

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, March 22, 2018, 1:56 p.m.

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

Council Members

Corey D. Johnson, *Speaker*

| | | |
|-------------------------|---------------------|----------------------|
| Adrienne E. Adams | Barry S. Grodenchik | Donovan J. Richards |
| Alicia Ampry-Samuel | Robert F. Holden | Carlina Rivera |
| Diana Ayala | Ben Kallos | Ydanis A. Rodriguez |
| Inez D. Barron | Peter A. Koo | Deborah L. Rose |
| Justin L. Brannan | Karen Koslowitz | Helen K. Rosenthal |
| Fernando Cabrera | Rory I. Lancman | Rafael Salamanca, Jr |
| Margaret S. Chin | Bradford S. Lander | Ritchie J. Torres |
| Costa G. Constantinides | Stephen T. Levin | Mark Treyger |
| Robert E. Cornegy, Jr | Mark D. Levine | Eric A. Ulrich |
| Laurie A. Cumbo | Alan N. Maisel | Paul A. Vallone |
| Chaim M. Deutsch | Steven Matteo | James G. Van Bramer |
| Ruben Diaz, Sr. | Carlos Menchaca | Jumaane D. Williams |
| Daniel Dromm | I. Daneek Miller | Kalman Yeger |
| Rafael L. Espinal, Jr | Francisco P. Moya | |
| Mathieu Eugene | Bill Perkins | |
| Vanessa L. Gibson | Keith Powers | |
| Mark Gjonaj | Antonio Reynoso | |

Absent: Council Members Borelli, Cohen, and King.

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 48 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 Father Jonathan Morris, Our Lady of Mount Carmel Church, 627 East 187th Street, Bronx, NY 10458.

I begin as I do in my own faith tradition,
in the name of the Father and of the Son and of the Holy Spirit, Amen.

Almighty God, merciful God, Father of God,
As leaders in our community,
we have been given so much
and we acknowledge when we are humble
that much will be asked of us,
much more than our constituents
or our parishioners ask of us,
that you will ask of us.
Today I ask you to awaken us from our slumber,
awaken us, oh Lord, from the slumber of selfishness
that can grip each and every one of us.
As community leaders, we can easily be mesmerized
by power, fame, money and the deadly desire
of being liked and praised by all.
Yes, much will be asked of us by you;
what is it that you ask of us, Lord?
At least I say this to you now;
I believe that you are asking of me,
and of my brothers and sisters here,
that we be servant leaders.
To be servants not of ourselves or our agendas
but rather to be servants of the women and men that we represent.
Servant leadership is not an easy standard,
we know God, because left to our own powers or desires
it is so tempting to serve our own interests;
but today I ask you, Almighty God,
as a friend of these community leaders
to descend upon these civic leaders in front of me
and to give them a new desire, make it a miracle;
a new desire and commitment to be servant leaders;
give them a burning desire to sacrifice their own interest
to serve the interest of every one of their constituents
even when it's not helpful or convenient to them
and to do so by measuring up their daily objectives,
what they do each day,
with the common good of society,
what is good, beautiful and true
for those that they represent and lead
based on the dignity of every human person.
Finally, I pray that these women, that these men, in this great Chamber

will never ever forget to give preferential treatment
to the poor, the weak, the disadvantaged,
the defenseless in our city.
Amen, Amen.

On behalf of Council Member Torres, the Speaker (Council Member Johnson) moved that the Invocation be spread in the full upon the record.

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) asked for a Moment of Silence in memory of the following individuals:

MTA worker St. Clair Richards-Stephens, 23, died after suffering a head injury from a fall as he was cleaning the tracks near the East 125th Street subway station on March 20, 2018. The Speaker (Council Member Johnson) offered his thoughts and prayers to the young man's family and friends.

FDNY Firefighter Thomas Phelan, 45, died of a 9/11 related illness on March 16, 2018. On September 11, 2001, he was working as a ferry captain and evacuated hundreds of people from Ground Zero. The Speaker (Council Member Johnson) offered his thoughts and prayers to his family, friends and to the FDNY.

Retired FDNY Firefighter Keith Young, 53, died of a 9/11 related illness on March 17, 2018. Firefighter Young was also known as a beloved firehouse chef who appeared on two culinary television shows. The Speaker (Council Member Johnson) offered his thoughts and prayers to his children who had lost their mother to breast cancer six years before.

Two members of the FDNY, Fire Marshall Christopher Tripp Zanetis, 37, and Lieutenant Christopher J. Raguso, 39, were killed in an American military helicopter crash in Iraq on March 15, 2018. Lt. Raguso had also served as Captain Master Sergeant of the New York Air National Guard. Also killed in the crash were Staff Sergeant Dashan Briggs, 30, Captain Andreas O'Keeffe, 37, Captain Mark K. Weber, 29, Master Sergeant William R. Posch, 36, and Staff Sergeant Carl P. Enis, 31.

Journalist Les Payne died at the age on March 19, 2018 at the age of 76. Mr. Payne broke ground as one of the first to report on racial inequality in New York City. The Speaker (Council Member Johnson) described him as fearless and passionate and stated that his loss has left a void in the field of journalism.

ADOPTION OF MINUTES

On behalf of Council Miller, the Speaker (Council Member Johnson) moved that the Minutes of the Stated Meeting of February 14, 2018 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-27

Communication from the Mayor – Submitting Executive Order No. 31 of 2018 pursuant to Section 3-113(a)(2) of the New York City Administrative Code, regarding the creation of the Office of Nightlife within the Mayor’s Office of Media and Entertainment in accordance with Local Law No. 178 of 2017.

(For text, please refer to the City Council website at <http://council.nyc.gov> for the Executive Order attachment to [M-27 of 2018](#))

Received, Ordered, Printed & Filed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-28

The Operating Budget of the Council of the City of New York.

March 20, 2018

TO: Honorable Corey Johnson
Speaker

Honorable Daniel Dromm
Chairperson, Finance Committee

FROM: Marcello Testa
Fiscal Officer

SUBJECT: THE BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Precon. (M-28) The Operating Budget of the Council of The City of New York
Precon. (M-29) Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York

INITIATION: Pursuant to section 243 of the New York City Charter, the Council is authorized to present, for inclusion in the executive budget without amendment by the Mayor, its operating budget. This document presents a summary description of the structure and presentation of the Council's budget, and sets forth the proposed Council budget for consideration and approval by the Finance Committee and the Council. Also included is a resolution for the approval of a lump-sum OTPS unit of appropriation.

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at <http://council.nyc.gov> for the Operating Budget attachment to [M-28 of 2018](#)).

Referred to the Committee on Finance.

Preconsidered M-29

Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at <http://council.nyc.gov> for the Operating Budget attachment to [M-28 of 2018](#))

Referred to the Committee on Finance.

M-30

Communication from the Office of Management & Budget – Transfer City funds between various agencies in Fiscal Year 2018 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-6).

April 6, 2018

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2018 to implement changes in the City's expense budget.

This modification (MN-6) will implement expense budget changes which were reflected in the City's November and February Financial Plans. In addition, as requested by the City Council, this modification provides funding for the reallocation of City Council initiatives that were included in the FY 2018 Adopted Budget as well as other discretionary programs.

Appendix A details State, Federal and other funds impacted by these changes.

Your approval of modification MN-6 is respectfully requested.

(For text of the MN-6 numbers, please refer to the City Council website at <http://council.nyc.gov> for the MN-6 attachment to [M-30 of 2018](#))

Referred to the Committee on Finance.

M-31

Communication from the Office of Management & Budget – Appropriation of new revenues in Fiscal Year 2018, pursuant to Section 107(e) of the New York City Charter (MN-7).

March 16, 2018

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new City revenues in fiscal year 2018 in the amount of \$783.8 million.

This modification (MN-7) implements revenue budget changes reflected in the City's November and February Financial Plans. The \$783.8 million of new revenues combined with additional resources of \$400 million of Prior Year Payables, and an adjustment to the General Reserve, will be used to increase the Budget Stabilization Account by \$2.58 billion to prepay fiscal year 2019 debt service in fiscal year 2018.

Your approval of modification MN-7 is respectfully requested.

(For text of the MN-7 numbers, please refer to the City Council website at <http://council.nyc.gov> for the MN-6 attachment to [M-31 of 2018](#))

Referred to the Committee on Finance.

During the Communication from the Speaker segment of this Meeting, the balcony was cleared of visitors after several disruptions broke out. After the Meeting resumed, the Majority Leader (Council Member Cumbo) assumed the chair as the Acting President Pro Tempore and Presiding Officer of these proceedings following the departure of the Public Advocate (Ms. James).

REPORTS OF THE STANDING COMMITTEES**Report of the Committee on Education**

Report for Int. No. 262

Report of the Committee on Education in favor of approving a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide school-level data regarding students receiving special education services.

The Committee on Education, to which the annexed proposed local law was referred on January 31, 2018 (Minutes, page 454), respectfully

REPORTS:**Introduction**

On March 20, 2018, the Committee on Education, chaired by Council Member Mark Treyger, voted on Int. No. 262, sponsored by Council Member Donovan Richards. A hearing was previously held on this bill on February 27, 2018. At that hearing, the Committee heard testimony from representatives from the Department of Education (DOE), unions, parents, advocates, and other members of the public. On March 20, 2018, the Committee passed Introduction No. 262 by a vote of fifteen in the affirmative, zero in the negative, with zero abstentions.

Background

In 2015, the City Council passed Local Law 27, which requires the DOE to annually report on its provision of special education services, including, among other measures, the number of students enrolled who have an individualized education program (IEP).¹ Local Law 27 requires that information to be disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, grade level, and disability classification; it does not currently require the information to be disaggregated at the school level.²

Bill Analysis

Section one of Int. No. 262 would amend section 21-955 of the Administrative Code to require the report to disaggregate by school the number of students who have an IEP as of June 30 of the reported academic period. Section two of the bill would provide that the law would take effect immediately.

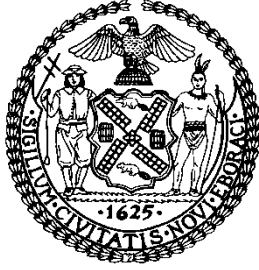
Update

On March 20, 2018, the Committee passed Introduction No. 262 by a vote of fifteen in the affirmative, zero in the negative, with zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 262:)

¹ See Committee Report of the New York City Council Committee on Education, March 11, 2015, available at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1890976&GUID=F67FFB63-A8DD-4EBC-834B-7BB2A0A4D644&Options=ID/Text/Text&Search=27>.

² N.Y.C. Admin. Code § 21-955.



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
INTRO. NO.: 262

COMMITTEE: Education

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide school-level data regarding students receiving special education services

SPONSORS: Council Member Richards

SUMMARY OF LEGISLATION: Intro. 262 would amend Local Law 27 of 2015 to require the Department of Education to report the number of enrolled students who have individualized education programs (IEPs), disaggregated by school. Currently, Local Law 27 requires reports on the total number of students who have an IEP disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, grade level, and disability classification. The proposed legislation adds a requirement that the data be disaggregated by school.

EFFECTIVE DATE: This local law would take effect immediately

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: It is anticipated that this legislation would have no impact on expenditures as DOE can use existing resources to implement the provisions of the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Finance Division

ESTIMATE PREPARED BY: Elizabeth Hoffman, Principal Financial Analyst

ESTIMATE REVIEWED BY: Dohini Sompura, Unit Head
 Rebecca Chasan, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on January 31, 2018 as Intro. 262 and referred to the Committee on Education. The Committee on Education held a hearing on the legislation on February 27, 2018 and the legislation was laid over. Intro. 262 will be voted on by the Committee on Education on March 20, 2018. Upon successful vote by the Committee, Intro. 262 will be submitted to the full Council for a vote on March 22, 2018.

DATE PREPARED: March 1, 2018.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 262:)

Int. No. 262

By Council Members Richards, Kallos, Rosenthal, Constantinides, Rivera and Borelli.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide school-level data regarding students receiving special education services

Be it enacted by the Council as follows:

Section 1. Paragraph 8 of subdivision b of section 21-955 of the administrative code of the city of New York, as added by local law 27 for the year 2015, is hereby amended to read as follows:

8. the total number of students who have an IEP as of June 30 of the reported academic period, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, grade level, [and] disability classification *and school*;

§ 2. Subdivision d of section 21-955 of the administrative code of the city of New York, as added by local law 27 for the year 2015, is hereby amended to read as follows:

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between [0] and 5 students, or allows another category to be narrowed to between [0] and 5 students, the number shall be replaced with a symbol.

§ 3. This local law takes effect immediately.

MARK TREYGER, *Chairperson*; YDANIS A. RODRIGUEZ, INEZ D. BARRON, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, DANIEL DROMM, JOSEPH C. BORELLI, BARRY S. GRODENCHIK, BEN KALLOS, ANDY L. KING, STEPHEN L. LEVIN, MARK LEVINE, DEBORAH L. ROSE, ALICKA AMPRY-SAMUEL, JUSTIN L. BRANNAN, Committee on Education, March 20, 2018.

On motion of the Speaker (Council Member Johnson), 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

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

Report for Res. No. 239

Report of the Committee on Finance in favor of 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 March 22, 2018, 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 6, 2017, the Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”). On June 14, 2016, the Council adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”).

Analysis. 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 funding in accordance with the Fiscal 2018 Expense Budget, the change in the designation of a certain organization receiving funding in accordance with the Fiscal 2017 Expense Budget, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2018 Expense Budget.

This Resolution, dated March 22, 2018, 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 2018 Expense Budget, approves the change in the designation of a certain organization receiving local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2017 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 2018 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 2018 Expense Budget, as described in Chart 1; sets forth the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2018 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2018 Expense Budget, as described in Charts 3-20; sets forth the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 21; 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 2018 Expense Budget, as described in Chart 22; and sets forth the designation of certain organizations receiving funding pursuant to the Beating Hearts Initiative in accordance with the Fiscal 2018 Expense Budget as described in Chart 23.

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 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2018 Expense Budget.

Chart 3 sets forth the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 4 sets forth the new designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 5 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Initiative to Address Borough Wide Needs in accordance with the Fiscal 2018 Expense Budget. One of these changes will be effectuated upon a budget modification.

Chart 6 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 2018 Expense Budget. One of these changes will be effectuated upon a budget modification.

Chart 7 sets forth the change in the designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 8 sets forth the new designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 9 sets forth the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion Literacy Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 10 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 11 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 12 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 2018 Expense Budget.

Chart 13 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Art as a Catalyst for Change Initiative in accordance with the Fiscal 2018 Expense Budget. One of these changes will be effectuated upon a budget modification.

Chart 14 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 15 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Community Housing Preservation Strategies Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 16 sets forth the change in the designation of a certain organization receiving funding pursuant to the Center for Court Innovation Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 17 sets forth the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 18 sets forth the change in the designation of a certain organization receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 19 sets forth the changes in the designation of a certain organization receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 20 sets forth the removal of funds from the administering agency pursuant to the Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 21 sets forth the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 22 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 2018 Expense Budget.

Chart 23 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2018.

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 2018 and Fiscal 2017 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. 239:)

Res. No. 239

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

By Council Member Dromm.

Whereas, On June 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the "Fiscal 2018 Expense Budget"); and

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 and Fiscal 2017 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 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 2018 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Initiative to Address Borough Wide Needs in accordance with the Fiscal 2018 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 Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 7; 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 2018 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion Literacy Initiative in accordance with the Fiscal 2018 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 Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 12; 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 Art as a Catalyst for Change Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Housing Preservation Strategies Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Center for Court Innovation Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the removal of funds from the administering agency pursuant to the Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves 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 21; 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 2018 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2018, as set forth in Chart 23.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | Fiscal Conduit/Sponsoring Organization | Fiscal Conduit EIN | * |
|-----------|---|------------|--------|----------------|-------|-----|--|--------------------|---|
| Matteo | Richmond Choral Society | 13-2921818 | DYCD | (\$1,500.00) | 260 | 005 | Jewish Community Center of Staten Island, Inc. | 135562256 | |
| Matteo | Staten Island Philharmonic Orchestra, Inc. | 20-2732542 | DYCD | (\$1,500.00) | 260 | 005 | Jewish Community Center of Staten Island, Inc. | 135562256 | |
| Matteo | 121st Police Precinct Community Council | 46-3856711 | DYCD | \$3,000.00 | 260 | 005 | | | |
| Matteo | 121st Police Precinct Community Council | 46-3856711 | DYCD | (\$2,000.00) | 260 | 005 | Jewish Community Center of Staten Island, Inc. | 135562256 | |
| Matteo | 121st Police Precinct Community Council | 46-3856711 | DYCD | \$2,000.00 | 260 | 005 | | | |
| Dromm | Bangladesh Institute of Performing Arts Inc.** | 11-3249055 | DCLA | \$5,000.00 | 126 | 003 | | | * |
| Dromm | Midtown Management Group, Inc.** | 13-3192793 | DCLA | \$5,000.00 | 126 | 003 | | | * |
| Ulrich | Emergency Medical Rescue of New York City, Inc.** | 11-3469831 | DHMH | (\$2,500.00) | 816 | 112 | Greater Ridgewood Youth Council, Inc. | 11-2518141 | * |
| Ulrich | Emergency Medical Rescue of New York City, Inc.** | 11-3469831 | DYCD | \$2,500.00 | 260 | 005 | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | * |
| Miller | Hopey's Heart Foundation** | 80-0915297 | DHMH | (\$5,000.00) | 816 | 112 | | | * |
| Miller | Art Transforms, Inc.** | 81-4182354 | DYCD | \$5,000.00 | 260 | 005 | | | * |
| Espinal | Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | DYCD | (\$10,000.00) | 260 | 005 | | | |
| Reynoso | Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | DPR | (\$5,000.00) | 846 | 006 | | | |
| Speaker | Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | DYCD | (\$250,000.00) | 260 | 005 | | | |
| Espinal | Riseboro Community Partnership, Inc. | 11-2453853 | DYCD | \$10,000.00 | 260 | 005 | | | |
| Reynoso | Riseboro Community Partnership, Inc. | 11-2453853 | DPR | \$5,000.00 | 846 | 006 | | | |
| Speaker | Riseboro Community Partnership, Inc. | 11-2453853 | DYCD | \$250,000.00 | 260 | 005 | | | |
| Holden | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$12,500.00) | 260 | 312 | | | |
| Speaker | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$50,000.00) | 260 | 312 | | | |
| Holden | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$12,500.00 | 260 | 312 | | | |
| Speaker | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$50,000.00 | 260 | 312 | | | |
| Koslowitz | American Legion - Continental Post 1424 | 11-6104901 | DYCD | (\$5,000.00) | 260 | 005 | Greater Ridgewood Youth Council, Inc. | 11-2518141 | |
| Ulrich | American Legion - Continental Post 1424 | 11-6104901 | DYCD | (\$5,000.00) | 260 | 005 | Greater Ridgewood Youth Council, Inc. | 11-2518141 | |
| Koslowitz | American Legion - Continental Post 1424 | 11-6104901 | DYCD | \$5,000.00 | 260 | 005 | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | |
| Ulrich | American Legion - Continental Post 1424 | 11-6104901 | DYCD | \$5,000.00 | 260 | 005 | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | |
| Holden | Glendale Civilian Observation Patrol, Inc., The | 11-2502910 | DYCD | (\$9,500.00) | 260 | 005 | Greater Ridgewood Youth Council, Inc. | 11-2518141 | |
| Holden | Glendale Civilian Observation Patrol, Inc., The | 11-2502910 | DYCD | \$9,500.00 | 260 | 005 | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | |

| | | | | | | | | | |
|---------|---|------------|------|---------------|-----|-----|---|------------|---|
| Ulrich | Howard Beach Lindenwood Civic Association | 46-5145713 | DYCD | (\$5,000.00) | 260 | 005 | Greater Ridgewood Youth Council, Inc. | 11-2518141 | |
| Ulrich | Howard Beach Lindenwood Civic Association | 46-5145713 | DYCD | \$5,000.00 | 260 | 005 | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | |
| Lancman | Bais Yaakov Academy for Girls | 11-6003455 | DYCD | (\$10,000.00) | 260 | 312 | | | * |
| Lancman | Bais Yaakov Academy for Girls | 11-6003455 | DYCD | (\$4,000.00) | 260 | 312 | | | * |
| Lancman | Bnos Malka Academy | 11-3331303 | DYCD | \$5,000.00 | 260 | 005 | | | |
| Lancman | Child Center of New York, Inc., The | 11-1733454 | DYCD | \$5,000.00 | 260 | 312 | | | |
| Lancman | Project Lead, Inc. | 13-3761446 | DYCD | \$4,000.00 | 260 | 005 | | | |

* Indicates pending completion of pre-qualification review.

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

CHART 1: Local Initiatives - Fiscal 2018 (continued)

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | Fiscal Conduit/Sponsoring Organization | Fiscal Conduit EIN | * |
|-------------|--|------------|--------|----------------|-------|-----|--|--------------------|---|
| Yeger | United Task Force, Inc.** | 81-2505465 | DFTA | (\$5,000.00) | 125 | 003 | | | |
| Yeger | United Task Force, Inc.** | 81-2505465 | DYCD | \$5,000.00 | 260 | 312 | | | |
| Moya | Asian American Federation of New York | 13-3572287 | DYCD | (\$10,000.00) | 260 | 005 | | | |
| Grodenschik | Asian American Federation of New York | 13-3572287 | DYCD | (\$5,000.00) | 260 | 005 | | | |
| Koo | Asian American Federation of New York | 13-3572287 | DYCD | (\$5,000.00) | 260 | 005 | | | |
| Levin | Asian American Federation of New York | 13-3572287 | DYCD | (\$2,000.00) | 260 | 005 | | | |
| Speaker | Asian American Federation of New York | 13-3572287 | DYCD | (\$200,000.00) | 260 | 005 | | | |
| Moya | Asian American Federation, Inc. | 13-3572287 | DYCD | \$10,000.00 | 260 | 005 | | | |
| Grodenschik | Asian American Federation, Inc. | 13-3572287 | DYCD | \$5,000.00 | 260 | 005 | | | |
| Koo | Asian American Federation, Inc. | 13-3572287 | DYCD | \$5,000.00 | 260 | 005 | | | |
| Levin | Asian American Federation, Inc. | 13-3572287 | DYCD | \$2,000.00 | 260 | 005 | | | |
| Speaker | Asian American Federation, Inc. | 13-3572287 | DYCD | \$200,000.00 | 260 | 005 | | | |
| Matteo | Staten Island Economic Development Corporation ** | 13-3706442 | DYCD | (\$25,000.00) | 260 | 005 | | | |
| Matteo | Staten Island Economic Development Corporation ** | 13-3706442 | SBS | \$25,000.00 | 801 | 002 | | | |
| Dromm | New York University** | 13-5562308 | DYCD | (\$5,000.00) | 260 | 005 | | | * |
| Dromm | Asian-American Coalition for Children and Families, Inc.** | 13-3682471 | DYCD | \$5,000.00 | 260 | 312 | | | * |
| Ulrich | Forest Park Trust, Inc.** | 31-1558645 | DPR | (\$6,000.00) | 846 | 006 | | | * |
| Ulrich | Chamber of Commerce Borough of Queens, Inc.** | 11-0559220 | SBS | \$6,000.00 | 801 | 002 | | | * |

* Indicates pending completion of pre-qualification review.

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

CHART 2: Youth Discretionary - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | Fiscal Conduit/Sponsoring Organization | Fiscal Conduit EIN | * |
|---------|--|------------|--------|---------------|-------|-----|--|--------------------|---|
| Espinal | Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | DYCD | (\$70,000.00) | 260 | 312 | | | |
| Espinal | Riseboro Community Partnership, Inc. | 11-2453853 | DYCD | \$70,000.00 | 260 | 312 | | | |
| Crowley | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$22,500.00) | 260 | 312 | | | |
| Dromm | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$5,000.00) | 260 | 312 | | | |
| Reynoso | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$13,500.00) | 260 | 312 | | | |
| Holden | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$22,500.00 | 260 | 312 | | | |
| Dromm | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$5,000.00 | 260 | 312 | | | |
| Reynoso | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$13,500.00 | 260 | 312 | | | |
| Dromm | Drag Queen Story Hour NYC, Ltd. | 82-2613408 | DYCD | (\$5,000.00) | 260 | 312 | Soapbox: The Feminist Foundation, Inc. | 46-4146072 | * |
| Dromm | Drag Queen Story Hour NYC, Ltd. | 82-2613408 | DYCD | \$5,000.00 | 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 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | Fiscal Conduit/Sponsoring Organization | Fiscal Conduit EIN | * |
|---------|--|------------|---------|---------------|-------|-----|--|--------------------|---|
| Espinal | Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | DSS/HRA | (\$50,000.00) | 069 | 107 | | | |
| Espinal | Riseboro Community Partnership, Inc. | 11-2453853 | DSS/HRA | \$50,000.00 | 069 | 107 | | | |

* Indicates pending completion of pre-qualification review.

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

CHART 4: Speaker's Initiative to Address Citywide Needs - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | Fiscal Conduit/Sponsoring Organization | Fiscal Conduit EIN | * |
|---------|--------------------------|------------|--------|-------------|-------|-----|--|--------------------|---|
| Speaker | Placeful Company, Inc.** | 47-3818158 | SBS | \$30,000.00 | 801 | 002 | | | * |

* Indicates pending completion of pre-qualification review.

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

CHART 5: Initiative to Address Borough Wide Needs - Fiscal 2018

| Borough | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | Fiscal Conduit/Sponsoring Organization | Fiscal Conduit EIN | * |
|---------------------|--|------------|--------|---------------|-------|-----|--|--------------------|---|
| Brooklyn Delegation | Business Outreach Center Network, Inc.** | 11-3306111 | DYCD | (\$5,000.00) | 260 | 005 | | | |
| Brooklyn Delegation | Business Outreach Center Network, Inc.** | 11-3306111 | SBS | \$5,000.00 | 801 | 002 | | | |
| Brooklyn Delegation | Hopey's Heart Foundation | 80-0915297 | DHMH | (\$5,000.00) | 816 | 112 | | | |
| Brooklyn Delegation | Interfaith Medical Center | 11-2626155 | DHMH | \$5,000.00 | 816 | 113 | | | |
| Queens Delegation | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$50,000.00) | 260 | 312 | | | |
| Queens Delegation | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$50,000.00 | 260 | 312 | | | |

* Indicates pending completion of pre-qualification review.

