage in place light fixtures that have used or are using PCB light ballasts or are presumed to have used or to be using PCB light ballasts, building materials that contain or are presumed to contain PCBs, soil that contains or is presumed to contain PCBs, and HVAC systems that contain or are presumed to contain components with PCBs.*

[6. "Public school" shall mean] *Public school. The term "public school" means any school in a building owned or leased by the department, including charter schools, that contains any combination of grades from kindergarten through grade [twelve] 12.*

[5. "Reportable PCB levels" shall mean] *Reportable PCB levels. The term "reportable PCB levels" means written test results of light fixtures, building materials, soil samples, and HVAC systems, including, but not limited to, air, wipe or bulk sample analysis, performed by or at the request of the department, the New York city school construction authority or the United States environmental protection agency that show concentrations of PCBs [which] that exceed the amount allowable pursuant to the applicable regulations and guidance promulgated by the United States environmental protection agency, including, but not limited to, written test results that show concentrations of PCBs that exceed recommendations regarding exposure levels for evaluation of PCBs in indoor school air, and [shall also mean] also means the inspection results of light fixtures that are leaking and presumed to have used or to be using PCB light ballasts, building materials that contain or are presumed to contain PCBs, soil that contains or is presumed to contain PCBs, and HVAC systems that contain or are presumed to contain components with PCBs.*

b. Not later than the [fifteenth] 15th day of April of the year [2012] 2018 the department shall submit to the council a preliminary report, and annually thereafter not later than the [fifteenth] 15th day of November the department shall submit to the council a report, regarding the progress of the department's PCB [lighting] management plan and the department's efforts to address [caulk] PCB light ballasts, building materials that contain or are presumed to contain PCBs, soil that contains or is presumed to contain PCBs, and HVAC systems that contain or are presumed to contain components with PCBs in public schools and shall post such report on the department's website. The report shall include, but not be limited to: information regarding the overall progress on such plan including, but not limited to, an updated list of public schools identified as part of such plan, the steps that will be taken to address reportable PCB levels at such schools, and the schedule for addressing such reportable PCB levels at such schools; a list of schools where reportable PCB levels have been addressed, the steps taken to address such reportable PCB levels including, but not limited to, information regarding whether light fixtures, building materials, HVAC systems, window frames, door frames, soil and floor tiles were removed, replaced, remediated or are managed in place and the timeframe during which such reportable PCB levels were addressed; a list of schools for which notification was sent to parents and employees pursuant to subdivision b of section 530-d of this chapter, the steps taken to address the presence and removal, replacement or remediation of PCB light ballasts, building materials that contain or are presumed to contain PCBs, soil that contains or is presumed to contain PCBs, and HVAC systems that contain or are presumed to contain components with PCBs at such schools, including the number of light fixtures, HVAC systems, window frames, door frames, floor tiles and locations in individual schools where soil and building materials [that] were removed, replaced, remediated or are managed in place and the reasons for which inspection or testing for reportable PCB levels occurred including, but not limited to, routine inspection and discovery [of a leaking ballast] or pursuant to a consent order or any existing agreement with the United States environmental protection agency; a summary of the test results for any routine testing for PCBs in [caulk] light ballasts, building materials, soil, and HVAC systems performed by or at the direction of the department or the New York city school construction authority including, but not limited to, which schools were tested and for what reason, and information pertaining to the steps the department has taken and will take to address the presence and removal of PCBs in [caulking] light ballasts, building materials, soil and HVAC systems, but not limited to, the test results of any pilot study conducted pursuant to a consent order or any existing agreement with the United States environmental protection agency, an update on the status of such pilot study, and in the event that the department and New York City school construction authority reach agreement with the United States environmental protection agency at some future date on a final citywide PCB management plan, as described in and pursuant to all terms and conditions of the existing agreement with EPA, a description and update on PCB management activities, including the management of PCBs in [caulking] light ballasts, building materials, soil and HVAC systems implemented under such a final plan. All information required by this subdivision shall be aggregated citywide, as well as disaggregated by community school district, council district and borough.

c. The report shall include a link to information posted on the website of the department of health and mental hygiene that provides answers to frequently asked questions regarding PCBs.

d. The requirements of this section shall no longer be in effect following the department's submission to the council of a report documenting that the removal of all light fixtures, *building materials, soil, and HVAC systems* pursuant to the department's PCB [lighting] *management* plan has been completed.

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

Referred to the Committee on Education.

Int. No. 1435

By Council Members Maisel, Crowley, Reynoso, Levin, Espinal, Cornegy, Richards and Chin.

A Local Law to amend the New York city building code, in relation to requiring cranes to be equipped with data logging devices

Be it enacted by the Council as follows:

Section 1. Section BC 3319 of the New York city building code, as amended by local law 141 for the year 2013, is amended by adding a new section 3319.11 to read as follows:

3319.11 Crane data logging device. *No crane shall operate unless such crane is equipped with a data logging device that is approved by the department.*

1. Such device shall be capable of tracking the crane configuration, radius of the load, status of limit switches and operator overrides. Such data logger shall also record the name and license number of any individual operating the crane.

2. Data collected by such data logger shall be made available to the department at the request of the department.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1436

By Council Members Matteo, Crowley, Salamanca, Gentile, Rosenthal, Rose, Reynoso, Levin, Espinal, Cornegy, Richards, Menchaca and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to report on site safety managers and coordinators

Be it enacted by the Council as follows:

Section 1. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York is amended to add a new section 28-103.26 to read as follows:

§ 28-103.26 Report on site safety manager and coordinator certifications. *The commissioner shall, in June of 2017 and each year thereafter, electronically submit to the city council and post on the department's website, a report that includes the following information regarding site safety managers and site safety coordinators:*

1. *The (i) number of active site safety manager certificates and (ii) number of active site safety coordinator certificates;*
2. *The (i) number of active site safety manager certificates on the last day of the preceding year and (ii) number of active site safety coordinator certificates on the last day of the preceding year;*
3. *The (i) number of sites for which a site safety manager was required by this code during the preceding year and (ii) number of such sites for which a site safety manager was required by this code but for which a site safety coordinator may be designated in lieu of such manager pursuant to the exception to section 3310.5 of the New York city building code;*
4. *The (i) number of site safety manager certificates issued in the preceding year and (ii) number of site safety coordinator certificates issued in the preceding year;*
5. *The (i) number of applicants for site safety manager certificates who submitted applications during the preceding year and (ii) number of applicants for site safety coordinator certificates who submitted applications during the preceding year;*
6. *The (i) average length of time for an applicant who submitted an application for a site safety manager certificate during the preceding year to receive such certificate, measured from the date a completed application is submitted to the department and (ii) average length of time for an applicant who submitted an application for a site safety coordinator certificate during the preceding year to receive such certificate, measured from the date a completed application is submitted to the department;*
7. *The (i) average length of time to for an applicant who submitted an application for a site safety manager certificate during the preceding year to complete a background check, if any, for such certificate, measured from the date such applicant submitted all documentation necessary to complete such check and (ii) average length of time to for an applicant who submitted an application for a site safety coordinator certificate during the preceding year to complete a background check, if any, for such certificate, measured from the date such applicant submitted all documentation necessary to complete such check; and*
8. *A description of the unit or other division of the department responsible for receiving and processing applications for site safety manager certificates and site safety coordinator certificates, including the number of persons in such unit or division.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1437

By Council Members Menchaca, Crowley, Salamanca, Gentile, Rosenthal, Rose, Reynoso, Levin, Espinal, Cornegy, Richards and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the civil penalties for construction sites with excessive violations

