

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, February 1, 2017, 2:05 p.m.

The Public Advocate (Ms. James)

Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent: Council Members Cabrera and Wills.

Medical Leave: Council Member Rose.

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

INVOCATION

The Invocation was delivered by: Rev. Wendy Calderon-Payne, Executive Director of BronxConnect, 432 149th Street, Bronx, N.Y. 10455.

God our father, maker of heaven and earth,
 creator of all, giver of all good things.
 We come to you this day
 acknowledging your greatness
 and our need for you.
 by the word of your power you created all things,
 nothing has been created
 that you did not create including our great city.
 Your thoughts and your understandings are perfect,
 they have been perfect from eternity past
 and they will be perfect for eternity to come.
 It is to you the only wise God we come today,
 we come to seek you based on your promise
 that if we acknowledge you in all our ways
 you will direct our paths.
 When we consider the heavens, the work of your fingers,
 the moon and the stars which you have ordained
 what is man that you are mindful of him,
 the son of man that you visit him.
 We ask that you would visit the city council
 that you have ordained grant these elected officials
 the wisdom to lead and govern righteously,
 give them wise solutions to the problems we face today,
 give them ears to hear and a willingness to work together
 for the better of our great city.
 Lord heal the broken hearted of our city
 and bind up their wounds,
 forgive us where we have fallen short
 and help us forgive those
 who have trespassed against us.
 Lord help us be like you
 gracious and full of compassion,
 slow to anger and full of mercy.
 It is a difficult season
 in our country and in our city,
 many are afraid yet we know
 that yours is not the spirit of fear,
 you promise power, love, and a sound mind to all who seek you.
 help us push through this fear to love one another

and to see your wisdom and direction for all that we face.
Make New York City a just city
that protects the widow, the orphan, the prisoner,
the voiceless, and the fatherless.
Bless our city that we might prosper
and offer shelter and good lives
to the many that live here.
Thank you for our growing season of peace
and a reduction of violence.
Blessed are the peace makers of this city
for they will be called children of god.
Lord bless the educators
for our future leaders are in their hands.
Lord bless those who heal
both body and mind in our city.
Lord bless who toil with their hands
for they build our city.
Your name is a strong and mighty tower
and that name which is above all
names we commit this council
in New York City to you.

The Speaker (Council Member Mark-Viverito) moved to spread the Invocation in full upon the record.

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) acknowledged the deaths of six people who were fatally shot in a Quebec City mosque in Canada on January 29, 2017. She noted that those killed were fathers, professors and proud members of their society and that they were murdered simply because of their religion and nationalities. She asked those assembled to remember the lives that were lost. The Speaker (Council Member Mark-Viverito), at the request of the Public Advocate (Ms. James) and Council Member Williams, also acknowledged the passing of Deputy Fire Chief James Molloy who died of cancer on January 30, 2017. Deputy Chief Molloy had contracted his illness as a result of responding to the 9/11 attack. She noted that Roy Richter, head of the Captain's Endowment Association, praised the Deputy Chief as a courageous individual who helped lead the search efforts at Ground Zero. The Speaker (Council Member Mark-Viverito) thanked the late Deputy Chief Molloy and his family for his sacrifice and asked those assembled to keep him in their thoughts and prayers.

ADOPTION OF MINUTES

Council Member Lancman moved that the Minutes of the Stated Meeting of December 15, 2016 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-467

Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2018, pursuant to Sections 225 and 236 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee on Finance.

M-468

Communication from the Mayor – Submitting January 2017 Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2017-2021, pursuant to Sections 101 and 213 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee on Finance.

M-469

Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2018, pursuant to Sections 100 and 231 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee on Finance.

M-470

Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2018, pursuant to Sections 100, 212 and 231 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee on Finance.

M-471

Communication from the Mayor - Submitting Preliminary Contract Budget Report for Fiscal Year 2018, pursuant to Section 104 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee on Finance.

M-472

Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2018, pursuant to Section 213 and 236 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee on Finance.

M-473

Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2017, Volumes 1, 2, 3, & 4 and the Capital Commitment Plan, Financial Summary, pursuant to Section 219 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee of Finance.

M-474

Communication from the Mayor – Submitting the Preliminary Ten-Year Capital Strategy, Fiscal Years 2018-2027.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Referred to the Committee on Finance.

M-475

Communication from the Mayor - Submitting Preliminary certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for Fiscal Year 2018 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007; please also see the Mayor's Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>)

Received, Ordered, Printed and Filed.

M-476

Communication from the Mayor - Submitting the name of Jeffrey Friedlander to the Council for its advice and consent concerning his appointment to the New York City Conflicts of Interest Board, pursuant to Section 2602 of the New York City Charter.

January 19, 2017

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

Dear Speaker Mark-Viverito:

Pursuant to Section 2602 of the New York City Charter, I am pleased to present the name of Jeffrey Friedlander to the City Council for advice and consent concerning his appointment to the New York City Conflicts of Interest Board.

Mr. Friedlander previously served as First Assistant Corporation Counsel at the New York City Law Department. He is a graduate of Hunter College of The City University of New York and New York University School of Law.

When appointed to the Board, Mr. Friedlander will succeed Andrew Irving and serve the remainder of a six-year term expiring on March 31, 2022.

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

Sincerely,

Bill de Blasio
Mayor

BDB:tf

cc: Jeffrey Friedlander
Richard Briffault, Chair, Conflicts of Interest Board
Carolyn Miller, Executive Director, Conflicts of Interest

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-477

By the Chair of the Land Use Committee Council Member Greenfield:

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure application no. C 170049 PQM shall be subject to Council review. This item is related to Application no. C 170048 HAM which is subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.

Coupled on Call-up Vote.

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, 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, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

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.

REPORTS OF STANDING COMMITTEES

Report of the Committee on Aging

Report for Int No. 1024-A

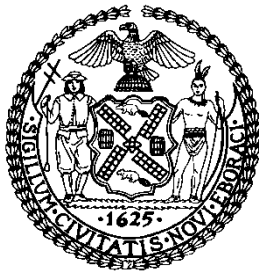
Report of the Committee on Aging in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the dissemination of senior citizen rent increase exemption information.

The Committee on Aging, to which the annexed proposed amended local law was referred on December 16, 2015 (Minutes, page 4529), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Aging for Int No. 1309 printed below in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1024-A:



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

PROPOSED INTRO. NO. 1024-A

COMMITTEE: AGING

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the dissemination of senior citizen rent increase exemption information

SPONSORS: Council Members Cabrera, Gentile, Mealy, Mendez, Rodriguez, Rose, Wills, Miller, Treyger, Williams, Salamanca, Deutsch, Koo and Ulrich

SUMMARY OF LEGISLATION: Proposed Intro. No. 1024-A would require agencies designated by the Department of Finance (“DOF”), to disseminate information regarding the senior citizen rent increase exemption program to individuals sixty-two years of age or older, alongside any applications and related forms sent for services or programs by designated agencies.

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

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 the enactment of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because DOF and all designated agencies would use existing resources to implement the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jonathan K. Seltzer, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1024 on December 16, 2015 and referred to the Committee on Aging. The Committee considered the legislation at a hearing on June 22, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1024-A, will be considered by the Committee on January 25, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1024-A will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 24, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1024-A:)

Int. No. 1024-A

By Council Members Cabrera, Gentile, Mealy, Mendez, Rodriguez, Rose, Wills, Miller, Treyger, Williams, Salamanca, Deutsch, Koo, Vallone, Lander and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the dissemination of senior citizen rent increase exemption information

Be it enacted by the Council as follows:

Section 1. Chapter one of title 11 of the administrative code of the city of New York is amended to add new section 11-139 to read as follows:

§ 11-139 Dissemination of senior citizen rent increase exemption program information. a. Each agency designated as a participating agency under the provisions of this section shall, in coordination with the department of finance, implement and administer a program of distribution of information about the senior citizen rent increase exemption program pursuant to the provisions of this section. The following offices are hereby designated as participating agencies: the department for the aging, the city clerk, community boards, the department of consumer affairs, the commission on human rights, the department of housing preservation and development, the department of health and mental hygiene, the human resources administration/department of social services, and the department of parks and recreation; provided, however, that the department of finance, as it deems appropriate, may designate additional agencies to be participating

agencies. The department of finance shall further make such information available to city hospitals and public libraries.

b. Participating agencies shall offer information about the senior citizen rent increase exemption program provided by the department of finance to all persons identified as sixty-two years of age or older together with written applications and related forms for services, other than emergency services, provided by such agency, in the same languages as such written applications or forms where practicable.

c. Participating agencies and the department of finance shall adopt such rules as may be necessary to implement this section.

§ 2. This local law takes effect 120 days after it becomes law, except that participating agencies, as defined in section 1 of this local law, as well as the department of finance, shall take such measures as may be necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

MARGARET S. CHIN, *Chairperson*; KAREN KOSLOWITZ, CHAIM M. DEUTSCH, MARK TREYGER, PAUL A. VALLONE, RAFAEL SALAMANCA, Jr.; Committee on Aging, January 25, 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. 1309

Report of the Committee on Aging in favor of approving and adopting, a Local Law to amend local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, and to amend local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, in relation to extending certain provisions thereof.

The Committee on Aging, to which the annexed proposed local law was referred on October 27, 2016 (Minutes, page 3553), respectfully

REPORTS:

I. INTRODUCTION

On Wednesday, January 25, 2017, the Committee on Aging, chaired by Council Member Margaret Chin, will consider Int. No. 1309, a Local Law to amend local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, and to amend local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, in relation to extending certain provisions thereof and Proposed Int. No. 1024-A, a Local Law to amend the administrative code of the city of New York, in relation to the dissemination of senior citizen rent increase exemption applications.

II. LEGISLATIVE HISTORY

The Aging Committee previously considered Int. No. 1039 at a joint hearing held on January 12, 2017 along with the Committee on Finance and the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse & Disability Services. At the January hearing, the committees received testimony from the New York City Department of Finance (“DOF”), the Department of Housing Preservation and Development (“HPD”), the Department for the Aging (“DFTA”) as well as from a number of advocates representing elderly care providers throughout the city.

The Aging Committee previously considered Proposed Int. No. 1024-A at a hearing held on June 22, 2016. At the June hearing, the Aging Committee received testimony from the New York City Department for the Aging (DFTA), as well as from a number of advocates representing elderly care providers throughout the city.

III. BACKGROUND

A. *New York City Rent Freeze Program*

The senior citizen rent increase exemption (“SCRIE”) program protects eligible renters from certain rent increases imposed by their landlords, effectively freezing their rents at the amount the tenant pays at the time he or she enters the program.¹ The disability rent increase exemption (“DRIE”) program does the same for renters with disabilities. In return, the landlords receive a tax abatement equal to the difference in the amount paid by the tenant and the total legal rent. Collectively, these programs are now referred to as the NYC Rent Freeze Program.²

In order to qualify for SCRIE a tenant must:

- be 62 years of age or older;
- be the leaseholder of a rent-controlled, rent-stabilized,³ or Mitchell-Lama apartment, or a rent-regulated hotel unit;
- have a total household income of no more than \$50,000;⁴ and
- have a maximum rent or legal regulated rent that is more than one-third of the total household income.⁵

The current eligibility criteria for the DRIE program are that a tenant must:

- be at least 18 years old,
- be listed on the lease agreement or have succession rights to a rent stabilized, or rent controlled apartment or Mitchell-Lama Housing Development.⁶
- have a total household income of \$50,000 or less;
- spend at least one-third of their monthly income on rent; and
- be the recipient of one of the following: Federal Supplemental Security Income (“SSI”), Federal Social Security Disability Income (“SSDI”), U.S Department of Veterans Affairs disability pension or security income, or disability-related Medicaid if that person has already received SSI or SSDI.⁷

¹ See Chapter 689 of the Laws of 1972.

² See <http://www1.nyc.gov/site/finance/benefits/benefits-for-tenants.page> (last accessed on January 6, 2017).

³ See Chapters 3 and 4 of Title 26 of the New York City Administrative Code. Rent control generally applies to residential buildings constructed before February 1947 in municipalities for which an end to the postwar rental housing emergency has not been declared. For an apartment to be rent-controlled, the tenant must generally have been living there continuously since before July 1, 1971 or for less time as a successor to a rent-controlled tenant. When a rent-controlled apartment becomes vacant, it either becomes rent-stabilized or is removed from regulation. Rent-stabilized apartments are generally those apartments in buildings of six or more units built between February 1, 1947 and January 1, 1974. Similar to rent control, stabilization provides other protections to tenants besides regulation of rental amounts. Tenants are entitled to receive required services, to have their leases renewed, and not to be evicted except on grounds allowed by law. Leases may be entered into and renewed for one- or two-year terms, at the tenant's choice.

⁴ The total household income includes the income of every person who lives in the household less deductions for federal taxes paid, State taxes paid, local income taxes paid, Social Security taxes paid, and Medicare taxes paid.

⁵ See §467-c of the New York Real Property Tax Law and §§26-405(m), 26-406, and 26-509 of the New York City Administrative Code.

⁶ Local Law 76 of 2005

⁷ Id.

B. Legislative History of the SCRIE & DRIE Programs

The SCRIE program was first established by New York State law in 1970, for tenants living in rent-controlled and rent-stabilized apartments. Since 2009, as a result of a local law passed by the Council,⁸ the Department of Finance (“DOF”) has administered the SCRIE program with respect to these types of apartments.⁹ In 1976, eligibility for the SCRIE program was extended to tenants of Mitchell-Lama apartments which are administered by the Department of Housing Preservation and Development (“HPD”).¹⁰

In 2005, the DRIE program was established. DRIE, modeled after the SCRIE program and designed for tenants with disabilities, is administered solely by DOF.¹¹

Prior to State legislative action in 2014, in order to be eligible for SCRIE, the total household income of an eligible senior citizen could not exceed \$29,000. For DRIE, the total household income could not exceed \$20,412 for a single-person household or \$29,484 for households comprised of two or more people. In March 2014, the State passed a law authorizing the City of New York to increase the income threshold to \$50,000 per household for each program.¹² On May 14, 2014, the City Council passed a local law authorizing such an increase for SCRIE.¹³ On July 24, 2014, the City Council passed a local law authorizing such an increase for DRIE.¹⁴

However, due to sunset language within the State’s authorizing law, the income threshold for both programs reverted back to the \$29,000 maximum on July 1, 2016.¹⁵

C. 2014 Department of Finance Report

1. Eligible Population

On December 10, 2014, DOF issued a report titled, *Report on the New York City Rent Freeze Program: Identifying and Enrolling Eligible Households*. The report contains DOF’s best efforts at generating an estimate of the number of eligible SCRIE households in the City. The report also breaks down the SCRIE eligible population by neighborhood and language and proposes a detailed outreach plan for enrolling more eligible senior citizens.¹⁶

Since 2012, DOF has communicated to the Committee that it has been working with other agencies to investigate reliable datasets and analytic methods for targeting tenants who could be eligible for SCRIE or DRIE, but who have not yet enrolled. With the increase in the income threshold from \$29,000 to \$50,000, identifying these households has become even more pressing and relevant.

Currently, DOF estimates that there are approximately 121,729 households in New York City eligible for SCRIE and 33,637 households eligible for DRIE.¹⁷ For SCRIE, it is estimated that 111,412 households have less than \$29,000 in income and that there are an additional 10,317 eligible households with income is between \$29,000 and \$50,000. This represents an increase in eligible households of approximately 9% as a result of the income threshold increase that the Council passed in May 2014.¹⁸ For DRIE, it is estimated that 30,551 households have less than \$29,000 in income, and there are an additional 3,086 eligible households with income between \$29,000 and \$50,000. This represents an increase in eligible households of approximately 10% as a result of the income threshold increase.¹⁹

⁸ See Local Law 44 of 2009.

⁹ Prior to 2009, the Department of Aging (“DFTA”) administered the program for these apartments.

¹⁰ NYC Department of Finance: Report on the New York City Rent Freeze Program: Identifying and Enrolling Eligible Households (2014) Available at: https://www1.nyc.gov/assets/finance/downloads/pdf/scrie/scrie_drie_report.pdf

¹¹ Int. 667-2005, L.L. 2005/076.

¹² See Chapter 55 of the Laws of 2014.

¹³ See Local Law 19 of 2014.

¹⁴ See Local Law 39 of 2014.

¹⁵ See Local Law 19 of 2014 and Local Law 39 of 2014.

¹⁶ NYC Department of Finance: Report on the New York City Rent Freeze Program: Identifying and Enrolling Eligible Households (2014) Available at: https://www1.nyc.gov/assets/finance/downloads/pdf/scrie/scrie_drie_report.pdf

¹⁷ See *id.*

¹⁸ See *id.*

¹⁹ See *id.*

The breakdown of eligible households by borough and income category is estimated to be as follows (for SCRIE and DRIE combined):

SCRIE/DRIE Total		Total Income Categories		Total
		<=29,000	>29,000 & <=50,000	
Borough	Bronx	27,505	4,075	31,580
	Brooklyn	43,348	3,358	46,706
	Manhattan	40,081	2,954	43,035
	Queens	29,836	3,016	32,852
	Staten Island	1,193	-	1,193
Total		141,963	13,403	155,366

Source: Report on the New York City Rent Freeze Program: Identifying and Enrolling Eligible Households

2. Enrollment

As of November 2014, there were 52,171 households enrolled in SCRIE and 9,148 households enrolled in DRIE. The breakdown by borough is as follows:

		Benefit Type		Total
		SCRIE	DRIE	
Borough	Bronx	9,015	2,821	11,836
	Brooklyn	14,582	2,051	16,633
	Manhattan	17,212	2,779	19,991
	Queens	10,995	1,429	12,424
	Staten Island	367	68	435
Total		52,171	9,148	61,319

Source: Report on the New York City Rent Freeze Program: Identifying and Enrolling Eligible Households

For SCRIE, the current enrollment number of 52,171 households means that there are potentially 69,558 eligible SCRIE households not enrolled in the program – roughly 57% of the eligible SCRIE population. For DRIE, the current enrollment number of 9,148 households means that there are potentially 24,489 eligible DRIE households not enrolled, around 73% of the eligible DRIE population. The breakdown of eligible, but unenrolled households by borough is as follows:

		Benefit Type		Total
		SCRIE	DRIE	
Borough	Bronx	12,166	7,578	19,744
	Brooklyn	20,488	9,585	30,073
	Manhattan	18,423	4,621	23,044
	Queens	18,053	2,375	20,428
	Staten Island	428	330	758
Total		69,558	24,489	94,047

Source: Report on the New York City Rent Freeze Program: Identifying and Enrolling Eligible Households

		Benefit Type		Total
		SCRIE	DRIE	
Borough	Bronx	57%	73%	63%
	Brooklyn	58%	82%	64%
	Manhattan	52%	62%	54%
	Queens	62%	62%	62%
	Staten Island	54%	83%	64%
Total		57%	73%	61%

Source: Report on the New York City Rent Freeze Program: Identifying and Enrolling Eligible Households

D. Update on Enrollment

1. Department of Finance Testimony from City Council Hearing June 22, 2016

According to testimony from the Department of Finance at the City Council's June 2016 hearing, from July 1, 2014 to the time of the hearing, the Department received 24,522 SCRIE applications, resulting in 13,336 participants.²⁰ This represented 19% of the potentially eligible population and reduced the number of potential participants to 56,220. Currently, 51,175 New Yorkers are enrolled in the SCRIE program.²¹ The growth of new participants is offset by the natural attrition of current participants. Every month on average, 164 participants fail to renew, 101 fail to meet eligibility requirements and 31 fail to submit documents to prove eligibility, representing a loss of about 296 households per month.²²

In Fiscal Year 2015, DOF received an average of 764 new applications per month. In Fiscal Year 2016, trends suggest that the Department received 404 applications per month on average. DOF attributed the increase in applications during Fiscal Year 2015 as the result of the qualifying income being increased to \$50,000. Fiscal Year 2016 saw the application rate return to historic average rate.²³ With respect to the DRIE program 13,762 New Yorkers are currently enrolled.²⁴

On October 6, 2016, Mayor Bill de Blasio announced that since July 2014 (when the income cap was increased) more than 20,000 seniors and disabled New Yorkers enrolled in SCRIE and DRIE.²⁵

E. Legislative Update

Over the past two years, the New York State Legislature has passed, and the Governor has signed, several significant bills into law designed to make the SCRIE/DRIE application process more efficient and streamlined:

- Chapter 343 (S06214/A8228-A) was signed by the Governor in 2016 and will allow SCRIE/DRIE participants to get back their previous frozen rent if they reapply after a non-recurring item of income causes them to be ineligible for SCRIE/DRIE for a one-year period. As a result of this change in law, a SCRIE/DRIE participant could return to the program at their frozen rent if they lose the benefit

²⁰ N.Y.C Council Hearing June 22,2016, Testimony of Timothy Sheares, Deputy Commissioner Property Tax Division at the New York City Department of Finance. Available at: <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2080731&GUID=70E7E1FB-699C-468E-9FA7-3A60EABD57F0&Options=&Search=>

²¹ Id.

²² Id.

²³ Id.

²⁴ Id.

²⁵ Press Release, Mayor de Blasio Announces More Help for Tenants: 20,000 More Seniors and New Yorkers with Disabilities Secure Rent Freeze Through Expanded SCRIE/DRIE program. October 6,2016 available at: <http://www1.nyc.gov/office-of-the-mayor/news/799-16/mayor-de-blasio-more-help-tenants-20-000-more-seniors-new-yorkers-with/#/0>

for one lease term due to a one-time increase in income such as payment from a pension or retirement account.²⁶

- Chapter 442 (S8063/A6702-A) was signed into law in 2016. This now provides for short-form application for Rent Freeze participants who have been enrolled for five consecutive lease terms. This law will require local law adoption.²⁷
- In 2015, the Governor enacted Chapter 580, which allows for eligible household members to take over the Rent Freeze benefit of a deceased tenant or a tenant that permanently moves out of the home. Prior to this legislation there was no mechanism for the benefit to be transferred, which is critical for remaining household members.²⁸
- Chapter 31 of 2016 was signed into law, which amends Chapter 580 of 2015 to clarify the specific instances a person was to receive the benefit if they were to inherit the tax exemption if the head of household dies or leaves the household permanently.²⁹
- The New York City Council enacted, and the Mayor signed into law, Local Law 40 of 2015, which requires a report by the SCRIE and DRIE Ombudsperson by October 1st of every year. The first report was released on October 3, 2016. The report includes statistics and inquiries to the Ombudsperson, summary of changes in the SCRIE and DRIE program for the year, and the Ombudsperson’s recommendations for the programs.³⁰

Furthermore, the 2016 state budget authorized the City to continue offering SCRIE & DRIE benefits to eligible individuals earning up to \$50,000 per year, however the State’s expenditures are limited to \$1.2 Million for the entirety of the program.³¹ According to the Council’s Finance Division, the cost to the city to maintain this portion of the SCRIE & DRIE programs is projected to increase from between \$12 / \$14 Million in 2017 to \$23.1 / \$28.6 Million by 2020, depending on the rate of growth of participation. See the below chart for more detailed information.

	Participants ¹	<u>Projected Cost for Participants between \$29K and \$50K</u>	
		Rent Growth 3% per year	Slower Rent Growth ²
2017	6,967	\$14.0M	\$12.0M
2018	7,601	\$18.4M	\$14.1M
2019	8,234	\$23.3M	\$18.4M
2020	8,868	\$28.6M	\$23.1M

¹ Projection assumes: 10% increase in new participants a year

² Slower rent growth assumes 1% increases in 2017 and 2018 and 3% increases in 2019 and 2020.

The State’s liability is capped at \$1.2 Million for the entirety of the SCRIE & DRIE extensions, and based on the numbers offered by the Finance Division the city has already spent significantly more annually. The city’s Department of Finance has been continuing renewals for participants enrolled in the program in the \$29,000-\$50,000 bracket even though state authorization lapsed on July 1, 2016. The city had not anticipated a reimbursement for Fiscal Year 2017 or beyond and the costs for the program are already reflected in the city’s financial plan.

²⁶ NY State Chapter 343 of 2016

²⁷ NY State Chapter 442 of 2016

²⁸ NY State Chapter 580 of 2015

²⁹ NY State Chapter 31 of 2016

³⁰ Local Law 40 of 2015

³¹ See DIVISION OF THE BUDGET, BUDGET OF THE STATE OF NEW YORK 2016 SESS. CH. 54 PT.EE §§ 1-3 (“the state’s liability and amount of reimbursement pursuant to this act shall not exceed one million two hundred thousand dollars”).

IV. LEGISLATIVE ANALYSIS OF INT. NO. 1309

Section 1 of Int. 1309 extends the duration of the maximum household income allowed to qualify for the SCRIE program to \$50,000 until June 30, 2020.

Section 2 of Int. No. 1309 extends the maximum household income allowed to qualify for the DRIE program to \$50,000 until June 30, 2020.

Section 3 of Int. No. 1309 provides that the local law takes effect immediately and is deemed to be in full force and effect as of July 1, 2016.

V. LEGISLATIVE ANALYSIS OF PROPOSED INT. NO. 1024-A

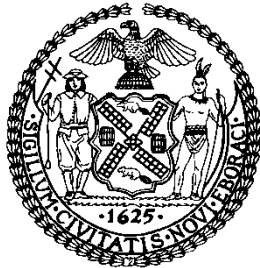
Subdivision a of section 1 of Proposed Int. No. 1024-A creates a new section 11-139 in title 11 of the administrative code of the city of New York which requires each participating city agency to implement and administer a program of distributing information on the SCRIE program in coordination with the department of finance.

Subdivision b of section 1 requires participating agencies to offer information about the SCRIE program to all persons identified as sixty-two years of age or older together with written applications and related forms for services other than emergency services in the same languages as such applications where practicable.

Subdivision c of section 1 requires participating agencies and the department of finance to adopt such rules as may be necessary to implement this section.

Section 2 of Int. No. 1024 states that the local law will take effect one hundred twenty days after its enactment, except that participating agencies and the department of finance shall take all actions necessary for its implementation, including the promulgation of rules, prior to the effective date.

(The following is the text of the Fiscal Impact Statement for Int No. 1309:)



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

INTRO. NO. 1309

COMMITTEE: Aging

TITLE: A Local Law to amend local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, and to amend local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, in relation to extending certain provisions thereof

SPONSORS: Council Members Chin, Cohen, Salamanca, Gentile, Levin, Vallone, Rosenthal and Corney (by request of the Mayor)

SUMMARY OF LEGISLATION: Int. No. 1309 would extend the current income eligibility limits for the Senior Citizen Rent Increase Exemption and Disability Rent Increase Exemption until June 30, 2020.

EFFECTIVE DATE: Immediately upon enactment and retroactive as of July 1, 2016.

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 (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: SCRIE provides a property tax abatement to landlords of eligible seniors. It is anticipated that the impact on revenues resulting from the enactment of this legislation would be \$0. There is no fiscal impact to the passage of reauthorization of the program as the City has already assumed the estimated revenue reduction in the Office of Management and Budget's Financial Plan. The number of participants and estimates of the revenue reduction of the program are estimated below, but these have been reflected in the Financial Plan since 2014.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Maria Enache, Senior Economist

ESTIMATE REVIEWED BY: Emre Edev, Assistant Director
Eric Bernstein, Counsel
Dohini Sompura, Unit Head

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1309 on October 27, 2016 and was referred to the Committee on Aging. A hearing was held on Intro. No. 1309 by the Committee on Aging, along with the Committees on Finance and Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services on January 12, 2017. Intro. No. 1309 will be considered by the Committee on Aging on January 25, 2017. Upon a successful vote by the Committee on Aging, Intro. No. 1309 will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 24, 2017

(For text of Int No. 1024-A and its Fiscal Impact Statement, please see the Report of the Committee on Aging for Int No. 1024-A printed above in these Minutes; for text of Int No. 1309, please see below:)

Accordingly, this Committee recommends the adoption of Int Nos. 1309 and 1024-A.

(The following is the text of Int No. 1309:)

Int. No. 1309

By Council Members Chin, Cohen, Salamanca, Gentile, Levin, Vallone, Cornegy, Rosenthal, Rose, Lander, Koslowitz and Constantinides (by request of the Mayor).

A Local Law to amend local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, and to amend local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, in relation to extending certain provisions thereof

Be it enacted by the Council as follows:

Section 1. Section 5 of local law number 19 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens, is amended to read as follows:

§ 5. This local law shall take effect July 1, 2014 and shall expire and be deemed repealed [two years after the effective date thereof] *June 30, 2020*; provided that the amendment to section 26-509 of the administrative code of the city of New York made by section three of this local law shall not affect the expiration of such section and shall be deemed to expire therewith.

§ 2. Section 5 of local law number 39 for the year 2014, amending the administrative code of the city of New York relating to increasing the maximum income level qualifying for exemption for rent increases granted to certain persons with disabilities, is amended to read as follows:

§ 5. This local law shall take effect on the same date as a chapter of the laws of 2014 amending the real property tax law relating to the tax abatement and exemption for rent regulated and rent controlled property occupied by persons with disabilities; and providing for the repeal of certain provisions upon expiration thereof, as proposed in legislative bill number A. 9744, takes effect, and shall expire and be deemed repealed on [July 1, 2016] *June 30, 2020*; provided that, notwithstanding any other provision of law, any renewal application that was received before the effective date of this local law and that would have been timely if received on or after such effective date, pursuant to paragraph (6) of subdivision m of section 26-405, paragraph (6) of subdivision b of section 26-509, or subdivision (c) of section 26-605 of the administrative code of the city of New York, shall be deemed to have been received on or after such effective date; and provided further that the amendment to section 26-509 of the administrative code of the city of New York made by section two of this local law shall not affect the expiration of such section and shall be deemed to expire therewith.

§ 3. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2016.

MARGARET S. CHIN, *Chairperson*; KAREN KOSLOWITZ, CHAIM M. DEUTSCH, MARK TREYGER, PAUL A. VALLONE, RAFAEL SALAMANCA, Jr.; Committee on Aging, January 25, 2017. *Other Council Members Attending: Council Members Cabrera, Palma, Grodenchik, Torres, Gibson and Levin.*

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 Consumer Affairs

Report for Int No. 436-A

Report of the Committee on Consumer Affairs 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 a cure period for certain item pricing violations.