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

CHART 6: Cultural After-School Adventure (CASA) Initiative - Fiscal 2018

| Member | Organization - School | EIN Number | Agency | Amount | Agy # | U/A | * |
|--------|---|------------|--------|---------------|-------|-----|---|
| Gibson | Lincoln Center for the Performing Arts, Inc. - MS 301X | 13-1847137 | DCLA | (\$20,000.00) | 126 | 003 | |
| Gibson | Lincoln Center for the Performing Arts, Inc. - MS 301X | 13-1847137 | DCLA | \$20,000.00 | 126 | 022 | |
| | Department of Cultural Affairs** | 13-6400434 | DCLA | (\$20,000.00) | 126 | 003 | |
| Ulrich | Boys & Girls Club of Metro Queens, Inc. - Public School 66Q** | 11-1966067 | DYCD | \$20,000.00 | 260 | 312 | |
| Levine | Studio Museum in Harlem, The | 13-2590805 | DCLA | (\$20,000.00) | 126 | 022 | |
| Levine | Department of Cultural Affairs | 13-6400434 | DCLA | \$20,000.00 | 126 | 003 | |

* Indicates pending completion of pre-qualification review.

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

CHART 7: A Greener NYC Initiative - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|--------|--|------------|--------|--------------|-------|-----|---|
| Holden | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$5,000.00) | 260 | 005 | |
| Holden | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$5,000.00 | 260 | 005 | |

* Indicates pending completion of pre-qualification review.

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

CHART 8: Neighborhood Development Grant Initiative - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|----------|---------------------------------------|------------|--------|---------------|-------|-----|---|
| | Department of Small Business Services | 13-6400434 | SBS | (\$22,000.00) | 801 | 002 | |
| Williams | HABNET Chamber of Commerce, Inc. | 47-0939800 | SBS | \$22,000.00 | 801 | 002 | |

* Indicates pending completion of pre-qualification review.

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

CHART 9: Digital Inclusion and Literacy Initiative - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|--------|--|------------|--------|---------------|-------|-----|---|
| Ulrich | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$40,000.00) | 260 | 005 | |
| Ulrich | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$40,000.00 | 260 | 005 | |

* Indicates pending completion of pre-qualification review.

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

CHART 10: Parks Equity Initiative - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|---------|--|------------|--------|---------------|-------|-----|---|
| Reynoso | Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | DPR | (\$20,000.00) | 846 | 006 | |
| Reynoso | Riseboro Community Partnership, Inc. | 11-2453853 | DPR | \$20,000.00 | 846 | 006 | |
| Holden | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DPR | (\$30,000.00) | 846 | 006 | |
| Holden | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DPR | \$30,000.00 | 846 | 006 | |
| Lander | Gowanus Canal Conservancy, Inc. | 26-0681729 | DPR | (\$38,500.00) | 846 | 006 | |
| Lander | Street Soccer USA, Inc. | 26-4694946 | DPR | \$38,500.00 | 846 | 006 | |
| Corney | City Parks Foundation | 13-3561657 | DPR | (\$1,500.00) | 846 | 006 | |
| Corney | Green Guerillas, Inc. | 13-2903183 | DPR | \$1,500.00 | 846 | 006 | |

* Indicates pending completion of pre-qualification review.

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

CHART 11: Food Pantries Initiative - Fiscal 2018

| Borough | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|-------------------|--|-------------------|---------------|---------------|--------------|------------|----------|
| Bronx Delegation | Union Grove Missionary Baptist Church | 13-5078662 | DYCD | (\$5,361.00) | 260 | 005 | |
| Bronx Delegation | Union Grove Baptist Church, The | 13-5078662 | DYCD | \$5,361.00 | 260 | 005 | |
| Queens Delegation | Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$45,364.00) | 260 | 005 | |
| Queens Delegation | Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$45,364.00 | 260 | 005 | |

* Indicates pending completion of pre-qualification review.

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

CHART 12: SU-CASA Initiative - Fiscal 2018

| Member | Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|-----------|--|------------|--------|----------------|-------|-----|---|
| | Department of Cultural Affairs | 13-6400434 | DCLA | (\$240,000.00) | 126 | 003 | |
| Perkins | Jazzmobile, Inc. - CANAAN Neighborhood Senior Center (Canaan Baptist Church of Christ) | 13-2614483 | DCLA | \$15,000.00 | 126 | 003 | |
| Perkins | Harlem Needle Arts, Inc. - Food Bank Neighborhood Senior Center (Food Bank for New York City) | 20-3505872 | DCLA | \$15,000.00 | 126 | 003 | |
| Rodriguez | Jazz Drama Program, The - Marble Hill Neighborhood Senior Center (Child Development Center Of The Mosholu-Montefiore Community) | 06-1722131 | DCLA | \$15,000.00 | 126 | 003 | * |
| Rodriguez | Spanish Theatre Repertory Company, Ltd. - Dyckman Neighborhood Senior Center (New York Foundation For Senior Citizens Inc) | 13-2672755 | DCLA | \$15,000.00 | 126 | 003 | |
| King | Lehman College Art Gallery - Bay Eden Neighborhood Senior Center (Jewish Association For Services For The Aged) | 13-3391212 | DCLA | \$15,000.00 | 126 | 003 | |
| King | Jazzmobile, Inc. - JASA Co-Op City NORC (Jewish Association For Services For The Aged) | 13-2614483 | DCLA | \$15,000.00 | 126 | 003 | |
| Diaz | Bronx River Art Center, Inc. - Kips Bay Castle Hill Neighborhood Sr Ctr (Kips Bay Boys And Girls Club) | 13-3261148 | DCLA | \$15,000.00 | 126 | 003 | |
| Diaz | Dance Parade, Inc. - RAIN Parkchester Neighborhood Senior Ctr (Regional Aid For Interim Needs Inc) | 20-8576378 | DCLA | \$15,000.00 | 126 | 003 | |
| Moya | Arts at Henson-Parks, Inc. - Elmcors Lefrak Neighborhood Senior Center (Elmcors Youth & Adult Activities Inc) | 47-1377573 | DCLA | \$15,000.00 | 126 | 003 | |
| Moya | Playwrights Preview Productions Ltd. - Elmcors Neighborhood Senior Center (Elmcors Youth & Adult Activities Inc) | 13-3230452 | DCLA | \$15,000.00 | 126 | 003 | * |
| Ulrich | Queens Theatre In The Park, Inc. - CCNS Howard Beach Neighborhood SC (Catholic Charities Neighborhood Services Inc) | 11-3381629 | DCLA | \$15,000.00 | 126 | 003 | |
| Ulrich | Queens Theatre In The Park, Inc. - Rockaway Park Neighborhood Senior Center (Jamaica Service Program For Older Adults Inc) | 11-3381629 | DCLA | \$15,000.00 | 126 | 003 | |
| Espinal | Dancewave, Inc. - Hope Gardens Multi Service Nsc (Ridgewood Bushwick Senior Citizens Council Inc) | 11-2726558 | DCLA | \$15,000.00 | 126 | 003 | |
| Espinal | Elders Share The Arts - Cypress Hills Fulton St Nbh Sr Ctr Ctr (Cypress Hills-Fulton Street Senior Citizens Center Inc) | 13-3135292 | DCLA | \$15,000.00 | 126 | 003 | |
| Menchaca | Instituto Arte Teatral Internacional, Inc. - Sunset Park Neighborhood Senior Center (Sunset Bay Community Services Inc) | 13-3111859 | DCLA | \$15,000.00 | 126 | 003 | |
| Menchaca | Latin American Intercultural Alliance - United Neighborhood Senior Citizens Ctr (United Senior Citizens Of Sunset Park Inc) | 14-1947099 | DCLA | \$15,000.00 | 126 | 003 | * |
| Borelli | Snug Harbor Cultural Center & Botanical Garden - Eger Health Care And Rehabilitation Center (Eger Health Care And Rehabilitation Center) | 80-0193388 | DCLA | (\$15,000.00) | 126 | 022 | |
| Borelli | Snug Harbor Cultural Center & Botanical Garden - Eger Health Care And Rehabilitation Center (Eger Health Care And Rehabilitation Center) | 80-0193388 | DCLA | \$15,000.00 | 126 | 003 | |

* Indicates pending completion of pre-qualification review.

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

CHART 13: Art as a Catalyst for Change - Fiscal 2018

| Organization - School | EIN Number | Agency | Amount | Agy # | U/A | * |
|---|-------------------|---------------|---------------|--------------|------------|----------|
| Department of Cultural Affairs | 13-6400434 | DCLA | (\$32,000.00) | 126 | 003 | |
| Department of Youth and Community Development** | 13-6400434 | DYCD | (\$36,000.00) | 260 | 005 | |
| 2020 Vision for Schools, Inc. | 45-3023036 | DCLA | \$12,000.00 | 126 | 003 | |
| Bronx Museum of the Arts, The | 13-2709368 | DCLA | \$16,000.00 | 126 | 003 | |
| Sundog Theatre, Inc. | 45-0476945 | DCLA | \$5,000.00 | 126 | 003 | |
| BRIC Arts Media Bklyn, Inc. | 11-2547268 | DCLA | \$35,000.00 | 126 | 003 | |
| Groove With Me, Inc. - Urban Assembly of Bronx Academy of Letters | 13-3919147 | DCLA | (\$18,000.00) | 126 | 003 | |
| Groove With Me, Inc. - P.S. 108 | 13-3919147 | DCLA | \$18,000.00 | 126 | 003 | |

* Indicates pending completion of pre-qualification review.

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

CHART 14: Discretionary Child Care Initiative - Fiscal 2018

| Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|--|------------|--------|----------------|-------|-----|---|
| Brooklyn Bureau of Community Services | 11-1630780 | ACS | (\$200,000.00) | 068 | 004 | |
| Administration for Children's Services | 13-6400434 | ACS | \$200,000.00 | 068 | 004 | |

* Indicates pending completion of pre-qualification review.

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

CHART 15: Community Housing Preservation Strategies Initiative - Fiscal 2018

| Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|--|-------------------|---------------|---------------|--------------|------------|----------|
| Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | HPD | (\$29,730.00) | 806 | 009 | |
| Ridgewood Bushwick Senior Citizens Council, Inc. | 11-2453853 | HPD | (\$61,000.00) | 806 | 009 | |
| Riseboro Community Partnership, Inc. | 11-2453853 | HPD | \$29,730.00 | 806 | 009 | |
| Riseboro Community Partnership, Inc. | 11-2453853 | HPD | \$61,000.00 | 806 | 009 | |

* Indicates pending completion of pre-qualification review.

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

CHART 16: Center for Court Innovation - Fiscal 2018

| Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|---|------------|--------|----------------|-------|-----|---|
| Fund for the City of New York, Inc. - Center for Court Innovation | 13-2612524 | MOCJ | (\$500,000.00) | 098 | 002 | |
| Fund for the City of New York, Inc. | 13-2612524 | MOCJ | \$500,000.00 | 098 | 002 | |

* Indicates pending completion of pre-qualification review.

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

CHART 17: Adult Literacy Initiative - Fiscal 2018

| Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|--|-------------------|---------------|---------------|--------------|------------|----------|
| Greater Ridgewood Youth Council, Inc. | 11-2518141 | DYCD | (\$50,000.00) | 260 | 005 | |
| Greater Ridgewood Youth Council, Inc., The | 11-2518141 | DYCD | \$50,000.00 | 260 | 005 | |

* Indicates pending completion of pre-qualification review.

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

CHART 18: Communities of Color Nonprofit Stabilization Fund Initiative - Fiscal 2018

| Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|---------------------------------------|------------|--------|----------------|-------|-----|---|
| Asian American Federation of New York | 13-3572287 | DYCD | (\$100,000.00) | 260 | 005 | |
| Asian American Federation, Inc. | 13-3572287 | DYCD | \$100,000.00 | 260 | 005 | |

* Indicates pending completion of pre-qualification review.

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

CHART 19: Young Women's Leadership Development Initiative - Fiscal 2018

| Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|--|-------------------|---------------|---------------|--------------|------------|----------|
| Korean American Family Services | 13-3609811 | DYCD | (\$40,000.00) | 260 | 312 | |
| Korean American Family Service Center, Inc., The | 13-3609811 | DYCD | \$40,000.00 | 260 | 312 | |

* Indicates pending completion of pre-qualification review.

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

CHART 20: Senior Centers, Programs, and Enhancements

| Organization - Program | EIN Number | Agency | Amount | Agy # | U/A | * |
|-------------------------------|-------------------|---------------|---------------|--------------|------------|----------|
| Department for the Aging | 13-6400434 | DFTA | (\$40,000.00) | 125 | 003 | |

* Indicates pending completion of pre-qualification review.

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

CHART 21: Local Initiatives - Fiscal 2017

| Member | Organization | EIN Number | Agency | Amount | Agy # | U/A | Fiscal Conduit/Sponsoring Organization | Fiscal Conduit EIN | * |
|---------|--|------------|--------|--------------|-------|-----|--|--------------------|---|
| Speaker | Youth Ministries for Peace and Justice | 13-4006535 | DYCD | (\$8,333.00) | 260 | 005 | | | |
| Speaker | Youth Ministries for Peace and Justice, Inc. | 13-4006535 | DYCD | \$8,333.00 | 260 | 005 | | | |

* Indicates pending completion of pre-qualification review.

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

CHART 22: Purpose of Funds Changes - Fiscal 2018

| Source | Member | Organization - Program | EIN Number | Agency | Amount | New Purpose of Funds | * |
|--------|-----------|--|------------|--------|---------------|--|---|
| Aging | Cumbo | Brooklyn Community Pride Center, Inc. | 26-2214534 | DFTA | (\$6,500.00) | Funds will help organization provide services city-wide for the LGBTQ+ community. | |
| Aging | Cumbo | Brooklyn Community Pride Center, Inc. | 26-2214534 | DFTA | \$6,500.00 | Funding to support operating and programming expenses to facilitate services city-wide for the LGBTQ+ community. | |
| Local | Kallos | Civitas Citizens Inc. | 13-3132603 | DYCD | (\$10,000.00) | To study and research contextual development, create opportunities for economic growth through neighborhood-scale retail and commercial uses on avenues and major crosstown streets and expand affordable housing opportunities. | |
| Local | Kallos | Civitas Citizens Inc. | 13-3132603 | DYCD | \$10,000.00 | To research, study, and plan opportunities for economic growth and expanded affordable housing within contextual development along the avenues and major crosstown streets. | |
| Local | Kallos | Civitas Citizens Inc. | 13-3132603 | DYCD | (\$15,000.00) | To support a community planning project targeting the 80th to 96th Street portion of the East River Esplanade involving sessions with local residents, as well as distributing a detailed park improvement survey. | |
| Local | Kallos | Civitas Citizens Inc. | 13-3132603 | DYCD | \$15,000.00 | To survey and research the existing usage along the East River Esplanade and engage residents of the surrounding community to offer preferences for planning park improvements along the East River Esplanade. | |
| Local | Speaker | Business Outreach Center Network, Inc. | 11-3306111 | DYCD | (\$50,000.00) | Funds will support BOC's Child Care Business Development Project's mission to provide services to home-based childcare providers for professional business, legal and accounting assistance. | |
| Local | Speaker | Business Outreach Center Network, Inc. | 11-3306111 | SBS | \$50,000.00 | To support provision of financial education, business planning, marketing and financing workshops, coupled with one-on-one counseling and BOC Network's Child Care Business Development Project. | |
| Local | Moya | Business Outreach Center Network, Inc. | 11-3306111 | DYCD | (\$15,000.00) | To support business workshops, one-on-one counseling, and BOC Networks Child Care Business Development Project. | |
| Local | Moya | Business Outreach Center Network, Inc. | 11-3306111 | SBS | \$15,000.00 | To support provision of financial education, business planning, marketing and financing workshops, coupled with one-on-one counseling and BOC Network's Child Care Business Development Project. | |
| Local | Rodriguez | New York Women's Chamber of Commerce, Inc. | 14-1845651 | DYCD | (\$6,000.00) | Funds will be used to cover operating costs of GAGA Pal Pueblo including instructors and supplies. | |

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|-------|-----------|--|------------|------|--------------|---|
| Local | Rodriguez | New York Women's Chamber of Commerce, Inc. | 14-1845651 | SBS | \$6,000.00 | Funds will be used to provide business development services, training and support to small businesses, microenterprises and self-employed individuals, with a focus on disadvantaged women, in Upper Manhattan (District 10, Washington Heights, Inwood and Marble Hill), and New York City. |
| Local | Rodriguez | New York Women's Chamber of Commerce, Inc. | 14-1845651 | DYCD | (\$5,000.00) | Funds will be used to operate Latina Entrepreneur Cosmetology Readiness Program. |

* Indicates pending completion of pre-qualification review.

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

CHART 22: Purpose of Funds Changes - Fiscal 2018 (continued)

| Source | Member | Organization | EIN Number | Agency | Amount | New Purpose of Funds | * |
|--------|-----------|---|------------|--------|---------------|---|---|
| Local | Rodriguez | New York Women's Chamber of Commerce, Inc. | 14-1845651 | SBS | \$5,000.00 | Funds will be used to provide business development services, training and support to small businesses, microenterprises and self-employed individuals, with a focus on disadvantaged women, in Upper Manhattan (District 10, Washington Heights, Inwood and Marble Hill), and New York City. | |
| Local | Matteo | Staten Island Economic Development Corporation ** | 13-3706442 | DYCD | (\$25,000.00) | Funds will be used in support of the annual Health and Wellness Expo which offers the public free access to invaluable information and health screenings | |
| Local | Matteo | Staten Island Economic Development Corporation ** | 13-3706442 | SBS | \$25,000.00 | Funding will be utilized to host a Health & Wellness Expo that fosters and facilitates business to business opportunities and networking as well as offering training sessions for businesses and the employees of firms belonging to the single largest employment sector on Staten Island: the healthcare sector. | |
| Local | Moya | Pratt Institute | 11-1630822 | DYCD | (\$10,000.00) | To support a study to assess the needs of seniors in District 21. | |
| Local | Moya | Pratt Institute | 11-1630822 | SBS | \$10,000.00 | Funds will support identifying planning issues that impact senior populations, performing research and analysis, and preparing summary materials that support neighborhood visioning and advocacy in Council District 21. | |
| Local | Lander | Carroll Gardens Association Incorporated - Southwest Brooklyn Community Business Alliance | 11-2573432 | SBS | (\$15,000.00) | Funding to support operational costs of the Southwest Brooklyn Community Business Alliance, including events, workshops and/or organizing activities and support for a local cooperative business. | |
| Local | Lander | Carroll Gardens Association Incorporated - Southwest Brooklyn Community Business Alliance | 11-2573432 | SBS | \$15,000.00 | Funding to support operational costs of the Southwest Brooklyn Community Business Alliance, including events, workshops and/or organizing activities for a local cooperative business. | |
| Local | Lancman | Yeshiva Tifereth Moshe | 11-2149108 | DYCD | (\$5,000.00) | Funding will go towards a program that provides an opportunity to merge school reform strategies with community resources. The program will encourage the school to provide safe and educationally enriching alternatives for youth during non-school hours. | |
| Local | Lancman | Yeshiva Tifereth Moshe | 11-2149108 | DYCD | \$5,000.00 | Funding to support after-school programming including education on ethics of being a good citizen, physical activities, baseball trip and snacks. | |
| Youth | Adams | Child Center of New York, Inc., The | 11-1733454 | DYCD | (\$30,000.00) | Funds to support after-schools at PS 223 & PS 96. Funds to assist Adolescent Sexual Health program. Funds to uphold Waiver, Home Visiting Program. Funds to endorse Beacon programs at MS72Q and MS 226Q (with tutoring and WIA job placement program). | |
| Youth | Adams | Child Center of New York, Inc., The | 11-1733454 | DYCD | \$30,000.00 | Funds to support programming at MS 226Q; Waiver Home Visiting Program; RBI program; and the South Jamaica Clinic. | |

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| Initiative for Immigrant Survivors of Domestic Violence | Arab-American Family Support Center, Inc., The | 11-3167245 | MOCJ | (\$25,000.00) | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas. |
|---|---|------------|------|---------------|---|

* Indicates pending completion of pre-qualification review.

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

CHART 22: Purpose of Funds Changes - Fiscal 2018 (continued)

| Source | Member | Organization | EIN Number | Agency | Amount | New Purpose of Funds | * |
|---|--------|---|------------|--------|---------------|---|---|
| Initiative for Immigrant Survivors of Domestic Violence | | Atlas: DIY Corporation | 45-4316117 | MOCJ | (\$20,000.00) | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas. | |
| Initiative for Immigrant Survivors of Domestic Violence | | Korean American Family Services | 13-3609811 | MOCJ | (\$35,000.00) | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas. | |
| Initiative for Immigrant Survivors of Domestic Violence | | New York City Gay and Lesbian Anti-Violence Project, Inc. | 13-3149200 | MOCJ | (\$55,000.00) | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas. | |
| Initiative for Immigrant Survivors of Domestic Violence | | Safe Horizon, Inc. | 13-2946970 | MOCJ | (\$75,000.00) | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas. | |
| Initiative for Immigrant Survivors of Domestic Violence | | Sauti Yetu Center for African Women | 20-1209795 | MOCJ | (\$40,000.00) | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas. | |
| Initiative for Immigrant Survivors of Domestic Violence | | Arab-American Family Support Center, Inc., The | 11-3167245 | MOCJ | \$25,000.00 | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas for young immigrants ages 13 - 24 affected by domestic violence. | |

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|---|---|------------|------|-------------|---|
| Initiative for Immigrant Survivors of Domestic Violence | Atlas: DIY Corporation | 45-4316117 | MOCJ | \$20,000.00 | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas for young immigrants ages 13 - 24 affected by domestic violence. |
| Initiative for Immigrant Survivors of Domestic Violence | Korean American Family Services | 13-3609811 | MOCJ | \$35,000.00 | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas for young immigrants ages 13 - 24 affected by domestic violence. |
| Initiative for Immigrant Survivors of Domestic Violence | New York City Gay and Lesbian Anti-Violence Project, Inc. | 13-3149200 | MOCJ | \$55,000.00 | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas for young immigrants ages 13 - 24 affected by domestic violence. |

* Indicates pending completion of pre-qualification review.

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

CHART 22: Purpose of Funds Changes - Fiscal 2018 (continued)

| Source | Member | Organization | EIN Number | Agency | Amount | New Purpose of Funds | * |
|---|--------|-------------------------------------|------------|--------|---------------|---|---|
| Initiative for Immigrant Survivors of Domestic Violence | | Safe Horizon, Inc. | 13-2946970 | MOCJ | \$75,000.00 | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas for young immigrants ages 13 - 24 affected by domestic violence. | |
| Initiative for Immigrant Survivors of Domestic Violence | | Sauti Yetu Center for African Women | 20-1209795 | MOCJ | \$40,000.00 | Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas for young immigrants ages 13 - 24 affected by domestic violence. | |
| Parks Equity Initiative | King | Building 13 Association, Inc. | 13-4169405 | DPR | (\$10,000.00) | To Provide community workshops discussing health and nutrition | |
| Parks Equity Initiative | King | Building 13 Association, Inc. | 13-4169405 | DPR | \$10,000.00 | Funds will be used to support community based activities, improvements, beautifications, workshops, maintenance and the upkeep of the garden. Funds will also be used for Summer Fun Day Activities to help combat obesity and sedentary lifestyles fostering healthy, mental, and emotional well-being for youth participants. | |

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|---|---------|--|------------|------|----------------|--|
| Local | Cornegy | Judah International Christian Center, Inc. | 11-3352075 | DYCD | (\$5,000.00) | Funding to implement the OASAS curriculum, to facilitate recovery for parents and children impacted by alcohol and/or drug dependence. |
| Local | Cornegy | Judah International Christian Center, Inc. | 11-3352075 | DYCD | \$5,000.00 | Funds will be used to implement the Family Development Curriculum (FDC) professional development strength-based approach model providing information, resources and referrals for the mental and behavioral health of women and girls impacted by community health issues. |
| Sports Training and Rolemodels for Success (STARS) Initiative | | Girls Write Now, Inc. | 54-2115054 | DYCD | (\$100,000.00) | The Sports Training and Rolemodels for Success (STARS) Initiative offers afterschool programming promoting physical activity, healthy living and wellness for elementary, middle and high school girls. |
| Sports Training and Rolemodels for Success (STARS) Initiative | | Girls Write Now, Inc. | 54-2115054 | DYCD | \$100,000.00 | Through our Writing and Mentoring Program (WMP) and Digital Media Mentoring Program (DMP), Girls Write Now provides NYC high school girls with mentorship, writing, and digital media workshops, and performance, publication, leadership opportunities to cultivate their voices, skills, and confidence. |

* Indicates pending completion of pre-qualification review.

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

CHART 23: Beating Hearts Initiative - Fiscal 2018

| Member | Organization | EIN Number | * |
|---------------|--|-------------------|----------|
| Rose | The Staten Island Heart Society | 20 0269367 | |
| Diaz | Bronx Community Board 9 - City of New York | 13-6400434 | |
| Diaz | NYPD 43rd Pct Community Council | 01-0721910 | |
| Diaz | Shorehaven Homeowners Association - Community Facility | 20-8195574 | |
| Diaz | Harding Park Homeowners Association - Community Facility | 13-3132218 | |
| Levin | NYCHA - Gowanus Residents Association | 13-6400434 | |
| Levin | NYCHA - Williams Plaza Residents Association | 13-6400434 | |
| Levin | Brooklyn Pitbulls Youth Football, Inc. | 77-0611633 | |
| Levin | Catholic Charities Neighborhood Services, Inc. | 11-2047151 | |

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

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for L.U. No. 45

Report of the Committee on Finance in favor of a Resolution approving 346 East 21st Street, Block 926, Lot 1002; Manhattan, Community District No. 6, Council District No. 2.

The Committee on Finance, to which the annexed Land Use item was referred on March 22, 2018 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:)

March 22, 2018

TO: Hon. Daniel Dromm
Chair, Finance Committee
Members of the Finance Committee

FROM: Rebecca Chasan, Counsel, Finance Division

RE: Finance Committee Agenda of March 22, 2018 - Resolution approving a tax exemption for five Land Use items (Council Districts 2, 7 and 38)

Item 1: Red Hook Gardens

Red Hook Gardens consists of 31 multiple dwellings with 62 units of affordable rental housing for low-income households. The project has been granted a variety of tax benefits over the years, including an Article V exemption in 1971, low-income housing tax credits in 2003, and J-51 benefits in 2011, however these benefits have not been adequate for the viability of the project. The property is currently developing plans with the Department of Housing Preservation and Development (HPD) Asset Management Division and the Year 15 program to redevelop the project. Therefore, HPD is requesting that the Council approve a full, Article XI property tax exemption from September 22, 2002, the date the property was acquired by the Red Hook Gardens Housing Development Fund Corporation (HDFC) and the earlier of December 31, 2021 or the closing of the redevelopment financing.