Be it enacted by the Council as follows:

Section 1. Article 202 of chapter 2 of title 28 of the administrative code of the city of New York is amended to add a new section 28-202.3 to read as follows:

§ 28-202.3 Increased civil penalties for construction sites with excessive violations. *For the purposes of this section 28-202.3, the term “violation ratio” means, with respect to a construction site, (i) the number of immediately hazardous violations and major violations issued against such site in the preceding 12 months, excluding any violations that have been dismissed, divided by the square footage of the footprint of such site or (ii) an alternative ratio established by department rule and that the department determines is appropriate for identifying construction sites with high rates of immediately hazardous violations, major violations or unsafe conditions for the purposes of this section 28-202.3, provided that such rule is promulgated on or after January 1, 2019. Subject to the limitations of section 28-202.1, for any violation of this code, the 1968 building code, the zoning resolution or other laws or rules enforced by the department that occurs at a construction site with a violation ratio, at the time of the issuance of such violation, that exceeds the violation ratio of at least 90 percent of construction sites in the city as of December 31 of the calendar year immediately preceding the calendar year in which such violation was issued, the civil penalty imposed shall be at least twice the civil penalty that would be imposed if such site were not subject to this section 28-202.3. This section 28-202.3 shall have no effect on additional monthly or daily penalties imposed pursuant to section 28-202.1.*

§ 2. This local law takes effect on January 1, 2018, except that the commissioner of buildings may take such actions as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Housing and Buildings.

Res. No. 1355

Resolution calling upon the New York State Legislature, and the Governor, to enact legislation to increase the penalty on commercial vehicles that park in residential neighborhoods, in violation of existing rules and regulations on such vehicles to up to \$400 for the first offense.

By Council Members Miller, Salamanca, Barron, Gentile and Chin.

Whereas, New York City rules and regulations restrict when and where commercial vehicles may park; and

Whereas, Currently commercial vehicles may park for a maximum of three hours in areas where other parking rules and regulations are not in effect; and

Whereas, Moreover, commercial vehicles and trucks may not park in residential neighborhoods between the hours of 9 PM and 5 AM; and

Whereas, In 2010, the State legislature enacted legislation authorizing New York City to increase the fine for tractor-trailer combinations, tractors, truck trailers and semi-trailers that park overnight in a residential neighborhood from \$50 to up to \$250 for the first offense and up to \$500 for each subsequent offense within a six month period; and

Whereas, Communities throughout New York City continue to suffer from commercial vehicles parking in residential neighborhoods; and

Whereas, Illegal parking by commercial vehicles, especially large trucks, poses safety concerns for pedestrians and reduces parking that should be available to community residents; and

Whereas, Increasing the fine to \$400 for the first offence will create an additional deterrent to commercial vehicles and trucks who park in residential neighborhoods; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature, and the Governor, to enact legislation to increase the penalty on commercial vehicles that park in residential neighborhoods, in violation of existing rules and regulations on such vehicles to up to \$400 for the first offense.

Referred to the Committee on Transportation.

Int. No. 1438

By the Public Advocate (Ms. James), Council Members Ferreras-Copeland, Williams, Reynoso, Rosenthal, Espinal, Salamanca, Rose, Maisel, Cornegy, Barron, Koslowitz, Chin and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a preservation trust program with respect to certain tax liens

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision b of section 11-319 of the administrative code of the city of New York is amended by adding a new subparagraph iv to read as follows:

(iv) Within three months of the effective date of the local law that added this subparagraph, the commissioner of the department of housing preservation and development, in conjunction with the commissioner of finance, shall promulgate rules establishing a preservation trust program to govern the eligibility of a trust or other entity in which the city has an ownership or residual interest which has been created for the purpose of rehabilitating and preserving affordable housing to purchase a tax lien or tax liens on a property that is distressed, as defined by subdivision 4 of section 11-401, through a negotiated sale. Any trust or other entity deemed eligible to purchase tax liens for purposes of the preservation trust program must also meet the criteria for eligibility and satisfy all requirements to purchase tax liens through a negotiated sale set forth in this chapter. Pursuant to such program, the commissioner of finance may, in his or her discretion, sell a tax lien or tax liens on a distressed property to any eligible entity through a negotiated sale.

§2. Subdivision 4 of section 11-401 of the administrative code of the city of New York, as amended by local law number 37 for the year 1996, is amended to read as follows:

4. "Distressed property." Any parcel of class one or class two real property that is subject to a tax lien or liens with a lien or liens to value ratio, as determined by the commissioner of finance, equal to or greater than [fifteen] *ten* percent and that meets one of the following [two] criteria:

- i. such parcel has an average of [five] *three* or more hazardous or immediately hazardous 4 violations of record of the housing maintenance code per dwelling unit; [or]
- ii. such parcel is subject to a lien or liens for any expenses incurred by the department of housing preservation and development for the repair or the elimination of any dangerous or unlawful conditions therein, pursuant to section 27-2144 [of this code], in an amount equal to or greater than one thousand dollars[.];
- iii. *such parcel consists of vacant land;*
- iv. *such parcel has been noticed for a lien sale pursuant to section 11-319 at least two times in a period of forty-eight months and is a class two property that is not a residential condominium or residential cooperative, as such class of property is defined in subdivision one of section eighteen hundred two of the real property tax law;*
- v. *such parcel is a class two residential property, as such class of property is defined in subdivision one of section eighteen hundred two of the real property tax law, owned by a company organized pursuant to article XI of the state private housing finance law;*
- vi. *such parcel is subject to a lien or liens for any alternative enforcement expenses and fees incurred by the department of housing preservation and development pursuant to section 27-2153; or*
- vii. *the owner of such parcel has been found in violation of subdivision of section 27- 2005 pursuant to subdivision h of section 27-2115 or section 27-2120.*

§3. Section 11-401.1 of the administrative code of the city of New York, as added by local law number 37 for the year 1996, is amended to read as follows:

§ 11-401.1 Procedures for distressed property. a. The commissioner of finance shall, not less than sixty days preceding the date of the sale of a tax lien or tax liens, submit to the commissioner of housing preservation and development a description by block and lot, or by such other identification as the commissioner of finance may deem appropriate, of any parcel of class one or class two real property on which there is a tax lien that may be foreclosed by the city. The commissioner of housing preservation and development shall determine, and direct the commissioner of finance, not less than ten days preceding the date of the sale of a tax lien or tax liens, whether any such parcel is a distressed property as defined in subdivision four of section 11-401 [of this chapter]. Any tax lien on a parcel so determined to be a distressed property shall not be included in such sale, *except through a sale subject to the provisions of subparagraph iv of paragraph 2 of subdivision b of section 11-319*. In connection with a subsequent sale of a tax lien or tax liens, the commissioner of finance may, not less than sixty days preceding the date of the sale, resubmit to the commissioner of housing preservation and development a description by block and lot, or by such other identification as the commissioner of finance may deem appropriate, of any parcel of class one or class two real property that was previously determined to be a distressed property pursuant to this paragraph and on which there is a tax lien that may be included in such sale. The commissioner of housing preservation and development shall determine, and direct the commissioner of finance, not less than ten days preceding the date of the sale, whether such parcel remains a distressed property. If the commissioner of housing preservation and development determines that the parcel is not a distressed property, then the tax lien on the parcel may be included in the sale.

b. The commissioner of housing preservation and development may periodically review whether a parcel of class one or class two real property that is subject to subdivision c of this section or subdivision j of section 11-412.1 [of this chapter] remains a distressed property. If the commissioner determines that the parcel is not a distressed property as defined in subdivision four of section 11-401 [of this chapter], then the parcel shall not be subject to such subdivisions.

c. Any parcel so determined to be a distressed property, *unless such parcel has had a tax lien or tax liens sold in a sale subject to the provisions of subparagraph iv of paragraph 2 of subdivision b of section 11-319*, shall be subject to an in rem foreclosure action, or in the case where the commissioner of finance does not commence such action the commissioner of housing preservation and development shall evaluate such parcel and take such action as he or she deems appropriate under the programs, existing at the time of such evaluation, that are designed to encourage the rehabilitation and preservation of existing housing, and shall monitor or cause to be monitored the status of the property. The commissioner of housing preservation and development, in his or her discretion, shall cause an inspection to be conducted on any parcel so determined to be a distressed property. In addition, the commissioner of housing preservation and development shall submit to the council a list of all parcels so determined to be a distressed property within thirty days from the date such parcels are identified as a distressed property.