The Committee on Consumer Affairs, to which the annexed proposed amended local law was referred on August 21, 2014 (Minutes, page 3109), respectfully

REPORTS:

I. Introduction

On Tuesday, January 31, 2017, the Committee on Consumer Affairs, chaired by Council Member Rafael Espinal, held a vote on Proposed Introductory Bill 436-A (Proposed Int. No. 436-A), a Local Law to amend the administrative code of the city of New York, in relation to authorizing a cure period for certain item pricing violations. The Committee voted in favor of Proposed Int. No. 436-A by a vote of four in favor, no abstentions and none opposed. On December 3, 2015, the Committee held a hearing on Introductory Bill 436. At that hearing, the Committee heard testimony from the Department of Consumer Affairs (“DCA”), various chambers of commerce, and representatives of the supermarket industry.

II. Background

In New York City, food retail establishments must comply with an item pricing law, which requires that all products that are offered for sale be individually labeled with a price sticker.¹ Most retail stores over a certain size are subject to the item pricing law.² Certain items are exempt from the individual item-pricing requirement. These products include milk, eggs, fresh non-packaged produce, small snack items, food sold for immediate consumption on the premises, bulk food, tobacco products, some frozen items, and jarred baby food.³ Additionally, food retail establishments must ensure that any scanner used at check-out is accurate⁴ and may not overcharge for any item, regardless of whether the item pricing law applies to the item.⁵ Failure to comply with any of these provisions will result in fines ranging from \$25 to \$100 per violation.⁶

Both the Council and the Administration have made a commitment to improving conditions for small businesses, including eliminating unnecessary fines or allowing curable violations, particularly where there is no risk posed to consumers. In 2015, DCA announced the fines it had assessed were cut in half, and surpassed their target to reduce fines by \$5 million that year.⁷

The retail food industry has argued that the wide use of computerized checkout technology and the high accuracy of price scanners have overtaken the need for individual sticker prices on each item offered for sale at a grocery store. During a 2011 hearing before this Committee, the industry testified that, due to volume of a constantly changing inventory, item pricing actually increased the likelihood of improper pricing.⁸ However,

¹ N.Y. Admin. Code §20-708.1(b)

² N.Y. Admin. Code §20-708.1(a)(3)

³ N.Y. Admin. Code §20-708.1(c)

⁴ N.Y. Admin. Code §20-708.1(d)

⁵ N.Y. Admin. Code §20-708.1(e)

⁶ N.Y. Admin. Code §20-708.1(h)

⁷ De Blasio Administration Reduces Fines Assessed by Consumer Affairs on Businesses in Half, Cuts Violations Issued by One Third Over Past Year, July 31, 2015 Available at <http://www1.nyc.gov/office-of-the-mayor/news/530-15/de-blasio-administration-reduces-fines-assessed-consumer-affairs-businesses-half-cuts>

⁸ Oversight: DCA’s Enforcement of Supermarket Regulations. Hearing of the Committee on Consumer Affairs. January 6, 2011. Accessible on Legistar, available at <http://legistar.council.nyc.gov/MeetingDetail.aspx?ID=132418&GUID=0DE5FBC6-DE42-4170-B9F3-583436910C16>

DCA testified at the December hearing that item pricing remains an important protection for consumers, particularly seniors, those with limited English proficiency and low-income New Yorkers.⁹

III. Int. No. 436 - A

The City's current item pricing law requires that a sticker price be affixed to every individual item, or stock keeping item, of every product, or stock keeping unit (SKU), that is offered for sale, except those products that are exempted. For example, each box of Honey Nut Cheerios is an item, and Honey Nut Cheerios, as a group, is a single product or SKU. Under current law, a violation is issued for each SKU for which five or more items are missing a price sticker. No violation is given for failure to item-price less than five items of a single SKU. Once the threshold of five is reached, the retailer will be assessed a violation for failure to item-price that SKU. Initially, Int. No. 436 added a second threshold level to an inspector's assessment. The bill allowed DCA to issue a warning instead of a violation if less than five SKUs fail to comply with the City's item pricing laws.

At the December hearing, DCA recommended curable violations for first-time violators. The Agency noted that such violations would still be considered first violations and subsequent violations would be treated as recidivist, subject to penalty and incentive compliance. Additionally, DCA testified that the Agency keeps track manually of warnings issued. Inspectors used handheld devices that do not provide on the spot information regarding previous warnings.

Based on DCA's feedback, and the inability of inspectors to keep track of warnings, Int. 436-A was amended.

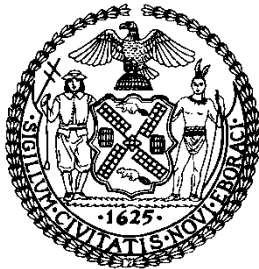
IV. Analysis Proposed Int. No. 436-A

Proposed Int. No. 436-A as now amended allows retail stores to cure a first-time violation by submitting evidence within 30 days of the issuance of the notice of violation that proves to the satisfaction of the department, within 30 days of the issuance of the notice of violation that the violation has been cured. If cured, the retailer does not have to pay the civil penalty for the first-time violation. However, the civil penalty for a subsequent violation will be calculated as a second violation and so forth.

Section 1 of Int. No. 436 would amend subparagraph a of paragraph 2 of subdivision f of section 20-708.1 of the Administrative Code, which details the monetary penalties to be assessed to a retailer for failure to comply with the City's item pricing law, to provide that a retailer may cure a first-time violation. To avoid the payment of a civil penalty, the retailer must submit evidence that the violation has been cured within 30 days of the notice of violation and prior to the commencement of an adjudication of such notice of violation.

Section 2 of the bill provides that the law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int No. 436-A:)



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

**PROPOSED INTRO. NO. 436-A
COMMITTEE: Consumer Affairs**

⁹ DCA Testimony to the City Council Consumer Affairs Committee, December 3, 2015

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to authorizing a cure period for certain item pricing violations

SPONSORS: Council Members Espinal, Barron, Chin, Eugene, Koo, Koslowitz, Rodriguez and Ulrich

SUMMARY OF LEGISLATION: Under New York City law, supermarkets, groceries and bodegas must affix a price sticker on each individual item of most products offered for sale, as opposed to posting a single price on the shelf where the items are displayed. Department of Consumer Affairs (DCA) inspectors issue violations for each failure to sticker price more than five items in a single stock unit. The legislation would allow retailers to cure first time violations rather than paying civil penalties. A retail store would have to submit proof that it has cured the violation within 30 days of receiving a notice of violation. DCA would be required to permit proof of cure to be submitted electronically or in person, and the submission of proof would be deemed an admission of liability for all purposes. A retail store may seek administrative review of the determination that proof of a cure was not submitted within fifteen days of receiving written notification of such a determination.

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 (+)	(\$72,110)	(\$149,732)	(\$117,067)
Expenditures (-)	\$0	\$0	\$0
Net	(\$72,110)	(\$149,732)	(\$117,067)

IMPACT ON REVENUES: Based on historical data from the Department of Consumer Affairs, it is anticipated that there would be a loss of revenue as illustrated above and the yearly loss in revenue will stabilize at approximately \$100,000 a year if the recidivism rate does not change significantly in the third year and beyond.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation. This legislation is in line with the steps DCA has already taken to make enforcement more equitable and less onerous on businesses through the implementation of the Department's "Small Business Package". Therefore, existing resources can be used to implement the law.

SOURCES OF INFORMATION: New York City Council Finance Division
New York City Department of Consumer Affairs

ESTIMATE PREPARED BY: Aliya Ali, Senior Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 436 on August 21, 2014 and referred to the Committee on Consumer Affairs. A hearing was held by the Committee on December 3, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 436-A, will be considered by the Committee on January 31, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 436-A will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 25, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 436-A:)

Int. No. 436-A

By Council Members Espinal, Barron, Chin, Eugene, Koo, Koslowitz, Rodriguez and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to authorizing a cure period for certain item pricing violations

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 20-708.1 of the administrative code of the city of New York, as added by local law number 84 for the year 1991, paragraph 2 as amended by local law number 70 for the year 2005, is amended to read as follows:

f. Enforcement, penalties. 1. Upon the request of an inspector, the retail store representative shall afford the inspector access to the test mode of the checkout system in use at that retail store or to a comparable function of such system and to the retail price information contained in a price look-up function. No more than one inspection shall be conducted in any twenty-four hour period.

2. In addition to the enforcement powers prescribed in sections 20-703 and 20-704 of this code, the commissioner may, upon due notice, hold hearings to determine whether violations of the provisions of this section have occurred. Such notice shall contain a concise statement of the facts constituting the alleged violation and shall set forth the date, time and place of the hearing. Upon a finding of a violation of the provisions of this section, the commissioner shall be authorized to impose a civil penalty as follows:

(a) [upon a first inspection] *upon inspection*, up to [twenty-five dollars]\$25 for the first [twenty]20 violations and up to [fifty dollars]\$50 for [the twenty-first and]each successive[violations] violation, total violations not to exceed [two thousand dollars]\$2,000, except that a retail store shall not be subject to the civil penalty described above for a first-time violation or first-time violations of subdivision b of this section or any rule promulgated thereunder if such retail store proves to the satisfaction of the department, within 30 days of the issuance of the notice of violation or notices of violation and prior to the commencement of an adjudication of such notice or notices, that the violation or violations have been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation or violations have been cured shall be offered as part of any settlement offer made by the department to a retail store that has received a notice of violation or notices of violation for a first-time violation or first-time violations of subdivision b of this section *or any rule promulgated thereunder*. The department shall permit such proof to be submitted electronically or in person. A retail store may seek review, in the department, of the determination that proof of a cure was not submitted within 15 days of receiving written notification of such determination.

(b) upon a second or subsequent inspection within [a two week period]60 days of a violation, up to [fifty dollars]\$50 for the first [twenty]20 [continued] violations, and up to [one hundred dollars]\$100 for [the twenty-first and]each successive [continued violations]violation, total violations issued not to exceed [eight thousand dollars]\$8,000.

3. Each failure to comply with subdivision b of this section with respect to any one stock keeping unit shall constitute a separate violation, provided, however, that no violation shall be found where less than five stock keeping items of a particular stock keeping unit lack clearly readable item prices. Following an initial inspection, each inspection that finds a continuing violation with respect to a particular stock keeping unit cited within the previous fourteen days shall constitute a separate continued violation.

§ 2. This local law takes effect immediately.

RAFAEL L. ESPINAL, Jr., *Chairperson*; VINCENT J. GENTILE, KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, January 31, 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 Res No. 1356

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 February 1, 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, 2015, the Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 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 February 1, 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 funding for certain initiatives in accordance with the Fiscal 2016 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 funding for certain initiatives in accordance with the Fiscal 2016 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 youth discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 2; 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 4-21; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 22; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 23; sets forth the new designation and changes in the designation of funding pursuant to a certain initiative in the Fiscal 2016 Expense Budget, as described in Chart 24; 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 25.

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 youth discretionary funding in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 3 sets forth the change in the designation of a certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 4 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 5 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 6 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 7 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 8 sets forth the change in the designation of a certain organization receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 9 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 10 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. A portion of such funds have been transferred from Chart 16.

Chart 11 sets forth the new designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 12 sets forth the removal of funds from certain organizations pursuant to the Crisis Management System – Youth Programs Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Crisis Management Initiative in Chart 13.

Chart 13 sets forth the change in the designation of a certain organization and sets forth the addition of funds to certain organizations pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred from the Crisis Management System – Youth Programs Initiative in Chart 12.

Chart 14 sets forth the change in the designation of a certain organization receiving funding pursuant to the Post-Arrest Diversion Program for Young Adults Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 15 sets forth the new designation of certain organizations receiving funding pursuant to the Foster Youth Transitional Care Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 16 sets forth the removal of funds from a certain organization pursuant to the Job Training and Placement Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the NYC Cleanup Initiative in Chart 10.

Chart 17 sets forth the removal of funds from a certain organization pursuant to the Nurse Family Partnership Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Neighborhood Health Initiative in Chart 18.

Chart 18 sets forth addition of funds to a certain organization pursuant to the Neighborhood Health Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred from the Nurse Family Partnership Initiative in Chart 17.

Chart 19 sets forth the change in the designation of certain organizations receiving funding pursuant to the Viral Hepatitis Prevention Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 20 sets forth the removal of funds from a certain organization pursuant to the Work, Learn, Grow Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Year-Round Employment Program (Work, Learn, Grow) Initiative in Chart 21.

Chart 21 sets forth addition of funds to a certain organization pursuant to the Year-Round Employment Program (Work, Learn, Grow) Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred from the Work, Learn, Grow Initiative in Chart 20.

Chart 22 sets forth the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 23 sets forth the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 24 sets forth the change in the designation of a certain organization receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 25 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.

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, Fiscal 2016, 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. 1356:)

Preconsidered Res. No. 1356

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, 2015 the City Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 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, Fiscal 2016, 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 youth 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 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 3; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new 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 5; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative 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 Neighborhood Development Grant 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 change in the designation of a certain organization receiving funding pursuant to the Healthy Aging 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 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 9; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup 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 Food Pantries 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 removal of funds from certain organizations pursuant to the Crisis Management System –Youth Programs 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 change in the designation of a certain organization receiving funding and approves the addition of funds to certain organizations pursuant to the Crisis Management System 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 change in the designation of a certain organization receiving funding pursuant to the Post-Arrest Diversion Program for Young Adults 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 new designation of certain organizations receiving funding pursuant to the Foster Youth Transitional Care 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 removal of funds from a certain organization pursuant to the Job Training and Placement 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 the removal of funds from a certain organization pursuant to the Nurse Family Partnership 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 addition of funds to a certain organization pursuant to the Neighborhood Health 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 changes in the designation of certain organizations receiving funding pursuant to the Viral Hepatitis Prevention 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 removal of funds from a certain organization pursuant to the Work, Learn, Grow 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 addition of funds to a certain organization pursuant to the Year-Round Employment Program (Work, Learn, Grow) 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 a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 22; 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 23; 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 2016 Expense Budget, as set forth in Chart 24; 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 25.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Miller	Department of Youth and Community Development	13-6400434	DYCD	(\$7,000.00)	260	005			
Miller	ZMI Foundation, Inc.	45-5537211	DYCD	\$7,000.00	260	312			
Dromm	Asian-American Coalition for Children and Families, Inc.**	13-3682471	DYCD	(\$5,000.00)	260	312			
Dromm	Queens Museum of Art**	11-2278998	DCLA	\$5,000.00	126	022			
Gentile	Neighbors Helping Neighbors, Inc.**	11-3059958	DSS/HRA	(\$5,000.00)	069	107			
Gentile	Neighbors Helping Neighbors, Inc.**	11-3059958	HPD	\$5,000.00	806	009			
Levin	84th Precinct Community Council	11-3149257	DYCD	(\$2,000.00)	260	005			
Levin	84th Precinct Community Council	11-3149257	DYCD	\$2,000.00	260	005	Brooklyn Arts Council, Inc.	23-7072915	
Levin	Little Essentials	27-5281758	DYCD	(\$2,000.00)	260	312			
Levin	Little Essentials	27-5281758	DYCD	\$2,000.00	260	312	Brooklyn Arts Council, Inc.	23-7072915	
Gentile	R.C. Church of St. Patrick in Fort Hamilton	11-1631818	DYCD	(\$5,000.00)	260	005			
Gentile	St. Patrick in Fort Hamilton	11-1631818	DYCD	\$5,000.00	260	005			
Dromm	Youth Congress of Bangladeshi Americans (YCBA)	45-3818185	DYCD	(\$5,000.00)	260	005			
Dromm	Shetu, Inc.	45-3818185	DYCD	\$5,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 2: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Dromm	110th Precinct Community Council, Inc.	43-2025653	DYCD	(\$5,000.00)	260	312			
Dromm	Asian-American Coalition for Children and Families, Inc.	13-3682471	DYCD	\$5,000.00	260	312			
Levin	Brooklyn Youth Sports Club	27-1404772	DYCD	(\$2,000.00)	260	312			
Levin	Brooklyn Youth Sports Club	27-1404772	DYCD	\$2,000.00	260	312	Brooklyn Arts Council, Inc.	23-7072915	
Crowley	St. Mary's Winfield Youth League	11-1633501	DYCD	(\$5,000.00)	260	312			
Crowley	Blessed Virgin Mary Help of Christians Church	11-1633501	DYCD	\$5,000.00	260	312			
Van Bramer	St. Mary's Winfield Youth League	11-1633501	DYCD	(\$3,500.00)	260	312			
Van Bramer	Blessed Virgin Mary Help of Christians Church	11-1633501	DYCD	\$3,500.00	260	312			

* Indicates pending completion of pre-qualification review.

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

CHART 3: Anti-Poverty Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Richards	East River Development Alliance, Inc.	86-1096987	DYCD	(\$20,000.00)	260	005			
Richards	Rockaway Development and Revitalization Corporation	11-2575794	DYCD	\$20,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 4: Cultural After-School Adventure (CASA) - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$100,000.00)	126	003	
Garodnick	Intrepid Museum Foundation, Inc. - Wagner Middle School - MS 167M	13-3062419	DCLA	\$20,000.00	126	003	
Garodnick	Midtown Management Group, Inc. - Hunter College Elementary School	13-3192793	DCLA	\$20,000.00	126	003	
Garodnick	Arts Connection, Inc., The - East Side Elementary School - PS 267M	13-2953240	DCLA	\$20,000.00	126	003	
Maisel	Midori Foundation, Inc. - I.S. 211K - John Wilson School	13-3682472	DCLA	\$20,000.00	126	003	
Maisel	Midori Foundation, Inc. - Public School 236K	13-3682472	DCLA	\$20,000.00	126	003	
Torres	Bronx Arts Ensemble, Inc. - PS 46 Edgar Allan Poe School	51-0186869	DCLA	(\$20,000.00)	126	003	
Torres	Bronx Arts Ensemble, Inc. - PS 205X - Fiorello Laguardia	51-0186869	DCLA	\$20,000.00	126	003	
Ulrich	Queens College Foundation, Inc. - Kupferberg Center Performances - Intermediate School 210 Eliz11-6080521		DCLA	(\$20,000.00)	126	003	
Ulrich	Queens College Foundation, Inc. - M.S. 137Q America's School of Heroes	11-6080521	DCLA	\$20,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 5: Cultural Immigrant Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$20,000.00)	126	003	
Greenfield	New York United Jewish Association, Inc.	26-2647383	DCLA	\$10,000.00	126	003	
Greenfield	Federation of Italian American Organizations of Brooklyn, Ltd.	11-2507910	DCLA	\$10,000.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 6: SU-CASA Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$540,000.00)	126	003	
Garodnick	Ansonia Music Outreach Organization, Inc. - Lenox Hill Neighborhood Senior Center (7)	13-3674001	DCLA	\$15,000.00	126	003	*
Garodnick	University Settlement Society of New York - Lenox Hill Neighborhood Senior Center (8)	13-5562374	DCLA	\$15,000.00	126	003	
Johnson	An Claidheamh Soluis, Inc. - Encore Neighborhood Senior Center	51-0244834	DCLA	\$15,000.00	126	003	*
Johnson	Friends of the High Line, Inc. - Judith C White Neighborhood Senior Center	31-1734086	DCLA	\$15,000.00	126	003	
CD28	A Better Jamaica, Inc. - Rockaway Blvd NSC	11-3804421	DCLA	\$15,000.00	126	003	
CD28	Braata Productions, Inc. - CCNS Ozone Park NSC	27-3402327	DCLA	\$15,000.00	126	003	
Lancman	Queens College Foundation, Inc. - Queens Valley Neighborhood Senior Center, Young Israel Programs, Inc.	11-6080521	DCLA	\$15,000.00	126	003	
Lancman	Jamaica Center for Arts and Learning, Inc. - Pomonok Neighborhood Senior Center, Queens Community House, Inc.	11-2478709	DCLA	\$15,000.00	126	022	
Miller	Braata Productions, Inc. - JSPOA Theodora Jackson NSC, Jamaica Service Program For Older Adults, Inc.	27-3402327	DCLA	\$15,000.00	126	003	
Miller	Jamaica Center for Arts and Learning, Inc. - International Towers Social Club, Jamaica Service Program For Older Adults Inc.	11-2478709	DCLA	\$15,000.00	126	022	
Ulrich	Queens Theatre in the Park, Inc. - CCNS Seaside Neighborhood Senior Center, Catholic Charities Neighborhood Services Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Ulrich	Queens Theatre in the Park, Inc. - CCNS Howard Beach Neighborhood Senior Center, Catholic Charities Neighborhood Services Inc.	11-3381629	DCLA	\$15,000.00	126	003	
Barron	Abundance Academy Of The Arts, Inc. - Teresa Moore Neighborhood Senior Center, Fort Greene Council	11-3811283	DCLA	\$15,000.00	126	003	*
Barron	Conscientious Musical Revue - Rosetta Gaston Neighborhood Senior Ctr, Wayside Out-Reach Development Inc.	06-1278112	DCLA	\$15,000.00	126	003	*
Eugene	Abundance Academy Of The Arts, Inc. - Hazel Brooks Senior Center, Fort Greene Council	11-3811283	DCLA	\$15,000.00	126	003	*
Koslowitz	Great Small Works, Inc. - Rego Park Neighborhood Senior Center, Queens Community House Inc.	13-3862351	DCLA	\$15,000.00	126	003	*
Borelli	Sundog Theatre, Inc. - JCC South Shore Neighborhood Senior Ctr, Jewish Community Center Of Staten Island Inc.	45-0476945	DCLA	\$15,000.00	126	003	
Borelli	Sundog Theatre, Inc. - Great Kills Neighborhood Senior Center, Staten Island Community Services Friendship Clubs, Inc.	45-0476945	DCLA	\$15,000.00	126	003	
Matteo	Staten Island Historical Society - Arrochar Neighborhood Senior Center, Staten Island Community Services Friendship Clubs Inc.	13-1985514	DCLA	\$15,000.00	126	003	
Matteo	Sundog Theatre, Inc. - Todt Hill Neighborhood Senior Center, Staten Island Community Services Friendship Clubs, Inc.	45-0476945	DCLA	\$15,000.00	126	003	
Gibson	Pregones Touring Puerto Rican Theater Collection, Inc. - Hope Of Israel Neighborhood Senior Ctr, Hope Of Israel Senior Citizens Center Inc.	13-3266893	DCLA	\$15,000.00	126	003	
Gibson	Pregones Touring Puerto Rican Theater Collection, Inc. - Morrisania Air Rights Social Club, Presbyterian Senior Services	13-3266893	DCLA	\$15,000.00	126	003	
Cabrera	Pregones Touring Puerto Rican Theater Collection, Inc. - Heights Neighborhood Senior Center, Bronxworks Inc.	13-3266893	DCLA	\$15,000.00	126	003	
Cabrera	ID Studio Theater Performance and Research Center Inc. - Fort Independence Social Club, Child Development Center Of The Mosholu-Montefiore	71-0991159	DCLA	\$15,000.00	126	003	*

Ferreras-Copeland	Afro-Latin Jazz Alliance of New York, Inc. - Elmcors Neighborhood Senior Center, Elmcors Youth & Adult Activities Inc.	45-3665976	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 6: SU-CASA Initiative - Fiscal 2017 (continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Ferreras-Copeland	Spanish Theatre Repertory Company, Ltd. - RAICES Corona Neighborhood Senior Center, The Spanish Speaking Elderly Council-Raices Inc.	13-2672755	DCLA	\$15,000.00	126	003	
Chin	La Mama Experimental Theatre Club, Inc. - UJC Adult Luncheon Club Neighborhood Sc, United Jewish Council Of The East Side Inc.	13-2620861	DCLA	\$15,000.00	126	003	
Chin	University Settlement Society of New York - University Settlement Neighborhood Sr Ct, University Settlement Society Of New York Inc.	13-5562374	DCLA	\$15,000.00	126	003	
Levine	Dance Theatre of Harlem, Inc. - Manhattanville Riverside Neighborhood SC, United Block Association Inc.	13-2642091	DCLA	\$15,000.00	126	003	
Levine	Dances for a Variable Population, Inc. - The Center At The Red Oak Neighbor Sr Ctr, West Side Federation For Senior And Supportive Housing Inc.	26-4572204	DCLA	\$15,000.00	126	003	
Maisel	Rockaway Artists Alliance, Inc. - Mill Basin Senior Center, Bergen Basin Comm Dev Corp/Db a Millennium Development Corp	11-3217121	DCLA	\$15,000.00	126	003	
Maisel	Rockaway Artists Alliance, Inc. - Marine Park Active Adults Neighborhood, Bergen Beach Youth Organization Inc.	11-3217121	DCLA	\$15,000.00	126	003	
Cornegy	Great Small Works, Inc. - Albany Neighborhood Senior Center, Fort Greene Council	13-3862351	DCLA	\$15,000.00	126	003	*
Cornegy	Brooklyn Music School - Stuyvesant Heights Neighborhood Senior Center, Fort Greene Council	11-6000202	DCLA	\$15,000.00	126	003	
Rosenthal	Jazz Drama Program, The - West 65th Street Center, Lincoln Square Neighborhood Center Inc.	06-1722131	DCLA	\$15,000.00	126	003	*
Rosenthal	Elizabeth Foundation For The Arts, The - JASA Westside, Jewish Association For Services For The Aged	06-1313662	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. - SNAP Innovative Senior Center, Services Now For Adult Persons Inc.	11-3381629	DCLA	\$15,000.00	126	022	
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	
Grodenschik	Queens Theatre in the Park, Inc. - Samuel Field Neighborhood Senior Center, Samuel Field YM & YWHA, Inc.	11-3381629	DCLA	\$15,000.00	126	022	
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	
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	022	

* Indicates pending completion of pre-qualification review.

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

CHART 7: 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	
Garodnick	East Mid-Manhattan District Management Association, Inc.	13-4171958	DSBS	\$22,000.00	801	002	*

* Indicates pending completion of pre-qualification review.

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

CHART 8: Healthy Aging Initiative - Fiscal 2017

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Ulrich	Catholic Charities Neighborhood Services, Inc.	11-2047151	DFTA	(\$10,000.00)	125	003	
Ulrich	Catholic Charities Neighborhood Services, Inc. - Seaside Senior Center	11-2047151	DFTA	\$10,000.00	125	003	

* Indicates pending completion of pre-qualification review.

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

CHART 9: 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	(\$73,021.00)	816	112	*
Citywide	Public Health Solutions	13-5669201	DOHMH	\$50,000.00	816	112	
Bronx	Parkchester Baptist Church	13-2836302	DOHMH	\$10,000.00	816	112	*
Brooklyn	Brooklyn Center for the Quality Life	26-2651830	DOHMH	\$13,021.00	816	112	*

* Indicates pending completion of pre-qualification review.

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

CHART 10: NYC Cleanup Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Mealy	Doe Fund, Inc., The	13-3412540	DYCD	(\$35,949.00)	260	005	
Mealy	Center for Employment Opportunities	13-3843322	DYCD	\$35,949.00	260	005	
Cornegy	Doe Fund, Inc., The**	13-3412540	DYCD	(\$41,000.00)	260	005	
Cornegy	Department of Sanitation**	13-6400434	DSNY	\$41,000.00	827	102	
Richards	Doe Fund, Inc., The**	13-3412540	DYCD	(\$45,148.00)	260	005	
Richards	Wildcat Service Corporation	13-2725423	DYCD	\$24,832.00	260	005	
Richards	Department of Sanitation**	13-6400434	DSNY	\$5,000.00	827	109	
Richards	Department of Sanitation**	13-6400434	DSNY	\$15,316.00	827	102	
Ulrich	Queens Economic Development Corporation	11-2436149	DSBS	\$10,000.00	801	002	

* Indicates pending completion of pre-qualification review.

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

CHART 11: Food Pantries Initiative - Fiscal 2017

Delegation	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development	13-6400434	DYCD	(\$14,896.00)	260	005	
Brooklyn	New Hope Family Worship Center	11-3037658	DYCD	\$7,448.00	260	005	*
Brooklyn	Christian Cultural Center, Inc.	11-2732579	DYCD	\$7,448.00	260	005	*

* Indicates pending completion of pre-qualification review.

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

February 1, 2017

CHART 12: Crisis Management System - Youth Programs- Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Central Family Life Center	13-3626127	ACS	(\$40,000.00)	068	008	
Gangstas Making Astronomical Community Changes, Inc.	45-3359451	ACS	(\$40,000.00)	068	008	
Getting Out and Staying Out, Inc.	06-1711370	ACS	(\$40,000.00)	068	008	
Good Shepherd Services, Inc.	13-5598710	ACS	(\$40,000.00)	068	008	
Life Camp, Inc.	20-0814999	ACS	(\$40,000.00)	068	008	

* Indicates pending completion of pre-qualification review.

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

CHART 13: Crisis Management System - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$35,000.00)	816	120	
Floating Hospital, Inc., The	13-1624169	DOHMH	\$35,000.00	816	120	
Central Family Life Center	13-3626127	ACS	\$40,000.00	068	008	
Gangstas Making Astronomical Community Changes, Inc.	45-3359451	ACS	\$40,000.00	068	008	
Getting Out and Staying Out, Inc.	06-1711370	ACS	\$40,000.00	068	008	
Good Shepherd Services, Inc.	13-5598710	ACS	\$40,000.00	068	008	
Life Camp, Inc.	20-0814999	ACS	\$40,000.00	068	008	

* Indicates pending completion of pre-qualification review.

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

February 1, 2017

CHART 14: Post-Arrest Diversion Program for Young Adults Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Center for Alternative Sentencing and Employment Services, Inc. (CASES)	13-2668080	MOCJ	(\$250,000.00)	098	002	
Mayor's Office of Criminal Justice	13-6400434	MOCJ	\$250,000.00	098	002	

* Indicates pending completion of pre-qualification review.

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

February 1, 2017

CHART 15: Foster Youth Transitional Care Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Social Services	13-6400434	DSS/HRA	(\$500,000.00)	069	103	
Children's Aid Society, The	13-5562191	DSS/HRA	\$75,000.00	069	103	
Graham Windham	13-2926426	DSS/HRA	\$75,000.00	069	103	*
Forestdale, Inc.	11-1631747	DSS/HRA	\$50,000.00	069	103	
Sheltering Arms Children and Family Services, Inc.	13-3709095	DSS/HRA	\$50,000.00	069	103	
Jewish Board of Family and Children's Services, Inc.	13-5564937	DSS/HRA	\$250,000.00	069	103	

* Indicates pending completion of pre-qualification review.