The property has been subject to a low-income housing tax credit regulatory agreement with New York State Homes and Community Renewal (HCR) as of July 31, 2003, and the HDFC and HPD will enter into a regulatory agreement continuing the existing income restrictions.

Summary:

- Borough-Brooklyn
- Block 524, Lot 1, 10 and 13; Block 531, Lots 13, 18 and 22; Block 587, Lots 41 or 145
- Council District-38
- Council Member-Menchaca
- Council Member approval-Yes
- Number of buildings-
- Number of units-62
- Type of exemption-Article XI, Full, 19 years
- Population-low-income rental housing
- Sponsor-Red Hook Gardens HDFC
- Purpose-Preservation
- Cost to the City-\$2.4M
- Housing Code Violations-
 - Class A: 58
 - Class B: 134
 - Class C: 19
- Anticipated AMI targets-
 - 38 units – 30% AMI
 - 8 units – 40% AMI
 - 10 units – 60% AMI
 - 6 units – 165% AMI

Item 2: 346 East 21st Street

346 East 21st Street consist of one six-floor, 30-unit building of affordable rental housing for low-income households. The property is owned and operated by 346 East 21st Street HDFC. It is divided into two condominiums: residential (owned by the HDFC) and retail (owned by an affiliate).

The building was the subject of an Inclusionary Housing transaction by BFC Partners in 1999. While initially benefitting from a J-51 tax-exemption and abatement following the moderate tenant-in-place rehabilitation completed by BFC, following acquisition, the project has since experienced limited cash flow and an insufficient tax benefit. The building is also now in need of moderate rehabilitation that the building will be able to self-finance if property taxes are reduced.

HPD is requesting the Council approve a full Article XI tax exemption for a period of 40 years for the residential condominium owned by the HDFC. The full Article XI exemption is sought to preserve affordability for the current tenants, while contributing to the long-term sustainability of the building, and permanent affordable housing in a neighborhood challenged by increasing rental costs. It is further requested that the tax exemption be retroactive to February 8, 2013, the date the residential condominium was conveyed to the HDFC.

Summary:

- Borough-Manhattan
- Block 926, Lot 1002
- Council District-2
- Council Member-Rivera
- Council Member approval-Yes
- Number of buildings-1

- Number of units-30, including one superintendent's unit
- Type of exemption-Article XI, Full, 40-years
- Population-low-income rental housing
- Sponsor-Cooper Square Mutual Housing Association
- Purpose-Preservation
- Cost to the City-\$4M
- Housing Code Violations-
 - Class A: 1
 - Class B: 5
 - Class C: 2
- Anticipated AMI targets-80% AMI

Items 3, 4, and 5: Manhattanville Phase I-Unit A, Manhattanville Phase II-Unit B, and Manhattanville Phase II-Unit C

These three items are all related to 3599 Condominium, a newly-constructed building owned by Columbia University built in connection with the university's expansion in Manhattanville. In total, the condominium consists of three residential condominium units (Manhattanville Phase I-Unit A, Manhattanville Phase II-Unit B, and Manhattanville Phase II-Unit C) containing affordable housing, one commercial unit and one community facility unit. As part of its campus expansion, Columbia intends to acquire City-owned Tenant Interim Lease (TIL) buildings located at 602 West 132nd Street and 3289 Broadway. In exchange, Columbia has constructed replacement apartments in the 3599 Condominium to be occupied by the tenants of the TIL buildings. The tenants of 602 West 132nd Street have already relocated to Unit A. The tenants of 3289 Broadway will occupy the apartments in Unit B. In addition, Columbia agreed to provide additional apartments of affordable housing located in Unit C. Each condominium unit will be operated as cooperative housing and owned by a separate HDFC. Upon conversion to cooperative ownership, Columbia will convey Unit A to the Exodus HDFC, Unit B will be conveyed to Monarchs HDFC, and Unit C will be conveyed to UHAB HDFC.

In order to facilitate the project, HPD is requesting that the Council approve a full, 40-year Article XI exemption for each of the three properties and, in exchange, the HDFCs will enter into regulatory agreements with HPD establishing income restrictions.

Summary of Manhattanville Phase I-Unit A:

- Borough-Manhattan
- Block 2094, Lot 1201
- Council District-7
- Council Member-Levine
- Council Member approval-Yes
- Number of buildings-1
- Number of units-20
- Type of exemption-Article XI, Full, 40-years
- Population-low-income cooperative housing
- Sponsor-Exodus HDFC
- Purpose-New construction
- Cost to the City-\$825,274
- Housing Code Violations-N/A
- Anticipated AMI targets-80% AMI

Summary of Manhattanville Phase II-Unit B:

- Borough-Manhattan
- Block 2094, Lot 1202

- Council District-7
- Council Member-Levine
- Council Member approval-Yes
- Number of buildings-1
- Number of units-7
- Type of exemption-Article XI, Full, 40-years
- Population-low-income cooperative housing
- Sponsor-Monarchs HDFC
- Purpose-New construction
- Cost to the City-\$343,573
- Housing Code Violations-N/A
- Anticipated AMI targets-80% AMI

Summary of Manhattanville Phase II-Unit C:

- Borough-Manhattan
- Block 2094, Lot 1203
- Council District-7
- Council Member-Levine
- Council Member approval-Yes
- Number of buildings-1
- Number of units-15
- Type of exemption-Article XI, Full, 40-years
- Population-low-income cooperative housing
- Sponsor-Horizon HDFC
- Purpose-New construction
- Cost to the City-\$623,118
- Housing Code Violations-N/A
- Anticipated AMI targets-
 - 3 units - 80% AMI
 - 4 units - 130% AMI
 - 8 units - 165% AMI

Accordingly, this Committee recommends its adoption.

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

Res. No. 245

Resolution approving an exemption from real property taxes for property located at (Block 926, Lot 1002) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No.45).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated February 8, 2018 that the Council take the following action regarding a housing project located at (Block 926, Lot 1002) Manhattan (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean February 8, 2013.
 - b. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - c. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 926, Lot 1002 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e. “HDFC” shall mean 346 East 21st Street Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - f. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - g. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - h. “Owner” shall mean the HDFC.
 - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption on or after the date such Regulatory Agreement is executed.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements

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

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the Owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, and (b) for so long as the Exemption shall remain in effect, 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. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for L.U. No. 46

Report of the Committee on Finance in favor of a Resolution approving Red Hook Gardens, Block 524, Lots 1 and 10, Block 531, Lots 13, 18, and 22, Block 587, Lots 41 and 145; Brooklyn, Community District No. 6, Council District No. 38.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on March 22, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 45 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 246

Resolution approving an exemption from real property taxes for property located at (Block 524, Lots 1 and 10; Block 531, Lots 13, 18, and 22; Block 587, Lots 41 and 145) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 46).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated February 26, 2018 that the Council take the following action regarding a housing project located at (Block 524, Lots 1 and 10; Block 531, Lots 13, 18, and 22; Block 587, Lots 41 and 145) Brooklyn (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean September 27, 2002.
 - b. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 524, Lots 1 and 10, Block 531, Lots 13, 18, and 22, and Block 587, Lots 41 and 145 on the Tax Map of the City of New York.
 - c. “Expiration Date” shall mean the earlier to occur of (i) December 31, 2021, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - d. “HDFC” shall mean Red Hook Gardens Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on or after the Effective Date.
 - g. “New Exemption” shall mean the exemption from real property taxation provided hereunder.
 - h. “Owner” shall mean, collectively, the HDFC and the Partnership.
 - i. “Partnership” shall mean Red Hook Gardens Limited Partnership.

- j. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate of the City of New York on April 22, 1971 (Cal. No. 11).
 - k. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the date such Regulatory Agreement is executed.
2. The Prior Exemption shall terminate upon the Effective Date.
 3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to April 1, 2011.
 5. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect, but the New Exemption shall be reduced by the amount of such J-51 Benefits.

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for L.U. No. 47

Report of the Committee on Finance in favor of a Resolution approving Manhattanville Phase I-Unit A, Block 2094, Lot 1201; Manhattan, Community District No. 9, Council District No. 7.

The Committee on Finance, to which the annexed Land Use item was referred on March 22, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 45 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 247

Resolution approving an exemption from real property taxes for property located at (Block 2094, Lot 1201) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 47).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated March 5, 2018 that the Council take the following action regarding a housing project located at (Block 2094, Lot 1201) Manhattan (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

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

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

RESOLVED:

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

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

- a. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and Owner enter into the Regulatory Agreement.
 - b. "Exemption" shall mean the exemption from real property taxation provided hereunder.
 - c. "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2094, Lot 1201 on the Tax Map of the City of New York.
 - d. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e. "HDFC" shall mean The Exodus Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - f. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - g. "Owner" shall mean the HDFC.
 - h. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

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

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for L.U. No. 48

Report of the Committee on Finance in favor of a Resolution approving Manhattanville Phase II-Unit B, Block 2094, Lot 1202; Manhattan, Community District No. 9, Council District No. 7.

The Committee on Finance, to which the annexed Land Use item was referred on March 22, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 45 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 248

Resolution approving an exemption from real property taxes for property located at (Block 2094, Lot 1202) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 48).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated March 5, 2018 that the Council take the following action regarding a housing project located at (Block 2094, Lot 1202) Manhattan (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and Owner enter into the Regulatory Agreement.
 - b. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - c. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2094, Lot 1202 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e. “HDFC” shall mean The Monarchs Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - f. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - g. “Owner” shall mean the HDFC.
 - h. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any

- interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for L.U. No. 49

Report of the Committee on Finance in favor of a Resolution approving Manhattanville Phase II-Unit C, Block 2094, Lot 1203; Manhattan, Community District No. 9, Council District No. 7.

The Committee on Finance, to which the annexed Land Use item was referred on March 22, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 45 printed in these Minutes)

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

Res. No. 249

Resolution approving an exemption from real property taxes for property located at (Block 2094, Lot 1203) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No.49).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated March 5, 2018 that the Council take the following action regarding a housing project located at (Block 2094, Lot 1203) Manhattan (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 600 W. 148th Street LLC or a limited liability company that acquires the beneficial interest in the Exemption Area with the approval of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the Interim HDFC, or (ii) the date that HPD and Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2094, Lot 1203 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “HDFC” shall mean Horizon Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. “Interim HDFC” shall mean UHAB Housing Development Fund Corporation.
 - i. “Owner” shall mean, collectively, the Interim HDFC, the HDFC and the Company.

- j. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Notwithstanding any provision hereof to the contrary:
 - c. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - d. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 4. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for M-28

Report of the Committee on Finance in favor of a Resolution approving The Operating Budget of the Council of the City of New York.

The Committee on Finance, to which the annexed Council Operating Budget communication was referred on March 22, 2018 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 Fiscal Officer of the New York City Council:)

March 20, 2018

TO: Honorable Corey Johnson
Speaker

Honorable Daniel Dromm
Chairperson, Finance Committee

FROM: Marcello Testa
Fiscal Officer

SUBJECT: THE BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Precon. (M-28) The Operating Budget of the Council of The City of New York
Precon. (M-29) Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York

INITIATION: Pursuant to section 243 of the New York City Charter, the Council is authorized to present, for inclusion in the executive budget without amendment by the Mayor, its operating budget. This document presents a summary description of the structure and presentation of the Council's budget, and sets forth the proposed Council budget for consideration and approval by the Finance Committee and the Council. Also included is a resolution for the approval of a lump-sum OTPS unit of appropriation.

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Member Dromm offered the following resolution ("R1"):

Res. No. 250

RESOLUTION APPROVING THE FISCAL YEAR 2019 OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Resolved: By the Council of the City of New York, pursuant to the provisions of section 243 of the New York City Charter that the following amounts shall be submitted to the Mayor, for inclusion in the executive budget for the operating budget for the Council of the City of New York.

ATTACHMENT:

Summary:

Under the City Charter, the City Council is authorized to structure its own budget. This budget must be presented to the Mayor, for inclusion in the Executive Budget, after the Council approves it.

The Council's staff is described through divisions within three units of appropriation: Council Members and their aides, Committee Staffing, and Council Services. These and the standing committees each have a U/A for PS. OTPS is divided into the following categories: members, central staff, and each standing committee. A separate resolution approving the central staff's lump sum unit of appropriation is attached for Council approval pursuant to Section 100 (c) of the Charter.

Council Member office budgets are funded in U/A 001 object 021 (PS) and U/A 100 objects 400 and 414 (OTPS). Funds allocated for each Member's budget total \$501,000.

Staff from the Office of the General Counsel, Governmental Affairs, Finance, Land Use, Infrastructure, and Human Services divisions are specifically assigned to each committee and subcommittee. These analysts and attorneys in turn are supported by the Administrative Services Division, which functions as the central administration.

Staffs from the following Divisions are assigned to these Committees and Subcommittees:

Finance

- ❖ Finance
- ❖ Capital Budget (Subcommittee)

Land Use

- ❖ Land Use
- ❖ Landmarks, Public Siting & Maritime Uses (Subcommittee)
- ❖ Planning, Dispositions & Concessions (Subcommittee)
- ❖ Zoning & Franchises (Subcommittee)

General Counsel

- ❖ Rules, Privileges & Elections
- ❖ Standards & Ethics

Governmental Affairs

- ❖ Civil & Human Rights
- ❖ Consumer Affairs & Business Licensing
- ❖ Contracts
- ❖ Criminal Justice
- ❖ Fire & Emergency Management
- ❖ General Welfare
- ❖ Governmental Operations
- ❖ Immigration
- ❖ Justice System
- ❖ Juvenile Justice
- ❖ Oversight & Investigations
- ❖ Public Safety
- ❖ State & Federal Legislation

Human Services

- ❖ Aging
- ❖ Civil Services & Labor
- ❖ Cultural Affairs, Libraries & International Intergroup Relations
- ❖ Education
- ❖ For-Hire Vehicles
- ❖ Health
- ❖ Higher Education
- ❖ Hospitals
- ❖ Mental Health, Disabilities and Addiction
- ❖ Small Business
- ❖ Transportation
- ❖ Veterans
- ❖ Women
- ❖ Youth Services

Infrastructure

- ❖ Economic Development
- ❖ Environmental Protection
- ❖ Housing & Buildings
- ❖ Parks & Recreation
- ❖ Public Housing
- ❖ Sanitation & Waste Management
- ❖ Technology

Drafting

- ❖ Responsible for drafting of legislation for the Council's Legislative Committees

CITY COUNCIL BUDGET**Function:**

The New York City Council is the legislative branch of city government. Council members are elected every four years and each represents a district of approximately 160,000 people.

The Council is an equal partner with the Mayor in the governing of New York City. The Council monitors the operation and performance of city agencies. It has sole responsibility for analyzing and approving the city's budget which sets spending priorities and has decision-making powers over major land use issues. It is the city's lawmaking body.

The allocations of funds made through this Resolution are based on current projections and information available. Final allocations may vary from those anticipated in this Resolution, subject to the discretion of the Speaker.

(For the entire text of the Operating Budget Report, please refer to the City Council website at <http://council.nyc.gov> for the Operating Budget attachment to [Res No. 250 of 2018](#), please also refer to Res No. 251 following the Report for M-29 printed below)

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

On motion of the Speaker (Council Member Johnson), 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 Johnson) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for M-29

Report of the Committee on Finance in favor of a Resolution approving a Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

The Committee on Finance, to which the annexed Council Operating Budget communication was referred on March 22, 2018 and which same item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo and related material, please see the respective attachments to Res. Nos. 250 and 251 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

In connection herewith Council Member Dromm offered the following resolution (“R2”):

Res. No. 251

RESOLUTION APPROVING FOR FISCAL YEAR 2019 THE SCHEDULE DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.

Resolved by the Council, pursuant to the provisions of section 100 (c) of the New York City Charter, that the following spending shall be presented in a lump sum OTPS unit of appropriation, the allocation of which corresponds to the following PS units of appropriation.

COUNCIL BUDGET

| PS | DESCRIPTION | MEMO OTPS* |
|------------|--------------------|---------------------|
| U/A | | |
| 002 | COMMITTEE STAFFING | \$8,331,443 |
| 005 | COUNCIL SERVICES | \$4,973,032 |
| | TOTAL OTPS | \$13,304,475 |

*Set forth for informational purposes only in accordance with Charter Section 100 (c)

*See page 8, City Council Fiscal Year 2019 OTPS Detail

ATTACHMENT:

(For the entire text of the Operating Budget Report, especially the material that deals with the OTPS Lump Sum Schedule, please refer to the City Council website at <http://council.nyc.gov> for the Operating Budget attachment to [Res No. 250 of 2018](#))

DANIEL DROMM, *Chairperson*; JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., RORY I. LANCMAN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, February 15, 2018. *Other Council Members Attending: Council Member Perkins.*

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

Report of the Committee on Housing and Buildings

Report for Int. No. 600-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 extending the rent stabilization laws.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on February 15, 2018 (Minutes, page 892), respectfully

REPORTS:**Introduction**

On March 19, 2018, the Committee on Housing and Buildings, chaired by Council Member Robert E. Cornegy, Jr., will hold a hearing and vote on Proposed Introduction No. 600-A and Proposed Resolution No. 188-A. The Committee expects to receive testimony from the Department of Housing Preservation and Development (HPD), tenant advocates and members of the real estate industry.

Background

There are two forms of rent regulation in New York City: rent control and rent stabilization. Both rent regulation systems restrict rent increases and limit evictions.

¹ Rent control is the older of the two systems and dates back to the federal Emergency Price Control Act of 1942.² Rent control primarily applies to dwellings within residential buildings that were completed before February 1, 1947³ and in which a tenant or lawful successor has been living continuously since before July 1, 1971.⁴ Rent stabilization generally applies to buildings with six or more units built before January 1, 1974.⁵ Buildings completed using certain tax incentive programs also become rent stabilized upon completion of construction.

Renewing Rent Regulation

Under State law, both regulatory schemes will expire in June 2019, unless the City conducts a housing vacancy survey and finds that there is still a housing shortage, defined as a less than 5% vacancy rate.⁶ In addition to the City's survey, state law requires that the Council must pass legislation finding that, because there is still a housing shortage, there continues to be a need for rent regulation for the next three years.⁷

HPD recently published the results of the 2017 Housing and Vacancy Survey (HVS).⁸ The current HVS indicates a citywide rental vacancy rate of 3.65%.⁹ According to the HVS, there were approximately 79,190 vacant available rental units in New York City as of the survey period, an increase of approximately 3,600 units since 2014.¹⁰ The HVS also found that the median contract rent, including utility payments, increased by 6.2% from \$1,325 in 2014 to \$1,450 in 2017.¹¹

Int. No. 600-A

In addition to completing the HVS and passing legislation declaring a continued need for rent regulation and control, the Council needs to update the expiration dates for rent regulation and control. Proposed Int. No. 600-A amends the applicable provisions of the New York City Rent Stabilization Law to reflect extension of its provisions to April 1, 2021. This legislation takes effect immediately.

Res. No. 188-A

As a result of the 2017 HVS finding that the citywide vacancy rate is less than 5%, the City can declare that there is still a need for rent regulation. This resolution states that the New York City Council has determined that the continuation of the regulation and control of residential rents and evictions on and after April 1, 2018 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued.

¹ See generally Emergency Tenant Protection Act of 1974; Emergency Housing Rent Control Law; Local Emergency Housing Rent Control Law; New York City Administrative Code Chapter 3; New York City Administrative Code Chapter 4.

² See Guy McPherson, Rent Regulation in New York City and the Unanswered Questions of Market and Society, 72 Fordham L. Rev. 1125, 1132-1133.

³ See Emergency Housing Rent Control Law §2(2).

⁴ *Id.*

⁵ See Emergency Tenant Protection Act of 1974 §5.

⁶ See Local Emergency Housing Rent Control Act §1(3); Emergency Tenant Protection Act of 1974 §3.

⁷ *Id.*

⁸ Elyzabeth Gaumer, New York City Department of Housing Preservation and Development, Selected Initial Findings of the 2017 New York City Housing and Vacancy Survey, Feb. 9, 2018, available at <http://www1.nyc.gov/assets/hpd/downloads/pdf/about/2017-hvs-initial-findings.pdf>.

⁹ *Id.* at 2.

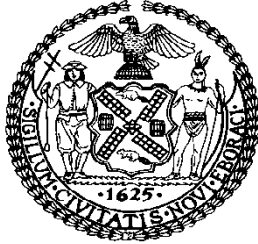
¹⁰ *Id.* at 4.

¹¹ *Id.* at 7.

Update

On March 19, 2018, the Committee on Housing and Buildings approved this legislation.

(The following is the text of the Fiscal Impact Statement for Int. No. 600-A:)



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

PROPOSED INTRO. NO: 600-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to extending the rent stabilization laws

SPONSORS: The Speaker (Council Member Johnson) and Council Members Kallos, Rosenthal, Constantinides, Koslowitz and Chin

SUMMARY OF LEGISLATION: Proposed Intro. No. 600-A would extend the existing Rent Stabilization Law from April 1, 2018 to April 1, 2021 on the basis of the finding that a serious public emergency continues to exist in the rental housing market of New York City and that this emergency will continue after April 1, 2018. Under New York state law, whether such an emergency exists is determined by whether the citywide rental vacancy rate is less than five percent.

According to findings from the U.S. Census Bureau's 2017 New York City Housing and Vacancy Survey, which were submitted to the City Council by the New York City Department of Housing Preservation and Development (HPD) in February 2018, the citywide rental vacancy rate for the period between January and May 2017 was 3.63 percent. This figure was calculated by dividing the number of vacant, non-dilapidated units available for rent (79,190 units) by the number of renter-occupied, dilapidated and non-dilapidated units available for rent (2,103,874 units).

EFFECTIVE DATE: This local law would take effect immediately.

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. According to the 2017 New York City Housing and Vacancy Survey, rent-stabilized units numbered 966,000 and rent-controlled units numbered 22,000 out of a total of 2,183,064 rental units. If this legislation is not passed and wholesale deregulation occurred, the City could see some increase in property tax

revenue once property assessments were fully increased to reflect higher rents. However, since this legislation would not alter current property assessments, no estimate of such revenue is provided here.

IMPACT ON EXPENDITURES: It is anticipated that this legislation would have no impact on expenditures. Since this legislation is a straight extension of existing rent regulations, its passage should not have any new impact on residential displacement due to affordability issues.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Principal Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Rebecca Chasan, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on February 15, 2018 as Intro. No. 600 and was referred to the Committee on Housing and Buildings (Committee). The legislation was amended after introduction, and the amended version, Proposed Intro. No. 600- A, will be considered by the Committee on March 19, 2018. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on March 22, 2018.

DATE PREPARED: March 16, 2018.

(For text of Res. No. 188-A, please see the Report of the Committee on Housing and Buildings for Res. No. 188-A printed in the voice-vote Resolutions section of these Minutes; for text of Int. No. 600-A, please see below)

Accordingly, this Committee recommends the adoption of Int. No. 600-A and Res. No. 188-A.

(The following is the text of Int. No. 600-A:)

Int. No. 600-A

By The Speaker (Council Member Johnson) and Council Members Kallos, Rosenthal, Constantinides, Koslowitz, Chin, Williams, Reynoso, Powers, Treyger and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to extending the rent stabilization laws

Be it enacted by the Council as follows:

Section 1. Section 26-502 of the administrative code of the city of New York, as amended by local law number 26 for the year 2015, is amended to read as follows:

§ 26-502 Additional findings and declaration of emergency. The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons within the [City] city of New

York and will continue to exist on and after April [first, two thousand fifteen]1, 2018 and hereby reaffirms and repromulgates the findings and declaration set forth in section 26-501 of this title.

§ 2. Section 26-520 of the administrative code of the city of New York, as amended by local law number 26 for the year 2015, is amended to read as follows:

§ 26-520 Expiration date. This chapter shall expire on April [first, two thousand eighteen]1, 2021 unless rent control shall sooner terminate as provided in subdivision three of section one of the local emergency housing rent control law.

§ 3. This local law takes effect immediately.

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN, HELEN K. ROSENTHAL, JUMAANE D. WILLIAMS, BARRY S. GRODENCHIK, MARK GJONAJ, CARLINA RIVERA; Committee on Housing and Buildings, March 19, 2018. *Other Council Members Attending: The Speaker (Council Member Johnson) and Council Member Powers.*

On motion of the Speaker (Council Member Johnson), 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. 21

Report of the Committee on Land Use in favor of disapproving Application No. 20185148 HKX (N 180166 HKX) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Samuel H. and Mary T. Booth House, 30 Centre Street (Block 5626, Lot 414), as an historic landmark, Borough of the Bronx, Community Board 10, Council District 13.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 592) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 10

20185148 HKX (N 180166 HKX)

Designation by the Landmarks Preservation Commission [DL-502/LP-2488] pursuant to Section 3020 of the New York City Charter of the Samuel H. and Mary T. Booth House located at 30 Centre Street (Tax Map Block 5626, Lot 414), as an historic landmark.

PUBLIC HEARING

DATE: February 6, 2018

Witnesses in Favor: Five

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** March 12, 2018

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

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Adams offered the following resolution:

Res. No. 252

Resolution disapproving the designation by the Landmarks Preservation Commission of the Samuel H. and Mary T. Booth House located at 30 Centre Street (Tax Map Block 5626, Lot 414), Borough of the Bronx, Designation List No. 502, LP-2488 (L.U. No. 21; 20185148 HKX; N 180166 HKX).

By Council Members Salamanca and Adams.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 7, 2017 a copy of its designation report dated November 28, 2017 (the "Designation Report"), including the designation pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Samuel H. and Mary T. Booth House located at 30 Centre Street, Community District 10, Borough of the Bronx, as an historic landmark and Tax Map Block 5626, Lot 414, as its landmark site (the "Designation");

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 19, 2018, its report on the Designation dated January 17, 2018 (the "City Planning Commission Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 6, 2018; 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 New York City Charter, and on the basis of the information and materials contained in the Designation Report and the City Planning Commission Report, the Council disapproves the Designation.

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

Coupled to be Disapproved.