§4. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 1439

By Council Members Reynoso, Salamanca, Rodriguez and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring agencies to notify food rescue organizations before disposing of food.

Be it enacted by the Council as follows:

Section 1. Section 17-306 of the administrative code of the city of New York is amended by adding a new subdivision t to read as follows:

t. “Food rescue organization.” Any organization that has as its primary focus the retrieval of edible food that would otherwise be discarded from places such as restaurants, grocery stores, produce markets, or dining facilities and distributing it to local emergency food programs.

§ 2. Subchapter 2 of chapter 3 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-323.1 to read as follows:

§ 17-323.1 Notification concerning confiscation of food. In the event that an agency confiscates food that is safe for human consumption, the agency shall, at least 24 hours before disposing of such food, notify at least two food rescue organizations that such organizations may retrieve all or part of such food at such organizations’ expense.

§ 3. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 1440

By Council Members Reynoso and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to signs near diaper changing tables

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-518.2 to read as follows:

§ 24-518.2 Signs near diaper changing tables. The owner of a building containing space that (i) is intended for public or common use and (ii) contains a diaper changing table within a restroom shall post and maintain a sign on or near the entrance to each such restroom stating that baby wipes should not be flushed. Such sign shall be posted and maintained in a form and manner determined by the commissioner of environmental protection.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1441

By Council Members Richards, Rodriguez, Miller, Salamanca and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to clean and maintain all medians at least once a year and to create a web-based tracking system

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of Chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-158 to read as follows:

§ 19-158 Median maintenance. a. For the purposes of this section, the term “median” means the raised area that separates lanes of traffic on a roadway.

b. The department shall clean and maintain all medians at least once per year. This provision shall not be construed to conflict with or lessen the department of parks and recreation’s responsibility for maintaining trees and vegetation on medians, pursuant to section 18-104, or with the department of sanitation’s responsibility for maintaining such medians during snowfall or the formation of ice, pursuant to section 16-124.

c. The department shall create a web-based system to track its progress in the annual cleaning and maintaining of medians.

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

Referred to the Committee on Transportation.

Int. No. 1442

By Council Members Rosenthal, Crowley, Miller, Rose, Levin, Espinal, Cornegy, Richards and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to enforcement of safety registration numbers and repealing section 28-420.5 of the administrative code of the city of New York

Be it enacted by the Council as follows:

Section 1. Section 28-420.3 of the administrative code of the city of New York is amended to read as follows:

§ 28-420.3 Duties and [Responsibilities] responsibilities. The [recipient] holder of a safety registration number shall comply with the following requirements:

1. Subcontractor information. The [recipient] holder of a safety registration number shall maintain at each work site the names, business addresses and contract information of the superintendent(s) of the subcontractors who hold subcontracts with the prime contractor, as well as the particular work they perform, and shall make such information available to department personnel upon request;
2. Special inspection reports. The [recipient] holder of a safety registration number shall maintain at the work site such special inspection reports as specified in the New York city building code and shall make sure reports available to department personnel upon request.

§ 2. Section 28-420.5 of the administrative code of the city of New York is REPEALED and a new section 28-420.5 is added to read as follows:

§ 28-420.5 Enforcement of safety registration number system. Every six months, the commissioner shall classify holders of safety registration numbers into tiers for the purpose of enforcing the safety registration number system required by this article, in accordance with this section.

§ 28-420.5.1 Classification of safety registration number holders by type of work performed. Each holder of a safety registration number shall be classified as follows:

1. If a safety registration number holder satisfies each of the following conditions, such holder shall be a class A safety registration number holder:
 - 1.1. Each permit that was issued to such holder in the preceding six-month period for work that would qualify such holder as a safety registration recipient relates to work on dwellings intended for occupancy by no more than three families.
 - 1.2. All work supervised by such holder in the preceding six-month period that would qualify such holder as a safety registration recipient relates to work on dwellings intended for occupancy by no more than three families.

2. If a safety registration number holder satisfies one or more of the following conditions, such holder shall be a class B safety registration number holder:
 - 2.1. A permit that was issued to such holder in the preceding six-month period for work that would qualify such holder as a safety registration recipient relates to work on an existing or proposed building that (i) is 15 stories or more, or 200 feet (60 960 mm) or more, in height or (ii) has a building footprint of 100,000 square feet (30 480 m²) or more.
 - 2.2. Such holder supervised work in the preceding six-month period and such work would qualify such holder as a safety registration recipient and was performed on an existing or proposed building that (i) is 15 stories or more, or 200 feet (60 960 mm) or more, in height or (ii) has a building footprint of 100,000 square feet (30 480 m²) or more.
3. If a safety registration number holder is not a class A or class B safety registration number holder, such holder shall be a class C safety registration number holder.

§ 28-420.5.2 Classification of safety registration number holders by safety record. Each holder of a safety registration number shall be classified in accordance with this section.

§ 28-420.5.2.1 Definitions. As used in this section:

COMPARATIVE CLASSIFICATION CRITERIA. The term “comparative classification criteria” means, with respect to a safety registration number holder undergoing classification pursuant to this section, each of the following:

1. The number of violations sustained against such holder in the calendar year preceding classification, excluding violations that have been dismissed, divided by the number of jobs undertaken by such holder during such year.
2. The number of immediately hazardous violations sustained against such holder in the calendar year preceding classification, excluding violations that have been dismissed, divided by the number of jobs undertaken by such holder during such year.
3. The number of stop work orders issued against such holder for an immediately hazardous violation in the preceding calendar year divided by the number of jobs undertaken by such holder during such year.
4. The current experience modification rate calculated by the New York compensation insurance rating board for such holder.

PERSON IN CONTROL. The term “person in control” means, with respect to a safety registration number holder, a person listed as a corporate officer of such holder or a person owning or controlling an interest of ten percent or more in such holder’s business on an application submitted under section 28-420.2 for such holder.

§ 28-420.5.2.2 Tier one. If, upon submission of an application for tier one classification by a safety registration number holder, such holder satisfies each of the following conditions, such holder shall be classified as a tier one safety registration number holder:

1. Each comparative classification criterion for such holder is below the median for such holder’s class determined under section 28-420.5.1.