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

February 1, 2017

CHART 16: Job Training and Placement Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Small Business Services	13-6400434	DSBS	(\$10,000.00)	801	011	

* Indicates pending completion of pre-qualification review.

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

CHART 17: Nurse Family Partnership Initiative- Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Upper Room AIDS Ministry, Inc. Adult Day Health Care Center	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 18: Neighborhood Health Initiative- Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Upper Room AIDS Ministry, Inc. Adult Day Health Care Center	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 19: Viral Hepatitis Prevention Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Mount Sinai Hospital	13-1624096	DOHMH	(\$40,410.00)	816	112	
Beth Israel Medical Center	13-5564934	DOHMH	\$40,410.00	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 20: Work, Learn, Grow Initiative - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Fund for the City of New York, Inc.	13-2612524	DYCD	(\$35,000.00)	260	312	

* Indicates pending completion of pre-qualification review.

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

February 1, 2017

CHART 21: Year-Round Employment Program (Work, Learn, Grow) - Fiscal 2017

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Fund for the City of New York, Inc.	13-2612524	DYCD	\$35,000.00	260	312	

* Indicates pending completion of pre-qualification review.

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

CHART 22: Local Initiatives - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Vallone	Italian American Association of St. Mel Roman Catholic Church	11-1646313	DYCD	(\$5,000.00)	260	005			
Vallone	St. Mel's Roman Catholic Church	11-1646313	DYCD	\$5,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 23: Local Initiatives - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Vallone	Italian American Association of St. Mel Roman Catholic Church	11-1646313	DYCD	(\$5,000.00)	260	005			
Vallone	St. Mel's Roman Catholic Church	11-1646313	DYCD	\$5,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 24: Geriatric Mental Health Initiative- Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Lenox Hill Hospital	13-1624070	DOHMH	(\$79,000.00)	816	120	
Chinese-American Planning Council, Inc.	13-6202692	DOHMH	\$17,562.00	816	120	
East Side House, Inc.	13-1623989	DOHMH	\$22,200.00	816	120	
Sunnyside Community Service, Inc.	51-0189327	DOHMH	\$12,960.00	816	120	
Department of Health and Mental Hygiene	13-6400434	DOHMH	\$26,278.00	816	120	

* Indicates pending completion of pre-qualification review.

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

CHART 25: Purpose of Funds Changes - Fiscal 2017

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Levin	Friends of Pool, Inc.	61-1745367	DYCD	(\$2,000.00)	POOLs water quality dashboard is a public, visually engaging platform that connects New Yorkers to their waterfront by displaying the water quality of New York's rivers in real time. In the summer of 2016, the dashboard will show water quality data pulled from the future site of POOL in the most friendly and accessible way possible, through 7 basic water quality parameters including turbidity, conductivity, pH, dissolved oxygen, temperature, salinity and chlorophyll. Funds will be used for website development, programming, and equipment to implement the dashboard and bring water quality data free to the public. A long term goal is to use this dashboard to start conversations with other organizations about inputting their data, to give a greater snapshot of the health of the river as a whole.	*
Local	Levin	Friends of Pool, Inc.	61-1745367	DYCD	\$2,000.00	Funds will be used for website development, programming, and equipment to implement the dashboard and bring water quality data free to the public.	
Local	Dromm	Queens Museum of Art	11-2278998	DCLA	(\$5,000.00)	Funding to support children's' workshops, senior films, family programming, concerts, performances and lectures, and exhibition-related programs.	
Local	Dromm	Queens Museum of Art	11-2278998	DCLA	\$5,000.00	Funding will be used to help develop a project depicting the history of the LGBT movement Queens in celebration of Queens LGBT Pride's 25th anniversary.	
Local	Koslowitz	Kew Gardens Council for Recreation and the Arts, Inc.	11-2556658	DYCD	(\$5,000.00)	To support the KIDS ART IN THE PARK and KEW GARDENS COMMUNITY ARTS DAY events.	
Local	Koslowitz	Kew Gardens Council for Recreation and the Arts, Inc.	11-2556658	DYCD	\$5,000.00	Funding will be used to help support the following events: Kew Gardens Community Arts Day, Kids Art in the Park, Kew Gardens Planting Day and two events at the Kew Gardens Community Center.	
Anti-Poverty	CD28	Greater Bethel Community Development Corp.	32-0000557	DYCD	(\$35,000.00)	The funds will be used for the cost to pick up, store and distribute millions of dollars in donated products. Also, to be used for the salary for the GED instructor, utilities, space cost, and advertisement.	
Anti-Poverty	CD28	Greater Bethel Community Development Corp.	32-0000557	DYCD	\$35,000.00	The funds will be used for the cost to pick up, store and distribute millions of dollars in donated products. Also to be used for utilities, space cost, and advertisement.	
Autism Awareness		Adaptive Design Association	13-4170232	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		Adaptive Design Association	13-4170232	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		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.	
Autism Awareness		Theatre Development Fund, Inc.	13-6216919	DCLA	\$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.	
Local	Cumbo	Prospect Heights Neighborhood Development Cou	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 Cou41-2138050		DYCD	\$3,500.00	The funds will be used for outreach and education regarding tenant rights and anti-displacement assistance to Prospect Heights residents.	
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* Indicates pending completion of pre-qualification review.

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

CHART 25: Purpose of Funds Changes - Fiscal 2017 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
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 artist to develop a set of tools, a network of opportunities, and a culture of inclusion to coincide with a neighborhood rezoning for increased density	
Youth	Chin	Hester Street Collaborative, Inc.	20-0774906	DYCD	(\$5,000.00)	Funds will support HSC staff to create materials, do community outreach, and host workshops for youth regarding the Lower Manhattan Coastal Resiliency project's waterfront improvement and coastal flooding protection plan.	
Youth	Chin	Hester Street Collaborative, Inc.	20-0774906	DYCD	\$5,000.00	Funds will support HSC staff as they work in Gowanus with youth and residents, non-profit art organizations, small manufacturers, and artist to develop a set of tools, a network of opportunities, and a culture of inclusion to coincide with a neighborhood rezoning for increased density	
Youth	Matteo	Seamen's Society for Children and Families	13-5563010	DYCD	(\$1,500.00)	Funds will be used for refreshments and supplies for empowerment support groups and outreach materials for community awareness events	
Youth	Matteo	Seamen's Society for Children and Families	13-5563010	DYCD	\$1,500.00	Funds will be used to strengthen the Domestic Violence Services program for women who are survivors of domestic violence and their children by providing support services such as parenting classes and support groups and promoting community education and awareness.	
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 be used to strengthen the Domestic Violence Services program for women who are survivors of domestic violence and their children by providing support services such as parenting classes and support groups and promoting community education and awareness.	
Speaker's Initiative	Speaker	Kips Bay Boys & Girls Club	13-1623850	DYCD	(\$150,000.00)	Funding will be used to reinstate teen programming and to continue reaching out to Bronx Immigrant communities.	
Speaker's Initiative	Speaker	Kips Bay Boys & Girls Club	13-1623850	DYCD	\$150,000.00	Funds will be used to 1) reinstate and revitalize teen programming and 2) to continue reaching out to and welcoming Bronx Immigrant communities, and hosting teen events that promote tolerance and acceptance of all.	
Aging	Vacca	Bronx House, Inc.	13-1739935	DFTA	(\$20,000.00)	To support more specialized senior center activities that promote physical and mental wellness and to fund IT expenses.	
Aging	Vacca	Bronx House, Inc.	13-1739935	DFTA	\$20,000.00	To support more specialized senior center activities that promote physical and mental wellness; for IT expenses that well support the resources in the computer room; and other program enhancements	
Social Justice Postgraduate Fellowship Program		Department of Citywide Administrative Services	13-6400434	DCAS	(\$600,000.00)	The City Council Social Justice Postgraduate Fellowship Program will create 10 one-year fellowships in City agencies for graduates of social service-, justice- and policy-related programs. This program will be administered by the Department of Citywide Administrative Services.	
Social Justice Postgraduate Fellowship Program		Department of Citywide Administrative Services	13-6400434	DCAS	\$600,000.00	To fund a program manager at \$75,000, 10 fellows at \$46,500 per fellow, and \$60,000 for professional development and other program expenses.	

* Indicates pending completion of pre-qualification review.

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

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, February 1, 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. 1357

Report of the Committee on Finance in favor of approving a Resolution concerning the establishment of the New Dorp Business Improvement District in the Borough of Staten Island and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

The Committee on Finance, to which the annexed preconsidered resolution was referred on February 1, 2017, respectfully

REPORTS:

BACKGROUND

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.

The New York City Department of Small Business Services (SBS), on behalf of the New Dorp BID Steering Committee, is proposing to establish a BID located along New Dorp Lane and adjacent commercial streets in the New Dorp neighborhood of the borough of Staten Island (the New Dorp BID). The proposed boundaries of the New Dorp BID follow New Dorp Lane from Richmond Road to Hylan Boulevard, and along New Dorp Plaza (which is bisected by railroad tracks).¹ Along New Dorp Plaza, the BID area runs from Steele Avenue west of the tracks and from Jacques Avenue east of the tracks to Ross Avenue. The center of the proposed BID is the New Dorp Station of the Staten Island Railway (SIR).²

The proposed BID contains 146 properties and 180 businesses, most of which are small and family-owned.³ New Dorp Lane and New Dorp Plaza contain restaurants, boutiques and other specialized retail, health, legal and real estate services, beauty salons, and dance, yoga and karate studios, as well as a number of banks, two churches, a public library, two gas stations and a municipal parking lot near the SIR station.⁴ The

¹ New York City Department of City Planning, City Planning Commission, *IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the New Dorp BID Steering Committee pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning the establishment of the New Dorp Business Improvement District, Borough of Staten Island, Community District 2 1* (Jan. 4, 2017), available at <http://www1.nyc.gov/assets/planning/download/pdf/about/cpc/170130.pdf>

² Id. at 2.

³ Id.

⁴ Id.

commercial strip is surrounded by low-density residential neighborhoods.⁵ The BID also includes two properties fronting Hylan Boulevard.⁶

In its first year of operation, the BID proposes to offer: a sanitation program to supplement City sanitation services; marketing and promotion services, which may include special events, street, TV or online advertising; beautification; economic development initiatives (including free Wi-Fi), storefront façade design and heritage tourism links; and advocacy.⁷ The BID will solicit additional support for programs and events from elected officials and private funders.⁸ In the future, the BID may propose improvements such as sidewalk plantings, plaques identifying the district, trash receptacles, benches, and wayfinding signage.⁹

The BID projects a first-year budget of \$135,000.¹⁰ The BID Steering Committee agreed to an assessment formula where commercial or mixed-use properties would contribute a rate for each foot of property frontage.¹¹ This would result in an estimated average assessment of \$17 per foot per year per property.¹² The median projected first yearly assessment would be \$778 and the average would be \$1,080.¹³ Government and not-for-profit properties are exempt from an assessment, and purely residential properties would contribute \$1 per year.¹⁴ The proposed BID's budget would be allocated in the following manner: hiring salaried staff (36 percent); marketing and promotions (37 percent), sanitation (16 percent), and economic development (11 percent).¹⁵

PRECONSIDERED RES. NO. 1357

This Resolution is required by law to set the public hearing date, time, and place for the consideration of the local law which would establish the New Dorp BID. The public hearing will be held on February 15, 2017, in the City Council Committee Room, 2nd Floor, City Hall at 10:00 a.m. before the Committee on Finance.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res No. 1357:)

Preconsidered Res. No. 1357

Resolution concerning the establishment of the New Dorp Business Improvement District in the Borough of Staten Island and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

By Council Member Ferreras-Copeland.

WHEREAS, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated September 23, 2016, provided for the preparation of a district plan (“the Plan”) for the New Dorp Business Improvement District (“the District”) in the Borough of Staten Island; and

WHEREAS, pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation establishing Business Improvement Districts; and

⁵ Id.

⁶ Id.

⁷ Id. at 3.

⁸ Id.

⁹ Id.

¹⁰ Id.

¹¹ Id.

¹² Id.

¹³ Id.

¹⁴ Id. at 4.

¹⁵ Id.

WHEREAS, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on October 25, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on October 27, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on October 27, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community board for the community district in which the proposed District is located (Staten Island Community Board Number 2, hereinafter “the Community Board”) on October 27, 2016; and

WHEREAS, the CPC submitted the Plan to the Staten Island Borough President on October 27, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the Community Board notified the public of the Plan in accordance with the requirements established by the CPC; and

WHEREAS, Community Board 2 voted to approve the establishment of the District on November 15, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC reviewed the Plan, held a public hearing and prepared a report certifying its unqualified approval of the Plan; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Staten Island Borough President, to the City Council, and to the Council Member representing the council district in which the proposed District is located; and

WHEREAS, pursuant to section 25-405(c) of the Law, a copy of the CPC’s report, together with the original Plan, was transmitted for filing with the City Clerk on January 6, 2017; and

WHEREAS, pursuant to section 25-406(a) of the Law, a copy of the Plan and the CPC’s report are annexed hereto and are made part of this Resolution; and

WHEREAS, pursuant to section 25-406(a) of the Law, the Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

WHEREAS, pursuant to Section 25-406(b) of the Law, any owner of real property, deemed benefited and therefore within the District, objecting to the plan must file an objection at the Office of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

WHEREAS, pursuant to Section 25-406(b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for establishment, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited real property within the area included in the District proposed for establishment, file objections to the Plan with the City Clerk within the thirty-day objection period, the District will not be established; now, therefore, be it

RESOLVED, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that:

(i) February 15, 2017 is the date and 10:00 AM is the time and the City Council Committee Room, City Hall, 2nd Floor, is the place for a public hearing (“the Public Hearing”) to hear all persons interested in the establishment of the District;

(ii) the New Dorp BID Steering Committee shall, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed 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 concerning real property within the proposed District, and to the tenants of each building within the proposed District;

(iii) SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the Public Hearing; and

(iv) in the event that the New Dorp BID Steering Committee mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, February 1, 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 LU No. 543

Report of the Committee on Finance in favor of a Resolution approving Penn South, 212-226 9th Avenue (Block 747, Lot 1), 311-351 West 24th Street (Block 748, Lot 1), 250-268 9th Avenue (Block 749, Lot 1), 313 8th Avenue (Block 749, Lot 24), 270-296 9th Avenue (Block 751, Lot 1) and 305 9th Avenue (Block 752, Lot 1), Manhattan, Community District No. 4, Council District No. 3.

The Committee on Finance, to which the annexed Land Use item was referred on December 15, 2016 (Minutes, page 4368) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

February 1, 2017

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

FROM: Eric Bernstein, Counsel, Finance Division

RE: Finance Committee Agenda of February 1, 2017 - Resolution approving a tax exemption for one Land Use item (Council District 3)

LU No. 543: Mutual Redevelopment (Penn South)

Mutual Redevelopment Houses, Inc. (“Penn South” or “Housing Company”) is a redevelopment company organized pursuant to Article V of the Private Housing Finance Law (“PHFL”) which owns and operates the 2,820-unit cooperative housing development commonly known as Penn South. The Housing Company has an agreement with the City (dated July 1, 1987), which amended its original Redevelopment Agreement with the City (dated March 25, 1959), and which has been further amended to date by seven Amendatory Agreements. The agreement imposes income limits and sales price restrictions on Penn South.

Penn South is taking out a \$190 million new loan insured by the Federal Housing Administration of the United States Department of Housing and Urban Development (HUD) and is seeking to extend its affordability through the term of its new loan. Penn South pays the greater of shelter rent tax or \$3,477,099 and is currently locked into its restrictions through 2030. HUD is requiring several conditions for providing the loan. As such, HPD is requesting that the Council approve an extension of the tax exemption until 2052. It is also requesting that the Council allow Penn South to retain all surcharges it collects from over-income shareholders, which would put Penn South in line with the Mitchell-Lama portfolio and its retention of surcharges. With these changes, Penn South has agreed to remain an Article V for an additional twenty-two years until 2052.

Additionally, HPD is requesting that the Council amend its contract with Penn South to allow the housing company to impose an annual 1% increase in carrying charges through June 30, 2052 to cover inflationary increases in the ordinary cost of operations. These increases are not automatic but will enable the coop to impose them without having to go back to the Council. HUD will also require the discretionary authority to mandate from time to time and without any further City Council approvals, that Penn South increase its carrying charges if necessary for purposes of paying expenses.

Summary:

- Council District – 3
- Council Member – Johnson
- Council Member approval – Yes
- Borough – Manhattan
- Block/Lot: Block 747, Lot 1; Block 748, Lot 1; Block 749, Lot 1; Block 749, Lot 24; Block 751, Lot 1; Block 752, Lot 1
- Number of Buildings – 1
- Number of Units – 2,820
- Type of Exemption – Article V, partial, 22-year
- Population Served – Co-op
- Sponsor/Developer – Mutual Redevelopment Houses (Penn South)
- Purpose – preservation
- Cost to the City – \$30M
- Housing Code Violations – 0 Class A, 0 Class B, and 0 Class C
- Income Limitation: 130% of AMI

Accordingly, this Committee recommends its adoption.

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

Res No. 1359

Resolution (1) approving an additional exemption from real property taxes for the properties located at 212-226 9th Avenue (Block 747, Lot 1), 311-351 West 24th Street (Block 748, Lot 1), 250-268 9th Avenue (Block 749, Lot 1), 313 8th Avenue (Block 749, Lot 24), 270-296 9th Avenue (Block 751, Lot 1) and 305 9th Avenue (Block 752, Lot 1) in Manhattan, pursuant to Section 125(1)(a-4) of the Private Housing Finance Law, (2) approving an Eighth Amendatory Agreement to the Contract between the City of New York and Mutual Redevelopment Houses, Inc., and (3) authorizing the Mayor or any Deputy Mayor or the Commissioner of the New York City Department of Housing Preservation and Development to execute the Eighth Amendatory Agreement when approved as to form by the Corporation Counsel and directing the City Clerk to attest to the same and to affix the seal of the City thereto. (L.U. No. 543).

By Council Member Ferreras-Copeland.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council of the City of New York its request dated January 26, 2017 that the Council of the City of New York approve an additional exemption from real property taxes for the properties located at 212-226 9th Avenue (Block 747, Lot 1), 311-351 West 24th Street (Block 748, Lot 1), 250-268 9th Avenue (Block 749, Lot 1), 313 8th Avenue (Block 749, Lot 24), 270-296 9th Avenue (Block 751, Lot 1) and 305 9th Avenue (Block 752, Lot 1) in Manhattan (“Exemption Area”), pursuant to Section 125(1)(a-4) of the Private Housing Finance Law; and

WHEREAS, The State Legislature, by enactment of Chapter 531 of the Laws of 2014, which added Section 125(1)(a-4) of the Private Housing Finance Law (“Article V Mutual Authorizing Legislation”), has authorized the local legislative body in a city having a population of one million or more to grant an additional tax exemption for a period of up to fifty years to a mutual redevelopment company for which the local legislative body has previously acted to extend the tax exemption for the maximum period provided for Section 125(1)(a-2) of the Private Housing Finance Law; and

WHEREAS, Such Article V Mutual Authorizing Legislation also provides that such grant of an additional tax exemption period shall take effect upon the expiration of the maximum period provided for in Section 125(1)(a-2) of the Private Housing Finance Law; and

WHEREAS, Such Article V Mutual Authorizing Legislation also provides that the amount of taxes to be paid by such mutual redevelopment company during any such period of tax exemption shall be not less than an amount equal to the greater of (i) ten per centum of the annual rent or carrying charges of the project minus utilities for the residential portion of the project, or (ii) the taxes payable by such company for the residential portion of the project during the tax year commencing July 1, 2000 and ending on June 30, 2001; and

WHEREAS, the Council of the City of New York, the local legislative body of the City of New York, has previously acted, pursuant to Res. No. 2044 of 2001, to extend the tax exemption for properties owned and operated by Mutual Redevelopment Houses, Inc. (“Housing Company”) and located in the Exemption Area, pursuant to Section 125(1)(a-2) of the Private Housing Finance Law, for the maximum period provided in Section 125(1)(a-2) of the Private Housing Finance Law; and

WHEREAS, Such tax exemption pursuant to Section 125(1)(a-2) of the Private Housing Finance Law shall expire on June 30, 2022; and

WHEREAS, The City of New York, acting through the HPD Commissioner, (“City”) entered into an agreement with the Housing Company, dated as of June 24, 2011 (“Sixth Amendatory Agreement”), which Sixth Amendatory Agreement was approved by the City Council on May 6, 2011 (Res. No. 813 of 2011); and

WHEREAS, In Section 1 of such Sixth Amendatory Agreement, the City and the Housing Company agreed to amend Paragraph 105 of that certain Agreement, dated as of July 1, 1987, between the Housing Company and the City, as amended by an Amendatory Agreement dated as of November, 1990, and further amended by a Second Amendatory Agreement dated as of July 1, 1995, and by a Third Amendatory Agreement dated as of August 22, 2001, and by a Fourth Amendatory Agreement dated as of October 6, 2005, and by a Fifth Amendatory Agreement dated as of January 17, 2006 (collectively, including the Sixth Amendatory Agreement, “City Agreement”), to add a new subparagraph (B) to Paragraph 105 of the City Agreement, to provide, among other things, that, subject to the enactment of the Article V Mutual Authorizing Legislation and the enactment of a resolution by the City Council:

“... the City agrees to and hereby does grant an additional exemption and exempts from local and municipal taxes, all of the value of the portion of the Redevelopment Project owned by the Housing Company which is taxed as residential pursuant to the terms of this Agreement, for the period commencing with the City’s tax year July 1, 2022 through June 30, 2023, and continuing through the City’s tax year July 1, 2029 through June 30, 2030, provided that the amount of taxes to be paid by the Housing Company during each such tax year shall be an amount equal to the greater of (i) ten per centum of the annual rent or carrying charges of the Housing Company minus utilities for the residential portion of the Redevelopment Project or (ii) the taxes paid by the Housing Company for the residential portion of the Redevelopment Project in the City’s tax year July 1, 2000 through June 30, 2001, in the total amount of \$3,477,099.00 (the ‘Additional Exemption’) ...”;

and

WHEREAS, The Article V Mutual Authorizing Legislation has been enacted by the State Legislature; and

WHEREAS, The Council of the City of New York has determined that, given the tremendous growth in real property values in the Exemption Area, which has caused real property taxes to increase beyond the means of the primarily low- and moderate-income tenants who reside therein, it is in the interest of the City to assist the Housing Company in maintaining affordable rents and carrying charges by granting an additional exemption as authorized by Section 125(1)(a-4) of the Private Housing Finance Law; and

WHEREAS, The Council of the City of New York has considered the financial implications relating to the extended partial exemption from real property taxes; and

WHEREAS, The Council, acted, pursuant to Res. No. 658 of 2015, to approve a Seventh Amendatory Agreement between the Housing Company and the City, executed by the parties on May 8, 2015, which in part provided, “... pursuant to Private Housing Finance Law §125(1)(a-4), [of] an additional exemption from real property taxes, other than assessments for local improvements, of all of the residential portion of the Exemption Area for a period commencing with the City’s tax year July 1, 2022 through June 30, 2023 and continuing through the City’s tax year July 1, 2029 through June 30, 2030, provided, however, that the amount of taxes to be paid during such period of tax exemption shall not be less than an amount equal to the greater of (i) ten per centum of the annual rent or carrying charges of the project minus the utilities for the residential portion of the project, or (ii) \$3,477,099.00, the taxes payable by the Housing Company for the residential portion of the project during the tax year commencing July 1, 2000 and ending on June 30, 2001.”; and

WHEREAS, While Chapter 531 of the Laws of 2015 authorized an additional tax exemption for a total of fifty years, the Housing Company only sought and received from the Council in 2015 an extension of eight years, to June 30, 2030. However, the Housing Company is now eligible for a 35-year loan of approximately \$190,000,000 (the “Loan”) to be insured by the Federal Housing Administration of the United States

Department of Housing and Urban Renewal (“HUD”). The Loan, which is expected to close in 2017, will enable Penn South to remain affordable throughout its 35-year term; and

WHEREAS, As conditions for providing the Loan, HUD will require the Housing Company to secure another extension of its tax exemption for an additional 22 years until June 30, 2052. HUD also will require the Housing Company to secure the authority to impose, at its discretion and without any further City Council approvals, carrying charge increases at the rate of one (1%) percent per year throughout the term of the Loan until 2052 (“1% Carrying Charge Increases”). These 1% Carrying Charge Increases would be in addition to any other increases previously or hereafter authorized by the Council. Finally, HUD will require the discretionary authority to mandate from time to time and without any further City Council approvals, that the Housing Company increase its carrying charges if necessary for purposes of paying expenses. All of these requirements also will necessitate amendments to the City Agreement; and

WHEREAS, Pursuant to Paragraph 206 of the City Agreement, the Housing Company currently shares with the City a portion of the surcharges collected from certain tenant-cooperators pursuant to Paragraphs 204 and 205 of the City Agreement. The Housing Company is also requesting an amendment to the City Agreement that will authorize its retention of the entire amount of such surcharges, commencing with those surcharges due from tenant cooperators based on their incomes for calendar year 2017. The Housing Company will use such funds to support its operations, maintenance and/or reserves for future capital projects in order to maintain the livable and affordable nature of the housing development; and

WHEREAS, HPD, which supervises the Housing Company, recognizes the importance of the preservation of the Exemption Area as an affordable housing development and the tax relief necessary for such preservation. HPD also supports the proposed Eighth Amendatory Agreement; now, therefore, be it

RESOLVED:

The Council of the City of New York hereby:

1. Approves, pursuant to PHFL § 125(1)(a-4), an additional exemption from real property taxes, other than assessments for local improvements, of all of the residential portion of the Exemption Area for the period commencing with the City’s tax year July 1, 2030 through June 30, 2031 and continuing through the City’s tax year July 1, 2051 through June 30, 2052, provided, however, that the amount of taxes to be paid during such period of tax exemption shall not be less than an amount equal to the greater of (i) ten per centum of the annual rent or carrying charges of the project minus the utilities for the residential portion of the project, or (ii) \$3,477,099.00, the taxes payable by the Housing Company for the residential portion of the project during the tax year commencing July 1, 2000 and ending on June 30, 2001.
2. Approves, pursuant to PHFL Section 114, the proposed Eighth Amendatory Agreement between the City of New York and the Housing Company in substantially the form submitted, incorporating provisions concerning extension of the Housing Company’s tax exemption to June 30, 2052, discretionary authority for the Housing Company to impose annual one (1%) percent increases in carrying charges, discretionary authority for HUD to mandate that the Housing Company increase its carrying charges if necessary for purposes of paying expenses and retention of collected surcharges, and authorizes the Mayor or any Deputy Mayor or the Commissioner of the Department of Housing Preservation and Development to execute the Eighth Amendatory Agreement, when approved as to form by the Corporation Counsel, and direct the City Clerk or Acting City Clerk to attest to the same and to affix the seal of the City thereto.

ATTACHMENT:**EIGHTH AMENDATORY AGREEMENT**

This Eighth Amendatory Agreement dated as of ____ __, 201__ by and between **THE CITY OF NEW YORK**, acting through the Commissioner of its Department of Housing Preservation and Development, 100 Gold Street, New York, New York 10038 and **MUTUAL REDEVELOPMENT HOUSES, INC.**, a corporation duly organized and existing under and by virtue of the Redevelopment Companies Law of the State of New York, having its principal place of business at 321 Eighth Avenue, New York, New York 10001 (hereinafter called the "Housing Company").

The parties refer to an Agreement dated as of July 1, 1987 between the Housing Company and the City (the "Agreement") as amended by an Amendatory Agreement dated as of November, 1990, and further amended by a Second Amendatory Agreement dated as of July 1, 1995, and by a Third Amendatory Agreement dated as of August 22, 2001, and by a Fourth Amendatory Agreement dated as of October 6, 2005, and by a Fifth Amendatory Agreement dated as of January 17, 2006, and by a Sixth Amendatory Agreement dated as of June 24, 2011, and by a Seventh Amendatory Agreement dated as of May 8, 2015 (which Agreement, Amendatory Agreement, Second Amendatory Agreement, Third Amendatory Agreement, Fourth Amendatory Agreement, Fifth Amendatory Agreement, Sixth Amendatory Agreement and Seventh Amendatory Agreement are hereinafter collectively called the "City Agreement").

The parties further refer to the Resolution of the New York City Council adopted on ____ __, 2017 (Resolution No. ____), a true copy of which is annexed hereto, approving an amendment to the City Agreement to modify its provisions regarding (a) real estate tax exemption, (b) adjustments to carrying charges, and (c) division of surcharge revenue.

NOW, THEREFORE, the parties hereto agree as follows:

1. Subparagraph (B) of Paragraph 105 of the City Agreement is hereby amended by replacing said Subparagraph (B) in its entirety with the following:

“(B) Notwithstanding any provision herein to the contrary, the City agrees to and hereby does grant an additional exemption and exempts from local and municipal taxes, all of the value of the portion of the Redevelopment Project owned by the Housing Company which is taxed as residential pursuant to the terms of this Agreement, for the period commencing with the City’s tax year July 1, 2022 through June 30, 2023, and continuing through the City’s tax year July 1, 2051 through June 30, 2052, provided that the amount of taxes to be paid by the Housing Company during each such tax year shall be an amount equal to the greater of (i) ten per centum of the annual rent or carrying charges of the Housing Company minus utilities for the residential portion of the Redevelopment Project or (ii) the taxes paid by the Housing Company for the residential portion of the Redevelopment Project in the City’s tax year July 1, 2000 through June 30, 2001, in the total amount of \$3,477,099.00.”

2. Paragraph 206 of the City Agreement is hereby amended as follows:

a. Paragraph 206 is renumbered as “Paragraph 206A”, and the following is inserted as the introductory text to subparagraph (a) of such renumbered paragraph:

“The provisions of this Paragraph 206A apply during the term of the Agreement solely to surcharges due and payable by tenant cooperators to the Housing Company before July 1, 2018.”

b. A new Paragraph 206B is inserted immediately following subparagraph (b) of renumbered Paragraph 206A, to read as follows:

“206B. Surcharge Revenue.

“The provisions of this Paragraph 206 B apply during the term of the Agreement to surcharges due and payable by tenant cooperators to the Housing Company on or after July 1, 2018.