Report for L.U. No. 22

Report of the Committee on Land Use in favor of disapproving Application No. 20185149 HKX (N 180169 HKX) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Stafford Osborn House, 95 Pell Place (Block 5626, Lot 221), as an historic landmark, Borough of the Bronx, Community Board 10, Council District 13.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 592) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 10

20185149 HKX (N 180169 HKX)

Designation by the Landmarks Preservation Commission [DL-502/LP-2479] pursuant to Section 3020 of the New York City Charter of the Stafford "Osborn" House located at 95 Pell Place, City Island (Tax Map Block 5626, Lot 221), as an historic landmark.

PUBLIC HEARING

DATE: February 6, 2018

Witnesses in Favor: Five

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** March 12, 2018

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

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Adams offered the following resolution:

Res. No. 253

Resolution disapproving the designation by the Landmarks Preservation Commission of the Stafford “Osborn” House located at 95 Pell Place, City Island (Tax Map Block 5626, Lot 221), Borough of the Bronx, Designation List No. 502, LP-2479 (L.U. No. 22; 20185149 HKX; N 180169 HKX).

By Council Members Salamanca and Adams.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 7, 2017 a copy of its designation report dated November 28, 2017 (the "Designation Report"), including the designation pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Stafford “Osborn” House located at 95 Pell Place, City Island, Community District 10, Borough of the Bronx, as an historic landmark and Tax Map Block 5626, Lot 221, as its landmark site (the “Designation”);

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

WHEREAS, the New York City Planning Commission submitted to the Council on January 19, 2018, its report on the Designation dated January 17, 2018 (the "City Planning Commission Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 6, 2018; 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 New York City Charter, and on the basis of the information and materials contained in the Designation Report and the City Planning Commission Report, the Council disapproves the Designation.

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

Coupled to be Disapproved.

Report for L.U. No. 31

Report of the Committee on Land Use in favor of approving Application No. C 180121 ZMX submitted by the New York City Economic Development Corporation and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c, changing an R6 District to an M1-2/R7-2 District and establishing a Special Mixed Use District (MX-17) on property bounded by a line 340 feet northerly of Spofford Avenue, a line 475 feet easterly of Tiffany Street, a line 155 northerly of Spofford Avenue, Manida Street, Spofford Avenue, and Tiffany Street, Borough of the Bronx, Community Board 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on March 7, 2018 (Minutes, page 1095) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 2

C 180121 ZMX

City Planning Commission decision approving an application submitted by the NYC Economic Development Corporation and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of New York City Charter, for a zoning map amendment to change the zoning district designation for a portion of the development site located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2) and to establish a Special Mixed Use District.

INTENT

To approve the amendment to the Zoning Map, changing a portion of the development site from R6 zoning district to R7-2/M1-2 Special Mixed Use District, MX-17, which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2.

PUBLIC HEARING

DATE: February 26, 2018

Witnesses in Favor: Five

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 12, 2018

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

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Kallos offered the following resolution:

Res. No. 254

Resolution approving the decision of the City Planning Commission on ULURP No. C 180121 ZMX, a Zoning Map amendment (L.U. No. 31).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2018 its decision dated February 14, 2018 (the "Decision"), on the application submitted by the New York City Economic Development Corporation and The Peninsula JV, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, to change a portion of the development site from an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17, which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2, (ULURP No. C 180121 ZMX), Community District 2, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications N 180122 ZRX (L.U. No. 32), a zoning text amendment to establish a Special Mixed Use District; designate a Mandatory Inclusionary Housing (MIH) area; and create a special permit to waive loading berth requirements in large-scale general developments (LSGDs), C 180123 ZSX (L.U. No. 33), a special permit to modify bulk regulations within an LSGD; C 180124 ZSX (L.U. No. 34), a special permit to modify loading berth requirements within an LSGD; and C 180126 PPX (L.U. No. 35), disposition of City-owned property;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on February 2, 2018 (CEQR No. 17DME001X);

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180121 ZMX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 6c:

1. changing from an R6 District to an M1-2/R7-2 District property bounded by a line 340 feet northerly of Spofford Avenue, a line 475 feet easterly of Tiffany Street, a line 155 feet northerly of Spofford Avenue, Manida Street, Spofford Avenue, and Tiffany Street; and
2. establishing a Special Mixed Use District (MX-17) bounded by a line 340 feet northerly of Spofford Avenue, a line 475 feet easterly of Tiffany Street, a line 155 feet northerly of Spofford Avenue, Manida Street, Spofford Avenue, and Tiffany Street;

as shown on a diagram (for illustrative purposes only) dated October 30, 2017, Community District 2, Borough of the Bronx.

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

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

Report for L.U. No. 32

Report of the Committee on Land Use in favor of approving Application No. N 180122 ZRX submitted by New York City Economic Development Corporation and The Peninsula 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 Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on March 7, 2018 (Minutes, page 1096) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 2**N 180122 ZRX**

City Planning Commission decision approving an application submitted by New York City Economic Development Corporation and The Peninsula 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 Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 2.

INTENT

To approve the amendment to the text of the Zoning Resolution, in order to establish a Special Mixed Use District; designate a Mandatory Inclusionary Housing (MIH) area; and create a special permit to waive loading berth requirements in large-scale general developments (LSGDs), which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2.

PUBLIC HEARING**DATE:** February 26, 2018**Witnesses in Favor:** Five**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 12, 2018

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

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Kallos offered the following resolution:

Res. No. 255

Resolution approving the decision of the City Planning Commission on Application No. N 180122 ZRX, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Community District 2, Borough of the Bronx (L.U. No. 32).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2018 its decision dated February 14, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Economic Development Corporation and The Peninsula JV, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area; which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2, (Application No. N 180122 ZRX), Community District 2, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 180121 ZMX (L.U. No. 31), a zoning map amendment to change a portion of the development site from an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17; C 180123 ZSX (L.U. No. 33), a special permit to modify bulk regulations within an LSGD; and C 180124 ZSX (L.U. No. 34), a special permit to modify loading berth requirements within an LSGD; and C 180126 PPX (L.U. No. 35), disposition of City-owned property;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on February 2, 2018 (CEQR No. 17DME001X);

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 180122 ZRX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

ARTICLE VII - ADMINISTRATION**Chapter 4****Special Permits by the City Planning Commission**

* * *

74-745**Modifications of parking and loading regulations**

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

* * *

- (b) Waiver or reduction of loading berth requirements

For #zoning lots# in a #large-scale general development#, located either within a #Special Mixed Use District# in Community District 2 in the Borough of The Bronx, or within a waterfront area pursuant to paragraph (b) of Section 62-132, in Community District 1 in the Borough of Brooklyn, ~~that contains~~ where such #zoning lots# in the waterfront area contain one or more #retail or service uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 10A, 12B, 14A or 16A, and where no single such establishment in the waterfront area exceeds 8,500 square feet in #floor area#, the Commission may waive or reduce the number of required loading berths, provided that:

- (1) curbside deliveries will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not interfere with the efficient functioning of nearby #uses#;
- (2) an efficient goods receiving system will be implemented within the #commercial# establishment to expedite the movement of goods from the curb to areas within the establishment;
- (3) such modification allows for a better relationship between the #street walls# of the #building# containing such establishment and the adjacent sidewalk and surrounding area; and
- (4) such modification will not impair or adversely affect the development of the surrounding area.

* * *

ARTICLE XII – SPECIAL PURPOSE DISTRICTS

**Chapter 3
Special Mixed Use District**

* * *

**123-90
Special Mixed Use Districts Specified**

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 16: (4/20/16)
Ocean Hill/East New York, Brooklyn

The #Special Mixed Use District# - 16 is established in Ocean Hill and East New York in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 17: (date of adoption)
Hunts Point, the Bronx

The #Special Mixed Use District# - 17 is established in Hunts Point in The Bronx as indicated on the #zoning maps#.

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

* * *

THE BRONX

* * *

The Bronx Community District 2

* * *

Map 2 – [date of adoption]



 Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area 2 - [date of adoption] – MIH Program Option 1

Portion of Community District 2, The Bronx

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

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

Report for L.U. No. 33

Report of the Committee on Land Use in favor of approving Application No. C 180123 ZSX submitted by the New York City Economic Development Corporation, Department of Citywide Administrative Services, and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the rear yard requirements of Section 23-47 (Minimum Required Rear Yards), the distance between buildings requirements of Section 23-711 (Standard Minimum Distance Between Buildings) and the height and setback requirements of Section 123-66 (Height and Setback Regulations), in connection with a proposed mixed used development, within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17), Borough of the Bronx, Community District 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on March 7, 2018 (Minutes, page 1096), and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 2

C 180123 ZSX

City Planning Commission decision approving an application submitted by New York City Economic Development Corporation, Department of Citywide Administrative Services, and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the rear yard requirements of Section 23-47 (Minimum Required Rear Yards), the distance between buildings requirements of Section 23-711 (Standard Minimum Distance Between Buildings) and the height and setback requirements of Section 123-66 (Height and Setback Regulations), in connection with a proposed mixed used development, within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17).

INTENT

To approve the Special Permit pursuant to Section 74-743 to modify bulk regulations within the large-scale general development, which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2.

PUBLIC HEARING**DATE:** February 26, 2018**Witnesses in Favor:** None**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 12, 2018

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

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Kallos offered the following resolution:

Res. No. 256

Resolution approving the decision of the City Planning Commission on ULURP No. C 180123 ZSX (L.U. No. 33), for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the rear yard requirements of Section 23-47 (Minimum Required Rear Yards), the distance between buildings requirements of Section 23-711 (Standard Minimum Distance Between Buildings) and the height and setback requirements of Section 123-66 (Height and Setback Regulations), in connection with a proposed mixed used development, within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17), Community District 2, Borough of the Bronx.

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2018 its decision dated February 14, 2018 (the "Decision"), on the application submitted by the New York City Economic Development Corporation, Department of Citywide Administrative Services, and The Peninsula JV, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the rear yard requirements of Section 23-47 (Minimum Required Rear Yards), the distance between buildings requirements of Section 23-711 (Standard Minimum Distance Between Buildings) and the height and setback requirements of Section 123-66 (Height and Setback Regulations), in connection with a proposed mixed used development, within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17); which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing, light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2, (ULURP No. C 180123 ZSX), Community District 2, Borough of the Bronx, (the "Application");

WHEREAS, the Application is related to applications C 180121 ZMX (L.U. No. 31), a zoning map amendment to change a portion of the development site from an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17; N 180122 ZRX (L.U. No. 32), a zoning text amendment to establish a Special Mixed Use District; designate a Mandatory Inclusionary Housing (MIH) area; and create a special permit to waive loading berth requirements in large-scale general developments (LSGDs); C 180124 ZSX (L.U. No. 34), a special permit to modify loading berth requirements within an LSGD; and C 180126 PPX (L.U. No. 35), disposition of City-owned property;

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

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 12, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on February 2, 2018 (CEQR No. 17DME001X);

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 180123 ZSX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission subject to the following terms and conditions:

1. The property that is the subject of this application (C 180123 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by BLA+WXY, filed with this application and incorporated in this resolution:

| <u>Drawing No.</u> | <u>Title</u> | <u>Date</u> |
|--------------------|---------------------------------------|-------------|
| Z-002 | Zoning Analysis, List of Actions | 10.19.2017 |
| Z-010 | Zoning Lot Site Plan | 10.19.2017 |
| Z-030 | Waiver Plan | 10.19.2017 |
| Z-031 | Waiver Diagrams Building 1A, 1B, 2A | 10.19.2017 |
| Z-032 | Waiver Diagrams Building 2A, 2B | 10.19.2017 |
| Z-033 | Waiver Diagrams Building 1A, 2B, 3 | 10.19.2017 |
| Z-034 | Waiver Diagrams Building 1B, 2A and 3 | 10.19.2017 |

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. In the event the property that is the subject of the application is developed, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
6. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of Kings. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions

shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

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

Report for L.U. No. 34

Report of the Committee on Land Use in favor of approving Application No. C 180124 ZSX submitted by the New York City Economic Development Corporation, the Department of Citywide Administrative Services, and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745(b) of the Zoning Resolution to allow a reduction of loading berth requirements of Section 44-52 (Required Accessory Off-street Loading Berths), in connection with a proposed mixed used development, within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17), Borough of the Bronx, Community Board 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on March 7, 2018 (Minutes, page 1096), and which same Land Use item was coupled with the resolution shown below respectfully

REPORTS:

SUBJECT

BRONX CB - 2

C 180124 ZSX

City Planning Commission decision approving an application submitted by the New York City Economic Development Corporation, Department of Citywide Administrative Services, and The Peninsula JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745(b) of the Zoning Resolution to allow a reduction of loading berth requirements of Section 44-52 (Required Accessory Off-street Loading Berths), in connection with a proposed mixed used development,

within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17).

INTENT

To grant approval of the Special Permit pursuant to Section 74-745(b) to modify loading berth requirements within an large-scale general development, which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2.

PUBLIC HEARING

DATE: February 26, 2018

Witnesses in Favor: None

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 12, 2018

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

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:
None

Abstain:
None

In connection herewith, Council Members Salamanca and Kallos offered the following resolution:

Res. No. 257

Resolution approving the decision of the City Planning Commission on ULURP No. C 180124 ZSX (L.U. No. 34), for the grant of a special permit pursuant to Section 74-745(b) of the Zoning Resolution to allow a reduction of loading berth requirements of Section 44-52 (Required Accessory Off-street Loading Berths), in connection with a proposed mixed used development, within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17), Community District 2, Borough of the Bronx.

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2018 its decision dated February 14, 2018 (the "Decision"), on the application submitted by the New York City Economic Development Corporation, Department of Citywide Administrative Services, and The Peninsula JV, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-745(b) of the Zoning Resolution to allow a reduction of loading berth requirements of Section 44-52 (Required Accessory Off-street Loading Berths), in connection with a proposed mixed used development, within a large-scale general development, on property located at 1201-1231 Spofford Avenue (Block 2738, Lot 35, and Block 2763, Lots 29 and p/o Lots 1 and 2), in an M1-2/R7-2 District, within a Special Mixed Use District (MX-17); which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing, light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2, (ULURP No. C 180123 ZSX), Community District 2, Borough of the Bronx, (the "Application");

WHEREAS, the Application is related to applications C 180121 ZMX (L.U. No. 31), a zoning map amendment to change a portion of the development site from an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17; N 180122 ZRX (L.U. No. 32), a zoning text amendment to establish a Special Mixed Use District; designate a Mandatory Inclusionary Housing (MIH) area; and create a special permit to waive loading berth requirements in large-scale general developments (LSGDs); C 180123 ZSX (L.U. No. 33), a special permit to modify bulk regulations within an LSGD; and C 180126 PPX (L.U. No. 35), disposition of City-owned property;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-745(b) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on February 2, 2018 (CEQR No. 17DME001X), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-451);

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 180124 ZSX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission subject to the following terms and conditions:

1. The property that is the subject of this application (C 180124 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by BLA+WXY , filed with this application and incorporated in this resolution:

| Drawing No. | Title | Date |
|--------------------|----------------------------------|-------------|
| Z-002 | Zoning Analysis, List of Actions | 10.19.2017 |
| Z-010 | Zoning Lot Site Plan | 10.19.2017 |

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Building.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. In the event the property that is the subject of the application is developed, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

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

Report for L.U. No. 35

Report of the Committee on Land Use in favor of approving Application No. C 180126 PPX submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition, by means of ground leases, of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning, Borough of the Bronx, Community District 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on March 7, 2018 (Minutes, page 1097), and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 2

C 180126 PPX

City Planning Commission decision approving an application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition, by means of ground leases, of four city-owned properties located at the former Spofford

Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning.

INTENT

To approve the disposition of the city-owned properties, which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2.

PUBLIC HEARING

DATE: February 26, 2018

Witnesses in Favor: None

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 12, 2018

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

In Favor:

Kallos, Gibson, Deutsch, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Kallos offered the following resolution:

Res. No. 258

Resolution approving the decision of the City Planning Commission on Application No. C 180126 PPX, for the disposition by means of ground leases, of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning, Borough of the Bronx, Community District 2 (L.U. No. 35).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2018 its decision dated February 14, 2018 (the "Decision"), pursuant to Section 197-c of the New York City Charter, regarding an application submitted by the Department of Citywide Administrative Services, for the disposition of by means of ground leases, of four city-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning, This action, in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing, light industrial, commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community District 2, (Application No. C 180126 PPX), Community District 2, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 180121 ZMX (L.U. No. 31), a zoning map amendment to change a portion of the development site from an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17; N 180122 ZRX (L.U. No. 32), a zoning text amendment to establish a Special Mixed Use District; designate a Mandatory Inclusionary Housing (MIH) area; and create a special permit to waive loading berth requirements in large-scale general developments (LSGDs), C 180123 ZSX (L.U. No. 33), a special permit to modify bulk regulations within an LSGD; and C 180124 ZSX (L.U. No. 34), a special permit to modify loading berth requirements within an LSGD;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2017;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on February 2, 2018 (CEQR No. 17DME001X), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-451);

RESOLVED:

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

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

- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180126 PPX, incorporated by reference herein, the Council approves the Decision for the disposition of the City-owned properties located at the former Spofford Juvenile Detention Center at 1201-1231 Spofford Avenue (Block 2738, Lot 35; Block 2763, Lot 29, and p/o Lots 1 and 2), pursuant to zoning.

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

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

Report for L.U. No. 39

Report of the Committee on Land Use in favor of approving Application No. 20185068 SCQ submitted by the New York City School Construction Authority pursuant to Section 1731 of the New York City School Construction Authority Act for the site selection of property located at Block 6, Lot 130, for the construction of a new, approximately 612-seat primary school facility, Borough of Queens, Community School District 30, Community District 2, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on March 7, 2018 (Minutes, page 1098), and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 2

20185068 SCQ

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 612-Seat Primary School facility, known as P.S. Q375, to be located on Block 6, Lot 130, Borough of Queens, in Community School District 30.

INTENT

To approve the site plan for a new, approximately 612-Seat Primary School facility, known as P.S. Q375, that will be located on an approximately 43,363 sq. ft. lot, known as Parcel F, in the Hunters Point South section of Queens, serving students in pre-kindergarten through fifth grade in Community School District 30.

PUBLIC HEARING

DATE: March 12, 2018

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 12, 2018

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Adams offered the following resolution:

Res. No. 259

Resolution approving the site plan for a new, approximately 612-Seat Primary School Facility, known as P.S. Q375, (also referred to as Parcel F) to be located on Block 6, Lot 130), Community District 2, Borough of Queens (Non-ULURP No. 20185068 SCQ; L.U. No. 39).

By Council Members Salamanca and Adams.

WHEREAS, the New York City School Construction Authority submitted to the Council on March 9, 2018, a site plan dated March 9, 2018, pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 612-Seat Primary School Facility, known as P.S. Q375, to be located on Block 6, Lot 130, Community District No. 2, Borough of Queens, Community School District No. 30 (the "Site Plan");

WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on March 12, 2018;

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on September 12, 2008 (CEQR No. 08DME006Q), which identified significant adverse impacts with respect to hazardous materials, air quality and noise; and Technical Memoranda #1- November 2008, #2 - January 2010, #3 - October 2012, #4 - January 2013, and #5 - November 2017, (the "Technical Memoranda");

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Site Plan.

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, policy, among other essential considerations, this action is one which minimizes or avoids adverse environmental impacts to the maximum extent possible by incorporating, as conditions to the decision, those mitigative measures which were identified as practicable; and
- (3) The action is consistent with the applicable rules and regulations set forth in 19 NYCRR 600.5, and since the Secretary of State has approved a local government waterfront revitalization program, the action is consistent with the local waterfront revitalization program to the maximum extent possible; and
- (4) The Decision, together with the FEIS and the Technical Memoranda, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11.

Pursuant to Section 1732 of the Public Authorities Law and on the basis of the environmental determination, incorporated by reference herein, the Council approves the Site Plan.

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

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

Report for L.U. No. 40

Report of the Committee on Land Use in favor of approving Application No. 20185069 SCQ submitted by the New York City School Construction Authority pursuant to Section 1731 of the New York City School Construction Authority Act for the site selection of property located at Block 60, Lot 6, for the construction of a new, approximately 572-seat primary school facility, Borough of Queens, Community School District 30, Community District 2, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on March 7, 2018 (Minutes, page 1098), and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 2

20185069 SCQ

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 572-Seat Primary School facility, known as P.S. Q341, to be located on Block 6, part of Lot 60 (will be known as Block 6, Lot 160), Borough of Queens, in Community School District 30.

INTENT

To approve the site plan for a new, approximately 572-Seat Primary School facility, known as P.S. Q341, that will be located on an approximately 23,081 sq. ft. lot, known as Parcel C, in the Hunters Point South section of Queens, serving students in pre-kindergarten through fifth grade in Community School District 30.

PUBLIC HEARING

DATE: March 12, 2018

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 12, 2018

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor:

Adams, Barron, Koo, Miller, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 15, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Koo, Lancman, Miller, Reynoso, Torres, Treyger, Grodenchik.
Adams, Diaz, Moya, Rivera

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Adams offered the following resolution:

Res. No. 260

Resolution approving the site plan for a new, approximately 572-Seat Primary School Facility, known as P.S. Q341, (also referred to as Parcel C) to be located on Block 6, part of Lot 60 (will be known as Block 6, Lot 160), Community District 2, Borough of Queens (Non-ULURP No. 20185069 SCQ; L.U. No. 40).

By Council Members Salamanca and Adams.

WHEREAS, the New York City School Construction Authority submitted to the Council on March 9, 2018, a site plan dated March 9, 2018, pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 572-Seat Primary School Facility, known as P.S. Q341, to be located on Block 6, part of Lot 60 (will be known as Block 6, Lot 160), in the Hunters Point South section of Queens, Community District No. 2, Borough of Queens, Community School District No. 30 (the "Site Plan");

WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on March 12, 2018;

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on September 12, 2008 (SEQR Project No. 18-009), which identified significant adverse impacts with respect to hazardous materials,

air quality and noise; and Technical Memoranda #1- November 2008, #2 - January 2010, #3 - October 2012, #4 - January 2013, and #5 - November 2017 (CEQR No. 08DME006Q), (the “Technical Memoranda”);

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Site Plan.

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, policy, among other essential considerations, this action is one which minimizes or avoids adverse environmental impacts to the maximum extent possible by incorporating, as conditions to the decision, those mitigative measures which were identified as practicable; and
- (3) The action is consistent with the applicable rules and regulations set forth in 19 NYCRR 600.5, and since the Secretary of State has approved a local government waterfront revitalization program, the action is consistent with the local waterfront revitalization program to the maximum extent possible; and
- (4) The Decision, together with the FEIS and the Technical Memoranda, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11.

Pursuant to Section 1732 of the Public Authorities Law and on the basis of the environmental determination, incorporated by reference herein, the Council approves the Site Plan.

RAFAEL SALAMANCA, Jr., *Chairperson*; VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 15, 2018.

On motion of the Speaker (Council Member Johnson), 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 Public Safety

Report for Int. No. 605-A

Report of the Committee on Public Safety 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 police department to submit reports on the enforcement of marijuana possession.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on February 15, 2018 (Minutes, page 899), respectfully

REPORTS:

I. INTRODUCTION

On March 19, 2018, the Committee on Public Safety, chaired by Donovan Richards, will vote on Proposed Introduction Number 605-A (Prop. Int. 605-A), a local law to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports on the enforcement of marijuana possession. The Committee previously heard this bill on February 26, 2018. Representatives of the New York Police Department (NYPD) and various advocates, stakeholders, and members of the public testified at that hearing.

II. BACKGROUND

The possession and sale of recreational marijuana is prohibited pursuant to New York State Penal Law Article 221.¹ In February 2018, the Misdemeanor Justice Project (MJP) at John Jay College of Criminal Justice issued a report entitled “Trends in Arrests for Misdemeanor Charges in New York City, 1993-2016”, which shows that over the past two decades, arrests for marijuana misdemeanor charges have fluctuated significantly.² In 1993, just 5,221 arrests were made, which skyrocketed to 60,190 in 2000, then dropped to 32,735 in 2004.³ Arrests for marijuana charges then rose again in 2010 (55,623) and dropped in 2016, as the NYPD made 21,457 arrests.⁴ In 2010, under former NYPD Commissioner Raymond Kelly, the NYPD made 50,383 arrests, mostly of young people of color, for possession of fewer than 25 grams of marijuana.⁵ According to the MJP, despite the varying number of arrests made over the years, consistent trends are present.⁶ Between 1993 and 2016, arrestees were overwhelmingly Black and Latino men. In 1993, the arrest rate for marijuana charges for Blacks was 20.9 times higher than the arrest rate for Whites.⁷ According to MJP, this difference increased to a peak of 23.3 times higher.⁸ In 2016, the arrest rate for Blacks was 7.8 times higher than for Whites.⁹

In his 2013 mayoral campaign, Mayor de Blasio acknowledged the racial disparities in marijuana arrests, saying the policy was “unjust and wrong.”¹⁰ In November of 2014, then-NYPD Commissioner William Bratton and Mayor de Blasio announced a new policy for handling low-level marijuana violations whereby possession of 25 grams of marijuana or less would result in a summons and fine instead of an arrest even if it is in public view, unless the marijuana is burning, if there is an intent to sell, or if the individual has an outstanding warrant or is in a school.¹¹ Then-Chief of Department James O’Neill said, “The whole purpose operationally... is to keep people – keep cops on the street...”¹² Despite the new policy, the MJP suggests the racial disparity in low-level marijuana arrests remains high and largely unchanged, and advocates argue the arrest numbers are still too high.¹³

¹ NYS Penal Law section 221.00

² Chauhan, P., Tomascak, S., Cuevas, C., Hood, Q. O., & Lu, O. (2018, February). Trends in Arrests for Misdemeanor Charges in New York City, 1993-2016. New York: New York. available at http://misdemeanorjustice.org/wp-content/uploads/2018/01/2018_01_24_MJP.Charges.FINAL_.pdf (Herein Misdemeanor Justice Project Report)

³ *Id.* at 51

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ “Marijuana arrests in city increased in 2016, with large racial disparities”, Politico, available at <https://www.politico.com/states/new-york/city-hall/story/2017/02/marijuana-arrests-in-nyc-increase-in-2016-still-large-racial-disparities-109306> (Last accessed Feb. 21, 2018).

¹¹ *Id.*

¹² “A Guide to NYC’s New Pot Policy”, WNYC News, available at <https://www.wnyc.org/story/guide-new-nyc-pot-policy/> (Last accessed Feb. 21, 2018).

¹³ *Supra* note 10.