2. In the preceding six-month period, there have been no fatal accidents resulting in violations sustained against such holder.
3. For immediately hazardous violations sustained against such holder in the preceding calendar year, excluding violations that were dismissed, the average length of time for such holder to correct such a violation was 30 days or less.
4. Such holder demonstrates to the satisfaction of the commissioner that such holder has implemented an active safety management system, in accordance with rules the commissioner shall promulgate, provided that such system includes, at a minimum, each of the following:
 - 4.1. A method for evaluating such holder's implementation of such system, including documented self-inspections that occur at least weekly and involve employees of such holder.
 - 4.2. Weekly or more frequent meetings or discussions among the employees of such holder, and any contractor or subcontractor of such holder, concerning safety issues encountered by such holder.
 - 4.3. Safety and health training, beyond what is required by law or rule, for each employee of such holder.
 - 4.4. A program for incentivizing employees of such holder to comply with such system.
5. No person listed as a person in control of such holder on the most recent application filed by such holder under section 28-402.2 is listed as a person in control on (i) the most recent application filed under such section by another safety registration number holder that is classified in tier three, four or five or (ii) the most recent application filed under such section by a former safety registration number holder that had its safety registration number revoked or was, upon expiration of its safety registration number, classified in tier three, four or five, provided that such revocation or expiration occurred within the preceding five-year period.

§ 28-420.5.2.3 Tier two. A safety registration number holder who is not classified into any other tier shall be classified as a tier two safety registration number holder.

§ 28-420.5.2.4 Tier three. If a safety registration number holder satisfies item 1, 2, 3 or 4 of this section, and is not classified in tier four or five, such holder shall be classified as a tier three safety registration number holder. The commissioner shall by rule establish a process for allowing a safety registration number to appeal such classification.

1. In the preceding six-month period, there has been one or more fatal accidents resulting in violations sustained against such holder.
2. Two or more comparative classification criteria for such holder are at or above the ninety-fourth percentile for such holder's class determined under section 28-420.5.1, provided that if the number of violations sustained against such holder in the preceding calendar year, excluding violations that have been dismissed, is fewer than three, then the comparative classification criterion described by paragraph 1 of the definition of "comparative classification criterion" shall be deemed to be below the ninety-fourth percentile for such holder's class determined under section 28-420.5.1.
3. Such holder satisfies each of the following conditions:

- 3.1. One or more comparative classification criteria for such holder are at or above the ninety-fourth percentile for such holder's class determined under section 28-420.5.1, provided that if the number of violations sustained against such holder in the preceding calendar year, excluding violations that have been dismissed, is fewer than three, then the comparative classification criterion described by paragraph 1 of the definition of "comparative classification criterion" shall be deemed to be below the ninety-fourth percentile for such holder's class determined under section 28-420.5.1.
- 3.2. For immediately hazardous violations sustained against such holder in the preceding calendar year, excluding violations that were dismissed, the average length of time for such holder to correct such a violation was more than 30 days.
4. A person listed as a person in control of such holder on the most recent application filed by such holder under section 28-402.2 is listed as a person in control on (i) the most recent application filed under such section by another safety registration number holder that is classified in tier three or (ii) the most recent application filed under such section by a former safety registration number holder that had its safety registration number revoked or was, upon expiration of its safety registration number, classified in tier three, provided that such revocation or expiration occurred within the preceding five-year period.

§ 28-420.5.2.5 Tier four. If a safety registration number holder satisfies item 1 or 2 of this section, such holder shall be classified as a tier four safety registration number holder. The commissioner shall by rule establish a process for allowing a safety registration number to appeal such classification.

1. In the two preceding classifications of such holder, the commissioner has classified such holder as a tier three safety registration number holder and such holder satisfies item 1.1 or 1.2 of this section:
 - 1.1. In the preceding six-month period, one or more violations have been sustained against such holder, excluding violations that have been dismissed.
 - 1.2. One or more violations sustained against such holder, excluding violations that have been dismissed, have not been corrected.
2. A person listed as a person in control of such holder on the most recent application filed by such holder under section 28-402.2 is listed as a person in control on (i) the most recent application filed under such section by another safety registration number holder that is classified in tier four or (ii) the most recent application filed under such section by a former safety registration number holder that had its safety registration number revoked or was, upon expiration of its safety registration number, classified in tier four, provided that such revocation or expiration occurred within the preceding five-year period.

§ 28-420.5.2.5.1 Remediation plan. A remediation plan shall be developed and completed for a tier four safety registration number holder as follows:

1. Within ten business days after notice has been provided by the commissioner under section 28-420.5.3 to safety registration number holder stating that such holder has been classified in tier four, such holder shall contact the department, in a manner to be determined by department rule, to arrange a remediation plan meeting with the department.
2. At such meeting, the department and such holder shall develop a remediation plan which shall include (i) physical precautions, procedural changes, training and similar initiatives to address such holder's safety and violation issues and (ii) steps that the department and such holder shall

take to monitor such holder's remediation plan progress, (iii) a timeframe for implementation of such plan and (iv) such other measures as the department may require.

3. Such holder shall not be eligible for classification above tier four until the department determines that such holder has successfully completed such plan.

4. The department may by rule establish fees for development and monitoring of remediation plans.

§ 28-420.5.2.6 Tier five. A safety registration number holder who does not meet with the department to develop a remediation plan as required by section 28-420.5.2.5.1 or who does not comply with such plan shall be immediately classified as a tier five safety registration holder. The commissioner shall by rule establish a process for allowing a safety registration number to appeal such classification.

§ 28-420.5.2.6.1 Suspension of safety registration number. The safety registration number of a tier five safety registration number holder shall be suspended in accordance with this section:

1. If a safety registration holder is classified in tier five because such holder did not contact the department, in the manner determined by such department, to arrange a remediation plan meeting under section 28-420.5.2.5.1, the commissioner shall, after providing such holder with an opportunity to be heard and in accordance with procedures the commissioner shall establish by rule, suspend the safety registration number of such holder until such a remediation plan meeting is held and thereafter until such holder demonstrates satisfactory compliance with such plan.
2. If a tier five safety registration number holder has not met with the department to develop such a remediation plan within two months after provision of the notice described in item 1 of section 28-420.5.2.5.1 and the department has offered at least two dates for such meeting, the commissioner shall, after providing such holder with an opportunity to be heard and in accordance with procedures the commissioner shall establish by rule, suspend the safety registration number of such holder until such meeting is held and thereafter until such holder demonstrates satisfactory compliance with such plan.
3. If a tier five safety registration number holder fails to comply with a remediation plan required by section 28-420.5.2.1.5, the commissioner may, after providing an opportunity for a tier five safety registration number holder to be heard and in accordance with procedures the commissioner shall establish by rule, suspend the safety registration number of such holder until such holder demonstrates satisfactory compliance with such plan.

§ 28-420.5.2.6.2 Revoking or refusing to renew a safety registration number. Whenever a tier five safety registration number holder satisfies a condition for suspension described in section 28-420.5.2.6.1, the commissioner may, in lieu of suspending the safety registration number of such holder, revoke or refuse to renew the safety registration number of such holder, after providing such holder with an opportunity to be heard and in accordance with procedures the commissioner shall establish by rule.

§ 28-420.5.3 Notice. *Within 10 business days after classifying a safety registration number holder in accordance with sections 28-420.5.2.1 and 28-420.5.2.2, the commissioner shall provide notice to such holder, in a form and manner to be determined by the commissioner. Such notice shall include, at a minimum, such holder's classification under sections 28-420.5.2.1 and 28-420.5.2.2, the meaning of such classifications, a description of the process by which such classifications were made, and a description of how such process was applied to such holder in making such classifications. If such holder is being*

classified into tier three, such notice shall include a description of the ways to improve such holder's classification and the consequences of remaining in such tier. If such holder is being classified into tier four, such notice shall include a description of such holder's responsibilities with respect to a remediation plan under section 28-420.5.2.5.1 and the consequences of failing to fulfill such responsibilities.