“During the term of the Agreement, commencing with surcharges due to be paid by tenant cooperators to the Housing Company on or after July 1, 2018, based on the tenant-cooperators’ incomes for the preceding calendar year, beginning with their incomes for the calendar year 2017, the full amount of such surcharges collected annually by the Housing Company (the “Surcharge Revenue”) shall be retained by the Housing Company to be applied to the operations, maintenance and/or reserves of the Housing Company. To aid in implementing the foregoing, and to help ensure compliance with the legal requirements applicable to the Housing Company and its shareholders, HPD shall compare the income information provided on the income affidavits filed annually by the Housing Company’s shareholders with such shareholders’ New York State income tax returns, and advise the Housing Company of any alleged discrepancies so that the Housing Company can take appropriate action to recover any surcharge underpayments. The Surcharge Revenue shall not be limited by the amount of real property tax exemption received by the Housing Company or the amount of real property tax exemption allocable to any particular apartment.”

3. The caption to Article III of the City Agreement is hereby amended by deleting the words, “RENTAL ADJUSTMENTS”, and replacing them with the words, “CARRYING CHARGE ADJUSTMENTS”.
4. New Paragraph 302 is added to the City Agreement, as follows:

"302. Increases in Carrying Charges. Notwithstanding anything to the contrary contained in the Original Agreement or herein, and in addition to any increase in carrying charges previously or hereafter authorized, through June 30, 2052: (a) the Housing Company may increase its carrying charges annually by one (1%) percent per year; and (b) from time to time, while the Federal Housing Administration of the United States Department of Housing and Urban Development or any successor agency (“HUD”) shall insure the first mortgage loan on the Housing Company’s Redevelopment Project, HUD may require the Housing Company to increase its carrying charges as needed to provide the Housing Company with sufficient income to pay its expenses and obligations; in each such case, such increases may be implemented without the Housing Company’s making application for approval to or receiving the approval of HPD or the City Council. The foregoing shall not diminish or affect the Housing Company’s right to request the approval of the City Council for any other or greater increase in carrying charges from time to time or to request the approval of HPD to implement an increase or increases in carrying charges pursuant to any authorization given by the City Council."
5. The effective date of this Eighth Amendatory Agreement is the date first set forth above, which is the date by which this Eighth Amendatory Agreement has been fully executed by all parties.

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- 6. Except as expressly amended herein, the City Agreement shall remain in full force and effect until its termination pursuant to Paragraph 404 of the City Agreement.

ATTEST:

(City Clerk)

THE CITY OF NEW YORK

By: _
Vicki Been, Commissioner
New York City Department of
Housing Preservation and
Development

**MUTUAL REDEVELOPMENT
HOUSES, INC.**

By: _
 _____, **President**

APPROVED AS TO FORM:

Amrita Barth

[Acting] Corporation Counsel
Date: January 25, 2017

Attachment: New York City Council
 Resolution No. _____,
 Adopted _____, 201__.

ACKNOWLEDGMENTS

State of New York)
 : ss:
County of New York)

On the _____ day of _____ in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared Vicki Been, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

State of New York)
 : ss:
County of New York)

On the _____ day of _____ in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

State of New York)
 : ss:
County of New York)

On the _____ day of _____ in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, February 1, 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).

Reports of the Committee on Fire and Criminal Justice Services

Report for Int No. 1294-A

Report of the Committee on Committee on Fire and Criminal Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on the use and type of smoke detectors and smoke alarms in fire-related deaths.

The Committee on Fire and Criminal Justice Services, to which the annexed proposed amended local law was referred on October 13, 2016 (Minutes, page 3347), respectfully

REPORTS:

I. INTRODUCTION

On Tuesday, January 31, 2017, the Committee on Fire and Criminal Justice Services, chaired by Council Member Elizabeth S. Crowley, will vote on Proposed Introductory Bill 1294-A (Int. No. 1294-A). The Committee previously held a hearing on this bill on October 19, 2016. At that time, the Committee heard testimony on the bill from the Fire Department of the City of New York (“FDNY”) and members of the public.¹

II. BACKGROUND AND ANALYSIS OF INT. NO. 1294-A

Though it is not legally required to do so, the FDNY has published an annual report of the Depaent’s Bureau of Fire Inspections since 2008.² The most recent published report covers the year 2015.³ This report contains a variety of statistics regarding the Bureau’s activities, including a report on the use of smoke detectors in civilian fire fatalities. This portion of the report includes the presence of smoke detectors in civilian fire fatalities and whether such detectors were operational, if such information is known. Information from this report for the year 2014 is as follows:

Total Civilian Fire Deaths	59
Smoke Detector Present	19
Smoke Detector Operational	11
Smoke Detector Not Present	19
Smoke Detector Not Applicable	1
Smoke Detector Present, Unknown if Operational	21
Unknown if Smoke Detector Present	9

Int. No. 1294-A would require the FDNY to publish the information above, and permits the Department to include “any other information relevant in determining the role of smoke detectors or alarms in any civilian

¹ Notably, unions and FDNY-related community groups and community members testified at the Committee’s October 19, 2016 hearing regarding a separate bill also heard at that time, but such unions and groups did not testify regarding Int. No. 1294.

² See Resources page of FDNY website, available at <http://www1.nyc.gov/site/fdny/about/resources/resources.page>

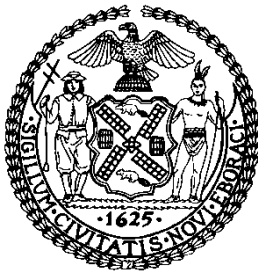
³ *Id.*

fire fatality.” The bill would also require the reporting of the technology used in any alarm. Presently, “the most commonly available commercial smoke detectors are ionization detectors, photoelectric detectors or a combination of both.”⁴ Finally, the bill would require the reporting of the cause of death of any civilian fire fatality, as determined by the Office of the Chief Medical Examiner,⁵ and would require the information above to be disaggregated by causes of death. This would allow the public and policymakers to see how certain causes of death, such as smoke inhalation, correlate with the use of smoke alarms and the technologies used in such alarms.

III. AMENDMENTS TO INT. NO. 1294-A

Int. No. 1294-A has been amended since it was first heard by this Committee. The report required by the bill is now due by April 1 of each year, whereas the original version of the bill required the report to be submitted 60 days after the start of each year. The original version of the bill required reporting on whether smoke detectors or alarms were “present” during civilian fire fatalities,” whereas the current version of the bill requires reporting on whether such alarms or detectors were “found,” as well as noting that such information is only required to be reported where it could be ascertained by the FDNY. Finally, the bill now will be repealed five years after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int No. 1294-A:)



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

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1294-A

COMMITTEE: Fire and Criminal Justice Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the Fire Department to report on the use and type of smoke detectors and smoke alarms in fire-related deaths

SPONSORS: Council Members Crowley, Palma, Barron, Richards, Eugene and Koslowitz

SUMMARY OF LEGISLATION: Proposed Intro. 1294-A would require the New York City Fire Department (FDNY) to submit to the Mayor and the Council, and post on its website, an annual report on the presence of smoke detectors or alarms at sites at which there were civilian fire fatalities during the preceding calendar year. The reports would include information regarding whether such detectors or alarms were operational and the type of technology used in such detectors or alarms. This bill would also require reporting of the cause of death of any civilian fire fatality, as determined by the Office of the Chief Medical Examiner.

EFFECTIVE DATE: This local law would take effect immediately and be deemed repealed five years after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

⁴ United States Consumer Products Safety Commission, Home Smoke Alarms: A Technology Roadmap, published March 2012, at p. 2, available at <https://www.cpsc.gov/PageFiles/93425/homesmokealarm.pdf>

⁵ This office, and not the FDNY, has the legal authority to determine causes of death. See New York City Charter Section 557(f)(3).

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures as a result of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council

ESTIMATE PREPARED BY: Jin Lee, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Head Unit
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on October 13, 2016 as Intro. No. 1294 and referred to the Committee on Fire and Criminal Justice Services. A hearing was held by the Committee on Fire and Criminal Justice Services on October 19, 2016 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1294-A, will be voted on by the Committee on Fire and Criminal Justice Services at a hearing on January 31, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1294-A will be submitted to the full Council for a vote on February 1st, 2017.

DATE PREPARED: January 30, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1294-A:)

Int. No. 1294-A

By Council Members Crowley, Palma, Barron, Richards, Eugene, Koslowitz, Chin and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on the use and type of smoke detectors and smoke alarms in fire-related deaths

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 15-131 to read as follows:

§ 15-131 Report on smoke detectors and smoke alarms in fire-related deaths. a. No later than April 1 of each year, the department shall submit to the mayor and the council, and post on the department's website, a

report indicating whether a smoke detector or alarm was found at the location of any fire in which there was a civilian fire fatality during the preceding calendar year. If a smoke detector or alarm was found, such report shall indicate the technology used by such smoke detector or alarm and whether such smoke detector or alarm was operational, provided that such information can be ascertained. Such report may also include any other information relevant in determining the role of smoke detectors or alarms in any civilian fire fatality.

b. The department shall ascertain from the office of the chief medical examiner the cause of death for any civilian fire fatality, as defined by such office. The report required by subdivision a of this section shall be disaggregated by each type of such cause.

§ 2. This local law takes effect immediately and is deemed repealed 5 years after it becomes law.

ELIZABETH S. CROWLEY, *Chairperson*; MATHIEU EUGENE, RORY I. LANCMAN, PAUL A. VALLONE; Committee on Fire and Criminal Justice Services, January 31, 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 General Welfare

Report for Int No. 1164-A

Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to information regarding unlawful evictions.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on April 20, 2016 (Minutes, page 1102), respectfully

REPORTS:

Introduction

On January 31, 2017, the Committee on General Welfare chaired by Council Member Stephen Levin, will hold a hearing on two bills, Proposed Int. 1164-A, A Local Law to amend the administrative code of the city of New York, in relation to information regarding unlawful evictions, and Proposed Int. 1166-A, A Local Law in relation to reporting on violations issued to three-quarter housing. This will be the second hearing on the bills; the first hearing on the bills was October 6, 2016 at a hearing joint with the Committee on Housing and Buildings focusing on the issue of three-quarter housing. At the hearing, representatives from the Human Resources Administration (HRA), the Department of Housing Preservation and Development (HPD), the Mayor's Office of Operations, the Three-Quarter Housing Tenant Organizing Project, Coalition for the Homeless, VOCAL-NY, MFY Legal Services, and other concerned advocates testified.

Background

What is three-quarters housing?

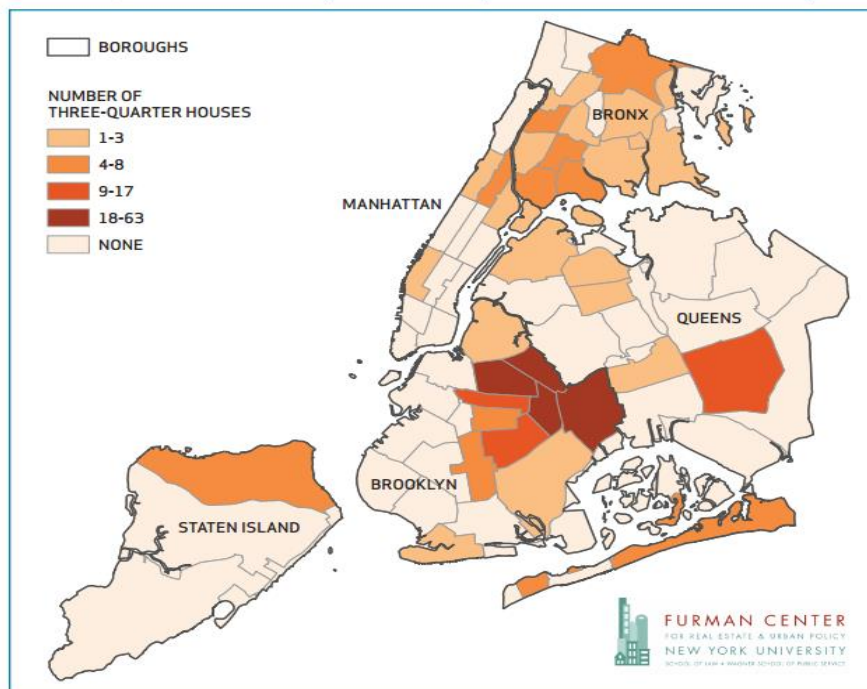
Three-quarters houses are typically one- and two- family homes, larger apartment buildings or other structures run by operators who rent beds to single adults.¹ These homes are referred to as three-quarters

¹ John Jay College of Criminal Justice, Prisoner Reentry Institute (PRI), Three Quarters Houses: The View from Inside (Oct. 2013) at v, available at <http://johnjayresearch.org/pri/files/2013/10/PRI-TQH-Report.pdf> (hereinafter PRI Report).

housing because they are seen as somewhere between half-way houses and private homes.² Given that the City's Building Code outlaws cohabitation by four or more unrelated persons,³ most, if not all, three-quarters houses are illegal.⁴ Many of these houses hold themselves out as "programs" but do not provide any in-house services. Although reports suggest that State and City agencies and community-based organizations refer individuals to three-quarters homes, they are not licensed and no agency regulates or oversees these homes.⁵

There is no precise data available on the exact number of three-quarters houses in New York City, but a 2013 report by the Prisoner Reentry Institute at John Jay College ("PRI report") found 317 addresses of known locations, most of which are located in the City's poorest communities, such as central Brooklyn, southeast Queens, and the southern Bronx.⁶ According to the PRI report, estimates indicate that more than 10,000 individuals live in three-quarters housing.⁷

Three-Quarter Houses by Community District in New York City



Three-quarters houses are financed almost entirely by public funds, and rents are typically tailored to a resident's public assistance benefits. Those in receipt of only public assistance generally pay the \$215 a month maximum shelter allowances for a single adult.⁹ Tenants who receive Social Security Disability (SSD) benefits, Social Security Income (SSI), unemployment insurance benefits, or are who are employed typically pay more than the \$215/month which operators charge public assistance recipients.¹⁰ Operators of three-quarters housing also often charge other fees, generally between \$30 and \$50 a month, which tenants must pay the with their limited cash assistance.¹¹ According to the PRI report, which surveyed tenants of three-quarters

² Barker, Kim, "A Choice for Recovering Addicts: Relapse or Homelessness," THE NEW YORK TIMES (May 30, 2015) (hereinafter NYT Article) available at <http://www.nytimes.com/2015/05/31/nyregion/three-quarter-housing-a-choice-for-recovering-addicts-or-homelessness.html>.

³ NYC Bldg. Code 310.2.

⁴ PRI Report, *supra* note 1.

⁵ *Id.*

⁶ *Id.* at vi.

⁷ *Id.* at 7.

⁸ 18 NYCRR 352.3.

⁹ PRI Report *supra*, note 1.

¹⁰ *Id.* at 7.

¹¹ *Id.*

housing, 91% of the survey respondents' rent was paid by HRA, and 47% of tenants were required to pay monthly fees with their public assistance cash benefits.¹²

Who lives in three-quarters housing?

Three-quarters houses tenants are typically single adults who are returning from prison or jail, recovering from short-term hospital stays or residential substance abuse treatment, facing street homelessness, and/or dealing with unemployment, family crises or medical issues.¹³ Generally, three-quarters houses are the only alternative to the shelter system or the street for such individuals. According to the PRI report, 72% of the tenants who were surveyed were previously incarcerated, 60% had resided in a City shelter, 51% had been in a residential substance abuse treatment program, and 42% had experienced street homelessness.¹⁴ Individuals are often referred to three-quarters houses by State or City agencies, or by word of mouth. According to the PRI report, 31% were referred by a substance abuse program, 19% were referred through word of mouth, 14% were referred by parole, 14% were referred by a City shelter, 10% were referred by another three-quarters house, and 5% were referred by the courts.¹⁵

Issues in three-quarters housing

Almost 90% of the three-quarter homes analyzed in the PRI report had Building Code complaints that resulted in at least one violation or stop-work order by the Department of Buildings (DOB). The violations included illegal conversions, lacking or violating certificates of occupancy, not having work permits, illegal SROs, blocked, locked or improper egress, illegal or defective gas hookups and failure to maintain the property.¹⁶ One of the most significant issues with three-quarter houses is overcrowding. Often, a single room has beds for between two and eight people, with bunk beds placed on all walls, and some place beds in hallways and closets.¹⁷

Three-quarters houses operators also often violate tenants' rights through unlawful evictions. Residents report that operators arbitrarily force people out without notice or court process.¹⁸ Additionally, there are reports that residents are required to attend a particular substance abuse treatment program, regardless of their need for such treatment.¹⁹ The evidence suggests that operators receive illegal kickbacks from substance abuse providers based on reports that tenants are forced to attend a particular program or face eviction, and are required to hand in daily "slips" to prove their attendance at such programs.²⁰ Tenants are often illegally evicted upon successful completion of these programs.²¹ There are also reports of operators threatening tenants who are on parole or probation.²² According to the PRI report, 81% of the survey respondents' houses required tenants to attend substance abuse treatment and submit proof of attendance.²³ In 2015, prosecutors brought charges against Yury Baumblit, an operator of several known three-quarters houses, based on his unlawful evictions of tenants.²⁴ In 2016, additional charges were brought against Mr. Baumblit and his wife by the New York State Attorney General's office including grand larceny, money laundering, and violations of the law prohibiting Medicaid kickbacks.²⁵ Mr. Baumblit and his business, Back on Track, was the subject of a New York Times profile in 2015 (discussed below).

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.* at 8.

¹⁵ *Id.* at 9.

¹⁶ *Id.* at vi.

¹⁷ *Id.* at 6.

¹⁸ *Id.* at vii.

¹⁹ *Id.*

²⁰ *Id.* at viii.

²¹ *Id.*

²² *Id.*

²³ *Id.* at 13.

²⁴ Barker, Kim, "Landlord of 'Three-Quarter' Homes Faces Criminal Charges, THE NEW YORK TIMES (Aug. 10, 2015) <http://www.nytimes.com/2015/08/11/nyregion/landlord-of-three-quarter-homes-faces-criminal-charges.html>.

²⁵ Barker, Kim, "Flophouse Operator Is Arrested in a Scheme to Defraud Medicaid," THE NEW YORK TIMES (April 13, 2016) <http://www.nytimes.com/2016/04/14/nyregion/flophouse-operator-is-arrested-in-a-scheme-to-defraud-medicaid.html>.

Advantages of three-quarters housing

Despite the serious issues with three-quarters housing, many tenants report that there are benefits. The PRI report found that the tenants surveyed almost unanimously expressed their preference to live in a three-quarters home, as opposed to a shelter or the street.²⁶ Some also reported an appreciation for the social support they received from housemates that have similar backgrounds or life experiences, and many reported that the homes struck the right balance between allocating them a degree of autonomy and providing the structure they need to recover, reenter society, and transition to more stable housing.²⁷

DHS Regulation

Based on advocacy and support from the Council, in 2010, the Department of Homeless Services (DHS) adopted a regulation prohibiting referrals of clients to buildings with vacate orders and with recorded violations typical of three-quarters houses.²⁸ Although DHS has reduced its referrals to three-quarters houses since the implementation of the regulation, there continues to be reports that shelters make referrals to three-quarters houses.²⁹ Further, these homes continue to proliferate due to referrals from other agencies and programs.³⁰

New York Times' coverage and the de Blasio Administration's response

In May 2015, the New York Times released *A Choice for Recovering Addicts: Relapse or Homelessness*, an in-depth report on one particularly problematic three-quarters house called Back on Track.³¹ The report detailed the poor living conditions typical of three-quarters homes and alleged that residents of this house were forced by the operator to relapse in order to continue attending the out-patient substance abuse treatment programs.³² The article also alleged that the operator would have staff members act as the Social Security payees for residents, and only provide them with \$5-\$10 a day from their disability checks.³³

Shortly after the article, Mayor Bill de Blasio announced an emergency task force to investigate three-quarters houses.³⁴ The task force targeted known three-quarters houses based on a list compiled by the Human Resources Administration (HRA) of all addresses where ten or more HRA clients were receiving the State set shelter allowance of \$215 a month.³⁵ As of the May 2016 Executive Budget hearing of the Committee on General Welfare, the task force had inspected 72 sites and found 37 to be overcrowded.³⁶ From those locations, 361 tenants were relocated voluntarily and 103 clients were connected to permanent housing with subsidized rents.³⁷

Relocation Services: HPD's Emergency Housing Services Unit

The Department of Housing Preservation and Development's (HPD) Emergency Housing Services (EHS) unit provides emergency relocation services and rehousing assistance to households who have been displaced from their homes as a result of fires or city-issued vacate orders.³⁸ In the event of a building-wide emergency, such as a fire or city-issued vacate order, owners of residential buildings must provide the names and apartment numbers of all legal tenants in occupancy to EHS.³⁹ After being assessed, displaced households may be temporarily placed in family centers or single-room-occupancy hotels in Manhattan, Bronx, Brooklyn, or

²⁶ PRI Report, *supra*, note 1 at ix.

²⁷ *Id.*

²⁸ Rules of the City of New York, Title 31 § 2-01.

²⁹ *Supra* note 5.

³⁰ PRI Report, *supra*, note 1 at 10.

³¹ NYT Article, *supra* note 2.

³² *Id.*

³³ *Id.*

³⁴ Barker, Kim, "New York City Task Force to Investigate 'Three-Quarter' Homes" THE NEW YORK TIMES, (June 1, 2015) available at <http://www.nytimes.com/2015/06/01/nyregion/new-york-city-task-force-to-investigate-three-quarter-homes.html>.

³⁵ Testimony of Steve Banks, HRA Commissioner, before the Committee on General Welfare, FY17 Executive Budget (May 12, 2016) p. 192.

³⁶ *Id.*

³⁷ *Id.*

³⁸ See HPD's Emergency Housing Services Office Description available at <http://www1.nyc.gov/site/hpd/about/emergency-housing-services.page>.

³⁹ *Id.*

Queens.⁴⁰ Once a displaced household is relocated through EHS, they might be able to access additional support, including through HPD's Section 8 Program, which accepts EHS referrals.⁴¹ According to advocates for individuals living of three-quarters houses, although such individuals are generally legal tenants of these houses, it is extremely difficult for them to access HPD's services because they lack the documents, such as leases, that residents traditionally use to prove residency.

Legislative Analysis

Proposed Int. No. 1164-A – A Local Law to amend the administrative code of the city of New York, in relation to information regarding unlawful evictions

Proposed Int. No. 1164-A would require the Human Resources Administration (HRA) to provide any recipient of a rental subsidy a written statement explaining the protections of Section 26-521 of the Administrative Code, which prohibits unlawful evictions. The notices would be provided to recipients upon initial receipt of the subsidy and at any point HRA determines to be appropriate. For the purposes of Proposed Int. No. 1164-A, the definition of rental subsidies means financial assistance provided by HRA for the purpose of paying a recipient's rent on an ongoing basis, and would include the public assistance shelter allowance pursuant to Section 131-a of the State Social Services Law and the subsidies created by HRA including the Living in Communities rental assistance program, the City Family Eviction Prevention Supplement program, and the City Family Exit Plan Supplement program, the City Special Exit and Prevention Supplement, the Home Tenant-Based Rental Assistance Program, and any successor programs. The bill would also allow that if the applicant chooses, HRA may send the notice electronically. After introduction, Proposed Int. 1164-A was amended to clarify the definition of rental subsidy, to include a direct reference to Section 26-521 of the Administrative Code, and to allow for the option to receive the information electronically. Proposed Int. 1164-A would take effect 90 days after it becomes law.

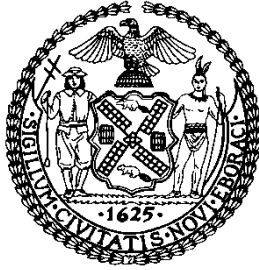
Proposed Int. No. 1166-A – A Local Law in relation to reporting on violations issued to three-quarter housing

Proposed Int. No. 1166-A would require HRA to produce a quarterly report that would be sent to the Council and posted on its website regarding the actions of the three-quarter housing task force. Proposed Int. No. 1166-A would define the three-quarter housing task force as the group of inspectors from HRA, the Department of Buildings (DOB), the Fire Department (FDNY), and the Department of Housing Preservation and Development (HPD) who are responsible for inspecting buildings where 10 or more unrelated adults are living. The reports required pursuant to Proposed Int. No. 1166-A would include: the number of violations issued by the three-quarters houses task force disaggregated by agency, identified in such a way that does not disclose the building's address, and the number of people relocated from buildings inspected by the three-quarter housing task force, disaggregated by whether such individuals were given a rental assistance subsidy, what type of subsidy was provided, and the type of housing to which the individual was relocated, including but not limited to private apartments, single room occupancy dwellings or temporary housing. After introduction, Proposed Int. 1166-A was amended to track how the task force currently conducts its inspections, including by disaggregating violations by the administering agency, and by not reporting on the number of beds in each identified house to address privacy concerns. Proposed Int. 1166-A was also amended to make certain technical amendments to the due date and reporting period of the first report. The first report would cover data from June 1, 2015 through March 31, 2017. The bill would take effect immediately and would expire and be deemed repealed on January 1, 2019.

⁴⁰ *Id.*

⁴¹ See HPD's Section 8 Program Description available at <http://www1.nyc.gov/nyc-resources/service/1872/hpd-section-8-program>.

(The following is the text of the Fiscal Impact Statement for Int No. 1164-A:)



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

PROPOSED INTRO. NO: 1164-A

COMMITTEE: General Welfare

TITLE: To amend the administrative code of the city of New York, in relation to information regarding unlawful evictions

SPONSOR(S): By Council Members Johnson, Levin, Torres, Richards, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Rosenthal, Rodriguez, Lander and the Public Advocate (Ms. James).

SUMMARY OF LEGISLATION: Proposed Intro. 1164-A would require the Human Resources Administration (HRA) to provide rental subsidy recipients upon the initial receipt of a subsidy and at any point HRA determines to be appropriate with a written statement explaining the protections of section 26-521 of the code regarding eviction.

The term “rental subsidy” includes, but is not limited to, the public assistance shelter allowance as well as subsidies provided through the Living in Communities Rental Assistance Program (LINC), the Family Eviction Prevention Supplement Program (FEPS), City Family Exit Plan Supplement (CITYFEPS), the City Special Exit and Prevention Supplement (SEPS), the Home Tenant-Based Rental Assistance Program (TBRA), and any successor program to the foregoing programs. If the applicant chooses, HRA may send the notice electronically.

EFFECTIVE DATE: This legislation 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: 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 the enactment of this legislation because HRA can use existing resources to implement the provisions of this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Nameera Nuzhat, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Eric Bernstein, Counsel
 Dohini Sompura, Unit Head
 Regina Poreda Ryan, Deputy Director
 Latonia McKinney, Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on April 20, 2016 as Intro. No. 1164 and referred to the Committee on General Welfare. The Committee on General Welfare jointly with the committee on Housing and Buildings considered the legislation at a hearing on October 6, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1164-A, will be voted on by the Committee on General Welfare at a hearing on January 31, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1164-A will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 27, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1164-A:)

Int. No. 1164-A

By Council Members Johnson, Levin, Torres, Richards, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Rosenthal, Rodriguez, Lander, Palma and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to information regarding unlawful evictions

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-138 to read as follows:

§ 21-138 Information regarding unlawful evictions. a. For the purposes of this section, the term “rental subsidy” means financial assistance provided by the department for the purpose of paying a recipient’s rent on an ongoing basis. The term “rental subsidy” includes but is not limited to the public assistance shelter allowance provided by the department as established by section 131-a of the social services law and defined in paragraph (1) of subdivision (a) of section 352.3 of title 18 of the New York codes, rules and regulations, as well as subsidies provided through the living in communities rental assistance program, the city family eviction prevention supplement program and the city family exit plan supplement, the city special exit and prevention supplement, the home tenant-based rental assistance program, and any successor program to the foregoing programs.

b. The department shall provide a written notice to each individual who applies for a rental subsidy for housing that is subject to section 26-521 of the code. The notice shall be provided upon the initial application or approval for such rental subsidy and at any time the department determines to be appropriate for such subsidy, except such notice may be provided in electronic form to any individual who registers electronic contact information with the department and elects to receive such notices in electronic form. Such notice shall inform individuals of the protections of section 26-521 of the code regarding eviction, and may include additional information as determined by the department.

c. Receipt of such notice shall not be construed to confer the protections set forth in section 26-521 of the code.

§ 2. This local law takes effect 90 days after it becomes law.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, VANESSA L. GIBSON, RITCHIE J. TORRES; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, January 31, 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. 1166-A

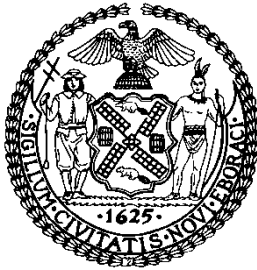
Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law in relation to reporting on violations issued to three-quarter housing.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on April 20, 2016 (Minutes, page 1105), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on General Welfare for Int No. 1164-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1166:



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

PROPOSED INTRO. NO: 1166-A

COMMITTEE: General Welfare

TITLE: To amend the New York city charter, in relation to reporting on violations issued to three-quarter housing

SPONSOR(S): By Council Members Richards, Torres, Johnson, Williams, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Lander, Levin, Rosenthal, Rodriguez and the Public Advocate (Ms. James).

SUMMARY OF LEGISLATION: Proposed Intro. 1166-A would require the Mayor's Office of Operations to provide to the Council and publish on its website quarterly reports on the findings of the three-quarter housing task force, that identifies and inspects dwellings where ten or more unrelated adults are living.

The reports shall include, but need not be limited to, the following information:

1. The number of violations issued, disaggregated by agency; and

2. The number of individuals relocated from buildings inspected, disaggregated by whether such individuals were given a rental assistance subsidy, the type of subsidy provided, and the type of housing to which the individual was relocated, including but not limited to private apartments, single room occupancy dwellings or temporary housing.