There has been a robust public discussion of whether the NYPD's enforcement of marijuana is proactive or reactive to community concerns. Advocates have long maintained that marijuana arrests are part of a "broken windows" policing strategy in which police officers actively seek marijuana arrests,¹⁴ whereas the NYPD has maintained that officers enforce marijuana laws in response to 911 calls and community complaints.¹⁵

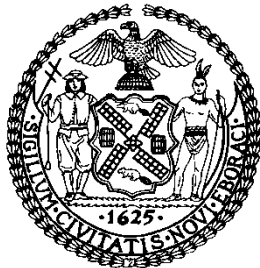
III. ANALYSIS OF PROP. INT. 605-A

This bill would add a new administrative code section 14-175 to require NYPD to report quarterly on the enforcement of low-level marijuana possession. This report would include the number of arrests and summonses issued for New York State Penal Law sections 221.05, 221.10 and 221.15. The report also requires the numbers to be disaggregated by offense, race, gender, age, borough in which the enforcement action was taken, and the patrol precinct, housing police service area, and transit district in which the enforcement was taken.

IV. AMENDMENTS TO PROP. INT. NO. 605-A

Prop. Int. No. 605-A has been amended since it was introduced as Introduction Number 605. The original version of the bill required NYPD to submit the report to the council and the mayor within 20 days of the beginning of each fiscal year quarter, and post to the department's website within 30 days of each fiscal year quarter. This was modified to require NYPD to report to the council within 25 days of the end of each calendar year quarter, and post to the department's website five days thereafter. Additionally, the provision requiring the data be disaggregated by age was amended to require the data be disaggregated by year for the age of 20 and under, and by age group as follows: 21 to 24 years old, 25 to 34 years old, 35 to 65 years old, and over 65. Lastly, the effective date was modified from immediately after it becomes law to 60 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 605-A:)



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

PROPOSED INTRO. NO: 605-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports on the enforcement of marijuana possession

SPONSORS: Council Members Levin, Richards, Miller, Rosenthal, Constantinides, Rodriguez, Menchaca, Lancman, and Williams

SUMMARY OF LEGISLATION: Proposed Int. 605-A would require the Police Department to report on a quarterly basis the number of arrests and summonses issued for low-level marijuana possession, disaggregated by the offense charged, race of the offender, gender of the offender, age of the offender, borough in which the offense took place, and the precinct, housing police service area, or transit bureau in which the offense was enforced. In

¹⁴ "Marijuana arrests in city increased in 2016, with large racial disparities", Politico, available at <https://www.politico.com/states/new-york/city-hall/story/2017/02/marijuana-arrests-in-nyc-increase-in-2016-still-large-racial-disparities-109306> (Last accessed Feb. 21, 2018).

¹⁵ *Supra* note 11.

addition, the Department would be required to submit the report to the Council five days before publishing the report on the Department's website.

EFFECTIVE DATE: This local law would take effect in 60 days

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Steve Riester, Senior Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Rebecca Chasan, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on February 15, 2018 as Intro. No. 605 and was referred to the Committee on Public Safety (Committee). The Committee considered the legislation at a hearing held jointly with the Committee on Justice System on February 26, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 605-A, will be voted on by the Committee at March 19, 2018. Upon successful vote by the Committee, Proposed Intro. No. 605-A will be submitted to the full Council for a vote on March 22, 2018.

DATE PREPARED: March 14, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 605-A:)

Int. No. 605-A

By Council Members Levin, Richards, Miller, Rosenthal, Constantinides, Rodriguez, Menchaca, Lancman, Williams and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports on the enforcement of marijuana possession.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-175 to read as follows:

§ 14-175. Marijuana enforcement report. a. The commissioner shall submit to the council within twenty-five days of the end of each quarter and post to the department's website five days thereafter, a report on the number of enforcement actions for marijuana possession as defined in sections 221.05, 221.10 and 221.15 of the New York state penal law, disaggregated by:

- 1. the number of arrests; and*
- 2. the number of criminal summonses issued.*

b. The information required pursuant to subdivision a of this section shall be listed in total and disaggregated by:

- 1. offense;*
- 2. race;*
- 3. gender;*
- 4. age, disaggregated by year for the age of 20 and under, and by age group as follows: 21 to 24 years old, 25 to 34 years old, 35 to 65 years old, and over 65;*
- 5. borough in which the enforcement action was taken; and*
- 6. the patrol precinct, housing police service area, and transit district in which the enforcement was taken.*

§ 2. This local law takes effect 60 days after it becomes law.

DONOVAN J. RICHARDS, Chairperson; CHAIM M. DEUTSCH, RORY I. LANCMAN, CARLOS MENCHACA, I. DANEEK MILLER, YDANIS A. RODRIGUEZ, PAUL A. VALLONE, JUMAANE D. WILLIAMS, JUSTIN L. BRANNAN, KEITH POWERS; Committee on Public Safety, March 19, 2018.

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

GENERAL ORDER CALENDAR

Report for Int. No. 720

Report of the Committee on Housing and Buildings in favor of approving and adopting, a Local Law to amend the New York city building code, in relation to clarifying the requirements for site safety training providers.

The Committee on Housing and Buildings, to which the annexed preconsidered proposed local law was referred on March 7, 2018 (Minutes, page 1092), and which same item was previously before the Council and laid over at the March 7, 2018 Stated Meeting (Minutes, page 924), respectfully

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 720 printed in the Minutes of March 7, 2018, page 1092)

Laid Over by the Council.

Report for L.U. No. 15 & Res. No. 261

Report of the Committee on Land Use in favor of approving Application No. C 170240 ZMK submitted by SP North of North Limited Partnership, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 28d, changing a portion of the block bounded by Neptune Avenue, West 28th Street, Mermaid Avenue, and West 29th Street, from R5 and R5/C1-2 zoning districts to R5, R6, R6A and R7A/C2-4 zoning districts, Borough of Brooklyn, Community Board 13, Council District 47.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 590) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission at the March 7, 2018 Stated Meeting (Minutes, page 925), respectfully

REPORTS:**SUBJECT****BROOKLYN CB - 13****C 170240 ZMK**

City Planning Commission decision approving an application submitted by SP North of North Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d.

INTENT

To approve an amendment to the Zoning Map, which in conjunction with the related action would facilitate construction of a new 100 percent affordable housing development.

PUBLIC HEARING**DATE:** February 7, 2018**Witnesses in Favor:** Four**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 6, 2018

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

In Favor:

Moya, Constantinides, Lancman, Levin, Reynoso, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 261

Resolution approving the decision of the City Planning Commission on ULURP No. C 170240 ZMK, a Zoning Map amendment (L.U. No. 15).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on January 19, 2018 its decision dated January 17, 2018 (the "Decision"), on the application submitted by SP North of North Limited Partnership, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d, which in conjunction with the related action would facilitate the construction of a new 100 percent affordable housing development containing two new eight-story building with 153 units in the Coney Island neighborhood of Brooklyn Community District 13, (ULURP No. C 170240 ZMK), Community District 13, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to application N 170241 ZRK (L.U. No. 16), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 7, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued September 5, 2017 (CEQR No. 17DCP098K), which included (E) designations to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (E-447) (the "Negative Declaration").

RESOLVED:

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 170240 ZMK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 28d:

1. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a. Neptune Avenue, West 28th Street, a line 150 feet southerly of Neptune Avenue, and West 29th Street; and
 - b. a line 150 feet northerly of Mermaid Avenue, West 28th Street, Mermaid Avenue, and West 29th Street;
2. changing from an R5 District to an R6 District property bounded by a line 350 feet northerly of Mermaid Avenue, West 28th Street, a line 100 feet northerly of Mermaid Avenue, West 29th Street, a line 250 feet northerly of Mermaid Avenue, and a line midway between West 28th Street and West 29th Street;
3. changing from an R5 District to an R6A District property bounded by a line 100 feet southerly of Neptune Avenue, West 28th Street, a line 350 feet northerly of Mermaid Avenue, and a line midway between West 28th Street and West 29th Street;
4. changing from an R5 District to an R7A District property bounded by:
 - a. Neptune Avenue, West 28th Street, a line 100 feet southerly of Neptune Avenue, and West 29th Street; and
 - b. a line 100 feet northerly of Mermaid Avenue, West 28th Street, Mermaid Avenue, and West 29th Street; and
5. establishing within the proposed R7A Districts a C2-4 District bounded by:
 - a. Neptune Avenue, West 28th Street, a line 100 feet southerly of Neptune Avenue, and West 29th Street; and
 - b. a line 100 feet northerly of Mermaid Avenue, West 28th Street, Mermaid Avenue, and West 29th Street;

as shown on a diagram (for illustrative purposes only) dated September 5, 2017, and subject to the conditions of CEQR Declaration E-447, Community District 13, Borough of Brooklyn.

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeager*

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

Report for L.U. No. 16 & Res. No. 262

Report of the Committee on Land Use in favor of approving Application No. N 170241 ZRK submitted by SP North of North Limited Partnership, 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 Brooklyn, Community District 13, Council District 47.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 590), and which same Land Use item was coupled with the resolution shown below and was previously before the Council referred to the City Planning Commission at the March 7, 2018 Stated Meeting (Minutes, page 927) , respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 13

N 170241 ZRK

City Planning Commission decision approving an application submitted by SP North of North Limited Partnership, 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.

INTENT

To approve an amendment to the Zoning Resolution which in conjunction with the related action would facilitate construction of a new 100 percent affordable housing development.

PUBLIC HEARING

DATE: February 7, 2018

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 6, 2018

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

In Favor:

Moya, Constantinides, Lancman, Levin, Reynoso, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on March 8, 2018. The City Planning Commission filed a letter dated March 12, 2018, with the Council on March 20, 2018, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 262

Resolution approving with modification the decision of the City Planning Commission on Application No. N 170241 ZRK, 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, Community District 13, Borough of Brooklyn (L.U. No. 16).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on January 19, 2018 its decision dated January 17, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by SP North of North Limited Partnership, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the construction of a new 100 percent affordable housing development containing two new eight-story buildings with 153 units in the Coney Island neighborhood of Brooklyn, (Application No. N 170241 ZRK), Community District 13, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to application C 170240 ZMK (L.U. No. 15), an amendment to the Zoning Map to change R5 and R5/C1-2 zoning districts to R5, R6, R6A, R7A/C2-4 zoning districts;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 7, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued September 5, 2017 (CEQR No. 17DCP098K), which included (E) designations to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (E-447) (the "Negative Declaration").

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 170241 ZRK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission with the following modifications:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- Matter ~~double struck out~~ is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council;
- * * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

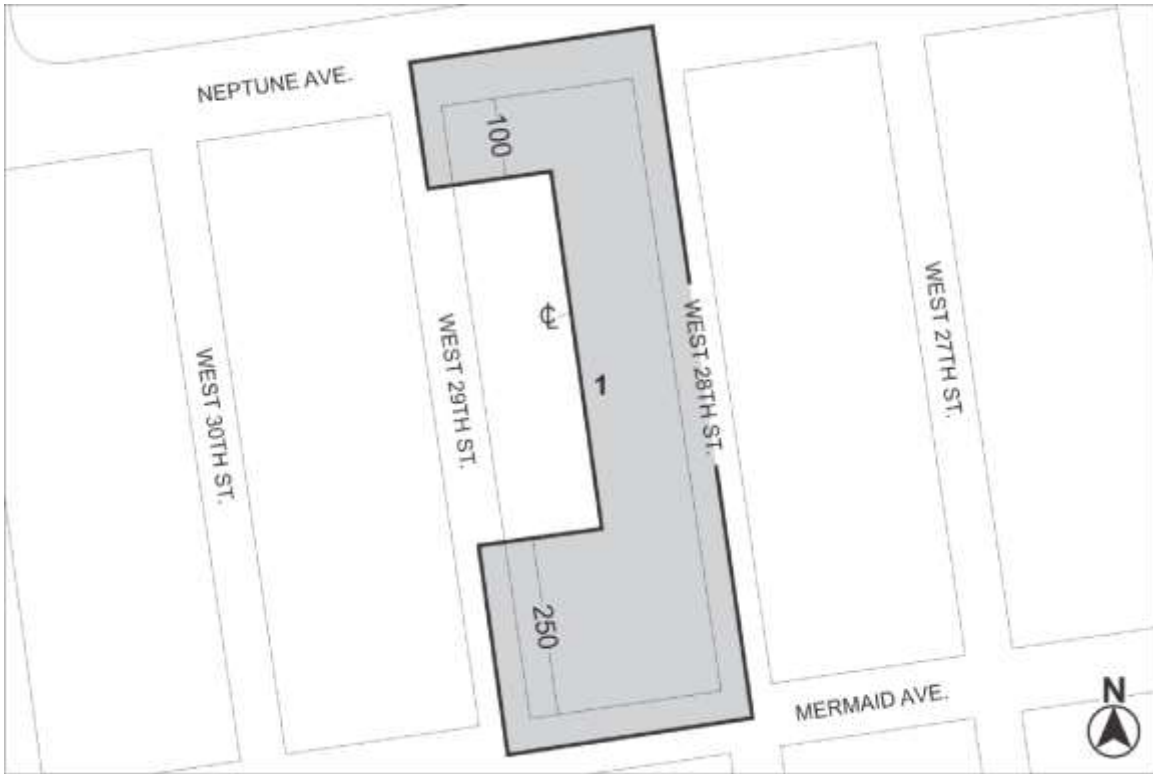
BROOKLYN

* * *

Brooklyn Community District 13

* * *

Map 2. [date of adoption]



■ Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))
Area 1 – [date of adoption] – MIH Program Option 1 and Option 2

Portion of Community District 13, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger.*

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

Report for L.U. 17 & Res. No. 263

Report of the Committee on Land Use in favor of approving Application No. N 180050 (A) ZRX submitted by the New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 (Special Jerome Avenue District) to establish the Special Jerome Avenue District and establish a Mandatory Inclusionary Housing area, , Borough of the Bronx, Community District 4, 5 and 7, Council Districts 14 and 16.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 590) and which same Land Use item was coupled with the resolution shown below, and was previously before the Council and referred to the City Planning Commission at the March 7, 2018 Stated Meeting (Minutes, page 928), respectfully

REPORTS:

SUBJECT

BRONX CBs - 4, 5, and 7

N 180050 (A) ZRX

City Planning Commission decision approving an application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 (Special Jerome Avenue District) to establish the Special Jerome Avenue District and establish a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 4, 5 and 7.

INTENT

To approve the amendment to the Zoning Resolution which, in conjunction with several related actions, would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx.

PUBLIC HEARING**DATE:** February 7, 2018**Witnesses in Favor:** Twenty-one**Witnesses Against:** Twenty-seven**SUBCOMMITTEE RECOMMENDATION****DATE:** March 6, 2018

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

In Favor:

Moya, Constantinides, Lancman, Levin, Reynoso, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on March 8, 2018. The City Planning Commission filed a letter dated March 12, 2018, with the Council on March 20, 2018, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 263

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 180050(A) ZRX, for an amendment of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 (Special Jerome Avenue District) to establish the Special Jerome Avenue

District and establish a Mandatory Inclusionary Housing area, Community Districts 4, 5 and 7, Borough of the Bronx (L.U. No. 17).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on January 26, 2018 its decision dated January 17, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 6 to establish the Special Jerome Avenue District and establish a Mandatory Inclusionary Housing area. This action, in conjunction with several related actions would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx, (Application No. N 180050(A) ZRX), Community Districts 4, 5 and 7, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 180051(A) ZMX (L.U. No. 18), a zoning map amendment, as modified; and C 170305 MMX (L.U. No. 19), a city map amendment to de-map a portion of Corporal Fischer Place and to map new parkland;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 7, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on January 5, 2018 (CEQR No. 17DCP019X), which identified significant adverse impacts related to hazardous materials, air quality and noise which would be avoided through the placement of (E) designations (E-442), and additional significant adverse impacts with respect to community facilities (public schools), shadows, transportation (traffic, buses, and pedestrians), and construction activities related to noise.

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by (E) designations for Hazardous Materials, Air Quality, and Noise, which form part of the Proposed Actions, or the required mitigation measures.

The Decision, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 180050(A) ZRX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission with the following modifications:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- Matter ~~double struck out~~ is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council;
- * * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE I: GENERAL PROVISIONS

Chapter 1 - Title, Establishments of Controls and Interpretation of Regulations

* * *

**11-122
Districts established**

* * *

Establishment of the Special Hunts Point District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special Hunts Point District# is hereby established.

Establishment of the Special Jerome Corridor District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 1, the #Special Jerome Corridor District# is hereby established.

Establishment of Special Limited Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 3, the #Special Limited Commercial District# is hereby established.

* * *

Chapter 2 - Construction of Language and Definitions

* * *

**12-10
DEFINITIONS**

* * *

Special Hunts Point District

The “Special Hunts Point District” is a Special Purpose District designated by the letters “HP” in which special regulations set forth in Article X, Chapter 8, apply.

Special Jerome Corridor District

The “Special Jerome Corridor District” is a Special Purpose District designated by the letters “J” ~~“JC”~~ in which special regulations set forth in Article XIV, Chapter 1, apply.

Special Limited Commercial District

The “Special Limited Commercial District” is a Special Purpose District designated by the letters “LC” in which special regulations set forth in Article VIII, Chapter 3, apply.

* * *

Chapter 4 – Sidewalk Cafe Regulations

* * *

14-44

Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

* * *

| The Bronx | #Enclosed Sidewalk Cafe# | #Unenclosed Sidewalk Cafe# |
|---------------------------------|--------------------------|----------------------------|
| City Island District | No | Yes |
| <u>Jerome Corridor District</u> | <u>No</u> | <u>Yes</u> |

* * *

ARTICLE II – RESIDENCE DISTRICT REGULATIONS

Chapter 3 – Residential Bulk Regulations in Residence Districts

23-00

APPLICABILITY AND GENERAL PURPOSES

23-01

Applicability of This Chapter

* * *

Special regulations applying to #large-scale residential developments# or #residential uses# in #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII ~~and XIII~~ and XIV.

* * *

Chapter 4 - Bulk Regulations for Community Facilities in Residence Districts

24-00

APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS

24-01

Applicability of this Chapter

* * *

Special regulations applying to #large-scale community facility developments# or to #community facility uses# in #large-scale residential developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII and XIV.

* * *

ARTICLE III - COMMERCIAL DISTRICT REGULATIONS

Chapter 3 - Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

33-00

APPLICABILITY, GENERAL PURPOSES AND DEFINITIONS

33-01

Applicability of This Chapter

* * *

Special regulations applying to #large-scale residential developments#, #community facility uses# in #large-scale residential developments# or #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII and XIV.

* * *

Chapter 4 - Bulk Regulations for Residential Buildings in Commercial Districts

34-00

APPLICABILITY AND DEFINITIONS

34-01

Applicability of this Chapter

* * *

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #noncomplying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII ~~and XIII and XIV~~.

* * *

Chapter 5 - Bulk Regulations for Mixed Buildings in Commercial Districts

**35-00
APPLICABILITY AND DEFINITIONS**

**35-01
Applicability of this Chapter**

* * *

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #noncomplying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII ~~and XIII and XIV~~.

* * *

Chapter 7 - Special Urban Design Regulations

**37-00
GENERAL PURPOSES**

Special urban design regulations are set forth in this Chapter to improve the quality of the streetscape and to promote a lively and engaging pedestrian experience along commercial streets in various neighborhoods.

The provisions of this Chapter shall apply as follows:

* * *

(c) Section 37-30, inclusive, sets forth special streetscape provisions that apply in conjunction with provisions specified in the supplemental use provisions of Article III, Chapter 2, special provisions for certain areas in Article VI, or in Special Purpose Districts in Articles VIII through ~~XIII~~ XIV;

* * *

ARTICLE IV - MANUFACTURING DISTRICT REGULATIONS

Chapter 3 - Bulk Regulations

43-00**APPLICABILITY AND GENERAL PROVISIONS****43-01****Applicability of this Chapter**

* * *

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII and XIV.

* * *

ARTICLE XIV - SPECIAL PURPOSE DISTRICTS**Chapter 1 - Special Jerome Corridor District****141-00****GENERAL PURPOSES**

The “Special Jerome Corridor District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (i) to encourage well-designed buildings that complement the built character of the Highbridge, Concourse, Mount Eden, Mount Hope, Morris Heights, and University Heights neighborhoods;
- (ii) to achieve a harmonious visual and functional relationship with the adjacent neighborhoods;
- (iii) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (iv) to create a livable community combining housing, retail and other uses throughout the district;
- (v) to create a walkable, urban streetscape environment through a mix of ground floor uses;
- (vi) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;
- (vii) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms on zoning lots with irregular shapes and on zoning lots fronting on the elevated rail structure along Jerome and River Avenues; and
- (viii) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City’s tax revenues.

141-01
General Provisions

The provisions of this Chapter shall apply within the #Special Jerome Corridor District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

141-02
District Plan and Maps

In order to carry out the purposes and provisions of this Chapter, district maps are located in the Appendix to this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

Map 1 Special Jerome Corridor District, Subdistrict and Subareas

Map 2 Designated locations for street wall continuity and ground floor requirements in Subarea A1

Map 3 Designated locations for street wall continuity and ground floor requirements in Subareas A2

Map 4 Designated locations for street wall continuity requirements in Subarea A3

Map 5 Boundary of Subarea A4

141-03
Subdistricts and Subareas

To carry out the provisions of this Chapter, Subdistrict A, comprised of Subareas A1, A2, A3 and A4, is established. The location and boundaries of this Subdistrict and Subareas are shown on Map 1 (Special Jerome Corridor District, Subdistrict and Subareas) in the Appendix to this Chapter.

141-04
Applicability of the Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special Jerome Corridor District# are shown on the maps in APPENDIX F of this Resolution.

141-10
SPECIAL USE REGULATIONS

Within the #Special Jerome Corridor District#, the underlying #use# regulations are modified by the provisions of this Section.

141-11
Special Permit for Transient Hotels

The #development# or #enlargement# of a #building# containing a #transient hotel#, as listed in Section 32-14 (Use Group 5), or the #conversion# or change of #use# within an existing #building# to a #transient hotel#, shall only be allowed in C2 Districts, subject to the locational criteria set forth in the double-asterisked footnote of Use Group 5 in Section 32-14, and in C4 Districts;

- (a) upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the #residential development# goal, as set forth in this Section, has been met; or
- (b) by special permit by the City Planning Commission where such #residential development# goal, has not been met. To permit such a #transient hotel#, the Commission shall find that:
 - (1) sufficient sites are available in the area to meet the #residential development# goal; or
 - (2) a harmonious mix of #residential# and non-#residential uses# has been established in the area, and such #transient hotel# is consistent with the character of the surrounding area.

The City Planning Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

For the purpose of applying the provisions of this Section, the #residential development# goal shall be met when at least 3,006 #dwelling units# within the #Special Jerome Corridor District# have received temporary or final certificates of occupancy subsequent to [date of adoption].

141-12

Physical Culture or Health Establishments

#Physical culture or health establishments# shall be permitted as-of-right in C2 and C4 Districts. For the purposes of applying the underlying regulations to such #use#, a #physical culture or health establishment# shall be considered a Use Group 9 #use# and shall be within parking requirement category B.

141-13

Modification of Supplemental Use Provisions

For #mixed buildings# constructed after [date of adoption] on #zoning lots# in C1 or C2 Districts mapped within R7 or R8 Districts with #street lines# along the elevated rail structure on Jerome or River Avenues, the underlying provisions of Section 32-421 (Limitation on floors occupied by commercial uses) shall be modified to allow #commercial uses# listed in Use Groups 6, 7, 8, 9 or 14 to occupy the lowest two #stories#.

141-20

SPECIAL BULK REGULATIONS

The underlying #bulk# ~~height and setback~~ regulations are modified by the provisions of this Section.

141-21

Special Yard Regulations

In #Commercial Districts#, for #zoning lots# or portions thereof, with #street lines# along the elevated rail structure on Jerome or River Avenues and within 100 feet of such #street lines#, the permitted obstructions set forth in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be modified to permit any #building# or portion of a #building# used for any permitted #use# other than #residences#, to be

a permitted obstruction within a required #yard#, #rear yard equivalent# or other #open space# required pursuant to the provisions of Section 33-20 (YARD REGULATIONS), inclusive, or Section 33-30 (OTHER SPECIAL PROVISIONS FOR REAR YARDS), inclusive, provided that the height of such portion of a #building# shall not exceed two #stories#, excluding #basement#, nor in any event 30 feet above #curb level#.

141-22

Special Floor Area Regulations in R8A Districts

For #zoning lots# in R8A Districts, or C1 or C2 Districts mapped within R8A Districts, or in #Commercial Districts# with an R8A residential equivalent, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the maximum #residential floor area ratio# shall be 7.2.

141-23 ~~141-22~~

Special Height and Setback Regulations Along the Elevated Rail Structure Outside Subdistrict A

For #zoning lots#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, and located outside Subdistrict A, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

At least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 15 feet, or the height of the #building#, whichever is lower. The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section 35-651 (Street wall location) shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

Any open space between a #street wall# and a #street line# along the elevated rail structure on Jerome or River Avenues shall comply with the special open space provisions of paragraph (a) of Section 141-33.

(b) Base heights, maximum #building# heights and maximum number of #stories#

The table in this Section sets forth, by zoning district, the minimum and maximum base height, the maximum height of a #building or other structure#, and the maximum number of #stories# for #buildings#, or portions thereof. For #zoning lots# in a #Commercial District# the applicable district shall be the #Residence District# within which such #Commercial District# is mapped, or the applicable residential equivalent set forth in the tables in Section 35-23 (Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 Districts).

Separate maximum base heights are established in the table in this Section for #street walls# of #buildings# facing #streets# intersecting Jerome or River Avenues, and for #street walls# facing the elevated rail structure. The maximum base heights along intersecting #streets# shall also apply to #street walls# facing the elevated rail structure on Jerome or River Avenues within 75 feet of the corner.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district, and shall be provided at a height not lower than the minimum base height or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

Base Heights, Maximum #Building# Heights and Maximum Number of #Stories#

| <u>District</u> | <u>Maximum Base Height along Elevated Rail Structure, beyond 75 feet of the corner (in feet)</u> | <u>Maximum Base Height on Intersecting Streets, and within 75 feet of the corner (in feet)</u> | <u>Maximum Height of #Buildings or Other Structures# (in feet)</u> | <u>Maximum Number of #Stories#</u> |
|-----------------|--|--|--|------------------------------------|
| <u>R7A</u> | <u>30</u> | <u>75</u> | <u>115</u> | <u>11</u> |
| <u>R7D</u> | <u>30</u> | <u>95</u> | <u>135</u> | <u>13</u> |
| <u>R8A</u> | <u>30</u> | <u>105</u> | <u>165</u> | <u>16</u> |
| <u>R9A</u> | <u>30</u> | <u>125</u> | <u>195</u> | <u>19</u> |

(c) Required and permitted articulation

For #street wall# fronting the elevated rail structure on Jerome or River Avenues with widths exceeding 100 feet, a minimum of 20 percent of the surface area of such #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such projections shall be considered a permitted obstruction into a required setback, and the depth of such projections along the elevated rail structure shall not exceed three feet.