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1443

By Council Members Torres, Levin, Salamanca, Chin and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that certain Department of Homeless Services employees be trained in administering opioid antagonists.

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 21-317 to read as follows:

§ 21-317. *a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Opioid. The term "opioid" means an opiate as defined in section 3302 of the public health law.

Opioid antagonist. The term "opioid antagonist" means naloxone or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

Opioid antagonist administration training. The term "opioid antagonist administration training" means a program with the purpose of training individuals encountering a suspected opioid overdose with the steps to take to prevent a fatality, including contacting emergency medical services, administering an opioid antagonist and, where appropriate, providing resuscitation.

b. Training. 1. The department shall provide opioid antagonist administration training to all department employees identified by the department who may encounter persons experiencing or at risk of experiencing an opioid-related overdose in the course of his or her duties.

2. For all department employees identified by the department who may encounter in the course of their duties a person experiencing or at risk of experiencing an opioid-related overdose, the department shall annually (i) provide a refresher training or (ii) otherwise require that department employees demonstrate competence in opioid overdose recognition and response to the satisfaction of the department.

c. Beginning no later than September 1, 2017, and no later than every September 1 thereafter, the commissioner shall submit to the mayor and the speaker of the council an annual report regarding the number of department employees who have completed the opioid antagonist administration training and the number of department employees who have completed a refresher training.

§ 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 1444

By Council Members Treyger, Crowley, Miller, Salamanca, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy, Richards and Chin.

A Local Law to amend the New York city building code, in relation to requiring site-specific safety orientations for workers at all construction sites

Be it enacted by the Council as follows:

Section 1. Section 3310.10 of the New York city building code is amended to read as follows:

3310.10 Orientation and training. All workers employed at a [major] building site shall receive orientation and training as required by this section.

§ 2. Section 3310.10.1 of the New York city building code is amended to read as follows:

3310.10.1 Orientation. [All workers] *Each worker* employed at a [major] building site shall receive a site-specific safety orientation program. *If such worker identifies as being, or is evidently, unable to communicate meaningfully in English because English is not such worker's primary language, such orientation shall be made available in a language such worker chooses.* This program shall include a review of any hazardous activities of the job that are relevant to the tasks and activities to be performed. All workers must attend such a program no later than seven days after commencing their employment at the site *and before engaging in any work at such site. A record of all such orientations shall be maintained and kept at the site.*

§ 3. This local law shall take effect 180 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1445

By Council Members Williams, Crowley, Miller, Salamanca, Rosenthal, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy Richards and Chin.

A Local Law to amend the New York city building code, in relation to requiring safety netting and guardrail systems to protect floor openings

Be it enacted by the Council as follows:

Section 1. Section 3306.9.12.1 of the building code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

3306.9.12.1 Protection of floor openings. Every opening in a floor used for the removal of debris shall be tightly enclosed with a shaftway, extending from floor to floor, with such shaftway enclosed with:

1. Planking not less than 2 inches (51 mm) in thickness, or equivalent solid material; [or]

2. Where the opening is used for the removal of noncombustible material, wire mesh may be utilized in lieu of planking, provided such mesh is not less than number 18 gage wire mesh, with openings in the wire no longer than ½ inch (13 mm), and also provided that the wire mesh is securely attached, in accordance with drawings developed by a registered design professional, to the shaftway so that the wire mesh enclosure in any location does not deflect more than 2 inches (51 mm) when a force of at least 200 pounds (890 n) is applied along any horizontal portion of such wire mesh enclosure[.]; or
3. A guardrail system, vertical netting and horizontal netting where required by Sections 3308.6 and 3308.7.

Exceptions:

1. In buildings not more than six stories in height, a shaftway is not required. Instead openings in the floor shall be solidly planked over while not in use by planking not less than 2 inches (51 mm) in thickness, or equivalent solid material, and laid close. Where such working deck reaches a height of six stories or 75 feet above the level of the ground, horizontal netting shall be provided at a level not more than two stories or 30 feet below, as required by section 3308.6.1.

2. A shaftway is not required at the working deck. Instead, openings in the working deck shall be solidly planked over while not in use by planking not less than 2 inches (51 mm) in thickness, or equivalent solid material, and laid close. Where such working deck reaches a height of six stories or 75 feet above the level of the ground, horizontal netting shall be provided at a level not more than two stories or 30 feet below, as required by section 3308.6.1.

§ 2. Section 3308 of the building code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

**SECTION BC 3308
PROTECTION OF UNENCLOSED PERIMETERS, INTERIOR SHAFTWAYS, AND FLOOR
OPENINGS**

§ 3. Section 3308.1 of the building code of the city of New York, as amended by local law 141 for the year 2013, is amended to read as follows:

3308.1 Scope. Safety netting systems and guardrail systems shall be provided as required by this section to protect unenclosed perimeters, interior shaftways and floor openings. Except where this section authorizes the temporary removal of unenclosed perimeter, interior shaftway or floor opening protection, no work shall occur, nor shall materials be stored on any level where required unenclosed perimeter, interior shaftway or floor opening protection is not installed.

§ 4. Section 3308.5 of the building code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

3308.5 Vertical safety netting systems. Vertical safety netting shall be installed and maintained to cover all unenclosed perimeters *and interior shaftways*.

§ 5. Section 3308.6.1.1 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

3308.6.1.1 During construction. When, during the course of new building construction, or during the vertical or horizontal enlargement of an existing building, the uppermost walkable floor reaches a height of six

stories or 75 feet (22 860 mm) above the level of the ground or an adjoining roof, horizontal safety netting shall be provided at a level not more than two stories or 30 feet (9144 mm) below:

1. *Any floor opening or interior shaftway;*

[1.] 2. In concrete structures: the stripping floor; or

[2.] 3. In steel structures: at the uppermost story where the concrete floor slab has been poured.

Exception: When tarpaulins encase one or more floors immediately below the finished concrete floor in order to maintain temporary heat, the horizontal netting may be located no more than three floors below the finished concrete floor.

§ 6. Section 3308.6.1.2 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

3308.6.1.2 During demolition. When the demolition of the exterior walls or the roof of a building occurs at a height greater than 6 stories or 75 feet (22 860 mm), horizontal safety netting shall be provided at a level not more than two stories or 30 feet (9144 mm) below the story from which the exterior walls and roof are being removed *or below any floor opening or interior shaftway.*

Exception: Demolition of exterior walls only for the purposes of the alteration, maintenance, or repair of a facade shall be in accordance with Section 3308.6.1.3.

§ 7. Section BC 3308.6.1.6 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

3308.6.1.6 Temporary removal. Horizontal safety netting may be temporarily removed in the immediate area where active loading or unloading operations are occurring, or where perimeter work is occurring, or to relocate the nets to a higher level, provided that no concrete work, including formwork placement or stripping, no structural steel placement or assembly, and no work within 10 feet (3048 mm) from an unenclosed perimeter, *interior shaftway or floor opening* of the building occurs on levels above the horizontal safety netting. Horizontal safety nets shall be reinstalled immediately following the end of active loading or unloading operations, or active work, or at the end of the workday, whichever occurs sooner.