EFFECTIVE DATE: This local law takes effect immediately and expires and is deemed repealed on January 1, 2019. The first such report shall be due 30 days following the calendar quarter ending March 31, 2017 covering the period from June 1, 2015 to March 31, 2017.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

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: 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 the enactment of this legislation because the “three-quarter housing task force” is already collecting information as part of its oversight and the Office of Operations can use existing resources to implement the provisions of this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Nameera Nuzhat, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Eric Bernstein, Counsel
 Dohini Sompura, Unit Head
 Regina Poreda Ryan, Deputy Director
 Latonia McKinney, Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on April 20, 2016 as Intro. No. 1166 and referred to the Committee on General Welfare. The Committee on General Welfare jointly with the Committee on Housing and Buildings considered the legislation at a hearing on October 6, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1166-A, will be voted on by the Committee on General Welfare at a hearing on January 31, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1166-A will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 25, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1166-A:)

Int. No. 1166-A

By Council Members Richards, Torres, Johnson, Williams, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Levin, Rosenthal, Rodriguez, Lander, Palma and the Public Advocate (Ms. James).

A Local Law in relation to reporting on violations issued to three-quarter housing

Be it enacted by the Council as follows:

Section 1. Three-quarter housing task force report. a. For the purposes of this section, the term “three-quarter housing task force” means the group of representatives from the department of social services/human resources administration, department of buildings, the fire department, and the department of housing preservation and development responsible for inspecting certain dwellings identified by the task force where ten or more unrelated adults are living.

b. The mayor’s office of operations shall provide to the council and publish on its website quarterly reports on the findings of the three-quarter housing task force. The first such report shall be due 30 days following the calendar quarter ending March 31, 2017, and all subsequent reports shall be due 30 days following the last day of each succeeding calendar quarter. Such reports shall include, but need not be limited to, the following information:

1. For each building inspected by the three-quarter housing task force, the number of violations issued, disaggregated by agency, provided that each building shall be identified in such a way that does not disclose the building’s address; and

2. The number of individuals relocated from buildings inspected by the three-quarter housing task force, disaggregated by whether such individuals were given a rental assistance subsidy, the type of subsidy provided, and the type of housing to which the individual was relocated, including but not limited to private apartments, single room occupancy dwellings or temporary housing.

c. The first such report shall cover the period from June 1, 2015 to March 31, 2017.

§ 2. This local law takes effect immediately and expires and is deemed repealed on January 1, 2019.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, VANESSA L. GIBSON, RITCHIE J. TORRES; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, January 31, 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 Housing & Buildings

Report for Int No. 1167-A

Report of the Committee on Housing & Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to posting of a vacate order, re-occupancy of vacated dwellings, and the provision of relocation services.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on April 20, 2016 (Minutes, page 1106), respectfully

REPORTS:

Introduction

On January 31, 2017, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams will hold a hearing for the purposes of conducting votes on Proposed Int. No. 1167-A, Proposed Int. 1168-A and Proposed Int. 1171-A.

The Committee originally heard these bills on October 6, 2016 and received testimony from the Department of Housing Preservation and Development (HPD), the Human Resources Administration (HRA), elected officials, and interested members of the public. More information about these bills is available with the materials for that hearing, which can be accessed online at <http://on.nyc.gov/2kIpNw3>.

Proposed Legislation

Below is a brief summary of each of the pieces of legislation being voted on by the Committee at this hearing. These summaries are intended for informational purposes only and do not substitute for legal counsel. For more detailed information, you should review the full text of each bill, which is attached below.

Int. No. 1167-A

Int. No. 1167-A would provide that there be no time limitation for applying to HPD for relocation assistance following issuance of a vacate order and would make clear that any tenant who moves out while a vacate order is in effect is entitled to appropriate relocation assistance. This legislation would also require posting of a sign at properties subject to a vacate order and would impose a penalty of at least \$5,000 for each dwelling unit that is reoccupied while a vacate order is still in effect. This legislation takes effect 180 days after enactment.

Where a tenant moves out of a residence while a vacate order is in effect for such residence, HPD is required to provide relocation services to such tenant. But HPD is not required to provide relocation services more than once to such tenant in connection with such move-out. HPD retains its authority to prescribe such relocation services as it may deem necessary, useful, or appropriate for the relocation of tenants as provided in Administrative Code § 26-301.

Int. No. 1168-A

Int. No. 695-A would prohibit landlords from mandating medical treatment as a condition of occupancy, with the exception of family members and legitimate programs, such as rehabilitation clinics. This bill would also provide a cause of action to tenants who face such a mandate, allowing them to receive damages and reasonable attorney's fees and court costs. This legislation also includes the imposition of such a mandate in the definition of harassment under the Housing Maintenance Code. This legislation takes effect after 90 days.

Int. No. 1171-A

Int. No. 1171-A would clarify that a tenant can verify occupancy for the purposes of applying for HPD relocation assistance by, at a minimum, submitting a lease or any two of the following documents:

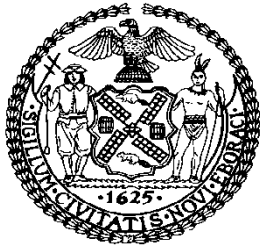
- A valid government-issued identification showing the tenant's address;
- A valid record from any government agency showing the tenant's address;
- A valid record relating to medical treatment (including a prescription) showing the tenant's address;
- A notarized written statement from the building owner;
- A valid utility bill to the tenant at the building in question;
- A notarized statement from a third-party, non-governmental service provider verifying that services were provided to the tenant at the building in question; and
- Any other form of verification that HPD determines to be appropriate.

Additionally, this legislation would require HPD to provide tenants who are denied relocation services with a written notice of such decision, the basis for such decision, and information on how to appeal such decision. This legislation would take effect 180 days after enactment.

Update

On Tuesday, January 31, 2017, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

(The following is the text of the Fiscal Impact Statement for Int No. 1167-A:)



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

PROPOSED INTRO. NO: 1167-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to posting of a vacate order, re-occupancy of vacated dwellings, and the provision of relocation services

SPONSORS: Council Members Torres, Richards, Williams, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson Espinal, Levin, Reynoso, Rosenthal, Rodriguez and the Public Advocate (Ms. James)

SUMMARY OF LEGISLATION: Proposed Intro. 1167-A would prohibit the Department of Housing Preservation and Development (“HPD”) from imposing a time limitation on a tenant’s ability to apply for relocation services when a vacate order is in effect.

This legislation would also require posting of a sign at properties subject to a vacate order and would impose a penalty of at least \$5,000 for each dwelling unit that is reoccupied while a vacate order is still in effect.

EFFECTIVE DATE: This local law would take effect 180 days after it becomes law, except that HPD may take any actions necessary, including the promulgation of rules, before such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	\$3,993,375	\$4,792,050	\$4,792,050
Expenditures	\$8,640,218	\$10,368,262	\$10,368,262
Net	\$4,646,843	\$5,576,212	\$5,576,212

IMPACT ON REVENUES: It is estimated that there would be some impact on revenues as a result of this legislation. Council Finance expects that HPD will be reimbursed for \$4,498,565 in costs related to relocation assistance by State and Federal funds. HPD may also be able to recoup additional expenses incurred from relocation services through a mechanics’ lien, provided under section 26-301 of the Administrative Code of the

City of New York. Currently, HPD recoups about 5 percent of those costs which would account for about \$293,485. However, it is possible that HPD may be able to increase the percentage of collection, in which case revenue would increase. Although fines could be imposed for non-compliance, full compliance with the legislation is anticipated and it is assumed that properties subject to a vacate order are already in compliance with provisions of the legislation.

IMPACT ON EXPENDITURES: This legislation is intended and expected to increase the number of tenants eligible to receive relocation services from HPD. Currently, HPD provides a 90-day time period for tenants who are displaced by a vacate order to apply for relocation payments and services, which this legislation would remove. According to the City, on average, about 2,300 tenants are required to leave their residences due to vacate orders each year. Council Finance estimates that currently, about 40 percent of these individuals apply for and receive relocation assistance from HPD within 90 days. Thus, this estimate assumes the remaining 60 percent of tenants displaced through a vacate order would be the universe of potential recipients under this bill. However, not all tenants served would require services through HPD's relocation program, the major cost of which includes emergency shelter rental assistance ranging from \$50 to \$200 per night. In addition, Council Finance estimates that of the population that would now be eligible and request relocation services under this bill, many would have applied for or have already been admitted into a shelter administered by the New York City Department of Homeless Services (DHS). As those DHS costs would occur in the absence of this bill, the estimate assumes the marginal cost of HPD shelter costs over the average DHS shelter costs. Based on the assumptions outlined above, it is estimated that the provision of relocation services to a larger population of tenants would be approximately \$10,368,262 per year. It is anticipated that the written notices and other administrative requirements of this legislation would be implemented using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council, Finance Division
New York City Department of Housing Preservation and Development
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Emre Edev, Assistant Director
Sarah Gastelum, Senior Legislative Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Nathan Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 20, 2016 as Intro. No. 1167 and was referred to the Committee on Housing and Buildings. A joint hearing was held by the Committee on Housing and Buildings and the Committee on General Welfare on October 6, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 1167-A, will be considered by the Committee on Housing and Buildings on January 31, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 30, 2017

(For text of Int Nos. 1168-A and 1169-A and their Fiscal Impact Statements, please see, respectively, the Reports of the Committee on Housing and Buildings for Int Nos. 1168-A and 1171-A printed in these Minutes; for text of Int No. 1167-A, please see below)

Accordingly, this Committee recommends its adoption of Int Nos. 1167-A, 1168-A, and 1171-A.

(The following is the text of Int No. 1167-A:)

Int. No. 1167-A

By Council Members Torres, Richards, Williams, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Levin, Reynoso, Rosenthal, Rodriguez, Lander, Menchaca and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to posting of a vacate order, re-occupancy of vacated dwellings, and the provision of relocation services

Be it enacted by the Council as follows:

Section 1. Paragraph (a) of subdivision 1 of section 26-301 of the administrative code of the city of New York is amended to read as follows:

(a) To provide and maintain tenant relocation services

(i) for tenants of real property which the commissioner of housing preservation and development is authorized to maintain and supervise; [and]

(ii) for tenants of real property acquired for public purposes, excluding real property acquired by or on behalf of the New York city housing authority or the triborough bridge and tunnel authority; [and]

(iii) for tenants of real property located in any neighborhood improvement district designated by the city planning commission, where the displacement of such tenants results from the enforcement of any law, regulation, order or requirement pertaining to the maintenance and operation of such property or the health, safety and welfare of its occupants; [and]

(iv) when authorized by the mayor, for the tenants of any privately owned building or other improvement which is to be voluntarily rehabilitated in accordance with an urban renewal plan pursuant to law; and

(v) for tenants of any privately owned building where *such tenants vacate such building during a period when* [the displacement of such tenants results from the enforcement of] any law, regulation, order or requirement pertaining to the maintenance or operation of such building or the health, safety and welfare of its occupants *requires such occupants to vacate such building.*

Such services shall consist of such activities as [he or she] *such commissioner* may deem necessary, useful or appropriate for the relocation of such tenants, including but not limited to the gathering and furnishing of information as to suitable vacant accommodations, the making of studies and surveys for the purpose of locating such accommodations and the provision of facilities for the registration of such accommodations with the department of housing preservation and development by owners, lessors and managing agents of real property and others. *Such commissioner shall not impose any deadline or limitation of time in which a tenant may apply for relocation services pursuant to subparagraph (v) of this paragraph.*

§ 2. Section 27-2141 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. An additional copy of the vacate order shall be posted on the entrance door of the dwelling which is the subject of such order, and shall not be removed until such order is revoked by the department pursuant to section 27-2142 of this code.

§ 3. Subdivision a of section 27-2142 of the administrative code of the city of New York is amended to read as follows:

a. No person shall occupy, or cause or permit to be occupied, any dwelling or part thereof while such dwelling or part is subject to a vacate order. *Notwithstanding any other provision of law, an owner or managing agent or other representative of such owner who violates this subdivision by permitting or allowing re-occupancy of a premises that is subject to a vacate order shall be subject to a civil penalty of not less than five thousand dollars for each reoccupied dwelling unit in such premises.*

§ 4. This local law takes effect 180 days after it becomes law, except that the commissioner of housing preservation and development may take such actions as are necessary for its implementation, including the promulgation of rules, before its effective date.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Housing and Buildings, January 31, 2017. *Other Council Members Attending: Council Members Miller and Crowley.*

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. 1168-A

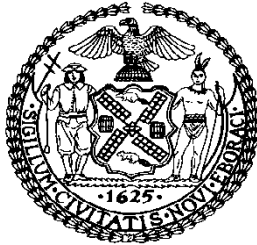
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to improperly conditioning residential occupancy on medical treatment.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on April 20, 2016 (Minutes, page 1107), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 1167-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1168-A:



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

PROPOSED INTRO. NO: 1168-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to improperly conditioning residential occupancy on medical treatment

SPONSORS: Council Members Torres, Richards, Williams, Barron, Rose, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Levin, Reynoso, Rosenthal, Gentile, Chin, Rodriguez, Levine, Kallos, Lander and the Public Advocate (Ms. James)

SUMMARY OF LEGISLATION: Proposed Intro. 1168-A would prohibit landlords from mandating medical treatment as a condition of occupancy, with the exception of family members and legitimate programs, such as rehabilitation clinics. This legislation also includes the imposition of such a mandate in the definition of harassment under the Housing Maintenance Code. As such, the bill would also provide a cause of action to tenants who face such a mandate, allowing them to challenge the violation in housing court, and if applicable, receive \$1,000 in damages and reasonable attorney's fees and court costs.

EFFECTIVE DATE: This 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: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources would be used to implement the provisions of this local law and non-City entities would bear the costs of violating the prohibition of conditioning occupancy pursuant to the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Senior Legislative Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Nathan Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 20, 2016 as Intro. No. 1168 and was referred to the Committee on Housing and Buildings. A joint hearing was held by the Committee on Housing and Buildings and the Committee on General Welfare on October 6, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 1168-A, will be considered by the Committee on Housing and Buildings on January 31, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 26, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1168-A:)

Int. No. 1168-A

By Council Members Torres, Richards, Williams, Barron, Rose, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Levin, Reynoso, Rosenthal, Gentile, Chin, Rodriguez, Levine, Kallos, Lander, Menchaca and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to improperly conditioning residential occupancy on medical treatment

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended to add a new chapter 12 to read as follows:

CHAPTER 12
IMPROPERLY CONDITIONING RESIDENTIAL OCCUPANCY ON MEDICAL TREATMENT

§ 26-1201 *Improperly conditioning residential occupancy on medical treatment. a. Definitions. As used in this chapter:*

Dwelling unit. The term “dwelling unit” has the meaning ascribed to such term in the housing maintenance code.

Medical treatment. The term “medical treatment” means any medical care, whether or not such care is provided by a licensed medical practitioner, including but not limited to any activity intended to further examination, diagnosis, counseling, physical or psychotherapy, preventive care, prescription or administration of medication, prescription or administration of prostheses, surgery, referral to a medical provider, any procedure to cure or abate any injury, illness, physical or mental condition or any treatment for substance abuse addiction.

Relative. The term “relative” means, with respect to a person, (i) a spouse, domestic partner, parent, grandparent, child, stepchild or stepparent of such person or (ii) any individual who is the direct descendant of the grandparents of such person or of the spouse or domestic partner of such person.

b. It shall be unlawful for a person to condition occupancy of a dwelling unit or any term, benefit or right of such occupancy upon a lawful occupant seeking, receiving or refraining from submitting to medical treatment unless such person can establish that:

1. Each such occupant is a relative of such person; or

2. Such medical treatment is required in connection with one or more of the following programs, provided that such programs are currently licensed or certified by and in good standing with the appropriate government agency: (i) medically managed withdrawal and stabilization services as defined in section 816.4 of title 14 of the New York codes, rules and regulations; (ii) inpatient medically supervised withdrawal and stabilization services as defined in section 816.4 of title 14 of the New York codes, rules and regulations; (iii) chemical dependence residential rehabilitation services for youth established by part 817 of title 14 of the New York codes, rules and regulations; (iv) chemical dependence inpatient rehabilitation services established by part 818 of title 14 of the New York codes, rules and regulations; (v) intensive residential rehabilitation services established by section 819.8 of title 14 of the New York codes, rules and regulations; (vi) adult-care facilities as defined in section 485.2 of title 18 of the New York codes, rules and regulations; (vii) enriched housing programs as defined in section 488.2 of title 18 of the New York codes, rules and regulations; (ix) assisted living programs as defined in section 494.2 of title 18 of the New York codes, rules and regulations; (x) residential treatment facilities for children and youth established by part 584 of title 14 of the New York codes, rules and regulations; (xi) crisis residences as defined in section 589.4 of title 14 of the New York codes, rules and regulations; (xii) hospitals, nursing homes, and residential health care facilities as defined in section 2801 of the public health law; and (xiii) any other program regulated by state or federal law or rule that affirmatively permits conditioning occupancy, or any term, benefit or right thereof, upon seeking, receiving, or refraining from submitting to medical treatment.

§ 26-1202 *Private right of action. a. A lawful occupant of a dwelling unit or a group of such occupants in a building may bring an action alleging a violation of subdivision b of section 26-1201 in any court of competent jurisdiction. If such court finds that a person is in violation of such subdivision, such court shall, in addition to any other relief such court determines to be appropriate:*

1. Award to each such occupant (i) compensatory damages and, in such court’s discretion, punitive damages or (ii) at the election of each occupant, damages of \$1,000;

2. Award to such occupants reasonable attorneys’ fees and court costs; and

3. Issue an order restraining such person from engaging in further conduct in violation of such subdivision.

b. Such occupant or occupants shall not be relieved of the obligation to pay rent for which such occupant or occupants are otherwise liable to a person found to be in violation of subdivision b of section 26-1201. Any monetary relief awarded to such occupant or occupants pursuant to subdivision a of this section shall be

reduced by any amount of delinquent rent or other sum for which such court finds such occupant or occupants to be liable to such person.

c. This section does not limit or abrogate any claim or cause of action a person has under common law or by other law or rule. The provisions of this section are in addition to any other remedies that may be provided for under common law or by other law or rule.

d. Nothing contained in this chapter shall be construed as creating any private right of action against the city or any agency or employee thereof.

§ 2. Subparagraph g of paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

g. other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of such dwelling unit and that cause or are intended to cause [any] *such* person [lawfully entitled to occupancy of a dwelling unit] to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, *including improperly requiring such person to seek, receive or refrain from submitting to medical treatment in violation of subdivision b of section 26-1201.*

§ 3. Paragraph 1 of subdivision h of section 27-2115 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

(h)(1) Should the department fail to issue a notice of violation upon the request of a [tenant] *lawful occupant* or group of [tenants] *lawful occupants* within thirty days of the date of such request, or if there is a notice of violation outstanding respecting the premises in which the [tenant] lawful occupant or group of [tenants] *lawful occupants* resides, or, if there is a claim of harassment pursuant to subdivision d of section 27-2005 of this chapter, the [tenant] lawful occupant or any group of [tenants] lawful occupants, may individually or jointly apply to the housing part for an order directing the owner and the department to appear before the court. Such order shall be issued at the discretion of the court for good cause shown, and shall be served as the court may direct. If the court finds a condition constituting a violation exists, it shall direct the owner to correct the violation and, upon failure to do so within the time set for certifying the correction of such violation pursuant to subdivision (c) of this section, it shall impose a penalty in accordance with subdivision (a) of this section. Nothing in this section shall preclude any person from seeking relief pursuant to any other applicable provision of law.

§ 4. This local law takes effect 90 days after it becomes law.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Housing and Buildings, January 31, 2017. *Other Council Members Attending: Council Members Miller and Crowley.*

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. 1171-A

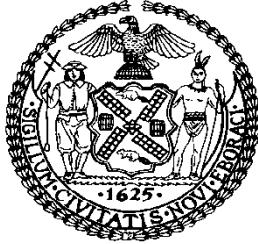
Report of the Committee on Housing & Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to verification of occupancy for relocation services.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on April 20, 2016 (Minutes, page 1220), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 1167-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1171-A:



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

PROPOSED INTRO. NO: 1171-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to verification of occupancy for relocation services

SPONSORS: Council Members Williams, the Public Advocate (Ms. James), Richards, Torres, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Levin, Reynoso, Rosenthal, Rodriguez, Levine, Kallos and Lander

SUMMARY OF LEGISLATION: Proposed Intro. 1171-A would allow the Department of Housing Preservation and Development (“HPD”) to request verification of occupancy from a tenant in order to receive relocation services. Under the legislation, a tenant would have to be able to provide verification of occupancy by, at a minimum, submitting a lease or any two of the following documents:

- A valid government-issued identification showing the tenant’s address;
- A valid record from any government agency showing the tenant’s address;
- A valid record relating to medical treatment (including a prescription) showing the tenant’s address;
- A notarized written statement from the building owner;
- A valid utility bill to the tenant at the building in question;
- A notarized statement from a third-party, non-governmental service provider verifying that services were provided to the tenant at the building in question; and
- Any other form of verification that HPD determines to be appropriate.

For tenants that are denied relocation services, the legislation also would require HPD to provide a written notice outlining the basis for denial, and information on how to appeal the decision.

EFFECTIVE DATE: This local law would take effect 180 days after it becomes law, except that HPD may take any actions necessary, including the promulgation of rules, before such effective date.

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 estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: This legislation is intended and expected to increase the number of tenants eligible to receive relocation services from HPD. According to HPD, on average, about 2,300 tenants are required to leave their residences due to vacate orders each year. Currently, HPD verifies occupancy and eligibility for relocation benefits on a case-by-case basis. Due to data limitations, the number of tenants denied relocation services due to failure to verify occupancy is unknown. To the extent that there are any tenants that fall within this category, the City would bear the costs of providing relocation benefits to these individuals. It is anticipated that the written notices and other administrative requirements of this legislation would be implemented using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Housing Preservation and Development
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Sarah Gastelum, Senior Legislative Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Nathan Toth, Deputy Director
Eric Bernstein, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 20, 2016 as Intro. No. 1171 and was referred to the Committee on Housing and Buildings. A joint hearing was held by the Committee on Housing and Buildings and the Committee on General Welfare on October 6, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 1171-A, will be considered by the Committee on Housing and Buildings on January 31, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on February 1, 2017.

DATE PREPARED: January 30, 2017

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int No. 1171-A:)

Int. No. 1171-A

By Council Members Williams, the Public Advocate (Ms. James), Richards, Torres, Chin, Barron, Rose, Gentile, Koslowitz, Salamanca, Cornegy, Gibson, Espinal, Levin, Reynoso, Rosenthal, Rodriguez, Levine, Kallos, Lander and Menchaca.

A Local Law to amend the administrative code of the city of New York, in relation to verification of occupancy for relocation services

Be it enacted by the Council as follows:

Section 1. Section 26-301 of the administrative code of the city of New York is amended by adding a new subdivision 7 to read as follows:

7. (a) *The commissioner of housing preservation and development may require that a tenant of a privately owned building provide verification of occupancy in order to receive relocation services pursuant to subparagraph (v) of paragraph (a) of subdivision 1 of this section. If the commissioner establishes such a requirement, the commissioner shall establish a system under which such tenant is provided at least two methods to verify such occupancy, including the following two methods:*

(i) *submission to the commissioner of a lease, sublease or license agreement verifying that the tenant resides at such building;*

(ii) *submission to the commissioner of any two of the following documents:*

(A) *a valid government-issued identification listing such building as such tenant's address;*

(B) *a valid record from any government agency listing such building as such tenant's address;*

(C) *a valid record relating to medical treatment, including prescriptions, that show such building as such tenant's address;*

(D) *a notarized written statement from the owner of such building verifying that such tenant resides at such building, provided, however, that a statement by such owner stating that such tenant does not reside at such building shall not be used to prevent such tenant from receiving relocation assistance;*

(E) *a valid utility bill addressed to such tenant at such building;*

(F) *a notarized statement from a third party, non-governmental service provider, written on the provider's official letterhead, verifying that services were provided to such tenant and showing that such tenant resides at such building;*

(G) *any other form of verification that the commissioner of housing preservation and development may deem appropriate.*

(b) *The department of housing preservation and development shall attempt to obtain the records described in clause (B) of subparagraph (ii) of paragraph a of this subdivision from the department of social services/human resources administration where applicable to such tenant, provided that the tenant signs any necessary release as determined by the department of housing preservation and development.*

(c) *The commissioner of housing preservation and development shall provide any such tenant who is denied such services with (i) written notice of such decision, (ii) the basis for such decision and (iii) information on how to appeal such decision.*

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of housing preservation and development may take such measures as are necessary for its implementation, including the promulgation of rules, before its effective date.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; *Committee on Housing and Buildings, January 31, 2017. Other Council Members Attending: Council Members Miller and Crowley.*

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 L.U. No. 546

Report of the Committee on Land Use in favor of approving 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.

The Committee on Land Use, to which the annexed Land Use item was referred on January 18, 2017 (Minutes, page 216) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS

SUBJECT

BRONX - CB 1

20175171 HAX

Application submitted by the New York City Department of Housing Preservation and Development for approval pursuant to the Private Housing Finance Law (PHFL), Section 114, to conform a Project Summary with the provisions and purposes of Article V of the PHFL, and pursuant to Section 125 for exemption of real property taxes for an Exemption Area located at Block 2552, Lot 21 and Block 2553, Lot 2.

INTENT

To approve the amendment to a previously approved tax exemption, conformity of a project summary with the provisions and purposes of Article V of the PHFL, and a new real property tax exemption for the exemption area located at Block 2552, Lot 21 and Block 2553, Lot 2, which contains a multiple dwelling known as Rainbow Plaza that provides rental housing for low-income persons.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Cohen, Rodriguez, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1360

Resolution to approve an amendment of a previously approved tax exemption, the conformity of a project summary and approving a real property tax exemption pursuant to Section 125 of the Private Housing Finance Law for property located at Block 2552, Lot 21 and Block 2553, Lot 2, Borough of the Bronx (L.U. No. 546; 20175171 HAX).

By Council Members Greenfield and Cohen.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on December 14, 2016 its request dated December 12, 2016 that the Council take the following actions pursuant to Article V of the Private Housing Finance Law (PHFL): (i) approve the conformity of a project summary with the provisions and purposes of Article V of the PHFL, and (ii) approve a new real property tax exemption for property located at Block 2552, Lot 21 and Block 2553, Lot 2, (the "Exemption Area"), Community District 1, Borough of the Bronx;

WHEREAS, HPD's request is related to a prior exemption from real property taxation approved by the Board of Estimate on December 30, 1983 (Cal. No. 5);

WHEREAS, HPD submitted to the Council on December 14, 2016 its revised request dated December 12, 2016 relating to the Project (the "HPD Request");

WHEREAS, upon due notice, the Council held a public hearing on the Project on January 24, 2017; and

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

RESOLVED:

The Council approves, pursuant to Section 114 of the PHFL, the Project Summary as to conformity with the provisions and purposes of Article V of the PHFL.

The Council approves the exemption of the Exemption Area from real property taxes pursuant to Section 125 of the PHFL as follows:

- a. For the purposes hereof, the following terms shall have the following meanings:
 - (1) "Effective Date" shall mean the date of acquisition of the Exemption Area by the Owner.

- (2) “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2552, Lot 21 and Block 2553, Lot 2 on the Tax Map of the City of New York.
 - (3) “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date upon which the Exemption Area ceases to be owned by the Owner, or subject to HPD approval, another redevelopment company organized pursuant to Article V of the Private Housing Finance Law, (iii) the date upon which the City terminates the tax exemption pursuant to the terms of the Redevelopment Company Contract or (iv) the date of the expiration or termination of the Exemption Area's Section 8 Housing Assistance Payments Contract or contracts under a similar or successor program, unless the Owner or, subject to HPD approval, another redevelopment company organized pursuant to Article V of the PHFL, has entered into a new regulatory agreement with HPD regarding rental subsidy for tenants living in the Exemption Area .
 - (4) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - (5) “Maximum Shelter Rent Tax” shall mean (i) \$264,998.00, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended), exceed the total contract rents which were authorized on the Effective Date.
 - (6) “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - (7) “Owner” shall mean the Rainbow Apartments, LLC, or, with the prior written approval of HPD, any future owner of the Exemption Area that is a redevelopment company organized pursuant to Article V of the Private Housing Finance Law.
 - (8) “Prior Exemption” shall mean the exemption from real property taxation approved by the Board of Estimate on December 30, 1983 (Cal. No. 5).
 - (9) “Redevelopment Company Contract” shall mean the regulatory agreement between HPD and the Owner.
- b. The Prior Exemption shall terminate on the Effective Date.
 - c. All of the value of the property in the Exemption Area, including both the land and any improvements, shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 - d. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Maximum Shelter Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.

- e. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall (1) exercise any and all available options to renew or extend any housing assistance payments contract pursuant to Section 8 of the United States Housing Act of 1937, as amended, and any successor rent subsidy program, not cause any such contract to be terminated by reason of the owner's noncompliance with any of the terms thereof, and not voluntarily cause or permit any such contract to expire or terminate without renewal or extension and (2) waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

The Council approves, pursuant to Section 114 of the PHFL, the Redevelopment Company Contract and authorize the Commissioner of HPD to execute the Redevelopment Company Contract in substantially the form submitted, when approved as to form by the Corporation Counsel.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for Preconsidered L.U. No. 547

Report of the Committee on Land Use in favor of approving Application No. 20175160 HKM (N 170173 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2554] pursuant to Section 3020 of the New York City Charter of the landmark designation of The Graybar Building, located at 420 Lexington Avenue (a/k/a 420-30 Lexington Avenue), (Block 1280, Lot 7501), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 5

20175160 HKM (N 170173 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2554] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Graybar Building located at 420 Lexington Avenue (a/k/a 420-30 Lexington Avenue) (Tax Map Block 1280, Lot 7501), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1361

Resolution affirming the designation by the Landmarks Preservation Commission of the Graybar Building located at 420 Lexington Avenue (aka 420-30 Lexington Avenue) (Tax Map Block 1280, Lot 7501), Borough of Manhattan, Designation List No. 490, LP-2554 (Preconsidered L.U. No. 547; 20175160 HKM; N 170173 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Graybar Building located at 420 Lexington Avenue (aka 420-30 Lexington Avenue), Community District 5, Borough of Manhattan, as a

landmark and Tax Map Block 1280, Lot 7501, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 548

Report of the Committee on Land Use in favor of approving Application No. 20175161 HKM (N 170175 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2555] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Beverly Hotel (now The Benjamin Hotel), located at 125 East 50th Street (a/k/a 125-129 East 50th Street and 557-565 Lexington Avenue), (Block 1305, Lot 20), as an historic landmark, Borough of Manhattan, Community Board 6, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 6

20175161 HKM (N 170175 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2555] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Beverly Hotel (now The Benjamin Hotel) located at 125 East 50th Street (a/k/a 125-129 East 50th Street and 557-565 Lexington Avenue) (Tax Map Block 1305, Lot 20), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against: **Abstain:**

None

None

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

Res No. 1362

Resolution affirming the designation by the Landmarks Preservation Commission of the Beverly Hotel (now The Benjamin Hotel), located at 125 East 50th Street (a/k/a 125-129 East 50th Street and 557-565 Lexington Avenue) (Tax Map Block 1305, Lot 20), Borough of Manhattan, Designation List No. 490, LP-2555 (Preconsidered L.U. No. 548; 20175161 HKM; N 170175 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Beverly Hotel (now The Benjamin Hotel) located at 125 East 50th Street (a/k/a 125-129 East 50th Street and 557-565 Lexington Avenue), Community District 6, Borough of Manhattan, as a landmark and Tax Map Block 1305, Lot 20, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 549

Report of the Committee on Land Use in favor of approving Application No. 20175162 HKM (N 170172 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2556] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Pershing Square Building, located at 125 Park Avenue (a/k/a 101-105 East 41st Street, 100-108 East 42nd Street, 117-123 Park Avenue and 127-131 Park Avenue), (Block 1296, Lot 1), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN - CB 5****20175162 HKM (N 170172 HKM)**

Designation by the Landmarks Preservation Commission [DL-490/LP-2556] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Pershing Square Building located at 125 Park Avenue (a/k/a 101-105 East 41st Street, 100-108 East 42nd Street, 117-123 Park Avenue and 127-131 Park Avenue) (Tax Map Block 1296, Lot 1), as an historic landmark.