In addition, the underlying dormer provisions of paragraph (c) of Section 23-621 shall be modified for portions of #buildings# facing the elevated rail structure, so that above the maximum base height set forth in paragraph (b) of this Section, dormers shall be permitted only within 75 feet of a corner.

141-24 141-23

Special Height and Setback Regulations in Subdistrict A

In Subdistrict A, as shown on Map 1 (Special Jerome Corridor District, Subdistrict and Subareas) in the Appendix to this Chapter, the underlying height and setback provisions are modified by the provisions of this Section.

(a) #Street wall# location

(1) Along the elevated rail structure

For #street walls#, or portions thereof, within 100 feet of #street lines# along the elevated rail structure on Jerome or River Avenues, the provisions of paragraph (a) of Section ~~141-23~~~~141-22~~ shall apply.

(2) Along designated #streets#

In Subareas A1 through A3, along the #streets# designated on Maps 2 through 4 in the Appendix to this Chapter, the following shall apply:

(i) In #Commercial Districts#

For #street walls#, or portions thereof, located in #Commercial Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a height of 30 feet, or the height of the #building#, whichever is lower. In addition, above a height of 30 feet, at least 50 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 60 feet, or the height of the #building#, whichever is lower.

The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section 35-651 shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

In the corner locations designated on Maps 2 and 3, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section 141-33.

(ii) In #Residence Districts#

For #street walls#, or portions thereof, located in #Residence Districts#, at least 70 percent of the #aggregate width of street walls# shall be located within 15 feet of the #street line# and shall extend to at least the minimum base height set forth in paragraph (b) of this Section, or the height of the #building#, whichever is lower.

The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along a #wide street# or 15 feet along a #narrow street# are located within an #outer court#.

The underlying allowances for #street wall# articulation, set forth in paragraph (e) of Section 35-651 shall be permitted to project or recess, where applicable, beyond the #street wall# locations established in this paragraph.

In the corner locations designated on Map 4, an open space may be provided within 75 feet of the corner, pursuant to the provisions of paragraph (b) of Section 141-33.

(3) Along other #streets#

In Subareas A1 through A4, along #streets# that are not designated on Maps 2 through 5, no #street wall# location provisions shall apply, and no minimum base heights shall apply.

(b) Base heights, maximum #building# heights, and maximum number of #stories#

The table in this Section sets forth, by zoning district, the maximum base height, the maximum transition height, the maximum height of a #building or other structure# and the maximum number of #stories# for #buildings#.

However, for #street walls# facing the elevated rail structure along Jerome or River Avenues beyond 75 feet of the corner, the maximum base height shall be 30 feet.

A setback is required for all portions of #buildings or other structures# that exceed the maximum base height specified for the district, and shall be provided at a height not lower than the minimum base

height, where applicable, or higher than the permitted maximum base height. Such setback shall have a depth of at least 10 feet from any #street wall# fronting on a #wide street#, and a depth of at least 15 feet from any #street wall# fronting on a #narrow street#. However, for portions of #buildings or other structures# along Cromwell Avenue located beyond 200 feet from a corner, a minimum setback with a depth of at least 30 feet shall be provided. The underlying provisions of paragraphs (c)(2) through (c)(4) of Section 23-662 shall apply to all such setbacks.

In R9A Districts, or #Commercial Districts# mapped over an R9A District, above the required setback, the height of a #building# shall not exceed the maximum transition height set forth in the table in this Section, except that where the #lot coverage# of all #buildings# on the #zoning lot# above the maximum transition height has been reduced to 50 percent on #zoning lots# with a #lot area# less than or equal to 15,000 square feet, 40 percent on #zoning lots# with a #lot area# greater than 15,000 square feet but less than 30,000 square feet, and 30 percent for all other #zoning lots#, a #building# may rise up to the maximum #building or other structure# height set forth in the table in this Section. The maximum #street wall# width of any #story# above the maximum transition height shall not exceed 165 feet, and where two or more non-contiguous portions of a #building# exist at the same level above the maximum transition height, such portions shall provide a minimum distance of 60 feet between facing walls at any point.

Base Heights, Maximum #Building# Heights and Maximum Number of #Stories#

| <u>District</u> | <u>Maximum Base Height (in feet)</u> | <u>Maximum Transition Height (in feet)</u> | <u>Maximum Height of #Buildings or Other Structures# in Certain Locations (in feet)</u> | <u>Maximum Number of #Stories#</u> |
|-----------------|--------------------------------------|--|---|------------------------------------|
| <u>R8A</u> | <u>105</u> | <u>N/A</u> | <u>145</u> | <u>14</u> |
| <u>R9A</u> | <u>125</u> | <u>175</u> | <u>225</u> | <u>22</u> |

(c) Required and permitted articulation

In Subareas A1 through A3, along #streets# designated in Maps 2 through 4 in the Appendix to this Chapter, for #street wall# widths exceeding 100 feet, a minimum of 20 percent of the surface area of #street walls# above the level of the second #story#, or a height of 30 feet, whichever is lower, shall either recess or project a minimum of three feet from the remaining surface of the #street wall#. Any such projections shall be considered a permitted obstruction into a required setback, provided that any projections with a depth greater than five feet shall be considered a dormer.

In addition, the underlying dormer provisions of paragraph (c) of Section 23-621 shall apply, except that in Subareas A1 through A3, for #street walls# intersecting within 100 feet of the corners designated on Maps 2, 3 and 4 in the Appendix to this Chapter, and irrespective of the width of the #street wall# below the maximum base height, dormers shall be permitted within 100 feet of such intersecting #street walls#. Such dormers need not decrease in width as the height above the maximum base height increases.

Any dormers or projections provided in accordance with this paragraph need not be included in the maximum #lot coverage# permitted above the maximum transition height, nor be included in the maximum #street wall# width of a #story#.

141-25
Special Height and Setback Regulations in R8A Districts

For #zoning lots# in R8A Districts, or C1 or C2 Districts mapped within R8A Districts, or in #Commercial Districts# with an R8A residential equivalent, within 100 feet of a #wide street# located outside of #Mandatory Inclusionary Housing areas#, the height and setback provisions of Section 23-662 (Maximum height of buildings and setback regulations) or Section 35-652 (Maximum height of buildings and setback regulations), respectively, shall be modified as follows: the maximum base height shall be 105 feet, the maximum height of a #building or other structure# without a #qualifying ground floor# shall be 140 feet, the maximum height of a #building or other structure# with a #qualifying ground floor# shall be 145 feet, and the maximum number of #stories# shall be 14.

141-30
SPECIAL STREETSCAPE REGULATIONS

141-31
Applicability of underlying ground floor use regulations

In C2 Districts mapped within R7D Districts, the underlying supplemental #use# regulations of Section 32-434 (Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts) shall not apply. In lieu thereof, the provisions of Section 141-32 (Ground Floor Use Regulations) shall apply.

141-32
Ground Floor Use Regulations

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, any portion of a #ground floor level street# frontage of a #zoning lot# in a #Commercial District# located within 50 feet of #street lines# along the elevated rail structure on Jerome or River Avenues and, in Subdistrict A, for Subareas A1 or A2, a #ground floor level street# frontage along #streets#, or portions thereof, designated on Maps 2 and 3 in the Appendix to this Chapter, shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall include those in Sections 12-10 and 37-311.

The provisions of this Section shall apply to #developments# or #ground floor level enlargements#.

(a) Along #primary street frontages#

For #buildings# with #primary street frontage#, or portions thereof, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Group parking facilities# located on the #ground floor level# shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

For #buildings# with #secondary street frontage#, or portions thereof, all #uses# permitted by the underlying district shall be permitted on the #ground floor level#, provided that any accessory# off-street parking spaces on the #ground floor level# shall be wrapped or screened in accordance with Section 37-35.

The level of the finished floor of such ground floor shall be located not higher than five feet above nor lower than five feet below the as-built level of the adjoining #street#.

141-33 **Special Open Space Provisions**

Along the elevated rail structure on Jerome or River Avenues, where open space is provided between the #street line# of the #zoning lot# and the #street wall# of a #building# facing the elevated rail structure, or in Subdistrict A, for Subareas A1 through A3, where open space is provided between the #street wall# and the corner at a location designated on Maps 2, 3 or 4 in the Appendix to this Chapter, the provisions of Section 28-23 (Planting Areas) shall apply to all #buildings#, whether the ground floor is occupied by #residential uses# or non-#residential uses#, subject to the modifications of this Section.

(a) Along the elevated rail structure

Along the elevated rail structure on Jerome or River Avenues, a sidewalk widening, built to Department of Transportation standards, may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to streetscape amenities, including, but not limited to, trees, bicycle racks, benches or wall treatment, are provided along such sidewalk widening, as set forth below.

Where benches are provided as an alternative to such planting, the length of such benches shall not exceed, in the aggregate, 15 feet per every 50 feet of #street wall# frontage. Where bicycle racks are provided, such racks shall be oriented so that the bicycles are placed parallel to the #street wall#, and the width of such bicycle racks shall not exceed, in the aggregate, 10 feet per every 50 feet of #street wall# frontage. Such benches or bicycle racks shall be located entirely within the #zoning lot#, and each bench or bicycle rack so provided shall be equivalent to 15 square feet of planted area.

Where trees, and associated tree pits are provided as an alternative, the minimum depth of any open space between the #street wall# and #street line# shall be eight feet. Each tree provided shall be equivalent to 15 square feet of planted area.

Where a wall treatment is provided as an alternative, it shall be in the form of permitted #signs#, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material along the #street wall#. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and shall have a minimum width of 10 feet, as measured parallel to the #street wall#. Portions of a #street wall# providing such wall treatment may be exempt from the ground floor glazing requirements of paragraph (a) of Section 141-32, provided that the exempted area not exceed 50 percent of the #street wall#, or a #street wall# width of 20 feet, whichever is less. The portion of the #street wall# allocated to a wall treatment shall satisfy the planting requirement directly in front of such #street wall#.

Where planting is provided, the minimum depth of open space between the #street line# and the #street wall# shall not be less than three feet.

(b) In Subdistrict A

In~~in~~ Subdistrict A, where open space is provided between the #street wall# and the intersection of two #streets#, pursuant to paragraph (a)(2) of Section ~~141-23~~~~141-22~~, streetscape amenities may be provided as an alternative to planting, provided that the area that would otherwise be allocated to planting, measured in square feet, is allocated to trees, benches, or tables and chairs, as set forth below. However, planting shall not be reduced to less than 20 percent of the area of the open space.

Each bench provided shall be equivalent to 10 square feet of planted area, and each set of tables and at least two chairs shall be equivalent to 15 square feet of planted area. Seating shall be publicly accessible, unless tables and chairs are associated with an open eating or drinking establishment on the #zoning lot#. The area under such seating shall be paved with permeable materials and shall either abut the adjoining sidewalk or be connected to such sidewalk by a circulation path at least five feet wide that is also paved with permeable materials,

Each tree and associated tree pits provided shall be equivalent to 15 square feet of planted area, and shall be located at least 10 feet from any #building wall# or the adjoining sidewalk. Where planting is provided, the minimum depth of a planted bed shall not be less than three feet.

In no event shall chain link fencing or barbed or razor wire be permitted in any open space provided pursuant to this Section.

141-40 **SPECIAL PARKING AND LOADING REGULATIONS**

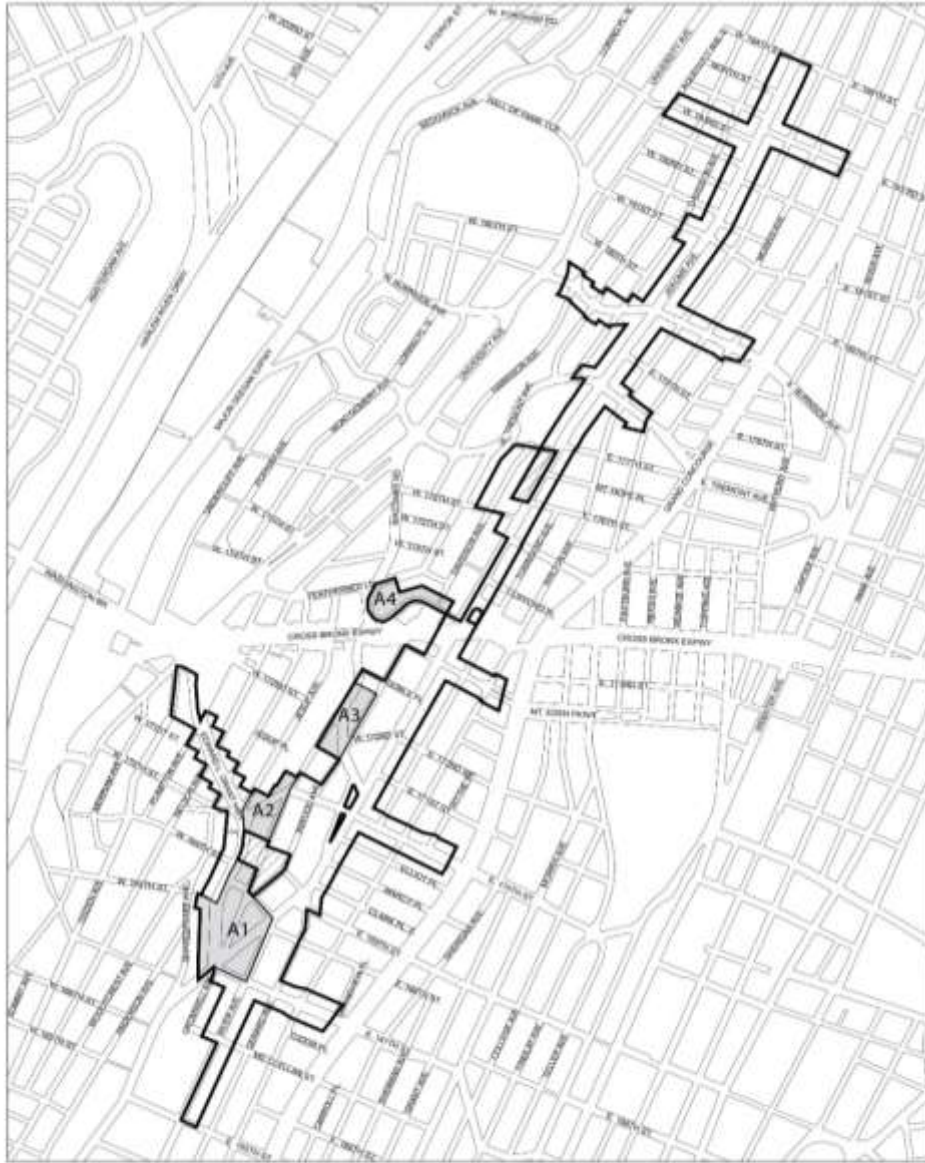
The underlying parking provisions are modified by the provisions of this Section.




141-41 **Location of Curb Cuts**

In all districts, for #zoning lots# existing on [date of adoption] with frontage along Edward L. Grant Highway, West 170th Street, or the portions of Jerome or River Avenues with an elevated rail structure, and fronting along other #streets#, no curb cut accessing off-street parking spaces or loading spaces shall be permitted along such #streets#, as applicable.

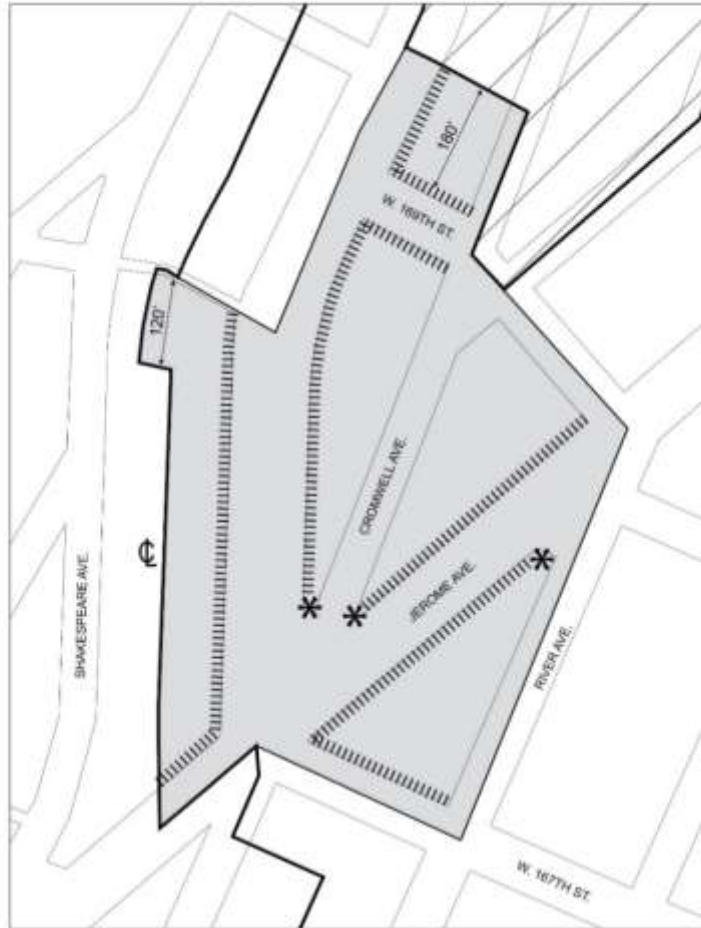
APPENDIX - SPECIAL JEROME CORRIDOR DISTRICT MAPS

Map 1 – Special Jerome Corridor District, Subdistrict and Subareas



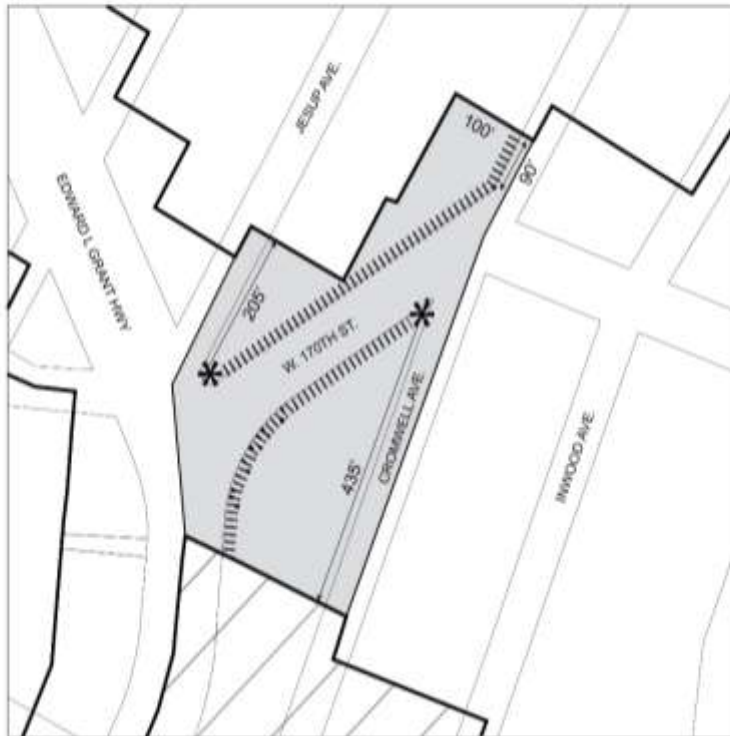
-  #Special Jerome Corridor District#
-  Subdistrict A, including Subareas A1, A2, A3 and A4
-  Excluded Area






Map 2 – Designated locations for street wall continuity and ground floor requirements in Subarea A1



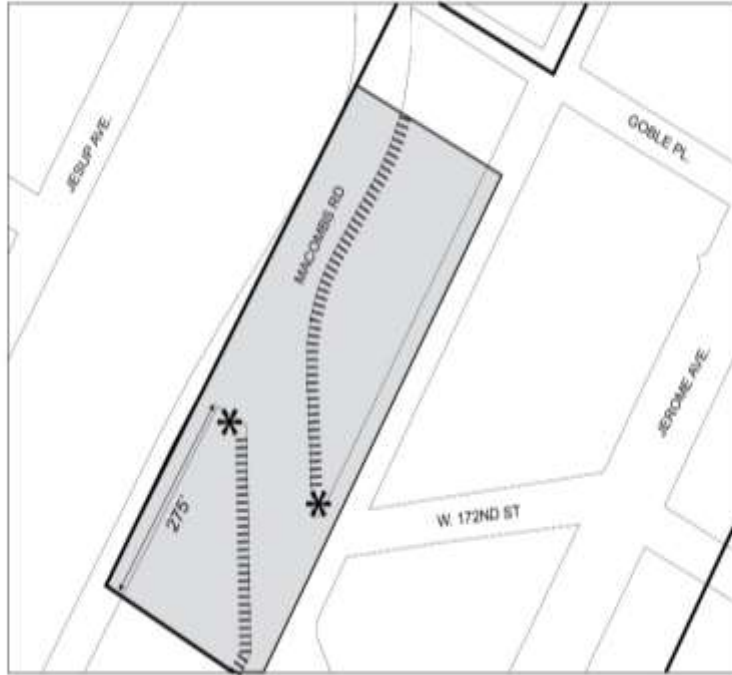
-  #Special Jerome Corridor District#
-  Subdistrict A
-  Excluded Area
-  Designated street frontages
-  Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (2)) are permitted

Map 3 – Designated locations for street wall continuity and ground floor requirements in Subareas A2



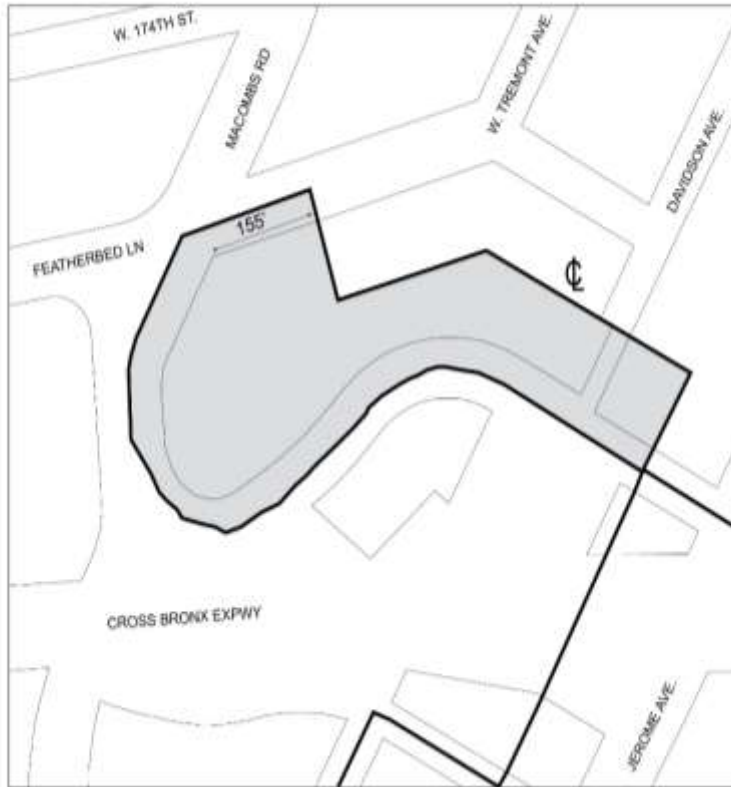
-  #Special Jerome Corridor District#
-  Subdistrict A
-  Excluded Area
-  Designated street frontages
-  Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (c)) are permitted





Map 4 – Designated locations for street wall continuity requirements in Subarea A3



-  #Special Jerome Corridor District#
 -  Subdistrict A
 -  Excluded Area
 -  Designated street frontages
 -  Locations where open space (Section 141-33 (a)) and modified dormers (Section 141-23 (c)) are permitted
-

Map 5 – Boundary of Subarea A4



-  #Special Jerome Corridor District#
-  Subdistrict A
-  Excluded Area
-  Designated street frontages

APPENDIX F
Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas

* * *

| Zoning Map | Community District | Maps of Inclusionary Housing Designated Areas | Maps of Mandatory Inclusionary Housing Areas |
|-------------------|---------------------------|--|---|
| 1d | Bronx CD 7 | Map 1 | |
| 3b | Bronx CD 4 | Map 1 | |
| 3b | <u>Bronx CD 4 and 5</u> | | <u>Map 1, Map 2</u> |
| 3c | <u>Bronx CD 5 and 7</u> | | <u>Map 1</u> |
| 3d | <u>Bronx CD 5</u> | | <u>Map 1, Map 2</u> |
| | | | |

* * *

The Bronx

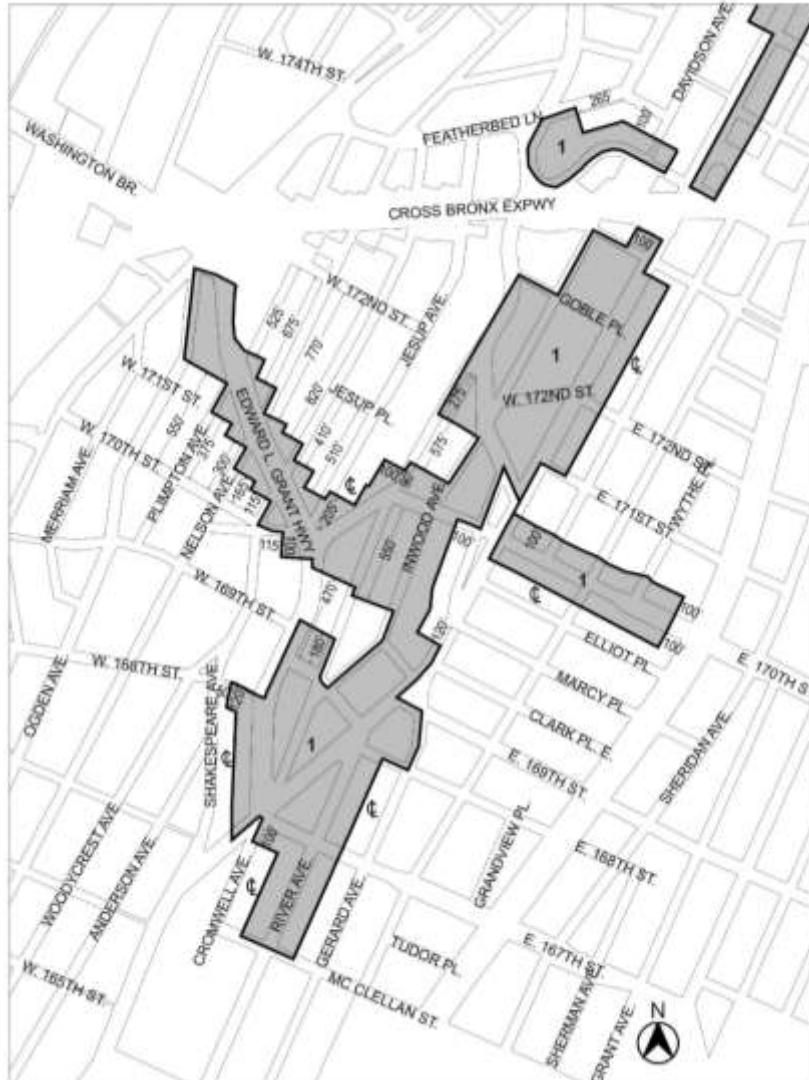
Community Districts 4, 5 and 7

Map 1. [date of adoption]



■ Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))
Area 1 – [date of adoption] – MIH Program Option 1, ~~Option 2~~ and Deep Affordability
Option

Map 2. [date of adoption]
Portions of Community Districts 4, 5 and 7, The Bronx



■ Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))
Area 1 – [date of adoption] – MIH Program Option 1, ~~Option 2~~ and Deep Affordability
Option

Portions of Community Districts 4, 5 and 7, The Bronx

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger*

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

Report for L.U. No. 18 & Res. No. 264

Report of the Committee on Land Use in favor of approving Application No. C 180051 (A) ZMX submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Map, Section Nos. 3b, 3c, and 3d, Borough of the Bronx, Community District 4, 5 and 7, Council Districts 14 and 16.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 591) and which same Land Use item was coupled with the resolution shown below, and was previously before the Council and referred to the City Planning Commission at the March 7, 2018 Stated Meeting (Minutes, page 930) , respectfully

REPORTS:

SUBJECT

BRONX CBs - 4, 5, and 7

C 180051 (A) ZMX

City Planning Commission decision approving an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Map, Section Nos. 3b, 3c, and 3d, changing various zoning districts in the vicinity of Jerome Avenue between McClellan Street and East 184th Street, Community Districts 4, 5, and 7 of the Borough of the Bronx.