§ 8. Section 3308.7 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

3308.7 Guardrail system. A guardrail system shall be installed and maintained to protect all unenclosed perimeters[.], *interior shaftways and floor openings.*

§ 9. Section 3308.7.7 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

3308.7.7 Temporary removal. Guardrail systems may be temporarily removed in the immediate area where active loading or unloading operations, *including debris removal*, are occurring, or where perimeter work is occurring, provided that:

1. A controlled access zone is established to prevent unauthorized personnel from entering the area where the guardrail system is removed; and
2. Immediately prior to the removal of the guardrail system the floor is broom swept and cleared of all materials and equipment to a distance of at least 10 feet (3048 mm), in all directions, from the area

where the guardrail system will be removed, except for material and equipment related to the loading or unloading operation or perimeter work or stored in accordance with Section 3303.4.5.2.

§ 10. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1446

By Council Members Williams, Crowley, Miller, Rosenthal, Rose, Reynoso, Levin, Espinal, Menchaca, Cornegy and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to licensing endorsements for class B hoisting machine operators

Be it enacted by the Council as follows:

Section 1. Item 2 of section 28-405.2 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

2. Class B license: Endorsement on basic license to include the operation of hoisting machinery [without limitation or restriction.] *as follows:*

Class B1: Endorsement to operate hoisting machinery without complex booms, as such term is defined by the department.

Class B2: Endorsement to operate hoisting machinery without limitation or restriction.

§2. Section 28-405.3.2 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

§ 28-405.3.2 Class B license. An applicant for a class B hoisting machine operator license shall have *the following qualifications.*

§28-405.3.2.1 Class B1 license. *An applicant for a class B1 hoisting machine operator license shall have a class A basic hoisting machine operator license, and shall have at least two years experience prior to application under the direct and continuing supervision of a Class B licensed hoisting machine operator operating the equipment for which he or she is applying for endorsement and shall satisfactorily demonstrate by operation that he or she is competent to operate a crane with a boom, including jibs and other extensions, exceeding 200 feet (60 960 mm) in length or truck-mounted tower crane exceeding 200 feet (60 960 mm) in height, or as otherwise provided in rules of the department.*

§ 28-405.3.2.2 Class B2 license. *An applicant for a class B2 hoisting machine operator license shall have a class B1 hoisting machine operator license and shall demonstrate, in accordance with departmental rules, competence in operating cranes with complex booms, as such term is defined by the department.*

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1447

By Council Members Williams, Menchaca, Kallos, Crowley, Lancman, Miller, Dromm, Salamanca, Torres, Constantinides, Johnson, Rose, Reynoso, Levin, Espinal, Grodenchik, Koslowitz, Rodriguez, Eugene, Maisel, Vacca, and Gentile (by request of the Manhattan Borough President).

A Local Law to amend the New York city building code, in relation to training and qualifications of persons engaged in the construction and demolition of buildings

Be in enacted by the Council as follows:

Section 1. Section 3302.1 of the New York city building code is amended by adding new definitions to read as follows:

APPRENTICE. *A worker who is employed and registered to learn a skilled trade through a New York state department of labor or United States department of labor registered apprenticeship program.*

APPRENTICESHIP PROGRAM. *A plan containing all terms and conditions for the qualification, recruitment, selection, employment and training of apprentices, and registered with the New York state department of labor or the United States department of labor.*

BONA FIDE CONSTRUCTION SITE SAFETY TRAINING PROGRAM. *A training program authorized and approved by the commissioner for the trade or craft for which a person is employed that provides a minimum number of required hours for completion in safety related instruction and a minimum number of required hours of on the job training commensurate with, at least, one year of apprenticeship training in accordance with the standards set forth in section 815 of the New York state labor law and paragraph (4) of subdivision (c) of section 601.5 of the New York codes, rules and regulations.*

§ 2. The title of section BC 3310 of the New York city building code is amended to read as follows:

**SECTION BC 3310
REQUIREMENTS FOR THE CONSTRUCTION OR DEMOLITION OF
[MAJOR] BUILDINGS**

§ 3. Section 3310.10 of the New York city building code is amended to read as follows:

3310.10 [Orientation and] Orientation, training and qualifications. All workers employed at a major building site shall receive orientation [and training] as required by this section. *All workers employed at a building site shall receive training and have qualifications as required by this section.*

§ 4. Section 3310.10.2 of the New York city building code is amended to read as follows:

3310.10.2 Training. All workers employed at a [major building] site shall have successfully completed, within the previous five calendar years, a course that is at least ten-hours in length and approved by the United States Department of Labor Occupational Safety and Health Administration (OSHA) in construction industry safety and health, or by the commissioner covering substantially the same material.

Exception: A worker need not take a subsequent course that is at least ten-hours in length and approved by OSHA in construction industry safety and health, or a subsequent course approved by the commissioner covering substantially the same material, provided the worker has, within the previous five calendar years, accumulated at least five safety education units (SEU) for construction safety and health through training courses offered by a safety training program conducted by a New York State Department of Labor approved

training provider registered apprenticeship program. A worker shall be credited one SEU for every four hours of construction safety and health related training completed, with a maximum of two SEUs assigned for any single course. Such SEU courses shall be conducted by, or under the supervision of, OSHA authorized construction safety trainers. Instructors who are not OSHA authorized construction trainers must be experienced in presenting the related course subject matter, and use a curriculum approved by their supervising OSHA authorized construction safety trainer.

§ 5. Section 3310.10 of the New York city building code is amended by adding a new section 3310.10.3 to read as follows:

3310.10.3 Additional training and qualifications. *In addition to the requirements of Section 3310.10.2, each worker employed at a site shall satisfy the requirements of Sections 3310.10.3.1 through Section 3310.10.3.2, as applicable.*

3310.10.3.1 Workers at major building sites. *Each worker at (i) a major building site or (ii) a site that satisfies such other criteria as the commissioner may establish by rule, shall be;*

1. *A registered apprentice or graduate of an apprenticeship program registered by the New York state or United States department of labor in the trade for which such worker is employed, or*
2. *An experienced, trained, and skilled person that has received training commensurate with that required for registered apprentices including related instruction and on the job training in accordance with the standards set forth in section 815 of the New York state labor law and paragraph (4) of subdivision (c) of section 601.5 of the New York codes, rules and regulations.*

3310.10.3.2 Workers on certain demolition sites. *Each worker at the site of a building that is four or more stories, or 40 or more feet (12 192 mm), in height, and undergoing full or partial demolition shall be:*

1. *A registered apprentice or graduate of an apprenticeship program registered with the New York state or United States department of labor in the trade for which such worker is employed; or*
2. *An experienced, trained, and skilled person that has received training commensurate with that required for registered apprentices including related instruction and on the job training in accordance with the standards set forth in section 815 of the New York state labor law and paragraph (4) of subdivision (c) of section 601.5 of the New York codes, rules and regulations.*

3310.10.3.3 Workers at other sites. *Each worker at a site that is not covered by Section 3310.10.3.1 or 3310.10.3.2 shall be:*

1. *A registered apprentice or graduate of an apprenticeship program registered by the New York state or United States department of labor in the trade for which such worker is employed;*
2. *An experienced, trained, and skilled person that has received training commensurate with that required for registered apprentices including related instruction and on the job training in accordance with the standards set forth in section 815 of the New York state labor law and paragraph (4) of subdivision (c) of section 601.5 of the New York codes, rules and regulations; or*
3. *A worker that has successfully completed a bona fide construction site safety training program that is approved by the commissioner.*

§ 6. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such actions as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1448

By Council Members Williams, Torres, Crowley, Salamanca, Rosenthal, Rose, Reynoso, Levin, Espinal, Cornegy, Richards, Menchaca and Chin.