PUBLIC HEARING**DATE:** January 24, 2017**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1363

Resolution affirming the designation by the Landmarks Preservation Commission of the Pershing Square Building located at 125 Park Avenue (a/k/a 101-105 East 41st Street, 100-108 East 42nd Street, 117-123 Park Avenue and 127-131 Park Avenue) (Tax Map Block 1296, Lot 1), Borough of Manhattan, Designation List No. 490, LP-2556 (Preconsidered L.U. No. 549; 20175162 HKM; N 170172 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Pershing Square Building located at 125 Park Avenue (a/k/a 101-105 East 41st Street, 100-108 East 42nd Street, 117-123 Park Avenue and 127-131 Park Avenue), Community District 5, Borough of Manhattan, as a landmark and Tax Map Block 1296, Lot 1, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 550

Report of the Committee on Land Use in favor of approving Application No. 20175163 HKM (N 170174 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2557] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Shelton Hotel, located at

525 Lexington Avenue (a/k/a 523-527 Lexington Avenue, 137-139 East 48th Street and 136-140 East 49th Street), (Block 1303, Lot 53), as an historic landmark, Borough of Manhattan, Community Board 6, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 6

20175163 HKM (N 170174 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2557] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Shelton Hotel located at 525 Lexington Avenue (a/k/a 523-527 Lexington Avenue, 137-139 East 48th Street and 136-140 East 49th Street) (Tax Map Block 1303, Lot 53), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1364

Resolution affirming the designation by the Landmarks Preservation Commission of the Shelton Hotel located at 525 Lexington Avenue (a/k/a 523-527 Lexington Avenue, 137-139 East 48th Street and 136-140 East 49th Street) (Tax Map Block 1303, Lot 53), Borough of Manhattan, Designation List No. 490, LP-2557 (Preconsidered L.U. No. 550; 20175163 HKM; N 170174 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Shelton Hotel located at 525 Lexington Avenue (a/k/a 523-527 Lexington Avenue, 137-139 East 48th Street and 136-140 East 49th Street), Community District 6, Borough of Manhattan, as a landmark and Tax Map Block 1303, Lot 53, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 551

Report of the Committee on Land Use in favor of approving Application No. 20175164 HKM (N 170176 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2559] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Hotel Lexington, located at 511 Lexington Avenue (a/k/a 509-515 Lexington Avenue and 134-142 East 48th Street), (Block 1302, Lot 51), as an historic landmark , Borough of Manhattan, Community Board 6, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 6

20175164 HKM (N 170176 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2559] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Hotel Lexington located at 511 Lexington Avenue (a/k/a 509-515 Lexington Avenue and 134-142 East 48th Street) (Tax Map Block 1302, Lot 51), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against: Abstain:

None None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against: Abstain:

None None

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

Res No. 1365

Resolution affirming the designation by the Landmarks Preservation Commission of the Hotel Lexington located at 511 Lexington Avenue (a/k/a 509-515 Lexington Avenue and 134-142 East 48th Street) (Tax Map Block 1302, Lot 51), Borough of Manhattan, Designation List No. 490, LP-2559 (Preconsidered L.U. No. 551; 20175164 HKM; N 170176 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Hotel Lexington located at 511 Lexington Avenue (a/k/a 509-515 Lexington Avenue and 134-142 East 48th Street), Community District 6, Borough of Manhattan, as a landmark and Tax Map Block 1302, Lot 51, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 552

Report of the Committee on Land Use in favor of approving Application No. 20175165 HKM (N 170177 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2576] pursuant to Section 3020 of the New York City Charter of the landmark designation of the 400 Madison Avenue Building, located at 400 Madison Avenue (a/k/a 394-408 Madison Avenue, 23-25 East 47th Street and 24-26 East 48th Street), (Block 1283, Lot 17), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 5

20175165 HKM (N 170177 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2576] pursuant to Section 3020 of the New York City Charter of the landmark designation of the 400 Madison Avenue Building located at 400 Madison Avenue (a/k/a 394-408 Madison Avenue, 23-25 East 47th Street and 24-26 East 48th Street) (Tax Map Block 1283, Lot 17), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1366

Resolution affirming the designation by the Landmarks Preservation Commission of the 400 Madison Avenue Building located at 400 Madison Avenue (a/k/a 394-408 Madison Avenue, 23-25 East 47th Street and 24-26 East 48th Street) (Tax Map Block 1283, Lot 17), Borough of Manhattan, Designation List No. 490, LP-2576 (Preconsidered L.U. No. 552; 20175165 HKM; N 170177 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the 400 Madison Avenue Building located at 400 Madison Avenue (a/k/a 394-408 Madison Avenue, 23-25 East 47th Street and 24-26 East 48th Street), Community District 5, Borough of Manhattan, as a landmark and Tax Map Block 1283, Lot 17, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 553

Report of the Committee on Land Use in favor of approving Application No. 20175166 HKM (N 170167 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2577] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Minnie E. Young House, located at 19 East 54th Street (Block 1290, Lot 14), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 5

20175166 HKM (N 170167 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2577] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Minnie E. Young House located at 19 East 54th Street (Tax Map Block 1290, Lot 14), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against: **Abstain:**
None None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against: **Abstain:**
None None

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

Res No. 1367

Resolution affirming the designation by the Landmarks Preservation Commission of the Minnie E. Young House located at 19 East 54th Street (Tax Map Block 1290, Lot 14), Borough of Manhattan, Designation List No. 490, LP-2577; Preconsidered L.U. No. 553; 20175166 HKM; N 170167 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Minnie E. Young House located at 19 East 54th Street, Community District 5, Borough of Manhattan, as a landmark and Tax Map Block 1290, Lot 14, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 554

Report of the Committee on Land Use in favor of approving Application No. 20175167 HKM (N 170168 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2578] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Martin Erdmann House, located at 57 (-59) East 55th Street (Block 1291, Lot 127), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 5

20175167 HKM (N 170168 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2578] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Martin Erdmann House located at 57 (-59) East 55th Street (Tax Map Block 1291, Lot 127), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1368

Resolution affirming the designation by the Landmarks Preservation Commission of the Martin Erdmann House located at 57 (-59) East 55th Street (Tax Map Block 1291, Lot 127), Borough of Manhattan, Designation List No. 490, LP-2578 (Preconsidered L.U. No. 554; 20175167 HKM; N 170168 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Martin Erdmann House located at 57 (-59) East 55th Street, Community District 5, Borough of Manhattan, as a landmark and Tax Map Block 1291, Lot 127, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 555

Report of the Committee on Land Use in favor of approving Application No. 20175168 HKM (N 170171 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2579] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Yale Club of New York City, located at 50 Vanderbilt Avenue (a/k/a 49-55 East 44th Street), (Block 1279, Lot 28), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 5

20175168 HKM (N 170171 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2579] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Yale Club of New York City located at 50 Vanderbilt Avenue (a/k/a 49-55 East 44th Street) (Tax Map Block 1279, Lot 28), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1369

Resolution affirming the designation by the Landmarks Preservation Commission of the Yale Club of New York City located at 50 Vanderbilt Avenue (a/k/a 49-55 East 44th Street) (Tax Map Block 1279, Lot 28), Borough of Manhattan, Designation List No. 490, LP-2579 (Preconsidered L.U. No. 555; 20175168 HKM; N 170171 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Yale Club of New York City located at 50 Vanderbilt Avenue (a/k/a 49-55 East 44th Street), Community District 5, Borough of Manhattan, as a landmark and Tax Map Block 1279, Lot 28, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for Preconsidered L.U. No. 556

Report of the Committee on Land Use in favor of approving Application No. 20175169 HKM (N 170170 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2580] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Hampton Shops Building, located at 18-20 East 50th Street, (Block 1285, Lot 59), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN - CB 5****20175169 HKM (N 170170 HKM)**

Designation by the Landmarks Preservation Commission [DL-490/LP-2580] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Hampton Shops Building located at 18-20 East 50th Street (Tax Map Block 1285, Lot 59), as an historic landmark.

PUBLIC HEARING**DATE:** January 24, 2017**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No. 1370

Resolution affirming the designation by the Landmarks Preservation Commission of the Hampton Shops Building located at 18-20 East 50th Street (Tax Map Block 1285, Lot 59), Borough of Manhattan, Designation List No. 490, LP-2580 (Preconsidered L.U. No. 556; 20175169 HKM; N 170170 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of the Hampton Shops Building located at 18-20 East 50th Street, Community District 5, Borough of Manhattan, as a landmark and Tax Map Block 1285, Lot 59, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 557

Report of the Committee on Land Use in favor of an Application No. 20175170 HKM (N 170169 HKM) for the designation by the Landmarks Preservation Commission [DL-430/LP-2581] pursuant to Section 3020 of the New York City Charter of the landmark designation of 18 East 41st Street (a/k/a 18-20 East 41st Street), (Block 1275, Lot 61), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 5

20175170 HKM (N 170169 HKM)

Designation by the Landmarks Preservation Commission [DL-490/LP-2581] pursuant to Section 3020 of the New York City Charter of the landmark designation of 18 East 41st Street (a/k/a 18-20 East 41st Street) (Tax Map Block 1275, Lot 61), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res No 1371

Resolution affirming the designation by the Landmarks Preservation Commission of 18 East 41st Street (a/k/a 18-20 East 41st Street) (Tax Map Block 1275, Lot 61), Borough of Manhattan, Designation List No. 490, LP-2581 (Preconsidered L.U. No. 557; 20175170 HKM; N 170169 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 2, 2016 a copy of its designation dated November 22, 2016 (the "Designation"), of 18 East 41st Street (a/k/a 18-20 East 41st Street, Community District 5, Borough of Manhattan, as a landmark and Tax Map Block 1275, Lot 61, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 558

Report of the Committee on Land Use in favor of Application No. 20175172 HKM (N 170194 HKM) for the designation by the Landmarks Preservation Commission [DL-491/LP-2582] pursuant to Section 3020 of the New York City Charter of the landmark designation of Citicorp Center (now 601 Lexington Avenue) including Saint Peter's Church, located at 601 Lexington Avenue (a/k/a 601-635 Lexington Avenue, 139-153 East 53rd Street, 140-160 East 54th Street and 884-892 Third Avenue), (Block 1308, Lot 7501 [1001, 1002, 1005]), as an historic landmark, Borough of Manhattan, Community Board 6, Council District 4.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 1, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 6

20175172 HKM (N 170194 HKM)

Designation by the Landmarks Preservation Commission [DL-491/LP-2582] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Citicorp Center (now 601 Lexington Avenue) including Saint Peter's Church located at 601 Lexington Avenue (a/k/a 601-635 Lexington Avenue, 139-153 East 53rd Street, 140-160 East 54th Street and 884-892 Third Avenue) (Tax Map Block 1308, Lot 7501 [1001, 1002, 1005]), as an historic landmark.

PUBLIC HEARING

DATE: January 24, 2017

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** January 24, 2017

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

In Favor:

Koo, Palma, Levin, Barron, Kallos.

Against:	Abstain:
None	None

COMMITTEE ACTION**DATE:** January 26, 2017

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:	Abstain:
None	None

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

Res No. 1372

Resolution affirming the designation by the Landmarks Preservation Commission of the Citicorp Center (now 601 Lexington Avenue) including Saint Peter's Church, located at 601 Lexington Avenue (a/k/a 601-635 Lexington Avenue, 139-153 East 53rd Street, 140-160 East 54th Street and 884-892 Third Avenue) (Tax Map Block 1308, Lot 7501 [1001, 1002, 1005]), Borough of Manhattan, Designation List No. 491, LP-2582 (Preconsidered L.U. No. 558; 20175172 HKM; N 170194 HKM).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 15, 2016 a copy of its designation dated December 6, 2016 (the "Designation"), of the Citicorp Center (now 601 Lexington Avenue) including Saint Peter's Church, located at 601 Lexington Avenue (a/k/a 601-635 Lexington Avenue, 139-153 East 53rd Street, 140-160 East 54th Street and 884-892 Third Avenue), Community District 6, Borough of Manhattan, as a landmark and Tax Map Block 1308, Lot 7501 [1001, 1002, 1005], as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on January 20, 2017, its report on the Designation dated January 18, 2017 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 24, 2017; and

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

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, 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 26, 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).

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:

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Robert J. Sloan	250 West 77th Street #503 New York, N.Y. 10024	6
Betania Medina	3343 Sedgwick Avenue #5F Bronx, N.Y. 10463	11
Odree Wright	120 Aldrich Street #9A Bronx, N.Y. 10475	12
Aisha Aughburns-Hardy	850 Morris Park Avenue #3 Bronx, N.Y. 10462	13
Mariluz Cortorreal	1456 Townsend Avenue #4D Bronx, N.Y. 10452	16
Stacia Burek	2240 East Tremont Avenue #6F Bronx, N.Y. 10462	18
Valenica D. Young	1540 Unionpont Road #3G Bronx, N.Y. 10462	18
Shelia Mirabel	295 Washington Avenue #6F Brooklyn, N.Y. 11205	35
Nancy I. Coleman	75 Martense Street #4F Brooklyn, N.Y. 11226	40
Linda Stallings	1550 East 51st Street Brooklyn, N.Y. 11234	46
Ivelisa Black	2951 West 33rd Street #8G Brooklyn, N.Y. 11224	47
Iren Ananyan	2850 Shore Parkway #L1 Brooklyn, N.Y. 11235	48

Michele Caputo	221 Clawson Street Staten Island, N.Y. 10306	50
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Colleen R. Errigo	46 Monterey Avenue Staten Island, N.Y. 10312	51
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Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Naimah Abdul Rashid	331 East 29th Street #9C New York, N.Y. 10016	2
Jeffrey Mulinelli	63 Avenue D #4A New York, N.Y. 10009	2
Janira Valenzuela	252 Wadsworth Avenue #4C New York, N.Y. 10033	10
Larisa Lipovetskaya	140 Alcott Place #26C Bronx, N.Y. 10475	12
Israel Maldonado	1720 Mayflower Avenue #91 Bronx, N.Y. 10461	13
Michelle Martinez	2500 Webb Avenue #30 Bronx, N.Y. 10468	14
Cornell Nolton	1330 Webster Avenue #13A Bronx, N.Y. 10456	16
Bernalyn A. Jones-Clarke	880 Boynton Avenue #19B Bronx, N.Y. 10473	17
Eric Rigie	21-09 Steinway Street #3 Queens, N.Y. 11105	22
Reginald Guiteau	85-64 Santiago Street Queens, N.Y. 11423	23
Vivian Shapiro Kochanoff	77-37 168th Street #2 Fresh Meadow, N.Y. 11366	24
Vicente A. Brown	137-24 132nd Avenue Queens, N.Y. 11436	28
Kenneth Mankowitz	83-55 Woodhaven Blvd #5J Queens, N.Y. 11421	30

Althea Edwards-Taylor	258-05 Craft Avenue Queens, N.Y. 11422	31
Rebecca A. Hailey	644 Park Avenue #3A Brooklyn, N.Y. 11206	36
Cheryl N. Wright	239 Vernon Avenue Brooklyn, N.Y. 11206	36
Maria A. Riccardelli	1625 83rd Street #1 Brooklyn, N.Y. 11214	43
Stephen Kirby	1466 East 102nd Street Brooklyn, N.Y. 11236	46
Michael F. Varone	2220 Burnett Street #5G Brooklyn, N.Y. 11229	46
Vincent Colonna	501 Jewett Avenue Staten Island, N.Y. 10302	49
Vincent P. Maniscalco	38 Purdue Street Staten Island, N.Y. 10314	51
James Robert Pescitelli	100 Everett Avenue 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 436-A - | Period for certain item pricing violations. |
| (2) | Int 1024-A - | Senior citizen rent increase exemption information. |
| (3) | Int 1164-A - | Information regarding unlawful evictions. |
| (4) | Int 1166-A - | Violations issued to three-quarter housing. |
| (5) | Int 1167-A - | Vacated dwellings, and the provision of relocation services. |
| (6) | Int 1168-A - | Improperly conditioning residential occupancy on medical treatment. |
| (7) | Int 1171-A - | Verification of occupancy for relocation services. |
| (8) | Int 1294-A - | Smoke detectors and smoke alarms in fire-related deaths. |
| (9) | Int 1309 - | Increasing the maximum income level qualifying for exemption for rent increases granted to certain senior citizens. |
| (10) | Res 1356 - | Organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (11) | Res 1357 - | Establishment of the New Dorp Business Improvement District in the Borough of Staten Island. |
| (12) | L.U. 543 & Res 1359 - | Penn South, 212-226 9th Avenue Manhattan, Community District No. 4, Council District No. 3 |
| (13) | L.U. 546 & Res 1360 - | App. 20175171 HAX Bronx, Community Board 1, Council District 8. |
| (14) | L.U. 547 & Res 1361 - | App. 20175160 HKM (N 170173 HKM) Manhattan, Community Board 5, Council District 4. |

- (15) **L.U. 548 & Res 1362 -** App. **20175161 HKM** (N 170175 HKM) Manhattan, Community Board 6, Council District 4.
- (16) **L.U. 549 & Res 1363 -** App. **20175162 HKM** (N 170172 HKM) Manhattan, Community Board 5, Council District 4.
- (17) **L.U. 550 & Res 1364 -** App. **20175163 HKM** (N 170174 HKM) Manhattan, Community Board 6, Council District 4.
- (18) **L.U. 551 & Res 1365 -** App. **20175164 HKM** (N 170176 HKM) Manhattan, Community Board 6, Council District 4.
- (19) **L.U. 552 & Res 1366 -** App. **20175165 HKM** (N 170177 HKM) Manhattan, Community Board 5, Council District 4.
- (20) **L.U. 553 & Res 1367 -** App. **20175166 HKM** (N 170167 HKM) Manhattan, Community Board 5, Council District 4.
- (21) **L.U. 554 & Res 1368 -** App. **20175167 HKM** (N 170168 HKM) Manhattan, Community Board 5, Council District 4.
- (22) **L.U. 555 & Res 1369 -** App. **20175168 HKM** (N 170171 HKM) Manhattan, Community Board 5, Council District 4.
- (23) **L.U. 556 & Res 1370 -** App. **20175169 HKM** (N 170170 HKM) Manhattan, Community Board 5, Council District 4.
GO
- (24) **L.U. 557 & Res 1371 -** App. **20175170 HKM** (N 170169 HKM) Manhattan, Community Board 5, Council District 4.
GO
- (25) **L.U. 558 & Res 1372 -** App. **20175172 HKM** (N 170194 HKM) Manhattan, Community Board 6, Council District 4.
GO
- (26) **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, 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, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

The General Order vote recorded for this Stated Meeting was 47-0-0 as shown above.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos.436-A, 1024-A, 1294-A, 1309, 1164-A, 1166-A, 1167-A, 1168-A and 1171-A.

INTRODUCTION AND READING OF BILLS

Int. No. 1449

By The Speaker (Council Member Mark-Viverito) and Council Members Borelli, Cabrera, Constantinides, Cornegy, Crowley, Cumbo, Gibson, Levine, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Rodriguez, Rose, Rosenthal, Torres, Van Bramer, Williams and Levin.

A Local Law in relation to the naming of 41 thoroughfares and public places, William “Pop” Marsh Avenue, Borough of Staten Island, Maxwell “Max the Sax” Lucas Way, Borough of the Bronx, Dr. Roscoe C. Brown, Jr. Way, Borough of the Bronx, Michael Fahy Way, Borough of the Bronx, Burton Schoenbach Way, Borough of the Bronx, Marine Corporal Ramona M. Valdez Way, Borough of the Bronx, Cinco de Mayo Way, Borough of the Bronx, Antonia Vasquez Way, Borough of the Bronx, Betty Jean DiBiasco Way, Borough of Queens, Jacqueline Berrien Way, Borough of Brooklyn, Easter Rising Way, Borough of Queens, Forest Park Memorial Drive, Borough of Queens, Reverend John Pratt Way, Borough of Brooklyn, Donald Byrd Way – Jazz Great, Borough of the Bronx, Ms. Aida Perez-Loiza Aldea Lane, Borough of Manhattan, The Honorable Frank V. Fossella Way, Borough of Staten Island, Ben Marino Way, Borough of Staten Island, John Lewis Steptoe Place, Borough of Brooklyn, Charles A. Sferrazza Way, Borough of Brooklyn, Cinco de Mayo Way, Borough of Brooklyn, Children’s Court, Borough of Manhattan, Ms. Magazine Way, Borough of Manhattan, Coach Chuck Granby Way, Borough of Queens, Cardinal S. Sandiford Way, Borough of Queens, Rev. Dr. Luis Felipe Serrano’s Way, Borough of the Bronx, Sgt. Paul J. Tuozzolo Way, Borough of the Bronx, Flight 587 Way, Borough of Manhattan, Saint Elizabeth Way, Borough of Manhattan, Maria Valentin Way, Borough of Manhattan, Principal Rhonda Whitfield Way, Borough of Staten Island, Allen B. Terjesen Way, Borough of Staten Island, Elie Wiesel Way, Borough of Manhattan, Detective Steven McDonald Way, Borough of Manhattan, Mario Borgatti Way, Borough of the Bronx, Kalief Browder Way, Borough of the Bronx, Lily Gavin Way, Borough of Queens, Nina Adams Way, Borough of Queens, Tony Mazzarella Way, Borough of Queens, Dolores Rizzotto Way, Borough of Queens, FF Michael Brennan Way, Borough of Queens, Robert “Pudgie” Walsh Way, Borough of Brooklyn and the repeal of sections 2, 9, 36, 38 and 54 of local law number 92 for the year 2016, the repeal of section 18 of local law number 23 for the year 2016 and the repeal of section 6 of local law number 81 for the year 2001.

Be it enacted by the Council as follows:

Section 1. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
William "Pop" Marsh Avenue	None	At the northwest corner of Richard Avenue and Bartow Avenue

§2. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Maxwell "Max the Sax" Lucas Way	Morris Avenue	Between Tremont Avenue and East 179 th Street

§3. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Roscoe C. Brown, Jr. Way	University Avenue	Between Hall of Fame Terrace and West 180 th Street

§4. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Michael Fahy Way	at 2175 Walton Avenue	

§5. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Burton Schoenbach Way	None	At the intersection of Creston Avenue and Fordham Road

§6. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Marine Corporal Ramona M. Valdez Way	151 East Fordham Road	Fordham Road and Grand Concourse

§7. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Cinco de Mayo Way	None	At the intersection of Jerome Avenue and East 193 rd Street

§8. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Antonia Vasquez Way	None	At the intersection of Davidson Avenue and Burnside Avenue

§9. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Betty Jean DiBiasco Way	None	At the intersection of Ditmars Boulevard and 19 th Street

§10. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jacqueline Berrien Way	Decatur Street	Between Lewis Avenue and Stuyvesant Avenue

§11. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Easter Rising Way	Step Street	Between 65 th Place and 64 th Street

§12. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Forest Park Memorial Drive	Forest Park Drive	Through Forest Park

§13. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Reverend John Pratt Way	Clermont Avenue	Between Myrtle Avenue and Willoughby Avenue

§14. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Donald Byrd Way – Jazz Great	None	At the intersection of Teasdale Place and the east side of Boston Road

§15. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ms. Aida Perez-Loiza Aldea Lane	None	At the northwest corner of East 105 th Street and Lexington Avenue

§16. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
The Honorable Frank V. Fossella Way	None	At the intersection of Father Capodanno Boulevard and Ocean Avenue

§17. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ben Marino Way	None	At the intersection of 9 th Street and New Dorp Lane

§18. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
John Lewis Steptoe Place	Monroe Street	Between Ralph Avenue and Howard Avenue

§19. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Charles A. Sferrazza Way	None	At the northwest corner of 8 th Avenue and 44 th Street

§20. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Cinco de Mayo Way	None	At the intersection of 45 th Street and 5 th Avenue

§21. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Children's Court	None	At the northeast corner of Third Avenue and East 22 nd Street

§22. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ms. Magazine Way	None	At the northeast corner of East 32 nd Street and Third Avenue

§23. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Coach Chuck Granby Way	None	At the north side of 116 th Avenue and Francis Lewis Boulevard

§24. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Cardinal S. Sandiford Way	None	At the northeast corner of Anderson Road and Sidway Place

§25. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. Dr. Luis Felipe Serrano's Way	None	At the intersection of Chatterton Avenue and Pugsley Avenue

§26. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sgt. Paul J. Tuozzolo Way	Bronx River Avenue	Between Noble Avenue and Rosedale Avenue

§27. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Flight 587 Way	None	At the northeast corner of 181 st Street and Amsterdam Avenue

§28. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Saint Elizabeth Way	None	At the southwest corner of 187 th Street and Wadsworth Avenue

§29. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Maria Valentin Way	None	At the northeast corner of 184 th Street and Audubon Avenue

§30. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Principal Rhonda Whitfield Way	None	At the northeast corner underneath the Maple Parkway street sign of Maple Parkway and DeRuyter Place

§31. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Allen B. Terjesen Way	None	At the intersection of Forest Avenue and Hart Boulevard

§32. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Elie Wiesel Way	None	At the southwest corner of 84 th Street and Central Park West

§33. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Steven McDonald Way	None	At the intersection of 106 th Street and 5 th Avenue

§34. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mario Borgatti Way	None	At the southeast corner of Hughes Avenue and East 187 th Street

§35. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Kalief Browder Way	None	At the northwest corner of East 181 st Street and Prospect Avenue

§36. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lily Gavin Way	Queens Boulevard	Between 39 th Place and 40 th Street

§37. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Nina Adams Way	None	At the intersection of 41 st Avenue and 12 th Street

§38. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Tony Mazarella Way	None	At the intersection of 2 nd Street and Borden Avenue

§39. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dolores Rizzotto Way	None	At the intersection of 50 th Street and 43 rd Avenue

§40. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
FF Michael Brennan Way	None	At the intersection of 41 st Street and 50 th Avenue

§41. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Robert “Pudgie” Walsh Way	None	At the intersection of East 36 th Street and Avenue P

§42. Sections 2, 9, 36, 38 and 54 of local law number 92 for the year 2016 are hereby REPEALED.

§43. Section 18 of local law number 23 for the year 2016 is hereby REPEALED.

§44. Section 6 of local law number 81 for the year 2001 is hereby REPEALED.

§45. This local law shall take effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 1450

By Council Members Cabrera, Cornegy and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the chief medical examiner to determine the veteran status of any previously unidentified deceased person

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-209 to read as follows:

§ 17-209 Identifying veterans. a. Definitions. For the purposes of this section:

Veteran. The term “veteran” means a person:

1. Who served in the active military or naval service of the United States; in active duty in a force of any organized state militia in a full-time status; or in the reserve armed forces of the United States in active duty; and

2. Who was released from such service otherwise than by dishonorable discharge.

Veterans’ service organization. The term “veterans’ service organization” means an association, corporation or other entity that qualifies as a tax-exempt organization under paragraph (3) of subsection (c) of section 501 or paragraph (19) of subsection (c) of section 501 of the internal revenue code and that has been organized for the benefit of veterans and is recognized or chartered by the United States congress, including, but not limited to, the Disabled American Veterans, the Veterans of Foreign Wars, the American Legion and the Vietnam Veterans of America.

b. Upon identifying any previously unidentified deceased person and prior to interment or cremation of such person, the chief medical examiner shall determine whether such person was a veteran.

c. If such person was a veteran, the chief medical examiner shall contact at least one veterans’ service organization and inquire about the veterans’ service organization’s ability to provide funeral services for such person.

§ 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Health.

Int. No. 1451

By Council Members Cabrera, Salamanca, Cornegy, Grodenchik and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to broadening the definition of family who can visit youth in detention facilities

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended to add new section 21-909 to read as follows:

§ 21-909 Detention facility visitors. ACS shall permit youth in detention facilities to receive visitors including but not limited to a coach, teacher, clergy person, or other adult, except when the facility director determines that such visits are detrimental to the youth or that the visitors refuse to comply with rules governing visitation.

§2. This local law takes effect immediately.

Referred to the Committee on Juvenile Justice.

Int. No. 1452

By Council Members Cabrera, Salamanca, Richards, Cornegy and Grodenchik.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Administration for Children's Services to provide video conferencing for youth in detention facilities

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended to add new section 21-909 to read as follows:

§ 21-909 Video Conferencing in Detention Facilities. The department shall establish a video conferencing program which permits youth in detention facilities to communicate through video conference or substantially similar technology with any person with whom such youth would be permitted to personally visit. Such conferences shall be permitted in addition to any such personal visits.

§2. This local law shall take effect 120 days after it becomes law.

Referred to the Committee on Juvenile Justice.

Int. No. 1453

By Council Members Cabrera, Grodenchik and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Administration for Children's Services to permit youth in detention facilities to request privacy during visits and phone calls

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended to add new section 21-909 to read as follows:

§ 21-909 *Private visits and phone calls. Youth in detention may request privacy during visits and phone calls, and the facility director shall provide such privacy to the extent practicable.*

§2. This local law takes effect immediately.

Referred to the Committee on Juvenile Justice.

Int. No. 1454

By Council Members Ferreras-Copeland and Matteo (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the New Dorp business improvement district

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-490 to read as follows:

§ 25-490 *New Dorp business improvement 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 establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment 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, there is hereby established in the borough of Staten Island, the New Dorp business improvement district. Such district is established in accordance with the 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 district plan upon which the New Dorp business improvement district is based.

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

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

Referred to the Committee on Finance.

Preconsidered Res. No. 1356

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, 2015 the City Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 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, Fiscal 2016, 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 youth 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 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 3; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new 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 5; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative 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 Neighborhood Development Grant 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 change in the designation of a certain organization receiving funding pursuant to the Healthy Aging 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 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 9; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup 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 Food Pantries 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 removal of funds from certain organizations pursuant to the Crisis Management System –Youth Programs 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 change in the designation of a certain organization receiving funding and approves the addition of funds to certain organizations pursuant to the Crisis Management System 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 change in the designation of a certain organization receiving funding pursuant to the Post-Arrest Diversion Program for Young Adults 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 new designation of certain organizations receiving funding pursuant to the Foster Youth Transitional Care 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 removal of funds from a certain organization pursuant to the Job Training and Placement 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 the removal of funds from a certain organization pursuant to the Nurse Family Partnership 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 addition of funds to a certain organization pursuant to the Neighborhood Health 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 changes in the designation of certain organizations receiving funding pursuant to the Viral Hepatitis Prevention 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 removal of funds from a certain organization pursuant to the Work, Learn, Grow 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 addition of funds to a certain organization pursuant to the Year-Round Employment Program (Work, Learn, Grow) 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 a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 22; 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 23; 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 2016 Expense Budget, as set forth in Chart 24; 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 25.

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. 1356 printed in these Minutes).

Preconsidered Res. No. 1357

Resolution concerning the establishment of the New Dorp Business Improvement District in the Borough of Staten Island and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district

By Council Member Ferreras-Copeland.

WHEREAS, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated September 23, 2016, provided for the preparation of a district plan (“the Plan”) for the New Dorp Business Improvement District (“the District”) in the Borough of Staten Island; and

WHEREAS, pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation establishing Business Improvement Districts; and

WHEREAS, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on October 25, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on October 27, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on October 27, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community board for the community district in which the proposed District is located (Staten Island Community Board Number 2, hereinafter “the Community Board”) on October 27, 2016; and

WHEREAS, the CPC submitted the Plan to the Staten Island Borough President on October 27, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the Community Board notified the public of the Plan in accordance with the requirements established by the CPC; and

WHEREAS, Community Board 2 voted to approve the establishment of the District on November 15, 2016; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC reviewed the Plan, held a public hearing and prepared a report certifying its unqualified approval of the Plan; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Staten Island Borough President, to the City Council, and to the Council Member representing the council district in which the proposed District is located; and

WHEREAS, pursuant to section 25-405(c) of the Law, a copy of the CPC’s report, together with the original Plan, was transmitted for filing with the City Clerk on January 6, 2017; and

WHEREAS, pursuant to section 25-406(a) of the Law, a copy of the Plan and the CPC’s report are annexed hereto and are made part of this Resolution; and

WHEREAS, pursuant to section 25-406(a) of the Law, the Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

WHEREAS, pursuant to Section 25-406(b) of the Law, any owner of real property, deemed benefited and therefore within the District, objecting to the plan must file an objection at the Office of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

WHEREAS, pursuant to Section 25-406(b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for establishment, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited real property within the area included in the District proposed for establishment, file objections to the Plan with the City Clerk within the thirty-day objection period, the District will not be established; now, therefore, be it

RESOLVED, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that:

(i) February 15, 2017 is the date and 10:00 AM is the time and the City Council Committee Room, City Hall, 2nd Floor, is the place for a public hearing (“the Public Hearing”) to hear all persons interested in the establishment of the District;

(ii) the New Dorp BID Steering Committee shall, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed 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 concerning real property within the proposed District, and to the tenants of each building within the proposed District;

(iii) SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the Public Hearing; and

(iv) in the event that the New Dorp BID Steering Committee mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Int. No. 1455

By Council Members Greenfield, Salamanca and Richards

A Local Law to amend the administrative code of the city of New York, in relation to requiring consumers to affirmatively consent to continue being charged at least once a year in any contract containing automatic payments that lasts more than one year

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
ANNUAL AFFIRMATION OF SUBSCRIPTION-BASED CONTRACTS*

§ 20-824 Affirmative consent for automatic payment contracts lasting more than one year.

§ 20-825 Administrative remedies

§ 20-826 Civil action.

§ 20-824 Affirmative consent for automatic payment contracts lasting more than one year. a. In any consumer contract for a good or service purchased by an individual consumer that contains periodic, automatic payments for a period lasting more than one year:

1. The party providing the good or service must obtain affirmative consent from the consumer at least one time per 12-month period to be able to continue charging the receiving party;

2. The party providing the good or service commits a violation of this section for each automatic charge it applies without affirmative consent; however, the providing party is only subject to one violation per year per contract; and

3. Each contract can lead to an independent violation.

b. For purposes of this subchapter, “affirmative consent” means one or more of the following actions confirming a desire to be charged:

- 1. Signing a form;*
- 2. Replying to an email with acknowledgment of continued charges;*
- 3. Checking a webpage box where it is made clear that doing so constitutes an electronic signature; and*
- 4. Other actions that indicate an understanding that charges will continue and consent to continue being charged.*

c. The affirmative consent requirement is not satisfied if the party providing the good or service presents the request to consent to continue charging within a larger block of text or information, such as a terms and conditions statement and the consumer must consent to the entirety of the block of text or information.

d. This section does not apply to:

- 1. Any contract in which the city or any local, state or federal government is a party;*
- 2. Any contract involving utility services; or*
- 3. Any contract for the provision or payment of insurance.*

§ 20-825 Administrative remedies. a. The commissioner has the power to impose penalties provided for in this subchapter and to grant a consumer all appropriate relief.

b. An individual consumer who is aggrieved by a violation of this subchapter may file a complaint with the commissioner within one year of the party providing the good or service having failed to obtain affirmative consent pursuant to section 20-824.

c. The commissioner shall promulgate rules outlining the department’s procedures for addressing and investigating alleged violations of this subchapter.

d. Jurisdiction. 1. The commissioner does not have jurisdiction over a complaint if either party to the contract already has initiated a civil action in a court of competent jurisdiction alleging a violation of this subchapter, unless such civil action has been dismissed without prejudice to future claims.

2. Where the commissioner lacks jurisdiction over a complaint, the commissioner shall notify the following, in writing, within 10 days of discovering the lack of jurisdiction:

(a) The consumer; and

(b) The party providing the good or service.

e. Any provider of goods or services found to be in violation of section 20-824 is liable for:

1. A penalty payable to the consumer in the amount of the annual value of the contract plus an amount of no less than \$25 and no more than \$250; and

2. A civil penalty payable to the city not to exceed \$200.

§ 20-826 Civil action. a. Cause of action. 1. Except as otherwise provided by law, any individual consumer alleging a violation of this subchapter may bring an action in any court of competent jurisdiction for damages as described in subdivision b of this section.

2. Any action alleging a violation of section 20-824 shall be brought within two years after the acts alleged to have violated this chapter occurred.

b. Damages. A plaintiff who prevails on a claim alleging a violation of this chapter shall be awarded damages in the amount of:

1. The annual value of the contract plus an amount of no less than \$25 and no more than \$250;

2. Reasonable attorney’s fees and costs; and

3. Any other appropriate relief.

§ 2. This local law takes effect one year after it becomes law, except that the commissioner 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. 1456

By Council Members Koslowitz, Cabrera, Grodenchik, Lancman, Deutsch, Salamanca, Richards, Cornegy, Barron and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to requiring mobile food vendors to post letter grades received for sanitary inspections

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 subsection t to read as follows:

t. "Inspection results placard". A laminated placard, the form and manner of which shall be determined by the commissioner by rule, issued by the department to the vendor within 72 hours after the completion of a sanitary inspection by the department. Such placard shall contain a letter grade corresponding to the results of the inspection.

§2. Subdivision c of section 17-311 of the administrative code of the city of New York is amended to read as follows:

c. The permit plate *and most recent inspection results placard* shall be firmly affixed to the vending vehicle or pushcart in a conspicuous place.

§3. This local law takes effect 120 days after it becomes law, provided, however, that the commissioner shall take any actions necessary for its implementation prior to such effective date including, but not limited to, the promulgation of rules.

Referred to the Committee on Health.

Int. No. 1457

By Council Members Lancman, Salamanca, Crowley, Koslowitz, Menchaca, Grodenchik, Vallone, Levine, Gentile, Richards, Cabrera and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the department of transportation maintain curb heights following street construction

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-147 of the administrative code of the city of New York, as amended and renumbered by local law number 104 for the year 1993, is amended to read as follows:

§ 19-147. Replacement of pavement and maintenance of street hardware.

a. General provisions. Whenever any pavement, sidewalk, curb or gutter in any street shall be taken up, the person or persons by whom or for whose benefit the same is removed shall restore such pavement, sidewalk, curb or gutter to its proper condition to the satisfaction of the commissioner of transportation. *The department shall ensure that appropriate curb heights are maintained whenever the department takes up and restores any pavement, sidewalk, curb or gutter in any street.*

§ 2. This local law takes effect 90 days after it becomes law, except that the commissioner may 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 Transportation.

Int. No. 1458

By Council Members Lander and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to sales of cooperative apartments

Be it enacted by the Council as follows:

Section 1. Title 8 of the administrative code of the city of New York is amended by adding a new chapter 12, to read as follows:

**CHAPTER 12
FAIR RESIDENTIAL COOPERATIVE DISCLOSURE LAW**

§ 8-1201 *Definitions.*

§ 8-1202 *Mandatory statement*

§ 8-1203 *Amended, supplemental and untimely statements.*

§ 8-1204 *Liability for failure to provide statement*

§ 8-1205 *Procedure for asserting violation.*

§ 8-1206 *Preclusive effect of statement.*

§ 8-1207 *No estoppel or res judicata.*

§ 8-1208 *Construction*

§ 8-1209 *Audits; Reporting.*

§ 8-1201 *Definitions. When used in this chapter:*

Application. The term “application” means both the request of a prospective seller or a prospective purchaser to a cooperative corporation for that cooperative corporation to provide its unconditional consent to a sale of certificates of stock, a proprietary lease, or other evidence of an ownership interest in such cooperative corporation, and the information and documents, acquired by the cooperative corporation in connection with its determination as to whether or not to grant unconditional consent to the sale of certificates of stock, a proprietary lease, or other evidence of an ownership interest in such cooperative corporation.

Commission. The term “commission” means the New York city commission on human rights.

Cooperative corporation. The term “cooperative corporation” means any corporation governed by the requirements of the state cooperative corporation law or general business law that grants persons the right to reside in a cooperative apartment, that right existing by such person’s ownership of certificates of stock, proprietary lease, or other evidence of ownership of an interest in such entity but shall not include a cooperative corporation containing less than 10 dwelling units.

Proper party. The term “proper party” means a prospective purchaser whose application has been rejected or a real estate broker who would have been entitled to a commission had the proposed transaction been approved or the city of New York.

Prospective purchaser. The term “prospective purchaser” means a person who has entered into a contract of sale to purchase the proprietary lease and the ownership interest in a cooperative corporation from a prospective seller.

Prospective seller. The term “prospective seller” means a person who has a proprietary lease and an ownership interest in a cooperative corporation and who has entered into a contract of sale to sell the person’s proprietary lease and ownership interest in a cooperative corporation to a prospective purchaser.

Sale. The term “sale” means the transfer of a person’s ownership interest in a cooperative corporation and that person’s proprietary lease to another person.

§ 8-1202 *Mandatory statement. a.* If a prospective purchaser is disapproved, the cooperative corporation shall provide the prospective purchaser with a written statement of each and all of its reasons for withholding consent no later than five business days after it has made its decision to withhold consent.

b. The statement required by this section must set forth each reason for withholding consent with specificity. This requirement includes identifying each element of the prospective purchaser’s application

which was found by the cooperative corporation to be deficient, any specific ways that the application failed to meet any specific policies, standards, or requirements of the cooperative corporation, and the source of any negative information relied upon by the cooperative corporation in connection with any of its reasons for withholding consent to the proposed purchase. The statement must convey sufficient information to enable a prospective purchaser to take specific steps to remedy any specific deficiencies in that application.

c. The statement required by this section must set forth the number of applications that have been received by the cooperative corporation in the period commencing three years prior to the date of the submission of the application that is the subject of the statement and continuing through and including the date of the statement. The statement must also set forth for the same period of time the number of applications for which the cooperative corporation withheld consent and the number of applications for which the cooperative corporation did not make a decision on such applications.

d. The statement required by this section shall include a certification by an officer of the cooperative corporation, sworn or affirmed under penalties of perjury, that the statement is a true, complete and specific recitation of each and all of the cooperative corporation's reasons for withholding consent; that each person who participated in the decision to withhold consent has stated to the certifying officer that he or she had no reasons for withholding consent other than those set forth in the statement; and that the statement is a true and complete recitation of total applications, applications for which consent was withheld and applications in which no decision was made as required by this chapter.

§8-1203 Amended, supplemental and untimely statements. a. Amendments or supplements to timely statements required by section 8-1202 of this chapter shall also be considered timely if such amendments or supplements are provided to a prospective purchaser within ten business days after the cooperative corporation has disapproved a prospective purchaser.

b. If a cooperative corporation seeks to provide a prospective purchaser with an untimely statement, amendment, or supplement, the untimely statement, amendment or supplement must be accompanied by a statement of reasons for untimeliness. If no more than twenty days have elapsed since the cooperative corporation's decision to withhold consent and no proper party has initiated an action or proceeding pursuant to this chapter or pursuant to any other chapter of this title, the untimely statement, amendment or supplement shall be permitted to be considered in mitigation of the scope of non-compliance should an action or proceeding subsequently be commenced pursuant to this chapter, and shall be permitted to be considered in determining the scope of permissible evidence pursuant to section 8-1207 of this chapter, provided that the cooperative corporation can demonstrate that the reasons provided for untimeliness were true and can demonstrate that those reasons establish good cause for the untimeliness. In the event that more than twenty days have elapsed since the cooperative corporation's decision to withhold consent, or a proper party has initiated an action or proceeding pursuant to this chapter or pursuant to any other chapter of this title, then such untimely statement or amendment or supplement shall not be permitted to be considered in mitigation of the scope of non-compliance in an action or proceeding commenced pursuant to this chapter, and shall not be permitted to be considered for determining the scope of permissible evidence pursuant to section 8-1207 of this chapter.

§ 8-1204 Liability for failure to provide statement. In addition to any other penalties or sanctions which may be imposed pursuant to this chapter or any other applicable provision of law, any cooperative corporation that is determined to have failed to timely comply with any of the provisions of sections 8-1202 of this chapter shall be liable for statutory damages to each proper party who commences or joins in an action or proceeding alleging a failure to have timely complied with the requirements in an amount no less than one thousand dollars and no more than twenty-five thousand dollars, in addition to liability as provided by section 8-1206 of this chapter. In determining the appropriate statutory damages to be imposed pursuant to this section, a finder of fact shall take into account both the scope of non-compliance and the resources of the cooperative corporation.

§ 8-1205 Procedure for asserting violation. a. Any proper party may commence an action in any court of competent jurisdiction alleging a failure to comply with the requirements of this chapter. Such action must be commenced within six months of the time when compliance was required. The prevailing party in such an action may be awarded costs and reasonable attorneys' fees. The court shall also order an appropriate equitable remedy, provided that such remedy shall not include a grant of property or an order directing the cooperative corporation to reconsider an application or to grant its consent to a sale. In the event that the

finder of fact determines that non-compliance was willful, the finder of fact shall award punitive damages, but such damages shall not exceed twice the amount awarded under section 1204 of this chapter.

b. In lieu of commencing an action in a court of competent jurisdiction, any proper party may commence a proceeding before the commission. Such proceeding must be commenced within sixty days of the time when compliance was required. The prevailing party in such a proceeding may be awarded costs and reasonable attorneys' fees and shall be awarded an appropriate equitable remedy, provided that such remedy shall not include a grant of property or an order directing the cooperative corporation to reconsider an application or to grant its consent to a sale. In the event that the commission determines that non-compliance was willful, it shall award punitive damages but such damages shall not exceed twice the amount awarded under section 1204 of this chapter.

§8-1206 Preclusive effect of statement. a. In any action or proceeding commenced against a cooperative corporation pursuant to chapter one, four, five or twelve of this title neither the cooperative corporation nor any of its directors officers, employees, or agents shall be permitted to introduce any evidence concerning reasons for having withheld consent that were not set forth in a statement fully compliant with the requirements of this chapter.

b. A person commencing an action in a court of competent jurisdiction as described in paragraph a of this section is under no obligation to commence a proceeding under section 8-1206 of this chapter in order for such person to gain preclusion of non-compliant statements. The court before which the allegation of an unlawful discriminatory practice is pending shall determine which statements, if any, fully complied with the requirements of section 8-1202 of this chapter, unless such a judgment has already been rendered pursuant to a proceeding commenced pursuant to section 8-1206 of this chapter.

§8-1207 No estoppel or res judicata. No action or proceeding commenced pursuant to this chapter shall determine or purport to determine either the genuineness of the reasons provided in the statement required by section 8-1202 of this chapter or shall determine any question of whether any person has committed an unlawful discriminatory practice as defined by chapter one of this title. If a judgment rendered pursuant to an action or proceeding commenced pursuant to this chapter purports to do so, a person shall nevertheless retain all rights to commence an action or proceeding alleging the commission of an unlawful discriminatory act, and insofar as any judgment rendered pursuant to this chapter purports to make findings regarding either genuineness or whether an unlawful discriminatory practice has been committed, such purported findings shall not be given any force or effect in any other action or proceeding.

§8-1208 Construction. a. The provisions of this chapter shall be construed in a manner to make certain that prospective purchaser has been provided with sufficient information to learn why a cooperative corporation has withheld consent to such purchase; and to deter attempts to evade or delay compliance with the provisions of this chapter.

b. No provision of this chapter shall be construed or interpreted to restrict or expand the reasons for which a cooperative corporation may lawfully withhold consent.

§ 8-1209 Reporting. On or before January first of the year following the first full calendar year in which this chapter is in effect, and annually on January first thereafter, the commission shall report to the mayor and the council on the implementation of this chapter. Such report shall include the number of complaints received pursuant to this chapter and the dispositions of such complaints. Such report shall also include any recommendations by the commission for changes to the provisions of this chapter.

§2. Subdivision 4 of section 8-105 of the administrative code of the city of New York is amended by adding a new paragraph c to read as follows:

c. To receive and pass upon complaints or initiate investigations made pursuant to subdivision b of section 8-1205 of this title.

§3. This local law takes effect 120 days after it becomes law; provided that the commissioner of the commission on human rights may take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, establishing guidelines and promulgating rules.

Referred to the Committee on Housing and Buildings.

Int. No. 1459

By Council Members Levin, Salamanca and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance

Be it enacted by the Council as follows:

Section 1. Section 3-113 of the administrative code of the city of New York, as added by local law 37 of the year 2011, is renumbered section 3-120 and amended to read as follows:

[§ 3-113] § 3-120 *Multi-agency emergency housing assistance*. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

- (1) "Adult" shall mean an individual 18 years of age or older;
- (2) "Adult families" shall mean families comprised of adults and no children under the age of 18;
- (3) "Children" shall mean individuals under the age of 18;
- (4) "City-administered facilities" shall mean hotels, shelters and other accommodations or associated services, managed by or provided under contract or similar agreement with any city agency, provided to individuals or families who need temporary emergency housing or assistance finding or maintaining stable housing;
- (5) "DHS" shall mean the department of homeless services;
- (6) "DHS-administered facilities" shall mean city-administered facilities managed directly by DHS or by a provider under contract or similar agreement with DHS;
- (7) "DHS drop-in centers" shall mean city-administered facilities that provide single adults with hot meals, showers, laundry facilities, clothing, medical care, recreational space, employment referrals and/or housing placement services, but not overnight housing;
- (8) "DHS faith-based beds" shall mean city-administered facilities that provide overnight housing to individuals, are affiliated with one or more religious groups and receive client referrals through organizations under contract with DHS;
- (9) "DHS safe havens" shall mean city-administered facilities that provide low-threshold, harm-reduction housing to chronic street homeless individuals, who are referred to such facilities through a DHS outreach program, without the obligation of entering into other supportive and rehabilitative services in order to reduce barriers to temporary housing;
- (10) "DHS stabilization beds" shall mean city-administered facilities that provide a short-term housing option for a chronic street homeless individual while such individual works with his/her outreach team to locate a more permanent housing option;
- (11) "DHS veterans shelters" shall mean city-administered facilities that provide short-term housing for people who actively served in the United States military;
- (12) "DYCD" shall mean the department of youth and community development;
- (13) "DYCD-administered crisis shelters" shall mean city-administered facilities that provide short-term emergency housing for runaway and homeless youth and are managed by a provider under contract or similar agreement with DYCD;
- (14) "DYCD-administered drop-in centers" shall mean city-administered facilities that provide runaway and homeless youth and their families with services, counseling and referrals from trained youth workers;
- (15) "DYCD-administered facilities" shall mean city-administered facilities managed by a provider under contract or similar agreement with DYCD;
- (16) "DYCD-administered transitional independent living facilities" shall mean city-administered facilities that provide long-term residential services to runaway and homeless youth for up to 18 months and are managed by a provider under contract or similar agreement with DYCD;
- (17) "Families with children" shall mean families with children under the age of 18, couples including at least one pregnant woman, single pregnant women, or parents or grandparents with a pregnant individual;
- (18) "HPD" shall mean the department of housing preservation and development;

(19) "HPD-administered facilities" shall mean city-administered facilities managed by a provider under contract or similar agreement with HPD;

(20) "HPD emergency facilities" shall mean shelters providing emergency shelter managed by a provider under contract or similar agreement with HPD;

(21) "HPD emergency hotels" shall mean hotels providing emergency shelter to individuals or families displaced from their homes managed by a provider under contract or similar agreement with HPD;

(22) "HRA" shall mean the human resources administration;

(23) "HRA-administered facilities" shall mean city-administered facilities managed directly by HRA or by a provider under contract or similar agreement with HRA, excluding non-emergency supportive housing;

(24) "HRA domestic violence shelters" shall mean shelters for victims of domestic violence managed directly by HRA or by a provider under contract or similar agreement with HRA;

(25) "HRA HASA emergency housing" shall mean single room occupancy hotels managed by a provider under contract or similar agreement with HRA to provide emergency shelter for recipients of services from the HIV/AIDS Services Administration;

(26) "HRA HASA transitional housing" shall mean congregate facilities managed by a provider under contract or similar agreement with HRA to provide emergency shelter for recipients of services from the HIV/AIDS Services Administration; [and;] and

(27) "Unduplicated" shall mean counted only once within the reporting period.

b. Reports of citywide utilization data. [The mayor's office of operations shall create a portal on the NYCStat page of the city's website, or any successor pages of such website that are substantially similar in form and function, in order to publish citywide data regarding the utilization of city-administered facilities.] Commencing on November 1, 2011, and no later than the first day of each month thereafter, the mayor's office of operations shall for each month, calendar year and fiscal year [publish via such portal] *post on the homepage of its website the single web portal established pursuant to section 23-502* the:

(1) average daily overnight census for each of the following categories:

A. DHS drop-in centers, disaggregated by single men, single women and total single adults; and

B. DHS faith-based facilities, disaggregated by single men, single women and total single adults.

(2) average daily overnight census; and (3) number of unduplicated persons or families utilizing city-administered facilities for each of the following categories:

C. all DHS-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

D. DHS safe havens, disaggregated by single men, single women and total single adults;

E. DHS stabilization beds, disaggregated by single men, single women and total single adults;

F. DHS veterans shelters, disaggregated by single men, single women and total single adults;

G. HPD-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

H. HPD emergency facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

I. HPD emergency hotels, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

J. HRA-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

K. HRA domestic violence shelters, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

L. HRA HASA emergency housing, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

M. HRA HASA transitional housing, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; and

N. all city-administered facilities, excluding DYCD-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults.

(4) average monthly utilization rates; and (5) number of unduplicated persons or families utilizing city-administered facilities for each of the following categories:

A. DYCD-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

B. DYCD-administered crisis shelters, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

C. DYCD-administered drop-in centers, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; and

D. DYCD-administered transitional independent living facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults.

(6) the number of individuals who are on wait-lists for DYCD-administered facilities, to the extent such wait-lists exist, disaggregated by:

A. type of DYCD-administered facility; and

B. families with children, adult families, total families, single men, single women, and total single adults.

(7) the average length of stay disaggregated by:

A. families with children, adult families, total families, single men, single women, and total single adults;

B. type of DHS-administered facility, excluding DHS drop-in centers and DHS faith-based beds;

C. type of DYCD-administered facility, excluding DYCD-administered drop-in centers;

D. type of HPD-administered facility; and

E. type of HRA-administered facility.

(8) the total number of facilities, disaggregated by DHS-administered facilities and facilities not administered by DHS.

c. Application and entrance data. Commencing on November 1, 2011, and no later than the first day of each month thereafter, the mayor's office of operations shall for each month, calendar year and fiscal year [publish in] *post* on the same location on [the NYCStat] *its* website as the data posted pursuant to subdivision b of this section, the following data for those seeking admission and entrance to DHS-administered facilities:

(1) the total number of:

A. applications;

B. unduplicated applicants;

C. applicants found eligible for shelter;

D. entrants to DHS administered facilities; and

E. unduplicated entrants to DHS-administered facilities. The data required by subparagraphs A, B, C, D and E of this paragraph shall be disaggregated by families with children, adult families, total families, single men, single women, and total single adults;

(2) the number of families with children found eligible for city-administered facilities;

(3) the percentage of eligible families with children who submitted one application;

(4) the percentage of eligible families with children who submitted two applications;

(5) the percentage of eligible families with children who submitted three applications;

(6) the percentage of eligible families with children who submitted four applications;

(7) the percentage of eligible families with children who submitted five applications;

(8) the percentage of eligible families with children who submitted six applications or more;

(9) the number of adult families found eligible for city-administered facilities;

(10) the percentage of eligible adult families who submitted one application;

(11) the percentage of eligible adult families who submitted two applications;

(12) the percentage of eligible adult families who submitted three applications;

(13) the percentage of eligible adult families who submitted four applications;

(14) the percentage of eligible adult families who submitted five applications; and

(15) the percentage of eligible adult families who submitted six applications or more.

d. The data required [to be published in] *under* subdivisions b and c above shall be [published] *posted* electronically on the portal specified in subdivision b in a [commonly available non-proprietary database format that is suitable for analysis] *machine-readable format*.

e. For each month, the report required pursuant to this section shall include a cover page that lists the total number of unduplicated persons utilizing all city-administered facilities listed in subdivision b of this section. The cover page shall additionally include such total number disaggregated by the unduplicated

number of families with children, adult families, single men and single women utilizing all city-administered facilities listed in subdivision b of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1460

By Council Members Levin, Salamanca, Richards and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the formation of an interagency coordinating council to combat homelessness

Be it enacted by the Council as follows:

Section 1. Section 21-306 of the administrative code of the city of New York is amended to read as follows:

§ 21-306 Homeless services advisory board. There shall be an advisory board to advise the commissioner on the provision of transitional housing and services for eligible homeless persons. This advisory board shall consist of eleven members to be appointed for two-year terms as follows: five members, *including representatives from community based organizations and service providers with relevant expertise*, appointed by the speaker of the city council and six *members, including representatives from community based organizations and services providers with relevant expertise,* including the chairperson of the advisory board, by the mayor. The members of the advisory board shall include one or more members who are or were, within the immediate past twenty-four months, homeless. The members of the advisory board shall serve without compensation. *The commissioner shall meet with the advisory board at least on a quarterly basis.*

§ 2. Section 21-307 of the administrative code of the city of New York is amended to read as follows:

§ 21-307 Interagency coordinating council. a. There shall be an interagency coordinating council established by the mayor which shall consist of representatives of each city agency providing transitional housing or services to eligible homeless persons and other homeless individuals and families. Such interagency coordinating council shall include, but shall not be limited to, representatives of the department of homeless services, the department of social services/*the human resources administration, including at least one representative who works in housing for individuals with HIV/AIDS, housing for victims of domestic violence, and supportive housing,* the department of housing preservation and development, *the new york city housing authority, the department of youth and community development, the administration for children's services, the department of education, the department of health and mental hygiene, the office to combat domestic violence, the chair of the city council committee on general welfare or their designee,* and such other agencies as the mayor shall designate. The mayor shall designate a deputy mayor to serve as chairperson of the interagency coordinating council. The commissioner of the department of homeless services shall provide appropriate personnel to assist the interagency coordinating council in the performance of its functions.

b. The interagency coordinating council shall:

1. Not later than [October 1, 1995] *October 1, 2017* and each year thereafter, prepare, in consultation with the office of management and budget, an annual breakdown of each member agency's expenditures for housing and services to the homeless in the adopted budget;

2. review the organization and operations of member agencies with respect to contracted service providers to the homeless, including service delivery, management and evaluation of performance;

3. recommend means by which the [duplication and] fragmentation of the provision of housing for, and delivery of services to, the homeless may be reduced and the efficiency, effectiveness and economy of service delivery may be enhanced;

4. consider proposals for the improvement of transitional and permanent housing programs and service delivery to the homeless; and

5. recommend to the mayor and the city council joint agency projects or programs which could facilitate more efficient use of existing resources.

c. The interagency coordinating council shall meet at least quarterly and shall hold at least one public hearing annually, at which public testimony shall be taken. A report on each such public hearing shall be submitted in writing to the speaker of the city council within ten days of the date on which such public hearing shall have been held. Where the interagency coordinating council fails to hold such meetings or public hearings as required pursuant to this subdivision, a report shall be submitted in writing to the speaker of the city council including an explanation of the failure to hold such meetings or public hearings.

d. *The members of the homeless services advisory board as established by section 21-306 of the code shall attend at least two of the interagency coordinating council's meetings.*

e. *No later than January 1, 2018 and every January 1 thereafter, the interagency coordinating council shall produce an annual report to the city council and mayor of the interagency coordinating council's recommendations pursuant to subdivision b of this section. Such report shall be posted on the department's website. The reports required pursuant to this section shall remain permanently accessible on the department's website.*

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1461

By Council Members Levin, Menchaca, Salamanca and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services to provide customer service training twice per year to all employees that interact with members of the public

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-138 to read as follows:

§ 21-138 *Customer service training. a. The department shall conduct two trainings per year on best practices for improving interactions between department personnel and members of the public.*

b. Such training shall include techniques to improve professionalism, increase cultural sensitivity and de-escalate conflict.

c. The department shall provide this training to all appropriate employees, including, but not limited to, all employees that interact with members of the public.