A Local Law to amend the New York city building code, in relation to requiring site safety plans and a monitoring program for buildings more than four stories in height

Be it enacted by the Council as follows:

Section 1. The title of section BC 3310 of the New York city building code is amended to read as follows:

**SECTION BC 3310
REQUIREMENTS FOR THE CONSTRUCTION OR
DEMOLITION OF [MAJOR] CERTAIN BUILDINGS**

§ 2. Section 3310.1 of the New York city building code is amended to read as follows:

3310.1 Scope. This section shall apply to:

1. The construction of a new (i) major building or (ii) building more than four stories or 40 feet (12 192 mm) in height;
2. The vertical or horizontal enlargement of (i) a major building or (ii) a building more than four stories or 40 feet (12 192 mm) in height;
3. The full or partial demolition of (i) a major building or (ii) a building more than four stories or 40 feet (12 192 mm) in height;
4. The alteration, maintenance, or repair of a façade of a major building, provided the building is more than 14 stories or 200 feet (60 960 mm) in height and also provided the façade work requires a sidewalk shed to be installed; and
5. Any construction or demolition work, including the alteration, maintenance, or repair of a façade, in a building so designated by the commissioner.

Exception: The requirements of this section shall not apply to partial demolition operations limited to the interior components of a [major] building, provided no mechanical demolition equipment, other than handheld devices, [are] is used.

§ 3. Section 3310.5 of the New York city building is amended to read as follows:

3310.5 Site safety manager or coordinator to be designated. One or more site safety managers shall be designated, as necessary, to ensure compliance with the site safety plan and all site safety requirements as specified in this chapter. Such site safety manager or managers shall be designated by the owner, agent, construction manager, or general contractor. All such entities shall agree to designate one such site safety manager as the primary site safety manager, or where there is only one site safety manager, such manager shall automatically be designated as the primary site safety manager. Such site safety manager(s) shall be certified by the department in accordance with Article 402 of Chapter 4 of Title 28 of the *Administrative Code*.

Exception: One or more site safety coordinators, certified by the department in accordance with the requirements of Article 403 of Chapter 4 of Title 28 of the *Administrative Code*, may be designated in lieu of a site safety manager for the construction, vertical or horizontal enlargement, or full or partial demolition of a [major] building, provided such building:

1. Is less than 15 stories or 200 feet (60 960 mm) in height; and
2. Has a building footprint of 100,000 square feet (30 480 m²) or less.

§ 4. This local law shall take effect 180 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Housing and Buildings.

L.U. No. 544

By Council Member Greenfield:

Application No. 20175151 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 26th Street Hospitality Group LLC., d/b/a Bread & Tulips, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 365 Park Avenue S, Borough of Manhattan, Community Board 5, 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 Section 20-226 of the New York City Administrative Code.

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

L.U. No. 545

By Council Member Greenfield:

Application No. N 160254 (A) ZRM submitted by New York City Department of City Planning 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 VIII, Chapter 1 (Special Midtown District), to modify the regulations governing the transfer of development rights from listed theaters, Borough of Manhattan, Community Districts 5 and 4, Council District 3 and 4.

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

L.U. No. 546

By Council Member Greenfield:

Application No. 20175171 HAX submitted by the New York City Department of Housing Preservation and Development for approval pursuant to Section 114 and Section 125 of the Private Housing Finance Law, to approve a project summary and exemption of real property taxes for property located at Block 2552, Lot 21 and Block 2553, Lot 2, Borough of the Bronx, Community Board 1, Council District 8.

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

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

ANNOUNCEMENTS

Thursday, January 19, 2017

[Committee on General Welfare](#) jointly with the
[Committee on Housing and Buildings](#)10:00 a.m.

Off-site Hearing - Oversight – Supportive Housing

Location: The Schermerhorn
160 Schermerhorn Street
Brooklyn, NY 11201

Details attached.....Stephen Levin, Chairperson
Jumaane D. Williams, Chairperson

[Committee on Juvenile Justice](#) jointly with the
[Committee on Courts and Legal Services](#).....10:00 a.m.

Oversight - Raising the Age of Criminal Responsibility.

Committee Room – 250 Broadway, 14th Floor

Fernando Cabrera, Chairperson
Rory Lancman, Chairperson

★ *Deferred*

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

~~**Oversight** – Examining the State of MTA Subway Stations and Exploring Areas for Improvement.~~

~~**Res 922** – By Council Members Dromm, Cabrera, Chin, Cohen, Constantinides, Cornegy, Koo, Koslowitz, Mendez, Rose, Vacca, Rodriguez, Barron, Torres, Deutsch, King, Vallone, Garodnick, Levine, Johnson, Eugene and Borelli – **Resolution** calling on the Metropolitan Transportation Authority, the Governor, and the State Legislature to prohibit advertisements for alcoholic beverages on subways, buses, and other New York City Transit property.~~

~~Committee Room – City Hall.....Ydanis Rodriguez, Chairperson~~

[Committee on Recovery and Resiliency](#)10:00 a.m.

Oversight - Assisting vulnerable populations in emergency evacuations.

Int 1155 - By Council Members Treyger, Chin, Cohen, Koslowitz and Ulrich - **A Local Law** to amend the New York city charter, in relation to maintaining a voluntary registry of people who may need evacuation assistance in the event of an emergency.

Committee Room – 250 Broadway, 16th Floor

Mark Treyger, Chairperson

★ *Note Deferred Topic*

[Committee on Education](#)1:00 p.m.

~~Oversight~~ — ~~Teacher Recruitment and Retention~~

Int 1254 - By Council Members Treyger, King, Ulrich, Cohen, Richards, Palma, Koo and Chin (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to expanding college savings plan materials in schools to include pre-kindergarten and to distributing college savings plan materials to parents or guardians with a child’s certificate of registration of birth.

Council Chambers – City Hall

Daniel Dromm, Chairperson

[Committee on Parks and Recreation](#)1:00 p.m.

Int 407 - By Council Members Vacca, Constantinides, Gentile, Johnson, Koo, Mendez, Rose, Koslowitz, Cohen and Rodriguez - **A Local Law** to amend the administrative code of the city of New York, in relation to notice of changes to capital projects implemented by the department of parks and recreation.

Int 1340 - By Council Members Torres, Treyger, Levine, Salamanca, Palma, Koslowitz, Kallos, Rose, Barron, Deutsch, Koo, Miller, Vallone, Constantinides, Grodenchik, Gentile, King, Crowley, Dromm, Espinal, Cabrera, Lancman, Richards, Johnson and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to work performed on parks department capital projects.

Committee Room – 250 Broadway, 16th Floor

Mark Levine, Chairperson

Monday, January 23, 2017

★ *Note Committee Addition*

[Committee on Contracts](#) jointly with the

★ [Committee on Governmental Operations](#)1:00 p.m.

Oversight - DCAS’ Solar Power Purchase Agreement

Committee Room – 250 Broadway, 16th Floor

Helen Rosenthal, Chairperson

Ben Kallos, Chairperson

[Committee on Environmental Protection](#)1:00 p.m.

Int 1198 - By Council Members Richards, Miller, Wills, Chin, Kallos and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to flood mitigation in southeast Queens.

Committee Room – 250 Broadway, 14th Floor

Costa Constantinides, Chairperson

Tuesday, January 24, 2017

[Subcommittee on Zoning & Franchises](#)9:30 a.m.

[See Land Use Calendar](#)

Committee Room – 250 Broadway, 16th Floor

Donovan Richards, Chairperson

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

Oversight - MODA’s Data and Verification Plan.

Committee Room – 250 Broadway, 14th Floor

James Vacca, Chairperson

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#)11:00 a.m.