§ 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 1462

By Council Members Rodriguez, Deutsch, Salamanca, Rosenthal, Maisel and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to the display of tobacco products and non-tobacco smoking products

Be it enacted by the Council as follows:

Section 1. Chapter 7 of title 17 of the administrative code of the city of New York is amended by adding a new subchapter 3 to read as follows:

SUBCHAPTER 3 DISPLAY OF TOBACCO PRODUCTS AND NON-TOBACCO SMOKING PRODUCTS.

§ 17-719 Definitions. For purposes of this subchapter, the following terms have the following meanings:

Cigarette. The term "cigarette" means any roll for smoking made wholly or in part of tobacco or any other substance, irrespective of size or shape and whether or not such tobacco or substance is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material but is not made in whole or in part of tobacco.

Legal customer. The term "legal customer" means a person to whom the applicable sale is not prohibited under this chapter.

Non-tobacco smoking product. The term "non-tobacco smoking product" means any product other than a cigarette that does not contain tobacco or nicotine and that is designed for human use or consumption by the inhalation of smoke.

Retail tobacco store. The term "retail tobacco store" means "retail tobacco store" as defined in section subdivision (u) of section 17-502.

Tobacco product. The term "tobacco product" means any product made or derived from tobacco that is intended for human consumption, including any component, part, or accessory of such product. Tobacco product shall include, but not be limited to, any cigar, little cigar, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff or dissolvable tobacco product. Tobacco product shall not include cigarettes or any product that has been approved by the United States food and drug administration for sale as a tobacco use cessation product or for other medical purposes and that is being marketed and sold solely for such purpose.

§ 17-720 Display of tobacco products and non-tobacco smoking products prohibited.

a. It is unlawful to display or permit the display of any cigarettes, tobacco product, non-tobacco smoking product, cigarette packaging, tobacco product packaging, or non-tobacco smoking product packaging in a manner that allows a person to view such products or packaging prior to sale at any place of business.

b. Subdivision a of this section does not apply to retail tobacco stores, to places of business to which admission is restricted to persons 21 years of age or older, or during:

- 1. A sale to a legal customer; or*
- 2. The restocking of cigarettes, tobacco products, or non-tobacco smoking products.*

§ 17-721 Violations and penalties.

Any person who violates subdivision a of section 17-720 or any rules promulgated pursuant to such section shall be liable for a civil penalty in the following amounts:

- a. \$1000 for a first violation within a three year period;*
- b. \$2000 for a second violation within a three year period; and*
- c. \$5000 for a third or subsequent violation within a three year period.*

§ 17-722 Enforcement.

a. The provisions of this subchapter may be enforced by any authorized agent or employee of the department or the department of consumer affairs.

b. Notices of violation of section 17-720 may be adjudicated at any tribunal authorized to hear a violation issued by the issuing agency.

§ 17-723 Rules.

The commissioner of the department shall promulgate any rules necessary for carrying out the provisions of this subchapter.

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

Referred to the Committee on Health.

Int. No. 1463

By Council Members Rodriguez, Gibson, Van Bramer, Levine, Dromm, Torres, Lancman, Deutsch, Gentile, Vallone, Richards, Espinal, Koslowitz, Salamanca, Rosenthal, Koo and Maisel.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a program to provide public notification of hit-and-run incidents

Be it enacted by the Council as follows:

Section 1. Title 10 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

*CHAPTER NINE
HIT-AND-RUN ALERT*

§ 10-901 Definitions. As used in this chapter, the following terms used in this chapter have the following meanings:

Administering agency. The term "administering agency" means any city agency, office, department, division, bureau or institution of government, the expenses of which are paid in whole or in part from the city treasury, as the mayor designates.

Hit-and-run. The term "hit-and-run" means when any driver who, knowing or having cause to know that serious physical injury has been caused to another person due to an incident involving the driver's motor vehicle, leaves the scene of an incident without complying with all of the provisions of paragraph a of subdivision two of section six hundred of the vehicle and traffic law.

Serious physical injury. The term "serious physical injury" has the same meaning as in section 10.00 of the penal law.

§ 10-902 Hit-and-run alert system. a. The administering agency shall establish a hit-and-run alert system, pursuant to the provisions of this chapter of the code, to provide rapid notification to the public when a hit-and-run involving serious injury or death occurs.

b. The administering agency shall develop a protocol for notification to organizations such as media organizations, medical facilities, and community organizations when a hit-and-run alert is issued.

c. The administering agency shall issue a hit-and-run alert within 12 hours of the determination that a hit-and-run involving serious injury or death occurred, provided the driver involved in such incident has not been located. The hit-and-run alert may be issued by any appropriate means, including, but not limited to, email notifications, text messages, telephone calls, television broadcasts, or radio broadcasts. The hit-and-run alert may be issued at repeated intervals within the discretion of the administering agency until the driver involved in such hit-and-run has been located or until the administering agency determines that the issuance of a hit-and-run alert is no longer appropriate.

§ 2. This local law takes effect in 60 days.

Referred to the Committee on Transportation.

Int. No. 1464

By Council Members Salamanca, Lancman, Levine, Richards, Cornegy and Barron.

A Local Law to amend the New York city charter, in relation to the department of probation informing persons of their voting rights

Be it enacted by the Council as follows:

Section 1. Section 1057-a of the New York city charter is amended to add a new subdivision 9, to read as

follows:

9. The department of probation shall, in addition to the other requirements of this section for participating agencies, distribute during the intake process, to any person sentenced to probation, a written notice on the voting rights of persons sentenced to probation in the state of New York. Such written notice shall be developed in consultation with the voter assistance advisory committee.

§ 2. This local law takes effect 120 days after becoming law.

Referred to the Committee on Governmental Operations.

Res. No. 1358

Resolution recognizing April 12th annually as Garífuna Heritage Day in the City of New York.

By Council Members Salamanca, Richards and Barron.

Whereas, The Garífuna people are descendants of the indigenous Island Carib people of the Lesser Antilles in the Caribbean and formerly enslaved Central and West Africans, who either escaped plantations or mines on nearby islands or survived Spanish shipwrecks off the coast of St. Vincent in 1635; and

Whereas, Unlike much of the Caribbean archipelago following Christopher Columbus' arrival in 1492, the Island Carib people were among the most successful Native American groups in resisting European conquest and colonization; and

Whereas, After a time of peaceful coexistence with French settlers, with whom the Garífuna formed an alliance against rival colonial powers, a series of wars erupted among the British, Spaniards and French, out of which the British emerged victorious in 1796; and

Whereas, In 1797, nearly 150 years after Barbados and St. Kitts were settled and successfully controlled by the British, St. Vincent became the last indigenous stronghold in the Caribbean when a few thousand Garífuna were deported to Roatán, an island off the coast of Spanish-controlled Honduras; and

Whereas, Over the next century, the Garífuna spread out along the Central American coastland and became heavily involved in the banana exportation industry until the 1940s, when a deadly epidemic spread among banana plants, forcing companies to shut down and their employees out of work; and

Whereas, Looking for work, many Garífuna men turned to seafaring businesses and during World War II served in the merchant marines for Great Britain and the United States, eventually settling in the port cities of Los Angeles, New York and New Orleans; and

Whereas, In 1823, William Henry Brown, the first American playwright of African descent, wrote "The Drama of King Shotaway," recognized as the first Black drama of American theater, which has as its subject the 1795 Island Carib peoples' defense of St. Vincent, against colonization by the British; and

Whereas, Born of a fusion of race and ethnicities, and after more than 300 years of contact with British, French and Spanish colonizers, the Garífuna have maintained aspects of their ancestral culture and full use of their ancestral language, both of which are noted for being distinct; and

Whereas, The Garífuna historically were punished for expressing their culture and language in Belize, Guatemala, the Grenadines, Honduras, Nicaragua and St. Vincent, where they remain minorities in their respective countries; and

Whereas, In 2001, in recognition of the importance of preserving traditional and popular culture under threat of disappearing in an era of globalization, the United Nations Educational, Scientific and Cultural Organizations (UNESCO) awarded the title of "Masterpiece of the Oral and Intangibles Heritage of Humanity" to the Garífuna Language, Dance and Music of Belize; and

Whereas, Despite many contributions to the social and economic fiber of New York City, the Garífuna community remained relatively invisible until 1990, when a devastating fire at the Happy Land Social Club in the Bronx claimed the lives of 87 people, of whom more than 70 percent were of Garífuna descent; and

Whereas, Today, the Garífuna community makes a significant contribution to the cultural tapestry that defines New York City, which is home to the largest Garífuna population outside of Honduras, with an estimated 200,000 living in the South Bronx, Harlem, Brownsville and East New York; and

Whereas, In observance of the anniversary of the forcible transfer of the Garífuna from St. Vincent and the Grenadines, March 11th through April 12th has been designated as Garífuna-American Heritage Month in the State of New York and April 12, 2017 will mark the 220th Anniversary of the expulsion; now, therefore, be it

Resolved, That the Council of the City of New York recognizes April 12th annually as Garífuna Heritage Day in the City of New York.

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

Int. No. 1465

By Council Members Torres, Constantinides, Salamanca and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to phasing out the use of fuel oil grade no. 4

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 24-168 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:

(d) No person shall cause or permit a boiler to burn fuel oil grade no. 4 on or after [January 1, 2030] *October 1, 2025*.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1466

By Council Members Van Bramer, Levine, Salamanca and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to cleaning park playground equipment after the spraying of pesticides

Be it enacted by the Council as follows:

Section 1. Within 180 days of the effective date of the local law that added this section, the department of health and mental hygiene, in consultation with the department of parks and recreation, shall, by rule, establish the minimum distance between playground equipment and the spraying of a pesticide at which such equipment will not be exposed to such pesticides.

§ 2. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-148 to read as follows:

§ 18-148 *Cleaning playground equipment after pesticide exposure. a. As used in this section, the following terms have the following meanings:*

Park playground equipment. The term "park playground equipment" means playground equipment which is located within a playground operated by or under the jurisdiction of the department, including those for which the department has an agreement with a conservancy or other not-for-profit organization with respect to operation of any aspect of a playground.

Pesticide. The term "pesticide" shall have the same meaning as provided in section 17-1101 of this code.

b. Within 24 hours of the spraying of any pesticide by or on behalf of a city agency, the department shall clean all park playground equipment located less than the minimum distance from such spraying, as set forth in rule by the department of health and mental hygiene, at which such equipment will not be exposed to such pesticide.

§3. This local law takes effect immediately, except that section two of this local law shall take effect 180 days after it becomes law, and except that the commissioner of parks and the commissioner of health and mental hygiene may take such measures as are necessary for the implementation of such sections, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Parks and Recreation

Int. No. 1467

By Council Members Williams and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to the timing of decision for sales of cooperative apartments

Be it enacted by the Council as follows:

Section 1. Title 8 of the administrative code of the city of New York is amended by adding a new chapter 12, to read as follows:

**CHAPTER 12
COOPERATIVE CORPORATIONS: TIMING OF DECISIONS**

§ 8-1201 *Definitions.*

§ 8-1202 *Requirements for determination*

§ 8-1203 *Acknowledgment of receipt of materials*

§ 8-1204 *Time for decision*

§ 8-1205 *Extensions of time*

§ 8-1206 *Remedies*

§ 8-1207 *Construction*

§ 8-1201 *Definitions. When used in this chapter:*

Application. The term “application” means the set of documents utilized by a cooperative corporation to facilitate a prospective purchaser’s acquisition of certificates of stock, a proprietary lease, or other evidence of an ownership interest in such cooperative corporation.

Cooperative corporation. The term “cooperative corporation” means any corporation governed by the requirements of the state cooperative corporation law or general business law that, among other things, grants persons the right to reside in a cooperative apartment, that right existing by such person’s ownership of certificates of stock, proprietary lease, or other evidence of ownership of an interest in such entity but shall not include either a cooperative corporation organized pursuant to the private housing finance law for which a purchase is subject to review and approval by a state or city agency or to a cooperative corporation containing less than 10 dwelling units.

Proprietary lease. The term “proprietary lease” means the lease or occupancy agreement by which a cooperative corporation permits a person to occupy an apartment in the premises owned by the cooperative corporation.

Prospective purchaser. The term “prospective purchaser” means a person who has entered into a contract of sale to purchase the proprietary lease and the ownership interest in a cooperative corporation from a prospective seller.

Prospective seller. The term “prospective seller” means a person who has a proprietary lease and an ownership interest in a cooperative corporation and who has entered into a contract of sale to sell the person’s proprietary lease and ownership interest in a cooperative corporation to a prospective purchaser.

Sale. The term “sale” means the transfer of a person’s ownership interest in a cooperative corporation and that person’s proprietary lease to another person.

§ 8-1202 *Requirements for determination.* a. The board of directors or managing agent of each cooperative corporation shall maintain a standardized application and list of requirements for all cooperative apartments subject to the by-laws or proprietary lease of such corporation.

b. The board of directors or managing agent of any cooperative corporation shall provide the corporation’s standardized application and list of requirements to any prospective purchasers and prospective sellers, promptly upon request, and shall include instructions as to where and how to submit the required materials.

§ 8-1203 *Acknowledgement of receipt of materials.* a. Within ten days of receiving a materials from a prospective purchaser, a cooperative corporation shall provide to a prospective purchaser a written acknowledgement of materials received. The requirements of this paragraph apply both to a prospective purchaser’s initial submission and to any subsequent submissions the prospective purchaser may make.

b. An acknowledgement shall not be construed to represent any determination that the materials submitted satisfy the requirements set forth in the written list that a cooperative corporation must maintain pursuant to paragraph a of section 8-1202 of this chapter, or that a subsequent submission has met the requirements set forth in any notice described in section 8-1205 of this section.

§8-1204 *Time for determination.* a. Within 45 days after the cooperative corporation first receives any of the information or documents contained in the list required to be maintained and provided pursuant to section 8-1202 of this chapter, a cooperative corporation shall inform a prospective purchaser whether its consent to a sale is granted unconditionally, whether its consent to a sale is granted conditionally, or whether its consent to a sale is denied.

b. Such time for determination may be extended at any time after a completed application is submitted with the consent of the prospective purchaser, provided that such extension shall not exceed fourteen days.

c. Where the cooperative corporation board of directors has placed in its bylaws a statement that such board does not ordinarily meet in the months of July and August, such board of directors or managing agent shall be entitled to an extension not to exceed fourteen days, provided that such board of directors notifies a prospective purchaser of such statement with the acknowledgment of receipt of an application.

d. In addition to any other remedies provided by this chapter, a prospective purchaser may treat a failure to comply with paragraph a of this section as a denial of consent by the cooperative corporation.

§ 8-1205 *Tolling of time.* a. The time period set forth in paragraph a of section 8-1204 shall be tolled as follows, provided that such time period may not be tolled more than three times:

1. beginning when a prospective purchaser receives written notice from a cooperative corporation that sets out with specificity the ways in which the prospective purchaser’s initial submission of materials did not comply with the list of requirements maintained and provided by the cooperative corporation pursuant to section 8-1202 of this chapter, and concluding when the cooperative corporation receives additional materials from the prospective purchaser;

2. beginning when a prospective purchaser receives written notice from a cooperative corporation that a submission of the prospective purchaser in response to a notice sent pursuant to paragraph 1 of this section is considered by the cooperative corporation to be incomplete, and concluding when the cooperative corporation receives additional materials from the prospective purchaser.

b. Any period described by paragraph 1 or 2 of subdivision a of this section shall not be deemed to commence unless the notice from a cooperative corporation sets forth with specificity the way or ways previously submitted materials failed to comply with either the cooperative corporation’s list of requirements maintained and provided by the cooperative corporation pursuant to section 8-1202 of this chapter, or failed to comply with a previous notice sent pursuant to paragraphs 2 or 3 of subdivision a of this section.

c. Nothing in this section shall be construed to prohibit a cooperative corporation from lawfully denying its consent to a sale at any time.

§ 8-1206 Remedies. a. A prospective purchaser or a prospective seller claiming to be aggrieved by a violation of this section may bring a proceeding before the commission on human rights or may commence an action in a court of competent jurisdiction to determine whether a violation has occurred.

b. In the event a proceeding is brought before the commission on human rights, the commission shall act in an adjudicative capacity only.

c. For each violation of a provision of this chapter the commission or court shall assess statutory damages as follows:

1. \$1000 in the event of a violation of subdivision b of section 8-1202 of this chapter or a violation of subdivision a of section 8-1203 of this chapter;

2. \$5000 in the event of a violation of subdivision a of section 8-1202 of this chapter; and

3. \$10,000 in the event of a violation of subdivision a of section 8-1204 of this chapter.

d. Where a cooperative corporation has been found to have violated a provision of this chapter, the commission on human rights or the court shall award compensatory damages and attorney's fees to the prospective purchaser, and may order appropriate equitable relief; provided, however, that such equitable relief shall not be permitted to include an order deeming the cooperative corporation to have consented to the sale.

§ 8-1207 Construction. Nothing in this chapter shall be construed or interpreted to limit or restrict the rights and remedies granted by any other chapter of this title or by any other civil rights or human rights law.

§ 2. This local law takes effect 120 days after it becomes law; provided that the commissioner of the commission on human rights may take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, establishing guidelines and promulgating rules.

Referred to the Committee on Housing and Buildings.

Preconsidered L.U. No. 547

By Council Member Greenfield:

Application No. 20175160 HKM (N 170173 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2554] pursuant to Section 3020 of the New York City Charter of the landmark designation of The Graybar Building, located at 420 Lexington Avenue (a/k/a 420-30 Lexington Avenue), (Block 1280, Lot 7501), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee in Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 548

By Council Member Greenfield:

Application No. 20175161 HKM (N 170175 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2555] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Beverly Hotel (now The Benjamin Hotel), located at 125 East 50th Street (a/k/a 125-129 East 50th Street and 557-565 Lexington Avenue), (Block 1305, Lot 20), as an historic landmark, Borough of Manhattan, Community Board 6, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 549

By Council Member Greenfield:

Application No. 20175162 HKM (N 170172 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2556] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Pershing Square Building, located at 125 Park Avenue (a/k/a 101-105 East 41st Street, 100-108 East 42nd Street, 117-123 Park Avenue and 127-131 Park Avenue), (Block 1296, Lot 1), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 550

By Council Member Greenfield:

Application No. 20175163 HKM (N 170174 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2557] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Shelton Hotel, located at 525 Lexington Avenue (a/k/a 523-527 Lexington Avenue, 137-139 East 48th Street and 136-140 East 49th Street), (Block 1303, Lot 53), as an historic landmark, Borough of Manhattan, Community Board 6, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 551

By Council Member Greenfield:

Application No. 20175164 HKM (N 170176 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2559] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Hotel Lexington, located at 511 Lexington Avenue (a/k/a 509-515 Lexington Avenue and 134-142 East 48th Street), (Block 1302, Lot 51), as an historic landmark , Borough of Manhattan, Community Board 6, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 552

By Council Member Greenfield:

Application No. 20175165 HKM (N 170177 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2576] pursuant to Section 3020 of the New York City Charter of the landmark designation of the 400 Madison Avenue Building, located at 400 Madison Avenue (a/k/a 394-408 Madison Avenue, 23-25 East 47th Street and 24-26 East 48th Street), (Block 1283, Lot 17), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 553

By Council Member Greenfield:

Application No. 20175166 HKM (N 170167 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2577] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Minnie E. Young House, located at 19 East 54th Street (Block 1290, Lot 14), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 554

By Council Member Greenfield:

Application No. 20175167 HKM (N 170168 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2578] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Martin Erdmann House, located at 57 (-59) East 55th Street (Block 1291, Lot 127), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 555

By Council Member Greenfield:

Application No. 20175168 HKM (N 170171 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2579] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Yale Club of New York City, located at 50 Vanderbilt Avenue (a/k/a 49-55 East 44th Street), (Block 1279, Lot 28), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 556

By Council Member Greenfield:

Application No. 20175169 HKM (N 170170 HKM) for the designation by the Landmarks Preservation Commission [DL-490/LP-2580] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Hampton Shops Building, located at 18-20 East 50th Street, (Block 1285, Lot 59), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 557

By Council Member Greenfield:

Application No. 20175170 HKM (N 170169 HKM) for the designation by the Landmarks Preservation Commission [DL-430/LP-2581] pursuant to Section 3020 of the New York City Charter of the landmark designation of 18 East 41st Street (a/k/a 18-20 East 41st Street), (Block 1275, Lot 61), as an historic landmark, Borough of Manhattan, Community Board 5, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. No. 558

By Council Member Greenfield:

Application No. 20175172 HKM (N 170194 HKM) for the designation by the Landmarks Preservation Commission [DL-491/LP-2582] pursuant to Section 3020 of the New York City Charter of the landmark designation of Citicorp Center (now 601 Lexington Avenue) including Saint Peter's Church, located at 601 Lexington Avenue (a/k/a 601-635 Lexington Avenue, 139-153 East 53rd Street, 140-160 East 54th Street and 884-892 Third Avenue), (Block 1308, Lot 7501 [1001, 1002, 1005]), as an historic landmark, Borough of Manhattan, Community Board 6, Council District 4.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

L.U. No. 559

By Council Member Greenfield:

Application No. C 170048 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law, Article XI of the Private Housing Finance Law, and Section 197-c of the New York City Charter, for an urban development action area designation and project approval, disposition of city-owned property, and real property tax exemption, for property located at 225 West 140th Street (Block 2026, Lot 15), Borough of Manhattan, Community Board 10, Council District 9.

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

L.U. No. 560

By Council Member Greenfield:

Application No. C 170049 PQM submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 225 West 140th Street (Block 2026, Lot 15), Borough of Manhattan, Community Board 10, Council District 9. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

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

L.U. No. 561

By Council Member Greenfield:

Application No. C 170050 ZMM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a; changing an existing R7-2/C2-4 district to an R8A/C2-4 district on property located West of Lenox Avenue between West 130th Street and West 131st Street, Borough of Manhattan, Community Board 10, Council District 9.

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

L.U. No. 562

By Council Member Greenfield:

Application No. C 170051 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law, Article XI of the Private Housing Finance Law, and Section 197-c of the New York City Charter, for an urban development action area designation and project approval, disposition of city-owned property, and real property tax exemption, for property located at 407-415 Lenox Avenue (Block 1915, Lots 32, 33, 34, 35 and 36), Borough of Manhattan, Community Board 10, Council District 9.

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

L.U. No. 563

By Council Member Greenfield:

Application No. N 170052 ZRM submitted by New York City Department of Housing Preservation and Development and Lemor Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community Board 10, Council District 9.

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

L.U. No. 564

By Council Member Greenfield:

Application No. C 170081 ZMM submitted by the NYC Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 6a; changing an existing R7-2/C1-4 district into an R8A/C2-4 district on property located to the West of Frederick Douglas Boulevard between West 129th Street and West 128th Street, Borough of Manhattan, Community Board 10, Council District 9.

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

L.U. No. 565

By Council Member Greenfield:

Application No. N 170082 ZRM submitted by the NYC Department of Housing Preservation and Development and 2395 FDB JV, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community Board 10, Council District 9.

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

L.U. No. 566

By Council Member Greenfield:

Application No. C 170085 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 197-c of the New York City Charter, for an urban development action area designation and project approval, and disposition of city-owned property, for property located at 2405 Frederick Douglass Boulevard (Block 1955, Lot 16), Borough of Manhattan, Community Board 10, Council District 9.

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

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

A N N O U N C E M E N T S

Monday, February 6, 2017

★ *Note Revised Topic*

[Committee on Technology](#).....1:00 p.m.

★ Oversight: - Economic Impact of the Film and Television Industry on NYC

Committee Room – 250 Broadway, 16th Floor

James Vacca, Chairperson

Tuesday, February 7, 2017

★ *Deferred*

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

~~**Oversight** – Red Tape Commission Report: Examining NYC’s Response to Assist Small Businesses~~

~~Committee Room – 250 Broadway, 14th Floor~~

~~Robert Cornegy, 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

[Committee on Aging](#) 1:00 p.m.
Oversight - Social Adult Day Care Follow-Up.
 Council Chambers – City Hall Margaret Chin, Chairperson

[Subcommittee on Planning, Dispositions & Concessions](#) 1:00 p.m.
See Land Use Calendar
 Committee Room – 250 Broadway, 16th Floor

[Committee on Veterans](#) 1:00 p.m.
Oversight - Veterans Advisory Board Update
 Committee Room – 250 Broadway, 14th Floor Eric Ulrich, Chairperson

Wednesday, February 8, 2017

[Committee on Public Safety](#) 10:00 a.m.
Oversight - NYPD Recruitment, Diversity, and Path to Promotion.
 Council Chambers – City Hall Vanessa L. Gibson, Chairperson

Thursday, February 9, 2017

[Committee on Consumer Affairs](#) 10:00 a.m.
Oversight – Regulation of the City’s Towing Industry
Int 1173 - By Council Member Espinal - **A Local Law** to amend the administrative code of the city of New York, in relation to increasing maximum charges for towing motor vehicles.
 Committee Room – 250 Broadway, 16th Floor Rafael L. Espinal, Chairperson

[Committee on Land Use](#) 11:00 a.m.
All items reported out of the Subcommittees
 AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
 Committee Room – City Hall David G. Greenfield, Chairperson

[Committee on Finance](#) 1:00 p.m.
Proposed Int 799-A - By Council Members Garodnick, Rosenthal, Chin, Mendez, Johnson, Kallos, Levine, Ferreras-Copeland, Cornegy, Rodriguez, Constantinides, Koo, Koslowitz, Mealy and Rose - **A Local Law** to amend the administrative code of the city of New York, in relation to the commercial rent tax.

[Committee on Finance](#) (Cont.)
Proposed Int 1107-A - By Council Members Garodnick, Johnson and Chin - **A Local Law** to amend the administrative code of the city of New York, in relation to an exemption from the commercial rent tax.
 Committee Room – City Hall Julissa Ferreras-Copeland, Chairperson

[Committee on Higher Education](#) jointly with the
[Committee on Women’s Issues](#) 1:00 p.m.
Oversight - Child Care Centers at the City University of New York
 Council Chambers – City Hall Inez Barron, Chairperson
 Laurie Cumbo, Chairperson

Monday, February 13, 2017

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

Int 1237 - By Council Members Cabrera, Cohen, Richards, Palma and Koo - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the administration for children’s services to maintain electronic health records for youth in the juvenile justice system.

Res 1025 - By Council Members Cabrera, Chin, Rose and Cohen - **Resolution** calling upon the New York State Legislature to pass and the Governor to sign a law amending article 45 of the Civil Practice Law and Rules to prohibit juvenile admissions and statements against penal interest made during court-ordered mental health screening and treatment from being admitted into evidence in subsequent criminal proceedings.

Int 1451 - By Council Member Cabrera - **A Local Law** to amend the administrative code of the city of New York, in relation to broadening the definition of family who can visit youth in detention facilities.

Int 1452 - By Council Member Cabrera - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the Administration for Children’s Services to provide video conferencing for youth in detention facilities.

Int 1453 - By Council Member Cabrera - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the Administration for Children’s Services to permit youth in detention facilities to request privacy during visits and phone calls.

Committee Room – 250 Broadway, 14th Floor Fernando Cabrera, Chairperson

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

Oversight - Examining How the MTA Fare Hikes Will Impact New Yorkers.
Council Chambers – City Hall Ydanis Rodriguez, Chairperson

Tuesday, February 14, 2017

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

Oversight - From PATH to Permanency: The Process of Applying for Assistance.

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

Int 1459 - By Council Member Levin - **A Local Law** to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance.

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

Council Chambers – City Hall Stephen Levin, Chairperson

[Committee on Economic Development](#) jointly with the
[Committee on Housing and Buildings](#)1:00 p.m.

Oversight - Evaluating the City’s Purchase of FHA-Financed Underwater Mortgages through the Community Restoration Program.

Council Chambers – City Hall Daniel Garodnick, Chairperson
Jumaane D. Williams, Chairperson

Wednesday, February 15, 2017

★ Addition

Committee on Finance..... 10:00 a.m.

Int 1454 - By Council Members Ferreras-Copeland and Matteo (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of the New Dorp business improvement district.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall

Julissa Ferreras-Copeland, Chairperson

Stated Council Meeting.....*Ceremonial Tributes – 1:00 p.m.*
.....*Agenda – 1:30 p.m.*

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) criticized the actions of the Trump Administration in regard to their anti-sanctuary city stance, the proposed Muslim travel ban, and an agenda that goes against the core values of the nation. The Speaker (Council Member Mark-Viverito) noted that she and other Council Members had just returned from celebrating World Hijab Day where she stood in solidarity with Muslim women against hate. She also recognized that the beginning of Black History Month was another reminder of the importance of resistance in the face of injustice. The Speaker (Council Member Mark-Viverito) commented that as we rally against hate, chant for justice, and pass legislation, we are honoring the legacy of Dr. King and the legacy of all those who have advocated for a unified world.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) hoped that everyone had a great Lunar New Year celebration.

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 15, 2017.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor’s Local Law Note: Int Nos. 1061 and 1385-A, both adopted by the Council at the January 18, 2017 Stated Meeting, were signed into law by the Mayor on January 27, 2017 as, respectively, Local Law Nos. 3 and 4 of 2017.