[See Land Use Calendar](#)

Committee Room – 250 Broadway, 16th Floor

Peter Koo, Chairperson

★ **Note Room Change**

★★ **Note Deferred Topic**

[Committee on Education](#) 1:00 p.m.

Oversight - Teacher Recruitment and Retention

★★ ~~Int 1254~~ — By Council Members ~~Treyger, King, Ulrich, Cohen, Richards, Palma, Koo and Chin~~ (by request of the Brooklyn Borough President) — ~~A Local Law~~ to amend the administrative code of the city of New York, in relation to expanding college savings plan materials in schools to include pre-kindergarten and to distributing college savings plan materials to parents or guardians with a child’s certificate of registration of birth.

★ Council Chambers – City Hall

Daniel Dromm, Chairperson

[Subcommittee on Planning, Dispositions & Concessions](#) 1:00 p.m.

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor

[Committee on Youth Services](#) 3:30 p.m.

Tour: M.S. 2..

Location: 655 Parkside Avenue
Brooklyn, NY, 11226

Details Attached..... Mathieu Eugene, Chairperson

Wednesday, January 25, 2017

[Committee on General Welfare](#) jointly with the
[Committee on Aging](#) 10:00 a.m.

Oversight - Reducing Food Insecurity in New York City.

Council Chambers – City Hall

Stephen Levin, Chairperson
Margaret Chin, Chairperson

[Committee on Public Housing](#) 1:00 p.m.

Oversight – The Public Ecosystem of NYC: Public Housing and the Public Work Force

Committee Room – City Hall

Ritchie Torres, Chairperson

Thursday, January 26, 2017

[Committee on Transportation](#) jointly with the
[Committee on Public Safety](#) 10:00 a.m.

Oversight - Vision Zero: Progress and Needs.

Int 542 - By Council Members Rodriguez, Constantinides, Dromm, Gibson, Johnson, Koo, Levine, Mendez, Rose, Vallone, Barron, Rosenthal and Menchaca - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the installation of traffic calming devices adjacent to senior centers and naturally occurring retirement communities.

Int 671 - By Council Members Vallone, Eugene, Wills, Van Bramer, Richards, Ferreras-Copeland, Dromm, Gibson, Williams, Koslowitz, Crowley, Cumbo, Cabrera, Vacca, Constantinides, Torres, Cohen, Deutsch, Rose, Gentile, Mendez and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring countdown pedestrian signals at intersections adjacent to schools and parks.

Int 911 - By Council Members Rodriguez, Lander, Crowley, Chin, Koo, Rose and Menchaca - **A Local Law** in relation to improving safety along bus routes.

Int 975 - By Council Members Maisel and Rose - **A Local Law** to amend the administrative code of the city of New York, in relation to fines and civil penalties for failure to remove abandoned poles.

Int 1040 - By Council Members Wills, Williams, Johnson, Mendez, Cabrera, Mealy, Cumbo, Barron, Palma, Koslowitz, Koo, Miller, Richards, Reynoso, Chin, Cornegy, Gentile, Lander, Rodriguez, Rose, Rosenthal, Vallone, Lancman, Treyger, Torres, Levine, Kallos, Menchaca, Espinal, Levin, Grodenchik, King and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a commission to study and make recommendations regarding the root causes of violence in the city.

Int 1071 - By Council Members Maisel, Espinal and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of transportation to create a task force to study private streets.

Int 1116 - By Council Members Van Bramer, Rodriguez, Constantinides, Cohen, Chin and Borelli - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on motor vehicle related injuries and fatalities.

Int 1257 - By Council Members Van Bramer, Cohen, Richards, Chin, Vallone, Ulrich and Borelli - **A Local Law** to amend the administrative code of the city of New York, in relation to creating a Safe Routes to School Action Plan.

Proposed Int 1280-A - By Council Members Deutsch, Vacca, Cabrera, Cohen, Constantinides, Crowley, Espinal, Koo, Koslowitz, Lancman, Levine, Maisel, Mealy, Palma, Treyger, Grodenchik, Salamanca, Chin, Kallos, Gibson, Cumbo, Borelli, Ulrich, Reynoso, Cornegy, Ferreras-Copeland, Gentile, Miller, Dromm, Wills, Torres, Richards, Williams, Johnson and Menchaca - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to share collision reports digitally.

Int 1311 - By Council Members Deutsch, Salamanca, Johnson, Palma, Maisel, Cohen and Grodenchik - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the Department of Transportation to notify emergency service providers about resurfacing, including paving and milling.

Council Chambers – City Hall

Ydanis Rodriguez, Chairperson
Vanessa L. Gibson, Chairperson

[Committee on Land Use](#) 11:00 a.m.

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall

David G. Greenfield, Chairperson

Tuesday, January 31, 2017

[Committee on Sanitation and Solid Waste Management](#)..... 1:00 p.m.

Oversight - Expanding New York City’s Extended Producer Responsibility Law.

Int 201 - By Council Members Koo, Gibson, Rosenthal, Richards, Constantinides, Johnson, Rodriguez, Lancman, Van Bramer, Vacca, Koslowitz, Torres, Gentile, Espinal, Cohen, Kallos, Vallone, Levin, Crowley, Menchaca, Williams, Rose, Levine, Reynoso, Chin, Eugene, Garodnick, Dromm, Ferreras-Copeland, Cabrera, Greenfield, Maisel, Lander, Treyger, Cornegy, Salamanca, Barron and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to the reuse or recycling of discarded carpeting from commercial units or buildings.

Council Chambers – City Hall

Antonio Reynoso, Chairperson

Wednesday, February 1, 2017

[Stated Council Meeting](#).....*Ceremonial Tributes – 1:00 p.m.*

.....*Agenda – 1:30 p.m.*

**MEMORANDUM**

Tuesday, January 10, 2017

TO: ALL COUNCIL MEMBERS

**RE: OFF-SITE HEARING BY THE COMMITTEE ON GENERAL WELFARE AND HOUSING
AND BUILDINGS**

Oversight - Supportive Housing

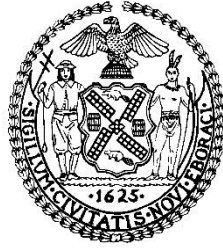
**The Schermerhorn
160 Schermerhorn Street
Brooklyn, NY 11201**

The off-site hearing will be held on **Thursday, January 19, 2017 beginning at 10:00 a.m.** A van will be leaving City Hall at **9:00 a.m.**

Hon. Stephen Levin, Chairperson
Committee on General Welfare

Hon. Melissa Mark-Viverito
Speaker of the Council

Hon. Jumaane D. Williams, Chairperson
Committee on Housing and Buildings

**MEMORANDUM**

January 3, 2017

TO: ALL COUNCIL MEMBERS**RE:** TOUR BY THE COMMITTEE ON YOUTH SERVICES

Please be advised that all Council Members are invited to attend a tour to:

**M.S. 2
655 Parkside Avenue
Brooklyn, N.Y. 11226**

The Tour will be on **Tuesday, January 24, 2017 beginning at 3:30 p.m.** A van will be leaving City Hall at **2:50 p.m. sharp.**

Council Members interested in riding the van should call Kiiro Gichuru at **212-482-5443.**

Mathieu Eugene, Chairperson
Committee on Youth Services

Melissa Mark-Viverito
Speaker of the Council

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, February 1, 2017.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int No. 1314 and Preconsidered Int No. 1415, both adopted by the Council at the January 4, 2017 Charter Meeting, were signed into law by the Mayor on January 13, 2017 as, respectively, Local Law Nos. 1 and 2 of 2017.