INTENT

To approve the amendment to the Zoning Map, which in conjunction with several related actions would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx.

PUBLIC HEARING

DATE: February 7, 2018

Witnesses in Favor: Twenty-one

Witnesses Against: Twenty-seven

SUBCOMMITTEE RECOMMENDATION

DATE: March 6, 2018

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

In Favor:

Moya, Constantinides, Lancman, Levin, Reynoso, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 264

Resolution approving the decision of the City Planning Commission on ULURP No. C 180051(A) ZMX, a Zoning Map amendment (L.U. No. 18).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on January 26, 2018 its decision dated January 17, 2018 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 3b, 3c, and 3d, which in conjunction with several related actions would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx, (ULURP No. C 180051(A) ZMX), Community Districts 4, 5 and 7, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications N 180050(A) ZRX (L.U. No. 17), a zoning text amendment as modified; and C 170305 MMX (L.U. No. 19), a city map amendment to de-map a portion of Corporal Fischer Place and to map new parkland;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 7, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (the "FEIS") for which a Notice of Completion was issued on January 5, 2018 (CEQR No. 17DCP019X), which identified significant adverse impacts related to hazardous materials, air quality and noise which would be avoided through the placement of (E) designations (E-442), and additional significant adverse impacts with respect to community facilities (public schools), shadows, transportation (traffic, buses, and pedestrians), and construction activities related to noise.

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by (E) designations for Hazardous Materials, Air Quality, and Noise, which form part of the Proposed Actions, or the required mitigation measures.

The Decision, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180051(A) ZMX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 3b, 3c, and 3d:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by:
 - a. a line 100 feet northeasterly of West Burnside Avenue, Davidson Avenue, a line 100 feet northeasterly of West Burnside Avenue, a line midway between Davidson Avenue and Jerome Avenue, a line 320 feet southwesterly of West 181st Street, Jerome Avenue, a line 100 feet northeasterly of East Burnside Avenue, a line midway between Jerome Avenue and Walton Avenue, a line 100 feet southwesterly of East Burnside Avenue, Jerome Avenue, a line 100 feet southwesterly of West Burnside Avenue, a line 75 feet northwesterly of Harrison Avenue, West Burnside Avenue, and a line 100 feet northwesterly of Harrison Avenue;
 - b. a line 100 feet northeasterly of West Tremont Avenue, a line midway between Davidson Avenue and Jerome Avenue, West Tremont Avenue, and Davidson Avenue;

- c. Plimpton Avenue, a line 100 feet northeasterly of Edward L. Grant Highway, and a line 525 feet southwesterly of West 172nd Street;
 - d. a line midway between Plimpton Avenue and Nelson Avenue, a line 100 feet northeasterly of Edward L. Grant Highway, and a line 625 feet southwesterly of West 172nd Street;
 - e. Nelson Avenue, a line 100 feet northeasterly of Edward L. Grant Highway, and a line 770 feet southwesterly of West 172nd Street;
 - f. a line midway between Nelson Avenue and Shakespeare Avenue, a line 100 feet northeasterly of Edward L. Grant Highway, and a line 820 feet southwesterly of West 172nd Street;
 - g. Shakespeare Avenue, a line 100 feet northeasterly of Edward L. Grant Highway, and a line 410 feet southwesterly of Sherif S. Byrd Place;
 - h. A line midway between Shakespeare Avenue and Jesup Avenue, a line 100 feet northeasterly of Edward L. Grant Highway, and a line 510 feet southwesterly of Sherif S. Byrd Place;
 - i. a line 375 feet northeasterly of West 170th Street, a line midway between Plimpton Avenue and Nelson Avenue, and a line 100 feet southwesterly of Edward L. Grant Highway;
 - j. a line 300 feet northeasterly of West 170th Street, Nelson Avenue, and a line 100 feet southwesterly of Edward L. Grant Highway;
 - k. a line 165 feet northeasterly of West 170th Street, a line midway between Nelson Avenue and Shakespeare Avenue, and a line 100 feet southwesterly of Edward L. Grant Highway; and
 - l. a line 115 feet northeasterly of West 170th Street, Shakespeare Avenue, and a line 100 feet southwesterly of Edward L. Grant Highway;
2. eliminating from within an existing R8 District a C1-4 District bounded by:
- a. a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Burnside Avenue, a line 100 feet northwesterly of Grand Boulevard and Concourse, East Burnside Avenue (southerly portion), Creston Avenue, and a line 100 feet southwesterly of East Burnside Avenue; and
 - b. a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Tremont Avenue, Morris Avenue, a line 100 feet southwesterly of East Tremont Avenue, Walton Avenue, and a line 175 feet southwesterly of East Tremont Avenue;
3. eliminating from within an existing R7-1 District a C2-4 District bounded by a line midway between Davidson Avenue and Jerome Avenue, a line 100 feet southwesterly of West Burnside Avenue, Jerome Avenue, a line 100 feet southwesterly of East Burnside Avenue, a line midway between Jerome Avenue and Walton Avenue, East Tremont Avenue, and West Tremont Avenue;
4. changing from an R7-1 District to an R7A District property bounded by:
- a. Aqueduct Avenue East, a line midway between Evelyn Place and West 183rd Street, a line 100 feet northwesterly of Jerome Avenue, and a line midway between West 183rd Street and Buchanan Place; and

- b. a line 100 feet northwesterly of Jerome Avenue, Featherbed Lane, a line midway between Jerome Avenue and Townsend Avenue, and a southwesterly boundary line of a park and its southeasterly prolongation;
5. changing from a C4-4 District to an R7A District property bounded by Jerome Avenue, East 171st Street, a line midway between Jerome Avenue and Townsend Avenue, and a line 100 feet northeasterly of East 170th Street;
 6. changing from a C8-3 District to an R7A District property bounded by:
 - a. West 184th Street, East 184th Street, a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Burnside Avenue, Jerome Avenue, a line 320 feet southwesterly of West 181st Street, a line midway between Davidson Avenue and Jerome Avenue, a line 100 feet southwesterly of West 181st Street, Davidson Avenue, a line 100 feet northeasterly of West 181st Street, a line 100 feet northwesterly of Jerome Avenue, North Street, and a line midway between Davidson Avenue and Jerome Avenue;
 - b. Jerome Avenue, East 175th Street, a line midway between Jerome Avenue and Townsend Avenue, and East 174th Street; and
 - c. Inwood Avenue, West Mount Eden Avenue, a line 100 feet northwesterly of Jerome Avenue, a southwesterly boundary line of a park and its southeasterly prolongation, Jerome Avenue, a line 100 feet southwesterly of East Mount Eden Avenue, a line midway between Jerome Avenue and Townsend Avenue, East 171st Street, Jerome Avenue, and West 172nd Street;
 7. changing from an R7-1 District to an R7D District property bounded by:
 - a. Jerome Avenue, East 177th Street, a line 100 feet southeasterly of Jerome Avenue, and East 176th Street; and
 - b. a line 100 feet northwesterly of Davidson Avenue, West 177th Street, a line midway between Davidson Avenue and Jerome Avenue, and West 176th Street;
 8. changing from an R7-1 District to an R8A District property bounded by:
 - a. a line midway between Davidson Avenue and Jerome Avenue, East 176th Street and its westerly centerline prolongation, a line midway between Jerome Avenue and Townsend Avenue, and East 175th Street and its northwesterly centerline prolongation;
 - b. Macombs Road, Featherbed Lane, a line midway between Davidson Avenue and Jerome Avenue, a line 100 feet southwesterly of West 174th Street and its southeasterly prolongation, a line 100 feet southeasterly of Grand Avenue, a line perpendicular to the southeasterly street line of Grand Avenue distant 265 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Grand Avenue and the southwesterly street line of West 174th Street, and Grand Avenue;
 - c. Jerome Avenue, a line 100 feet northeasterly of East Mount Eden Avenue, a line midway between Jerome Avenue and Townsend Avenue, and a line 50 feet southwesterly of East Mount Eden Avenue;
 - d. the southwesterly prolongation of a line midway between Jesup Avenue and Cromwell Avenue, the northwesterly centerline prolongation of West 170th Street, West 170th Street, and a line perpendicular to the southeasterly street line of Jesup Avenue distant 205 feet northeasterly (as

measured along the street line) from the point of intersection of the southeasterly street line of Jesup Avenue and the northeasterly street line of Edward L. Grant Highway; and

- e. Ogden Avenue, Dr. Martin Luther King Jr. Boulevard, Edward L. Grant Highway, Plimpton Avenue, a line 525 feet southwesterly of West 172nd Street, a line midway between Plimpton Avenue and Nelson Avenue, a line 625 feet southwesterly of West 172nd Street, Nelson Avenue, a line 770 feet southwesterly of West 172nd Street, a line midway between Nelson Avenue and Shakespeare Avenue, a line 820 feet southwesterly of West 172nd Street, Shakespeare Avenue, a line 410 feet southwesterly of Sherif S. Byrd Place, a line midway between Shakespeare Avenue and Jesup Avenue, a line 510 feet southwesterly of Sherif S. Byrd Place, Jesup Avenue, Edward L. Grant Highway, a line 100 feet southerly of West 170th Street, a line 115 feet easterly of Shakespeare Avenue, West 170th Street, Shakespeare Avenue, a line 115 feet northeasterly of West 170th Street, a line midway between Nelson Avenue and Shakespeare Avenue, a line 165 feet northeasterly of West 170th Street, Nelson Avenue, a line 300 feet northeasterly of West 170th Street, a line midway between Plimpton Avenue and Nelson Avenue, a line 375 feet northeasterly of West 170th Street, Plimpton Avenue, and a line 550 feet northeasterly of West 170th Street;
9. changing from an R8 District to a R8A District property bounded by:
 - a. a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East 183rd Street, Creston Avenue, and a line 100 feet southwesterly of East 183rd Street;
 - b. a line midway between Jerome Avenue and Townsend Avenue, a line 100 feet northeasterly of East Mount Eden Avenue, Walton Avenue, a line 100 feet northeasterly of East Mount Eden Avenue, a line 100 feet northwesterly of Grand Boulevard and Concourse, a line 100 feet southwesterly of East Mount Eden Avenue, Walton Avenue, and a line 100 feet southwesterly of East Mount Eden Avenue;
 - c. Macombs Road, Jerome Avenue, a line midway between East 170th Street and Elliot Place, a line 100 feet southeasterly of Jerome Avenue, a line 100 feet southeasterly of Gerard Avenue, East 169th Street, Jerome Avenue, the northwesterly prolongation of a line 120 feet southwesterly of Marcy Place, a line 100 feet northwesterly of Jerome Avenue, West 170th Street, and Jerome Avenue (Plaza Drive); and
 - d. East 168th Street, Gerard Avenue, a line 100 feet northeasterly of East 167th Street, a line 100 feet northwesterly of Grand Boulevard and Concourse, a line 100 feet southwesterly of East 167th Street, and a line midway between River Avenue and Gerard Avenue;
 10. changing from a C4-4 District to an R8A District property bounded by Jerome Avenue, a line 100 feet northeasterly of East 170th Street, a line 100 feet northwesterly of Grand Boulevard and Concourse, and a line midway between East 170th Street and Elliott Place;
 11. changing from a C8-3 District to an R8A District property bounded by:
 - a. Jerome Avenue, a line 50 feet southwesterly of East Mount Eden Avenue, a line midway between Jerome Avenue and Townsend Avenue, and a line 100 feet southwesterly of East Mount Eden Avenue;
 - b. Macombs Road, Goble Place, Inwood Avenue, West 172nd Street, Jerome Avenue, Macombs Road, Jerome Avenue (Plaza Drive), West 170th Street and its northwesterly centerline prolongation, a line 100 feet northwesterly of Cromwell Avenue and its southwesterly prolongation, a line perpendicular to the northwesterly street line of Cromwell Avenue distant

- 90 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Cromwell Avenue and the northwesterly street line of West 170th Street, Cromwell Avenue, a line 575 feet southwesterly of Macombs Road, Inwood Avenue, a line 275 feet southwesterly of Macombs Road, and Cromwell Avenue and its northeasterly centerline prolongation; and
- c. Jerome Avenue, East 169th Street, Gerard Avenue, East 168th Street, a line midway between River Avenue and Gerard Avenue, a line 100 feet northeasterly of East 167th Street, and River Avenue;
12. changing from an M1-2 District to an R8A District property bounded by West 170th Street, a line 100 feet northwesterly of Jerome Avenue (Plaza Drive), the northwesterly prolongation of a line 120 feet southwesterly of Marcy Place, Jerome Avenue, West 169th Street, Inwood Avenue, a line 550 feet southwesterly of West 170th Street, and Cromwell Avenue;
 13. changing from an R7-1 District to an R9A District property bounded by:
 - a. Jesup Avenue, a line perpendicular to the southeasterly street line of Jesup Avenue distant 205 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jesup Avenue and the northeasterly street line of Edward L. Grant Highway, West 170th Street, and Edward L. Grant Highway;
 - b. West 168th Street, Edward L. Grant Highway, a line 120 feet southerly of West 168th Street and its easterly prolongation, and a line 50 feet easterly of Shakespeare Avenue; and
 - c. a line midway between Shakespeare Avenue and Edward L. Grant Highway and its southerly prolongation, the northwesterly centerline prolongation of East 167th Street, and Jerome Avenue;
 14. changing from an R8 District to an R9A District property bounded by Jerome Avenue, a line 100 feet northeasterly of East 167th Street, a line midway between River Avenue and Gerard Avenue, McClellan Street, a line midway between Cromwell Avenue and River Avenue, a line 100 feet southwesterly of East 167th Street, and Cromwell Avenue;
 15. changing from a C8-3 District to an R9A District property bounded by Edward L. Grant Highway, West 169th Street, River Avenue, a line 100 feet northeasterly of East 167th Street, Jerome Avenue, Cromwell Avenue, the northwesterly centerline prolongation of East 167th Street, a line midway between Shakespeare Avenue and Edward L. Grant Highway, and a line 120 feet southerly of West 168th Street and its easterly prolongation;
 16. changing from an M1-2 District to an R9A District property bounded by:
 - a. West 170th Street, Cromwell Avenue, a line 470 feet northeasterly of West 169th Street, and Edward L. Grant Highway; and
 - b. Edward L. Grant Highway, a line 180 feet northeasterly of West 169th Street, Cromwell Avenue, and West 169th Street;
 17. changing from an R7-1 District to a C4-4D District property bounded by a line midway between Dr. Martin Luther King Jr. Boulevard and Harrison Avenue, a line 275 feet southwesterly of West 180th Street, Harrison Avenue, a line 310 feet southwesterly of West 180th Street, a line midway between Harrison Avenue and Grand Avenue, a line 350 feet southwesterly of West 180th Street,

- Grand Avenue, a line 290 feet southwesterly of West 180th Street, Davidson Avenue, a line perpendicular to the southeasterly streetline of Davidson Avenue distant 120 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly streetline of Davidson Avenue and the northerly streetline of West Burnside Avenue, a line midway between Davidson Avenue and Jerome Avenue, a line 320 feet southwesterly of West 181st Street, Jerome Avenue, a line 100 feet northeasterly of East Burnside Avenue, a line midway between Jerome Avenue and Walton Avenue, East Tremont Avenue, West Tremont Avenue, Davidson Avenue, a line 100 feet northeasterly of West Tremont Avenue, a line midway between Davidson Avenue and Jerome Avenue, a line 100 feet southerly of West Burnside Avenue, Davidson Avenue, a line perpendicular to the northwesterly street line of Davidson Avenue distant 125 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly streetline of Davidson Avenue and the southerly streetline of West Burnside Avenue, a line midway between Grand Avenue and Davidson Avenue, a line perpendicular to the southeasterly street line of Grand Avenue distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Grand Avenue and the southwesterly street line of West Burnside Avenue, Grand Avenue, a line 100 feet southwesterly of West Burnside Avenue, Harrison Avenue, a line 75 feet northwesterly of Harrison Avenue, and West Burnside Avenue;
18. changing from an R8 District to a C4-4D District property bounded by:
 - a. a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Burnside Avenue, a line 100 feet northwesterly of Grand Boulevard and Concourse, East Burnside Avenue (southerly portion), Creston Avenue, and a line 100 feet southwesterly of East Burnside Avenue; and
 - b. a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Tremont Avenue, Walton Avenue, a line 55 feet northeasterly of East Tremont Avenue, Morris Avenue, a line 295 feet northerly of East 177th Street, a line 100 feet southeasterly of Walton Avenue, and a line 100 feet southwesterly of East Tremont Avenue;
 19. changing from a C8-3 District to a C4-4D District property bounded by a line 100 feet northwesterly of Jerome Avenue, West Tremont Avenue, East Tremont Avenue, a line 100 feet southeasterly of Jerome Avenue, East 177th Street, Jerome Avenue, and West 177th Street;
 20. establishing within an existing R7-1 District a C2-4 District bounded by:
 - a. a line 100 feet northwesterly of West 170th Street, a line 100 feet northwesterly of Cromwell Avenue, and the northwesterly centerline prolongation of West 170th Street;
 - b. a line 100 feet southerly of West 170th Street, Edward L. Grant Highway, West 168th Street, a line midway between Shakespeare Avenue and Edward L. Grant Highway, West 169th Street, and a line 115 feet southwesterly of Shakespeare Avenue;
 21. establishing within an existing R8 District a C2-4 District bounded by McClellan Street, a line midway between River Avenue and Gerard Avenue, East 165th Street, and River Avenue;
 22. establishing within a proposed R7A District a C2-4 District bounded by:
 - a. West 184th Street, East 184th Street, a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Burnside Avenue, Jerome Avenue, a line 320 feet southwesterly of West 181st Street, a line 100 feet northwesterly of Jerome Avenue, North Street, and a line midway between Davidsons Avenue and Jerome Avenue;

- b. East 175th Street, a line midway between Jerome Avenue and Townsend Avenue, a northeasterly boundary line of a park and its northwesterly prolongation, and Jerome Avenue;
 - c. a line 175 feet northeasterly of East Mount Eden Avenue, a line midway between Jerome Avenue and Townsend Avenue, a line 100 feet northeasterly of East Mount Eden Avenue, and Jerome Avenue; and
 - d. a southwesterly boundary line of a park and its southeasterly prolongation, Jerome Avenue, a line 100 feet southwesterly of East Mount Eden Avenue, a line midway between Jerome Avenue and Townsend Avenue, a line 100 feet northeasterly of East 170th Street, Jerome Avenue, West 172nd Street, and a line 100 feet northwesterly of Jerome Avenue;
23. establishing within a proposed R8A District a C2-4 District bounded by:
- a. a line perpendicular to the southeasterly street line of Grand Avenue distant 265 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Grand Avenue and the southwesterly street line of West 174th Street, a line 100 feet southeasterly of Grand Avenue, a line 100 feet southwesterly of West 174th Street and its southeasterly prolongation, a line midway between Davidson Avenue and Jerome Avenue, and Featherbed Lane;
 - b. Jerome Avenue, a line 50 feet southwesterly of East Mount Eden Avenue, a line midway between of Jerome Avenue and Townsend Avenue, and a line 100 feet southwesterly of East Mount Eden Avenue;
 - c. West 172nd Street, Jerome Avenue, Macombs Road, and a line 100 feet northwesterly of Jerome Avenue;
 - d. a line 100 feet northwesterly of Cromwell Avenue, a line perpendicular to the northwesterly street line of Cromwell Avenue distant 90 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Cromwell Avenue and the northwesterly street line of West 170th Street, Cromwell Avenue, a line 100 feet northeasterly of West 170th Street, Jerome Avenue (Plaza Drive), West 170th Street, a line 100 feet northwesterly of Jerome Avenue (Plaza Drive), a line 100 feet southwesterly of West 170th Street, and the northwesterly centerline prolongation of West 170th Street;
 - e. Jerome Avenue, a line 100 feet northeasterly of East 170th Street, a line 100 feet northwesterly of Grand Boulevard and Concourse, and a line midway between East 170th Street and Elliot Place;
 - f. the northwesterly prolongation of a line 120 feet southwesterly of Marcy Place, Jerome Avenue, West 169th Street, and a line 100 feet northwesterly of Jerome Avenue; and
 - g. West 170th Street. Edward L. Grant Highway, a line 100 feet southerly of West 170th Street, and a line 115 feet easterly of Shakespeare Avenue;
24. establishing within a proposed R9A District a C2-4 District bounded by Edward L. Grant Highway, a line 180 feet northeasterly of West 169th Street, Cromwell Avenue, West 169th Street, Jerome Avenue, River Avenue, a line 100 feet northeasterly of East 167th Street, Jerome Avenue, the northwesterly centerline prolongation of East 167th Street, a line midway between Shakespeare Avenue and Edward L. Grant Highway, and West 168th Street; and

25. establishing a Special Jerome Avenue District bounded by:
- a. West 184th Street, East 184th Street, a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East 183rd Street, Creston Avenue, a line 100 feet southwesterly of East 183rd Street, a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Burnside Avenue, a line 100 feet northwesterly of Grand Boulevard and Concourse, East Burnside Avenue (southerly portion), Creston Avenue, a line 100 feet southwesterly of East Burnside Avenue, a line midway between Jerome Avenue and Walton Avenue, a line 100 feet northeasterly of East Tremont Avenue, Walton Avenue, a line 55 feet northeasterly of East Tremont Avenue, Morris Avenue, a line 295 feet northerly of East 177th Street, a line 100 feet southeasterly of Walton Avenue, a line 100 feet southwesterly of East Tremont Avenue, a line 100 feet southeasterly of Jerome Avenue, East 176th Street, a line midway between Jerome Avenue and Townsend Avenue, a line 100 feet northeasterly of East Mount Eden Avenue, Walton Avenue, a line 100 feet northeasterly of East Mount Eden Avenue, a line 100 feet northwesterly of Grand Boulevard and Concourse, a line 100 feet southwesterly of East Mount Eden Avenue, Walton Avenue, a line 100 feet southwesterly of East Mount Eden, a line midway between Jerome Avenue and Townsend Avenue, a line 100 feet northeasterly of East 170th Street, a line 100 feet northwesterly of Grand Boulevard and Concourse, a line midway between East 170th Street and Elliot Place, a line 100 feet southeasterly of Jerome Avenue, a line 100 feet easterly of Gerard Avenue, East 169th Street, Gerard Avenue, a line 100 feet northeasterly of East 167th Street, a line 100 feet northwesterly of Grand Boulevard and Concourse, a line 100 feet southwesterly of East 167th Street, a line midway between River Avenue and Gerard Avenue, East 165th Street, River Avenue, McClellan Street, a line midway between Cromwell Avenue and River Avenue, a line 100 feet southwesterly of East 167th Street, Cromwell Avenue, the northwesterly centerline prolongation of East 167th Street, Jerome Avenue, a line midway between Shakespeare Avenue and Edward L. Grant Highway, a line 120 southerly of West 168th Street, a line 50 feet easterly of Shakespeare Avenue, West 168th Street, a line midway between Shakespeare Avenue and Edward L. Grant Highway, West 169th Street, a line 115 feet northeasterly of Shakespeare Avenue, West 170th Street, Shakespeare Avenue, a line 115 feet northeasterly of West 170th Street, a line midway between Nelson Avenue and Shakespeare Avenue, a line 165 feet northeasterly of West 170th Street, Nelson Avenue, a line 300 feet northeasterly of West 170th Street, a line midway between Plimpton Avenue and Nelson Avenue, a line 375 feet northeasterly of West 170th Street, Plimpton Avenue, and a line 550 feet northeasterly of West 170th Street, Ogden Avenue, Dr. Martin Luther King Jr. Boulevard, Edward L. Grant Highway, Plimpton Avenue, a line 525 feet southwesterly of West 172nd Street, a line midway between Plimpton Avenue and Nelson Avenue, a line 625 feet southwesterly of West 172nd Street, Nelson Avenue, a line 770 feet southwesterly of West 172nd Street, a line midway between Nelson Avenue and Shakespeare Avenue, a line 820 feet southwesterly of West 172nd Street, Shakespeare Avenue, a line 410 feet southwesterly of Sherif S. Byrd Place, a line midway between Shakespeare Avenue and Jesup Avenue, a line 510 feet southwesterly of Sherif S. Byrd Place, Jesup Avenue, a line perpendicular to the southeasterly street line of Jesup Avenue distant 205 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jesup Avenue and the northeasterly street line of Edward L. Grant Highway, a line 115 feet southeasterly of Jesup Avenue, the northwesterly centerline prolongation of West 170th Street, a line 100 feet northwesterly of Cromwell Avenue, a line perpendicular to the northwesterly street line of Cromwell Avenue distant 90 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Cromwell Avenue and the northwesterly street line of West 170th Street, Cromwell Avenue, Cromwell Avenue, a line 575 feet southwesterly of Macombs Road, Inwood Avenue, a line 275 feet southwesterly of Macombs Road, Cromwell Avenue and its northeasterly centerline prolongation, Goble Place, Inwood Avenue, West Mount Eden Avenue, a line 100 feet northwesterly of Jerome Avenue, Featherbed Lane, Jerome Avenue, the northwesterly

centerline prolongation of East 175th Street, a line midway between Davison Avenue and Jerome Avenue, West 176th Street, a line 100 feet northwesterly of Davidson Avenue, West 177th Street, a line 100 feet northwesterly of Jerome Avenue, West Tremont Avenue, Davidson Avenue, a line 100 feet northeasterly of West Tremont Avenue, a line midway between Davidson Avenue and Jerome Avenue, a line 100 feet southerly of West Burnside Avenue, Davidson Avenue, a line perpendicular to the northwesterly street line of Davidson Avenue distant 125 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of Davidson Avenue and the southerly street line of West Burnside Avenue, a line midway between Grand Avenue and Davidson Avenue, a line perpendicular to the southeasterly street line of Grand Avenue distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Grand Avenue and the southerly street line of West Burnside Avenue, Grand Avenue, a line 100 feet southwesterly of West Burnside Avenue, Harrison Avenue, a line 75 feet northwesterly of Harrison Avenue, West Burnside Avenue, Dr. Martin Luther King Jr. Boulevard and Harrison Avenue, a line 275 feet southwesterly of West 180th Street, Harrison Avenue, a line 310 feet southwesterly of West 180th Street, a line midway between Harrison Avenue and Grand Avenue, a line 350 feet southwesterly of West 180th Street, Grand Avenue, a line 290 feet southwesterly of West 180th Street, Davidson Avenue, a line perpendicular to the southeasterly streetline of Davidson Avenue distant 120 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly streetline of Davidson Avenue and the northerly streetline of West Burnside Avenue, a line midway between Davidson Avenue and Jerome Avenue, a line 100 feet southwesterly of West 181st Street, Davidson Avenue, a line 100 feet northeasterly of West 181st Street, a line 100 feet northwesterly of Jerome Avenue, a line midway between West 183rd Street and Buchanan Place, Aqueduct Avenue East, a line midway between Evelyn Place and West 183rd Street, a line 100 feet northwesterly of Jerome Avenue, North Street, and a line midway between Davidson Avenue and Jerome Avenue, and

excluding the area bounded by:

- i Edward L. Grant Highway, a line 470 feet northeasterly of West 169th Street, Cromwell Avenue, a line 550 feet southwesterly of West 170th Street, Inwood Avenue, West 169th Street, Cromwell Avenue, and a line 180 feet northeasterly of West 169th Street; and
 - ii a line midway between Davidson Avenue and Jerome Avenue, West 177th Street Jerome Avenue, and the northwesterly centerline prolongation of East 176th Street;
- b. Macombs Road, Featherbed Lane, a line midway between Davidson Avenue and Jerome Avenue, a line 100 feet southwesterly of West 174th Street and its southeasterly prolongation, a line 100 feet southeasterly of Grand Avenue, a line perpendicular to the southeasterly street line of Grand Avenue distant 265 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Grand Avenue and the southwesterly street line of West 174th Street, and Grand Avenue;

as shown on a diagram (for illustrative purposes only) dated November 1, 2017, and subject to the conditions of CEQR Declaration E-442, Community Districts 4, 5 and 7, Borough of the Bronx.

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr.,

FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger*

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

Report for L.U. No. 19 & Res. No. 265

Report of the Committee on Land Use in favor of approving Application No. C 170305 MMX submitted by the New York City Department of City Planning and the New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment of the City Map including authorization for any acquisition or disposition of real property related thereto, Borough of the Bronx, Community District 4, Council District 16.

The Committee on Land Use, to which the annexed Land Use item was referred on January 31, 2018 (Minutes, page 591) and which same Land Use item was coupled with the resolution shown below, and was previously before the Council and referred to the City Planning Commission at the March 7, 2018 Stated Meeting (Minutes, 931) respectfully

REPORTS:

SUBJECT

BRONX CB - 4

C 170305 MMX

City Planning Commission decision approving an application submitted by the New York City Department of City Planning and the New York City Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue;
- the establishment of parkland in the area bounded by Nelson Avenue, West 170th Street, Shakespeare Avenue and West 169th Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in Community District 4, Borough of The Bronx, in accordance with Map No. 13140 dated August 8, 2017 and signed by the Borough President.

INTENT

To approve the amendment to the City Map, which in conjunction with several related actions would enact changes to land use regulations recommended in the Jerome Avenue Neighborhood Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of residential, commercial, and community facility uses along a two-mile stretch of Jerome Avenue in the southwest section of the Bronx.

PUBLIC HEARING**DATE:** February 7, 2018**Witnesses in Favor:** Twenty-one**Witnesses Against:** Twenty-seven**SUBCOMMITTEE RECOMMENDATION****DATE:** March 6, 2018

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

In Favor:

Moya, Constantinides, Lancman, Levin, Reynoso, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 6, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Deutsch, King, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

None

Abstain:

None

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 265

Resolution approving the decision of the City Planning Commission on ULURP No. C 170305 MMX, an amendment to the City Map (L.U. No. 19).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on January 26, 2018 its decision dated January 17, 2018 (the "Decision"), on the application submitted by the New York City Department of City

Planning and the New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue;
- the establishment of parkland in the area bounded by Nelson Avenue, West 170th Street, Shakespeare Avenue and West 169th Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13140 dated August 8, 2017 and signed by the Borough President, (ULURP No. C 170305 MMX), Community District 4, Borough of the Bronx (the “Application”);

WHEREAS, the Application is related to applications N 180050(A) ZRX (L.U. No. 17), a zoning text amendment as modified; and C 180051(A) ZMX (L.U. No. 18), a zoning map amendment as modified;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 7, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on January 5, 2018 (CEQR No. 17DCP019X), which identified significant adverse impacts related to hazardous materials, air quality and noise which would be avoided through the placement of (E) designations (E-442), and additional significant adverse impacts with respect to community facilities (public schools), shadows, transportation (traffic, buses, and pedestrians), and construction activities related to noise.

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by (E) designations for Hazardous Materials, Air Quality, and Noise, which form part of the Proposed Actions, or the required mitigation measures.

The Decision, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 170305 MMX,

incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue;
- the establishment of parkland in the area bounded by Nelson Avenue, West 170th Street, Shakespeare Avenue and West 169th Street;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in Community District 4, Borough of the Bronx, in accordance with Map No. 13140 dated August 8, 2017 and signed by the Borough President is approved; and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the Council adopts the City Planning Commission determination that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopted the legally required number of counterparts of Map No. 13140 dated August 8, 2017 providing for the discontinuance and closing of Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue more particularly described as follows:

DISCONTINUING AND CLOSING CORPORAL IRWIN FISCHER PLACE BETWEEN NELSON AVENUE AND SHAKESPERE AVENUE

In the matter of discontinuing and closing Corporal Irwin Fischer Place between Nelson Avenue and Shakespeare Avenue, Borough and County of The Bronx, City and State of New York, in accordance with Borough President Map No. 13140:

Starting at a Point of Beginning located on the easterly street line of Nelson Avenue, said point being distant 96.897 feet southerly along said easterly street line of Nelson Ave. from its intersection with the southerly street line of West 170th Street, as those streets were hereinbefore laid out on the City Map;

- 1) Running thence southerly, along the easterly street line of Nelson Ave., 55.609 feet to its intersection with former southerly street line of Corporal Irwin Fischer Place;
- 2) Running thence easterly, along the former southerly street line of Corporal Irwin Fischer Place, said course forming an interior angle with the last mentioned course of 64 degrees 02 minutes 40 seconds, 247.229 feet to the westerly street line of Shakespeare Ave.;
- 3) Running thence northerly, along the westerly street line of Shakespeare Ave., said course forming an interior angle with the last mentioned course of 91 degrees 43 minutes 50 seconds, 48.578 feet to the intersection with the newly established southerly street line of West 170th Street;
- 4) Running thence westerly, along said newly established southerly street line of West 170th Street, said course forming an interior angle with the last mentioned course of 114 degrees 13 minutes 30 seconds, 7.359 feet to the intersection with the former westerly street line of Corporal Irwin Fischer Place;
- 5) Running thence southerly, along the former westerly street line of Corporal Irwin Fischer Place, said course forming an interior angle with the last mentioned course of 90 degrees 00 minutes 00 seconds, 1.976 feet to its intersection with the former northerly street line of Corporal Irwin Fischer Place;

6) Running thence westerly, along said former northerly street line of Corporal Irwin Fischer Place, said course forming an interior angle with the last mentioned course of 244 degrees 02 minutes 40 seconds, 216.875 feet to the Point or Place of Beginning.

The area described above consists of 11,793 square feet, more or less, located in the County of the Bronx.

RESOLVED that, pursuant to subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein which are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface, and the requirements of other facilities located therein;

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 13140 dated August 8, 2017 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

RAFAEL SALAMANCA, Jr., *Chairperson*; STEPHEN T. LEVIN, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, March 6, 2018. *Other Council Members Attending: Council Members Cabrera and Yeger*

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

Report for L.U. No. 28 & Res. No. 266

Report of the Committee on Land Use in favor of approving Application No. C 170299 ZMQ submitted by Astoria Boulevard LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 9a, changing an R6B district to a C4-3 district on property bounded by Astoria Boulevard, 36th Street, a line 100 feet southwesterly of Astoria Boulevard, and 35th Street, Borough of Queens, Community Board 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2018 (Minutes, page 904) and which same Land Use item was coupled with the resolution shown below and was before the Council and referred to the City Planning Commission at the March 7, 2018 Stated Meeting (Minutes, page XXXX), respectfully

REPORTS:

SUBJECT**QUEENS CB - 1****C 170299 ZMQ**

City Planning Commission decision approving an application submitted by Astoria Boulevard LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R6B District to a C4-3 District property bounded by Astoria Boulevard (southerly portion), 36th Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), and 35th Street, subject to the conditions of CEQR Declaration E-446.

INTENT

To approve an amendment to the Zoning Map, which in conjunction with the related zoning text amendment would facilitate the development of a new seven-story, mixed-use residential and commercial building with approximately 35 dwelling units of which 11 would be affordable pursuant to the Mandatory Inclusionary Housing program in the Astoria neighborhood of Queens.

PUBLIC HEARING**DATE:** February 26, 2018**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** February 26, 2018

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

In Favor:

Moya, Constantinides, Levin, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** February 27, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, King, Koo, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

Barron

Abstain:

None

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 266

Resolution approving the decision of the City Planning Commission on ULURP No. C 170299 ZMQ, a Zoning Map amendment (L.U. No. 28).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on February 12, 2018 its decision dated February 12, 2018 (the "Decision"), on the application submitted by Astoria Boulevard LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 9a, changing an R6B district to a C4-3 district, which in conjunction with the related action would facilitate the development of a new seven-story, mixed-use residential and commercial building with approximately 35 dwelling units in the Astoria neighborhood of Queens Community District 1, (ULURP No. C 170299 ZMQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the Application is related to application N 170300 ZRQ (L.U. No. 29), a zoning text amendment to designate an Mandatory Inclusionary Housing area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued September 5, 2017 (CEQR No. 17DCP175Q), which includes (E) designations to avoid the potential for significant adverse impacts related to air quality and noise (E-446) (the "Negative Declaration").

RESOLVED:

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 170299 ZMQ, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently modified, is hereby amended by changing the Zoning Map, Section No. 9a, from an R6B District to a C4-3 District property bounded by Astoria Boulevard (southerly portion), 36th Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), and 35th Street, as shown on a diagram (for illustrative purposes only) dated September 5, 2017, and subject to the conditions of CEQR Declaration E-446.

RAFAEL SALAMANCA, Jr., *Chairperson*; ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, ANTONIO REYNOSO, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, February 27, 2018.

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

Report for L.U. No. 29 & Res. No. 267

Report of the Committee on Land Use in favor of approving Application No. N 170300 ZRQ submitted by Astoria Boulevard 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 Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on February 15, 2018 (Minutes, page 905) and which same Land Use item was coupled with the resolution shown below and was previously before the Council and referred to the City Planning Commission at the March 7, 2018 Stated Meeting (Minutes, page 941) respectfully

REPORTS:

SUBJECT

QUEENS CB - 1

N 170300 ZRQ

City Planning Commission decision approving an application submitted by Astoria Boulevard 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.

INTENT

To approve the amendment to the text of the Zoning Resolution, which in conjunction with the related zoning map amendment would facilitate the development of a new seven-story, mixed-use residential and commercial building with approximately 35 dwelling units of which 11 would be affordable pursuant to the Mandatory Inclusionary Housing program in the Astoria neighborhood of Queens.

PUBLIC HEARING

DATE: February 26, 2018

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 26, 2018

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

In Favor:

Moya, Constantinides, Levin, Richards, Rivera, Torres, Grodenchik.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: February 27, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, King, Koo, Reynoso, Richards, Torres, Grodenchik, Adams, Diaz, Moya, Rivera.

Against:

Barron

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on February 28, 2018. The City Planning Commission filed a letter dated March 12, 2018, with the Council on March 16, 2018, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

In connection herewith, Council Members Salamanca and Moya offered the following resolution:

Res. No. 267

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 170300 ZRQ, 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, Community District 1, Borough of Queens, (L.U. No. 29).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on February 12, 2018 its decision dated February 12, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Astoria Boulevard LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of a new seven-story, mixed-use residential and commercial building with approximately 35 dwelling units in the Astoria neighborhood of Queens Community District 1, (Application No. N 170300 ZRQ), Community District 1, Borough of Queens (the "Application");

WHEREAS, the Application is related to application C 170299 ZMQ (L.U. No. 28), an amendment to the Zoning Map, changing an R6B zoning district to a C4-3 district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued September 5, 2017 (CEQR No. 17DCP175Q), which includes (E) designation to avoid the potential for significant adverse impacts related to air quality and noise (E-446) (the "Negative Declaration").

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 170300 ZRQ, incorporated by reference herein, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

Matter ~~double struck out~~ is old, deleted by the City Council;

Matter double underlined is new, added by the City Council;

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

* * *

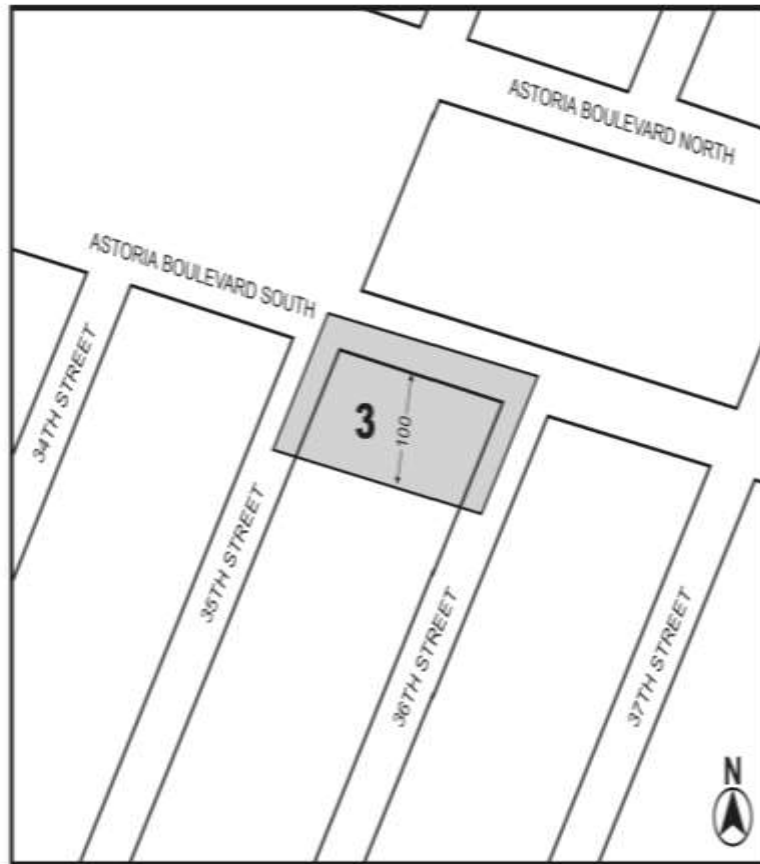
Queens Community District 1

* * *

In the C4-3 District within the area shown on the following Map 3:

Map 3 – (date of adoption)

(PROPOSED MAP)



■ Mandatory Inclusionary Housing Area (MIHA) – see Section 23-154 (d) (3)

Area 3 – (date of adoption) – MIH Program ~~Option 1~~ and Option 2

Portion of Community District 1, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, PETER A. KOO, ANTONIO REYNOSO, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, CARLINA RIVERA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, RITCHIE J. TORRES; Committee on Land Use, February 27, 2018.

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

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

Approved New Applicants

| <i>Name</i> | <i>Address</i> | <i>District #</i> |
|-------------------------------------|--|-------------------|
| Valentina Ortiz | 9 West 110th Street #22 New York, New York 10026 | 9 |
| Joel Alexis Diaz Hernandez | 1922 Edison Avenue#1 Bronx, New York 10461 | 13 |
| Jackeline McDonald | 660 Thwaites Place #3J Bronx, New York 10467 | 15 |
| George E. Hadjiconstantinou | 46-40 Bell Blvd Queens, New York 11361 | 19 |
| Zachary Herman | 75-23 113th Street #2C Forest Hills, New York 11375 | 29 |
| Merylr Rose S. Mercado- Hosmillo | 51-33 71st Street #1 Queens, New York 11377 | 30 |
| Paul Lempert | 156 Nassau Avenue #1L Brooklyn, New York 11222 | 33 |

1266

March 22, 2018

| | | |
|--------------------|--|----|
| Nilsa Toledo | 244 Sumpter Street #3R Brooklyn, New York 11233 | 41 |
| Xiomara N. Edwards | 1690 Carroll Street Brooklyn, New York 11213 | 41 |
| Crystal Hill | 140 Newport Street #2B Brooklyn, New York 11212 | 42 |
| Anna Alvarez | 874 Bard Avenue Staten Island, New York 10301 | 49 |
| Barbara Garcia | 2435 Victory Blvd Staten Island, New York 10314 | 50 |

Approved Reapplicants

| <i>Name</i> | <i>Address</i> | <i>District #</i> |
|---------------------------|--|-------------------|
| Lydia Pabon | 26 Madison Street #11F New York, New York 10038 | 1 |
| Zhao Yun Lin | 12 Monroe Street #HG11 New York, New York 10002 | 1 |
| Gilda Schoenholtz | 330 Third Avenue #7E New York, New York 10010 | 2 |
| Stephen L. D'Andrilli | 40 First Avenue #11C New York, New York 10009 | 2 |
| Idris Dalhi | 411 East 57th Street #2B New York, New York 10022 | 5 |
| Antoinette Harris-McMahon | 244 West 104th Street #5D New York, New York 10025 | 6 |
| Sandy Chuang | 300 West 110th Street #2K New York, New York 10026 | 7 |
| Carmen Gonzalez | 75 East 116th Street #2J New York, New York 10029 | 8 |
| Carmen Cabreja | 608 West 189th Street #32C New York, New York 10040 | 10 |
| Jocelyn Surinach | 145 Nagle Avenue #2F New York, New York 10040 | 10 |

| | | |
|----------------------------------|--|----|
| Madelyn Vasquez | 266 Bedford Park Blvd #7A Bronx, New York 10458 | 11 |
| Annette Kale | 140 Carver Loop #8E Bronx, New York 10475 | 12 |
| Joseph J. Furgiuele | 925 Morris Park Avenue Bronx, New York .10462 | 13 |
| Doreen Richardson | 1491 Grand Concourse #26 Bronx, New York 10452 | 14 |
| Carmen Bizardi | 539 Fox Street Bronx, New York 10455 | 17 |
| Luis M. Marie | 961 Elder Avenue Bronx, New York 10473 | 17 |
| Frances M. Nicosia | 22-73 41st Street #15 Astoria, New York 11105 | 22 |
| John A. Boduch | 223-50 56th Avenue #2 Oakland Gardens, New York 11364 | 23 |
| Peter J. Sammarco | 82-40 166th Street Queens, New York 11432 | 24 |
| Marcia Greenberg | 35-20 Leverich Street #C740 Jackson Flights, New York 11372 | 25 |
| Nyema Dolma | 71-09 35th Avenue Jackson Heights, New York 11372 | 25 |
| Paul Bader | 33-17 73rd Street Jackson Heights, New York 11372 | 25 |
| Jean Yvette Parrish- Chenault | 186-09 Ilion Avenue Saint Albans, New York 11412 | 27 |
| Josianne Dieudonne | 100-06 222nd Street Queens Village, New York 11429 | 27 |
| Patricia L. Emanuel | 172-24 133rd Avenue #10D Queens, New York 11434 | 28 |
| Jasmine Collado | 7021 69th Place Glendale, New York 11385 | 30 |
| Joseph Martino | 64-19 Metropolitan Avenue Queens, New York 11379 | 30 |

| | | |
|---------------------|--|----|
| Maria S. Pagano | 63-57 75th Street Middle Village, New York 11379 | 30 |
| Norian Bertram | 137-40 169th Street Queens, New York 11434 | 31 |
| Javier Acevedo | 84-39 153rd Avenue #6L Howard Beach, New York 11414 | 32 |
| Nicholas F. Cutrone | 113 Ainslie Street Brooklyn, New York 11211 | 34 |
| Louis Grell | 129 Carlton Avenue #2B Brooklyn, New York 11205 | 35 |
| William Rodriguez | 115 Ashland Place #12B Brooklyn, New York 11201 | 35 |
| Jeffrey Griffin | 325 Franklin Avenue #2R Brooklyn, New York 11238 | 36 |
| Phyllis K. Plato | 120 Chauncy Street #2H Brooklyn, New York 11233 | 36 |
| Ana Hernandez | 120 Sheridan Avenue #2F Brooklyn, New York 11208 | 37 |
| Juan F. Nolasco | 307 Grove Street #1R Brooklyn, New York 11237 | 37 |
| Heather Peskin | 4323 Ninth Avenue #4H Brooklyn, New York 11232 | 38 |
| Veronica H. Julien | 2150 Bedford Avenue #D2S Brooklyn, New York 11226 | 40 |
| Aiyanna Milligan | 291A Marion Street Brooklyn, New York 11233 | 41 |
| Cheyenne Ralph | 257 Marion Street #2 Brooklyn! New York 11233 | 41 |
| Khyre Castello | 903 Lenox Road #8C Brooklyn, New York 11203 | 41 |
| Leslie Grandberry | 192 Sumpter Street Brooklyn, New York 11233 | 41 |
| Lillian Ingram | 1607 Prospect Place #2G Brooklyn, New York 11233 | 41 |
| Moreen M. Williams | 226 East 54th Street #2 Brooklyn, New York 11203 | 41 |

| | | |
|-------------------|--|----|
| Ruth Sabino | 940 Gates Avenue #23 Brooklyn, New York 11221 | 41 |
| Dudley Louis | 499 Snediker Avenue Brooklyn, New York 11207 | 42 |
| Marie J. Ortel | 7119 Shore Road #23 Brooklyn, New York 11209 | 43 |
| Stephanie Meyer | 1373 Brooklyn Avenue Brooklyn, New York 11203 | 45 |
| Agnes Shapiro | 2451 East 70th Street Brooklyn, New York 11234 | 46 |
| Daniel Foote | 105-51 Flatlands 7th Street Brooklyn, New York 11236 | 46 |
| Seth Shapiro | 2451 East 70th Street Brooklyn, New York 11234 | 46 |
| Cynthia R. Klein | 45 Bay 35th Street #1A Brooklyn, New York 11214 | 47 |
| Katrina Adaven | 30 Bay 25th Street #A2 Brooklyn, New York 11214 | 47 |
| Galina Shapiro | 2750 Homerest Avenue #316 Brooklyn, New York 11235 | 48 |
| Saniya Omarova | 1150 Brighton Beach Avenue #4D Brooklyn, New York 11235 | 48 |
| Annalisa Ciccotto | 24 Turf Road Staten Island, New York 10314 | 50 |
| Joseph A. Kovac | 112 Weed Avenue Staten Island, New York 10306 | 50 |
| Rosemarie Romano | 7 Pamela Lane Staten Island, New York 10304 | 50 |
| Teresa Rodriguez | 45 Fremont Avenue Staten Island, New York 10306 | 50 |
| Denise Ferretti | 142 Durant Avenue Staten Island, New York 10306 | 51 |
| Geraldine Kiefer | 19 Glover Street Staten Island, New York 10308 | 51 |

Rina Amato

9 Zephyr Avenue
Staten Island, New York 10312

51

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

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

- | | | |
|------|--------------------------------|--|
| (1) | M-28 & Res 250 - | Operating Budget. |
| (2) | M-29 & Res 251 - | Appropriation of the Operating Budget. |
| (3) | Int 262 - | Data regarding students receiving special education services. |
| (4) | Int 600-A - | Extending the rent stabilization laws. |
| (5) | Int 605-A - | Enforcement of marijuana possession. |
| (6) | Res 239 - | Organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (7) | L.U. 15 & Res 261 - | App. C 170240 ZMK Borough of Brooklyn, Community Board 13, Council District 47. |
| (8) | L.U. 16 & Res 262 - | App. N 170241 ZRK Borough of Brooklyn, Community District 13, Council District 47. |
| (9) | L.U. 17 & Res 263 - | App. N 180050 (A) ZRX Borough of the Bronx, Community District 4, 5 and 7, Council Districts 14 and 16. |
| (10) | L.U. 18 & Res 264 - | App. C 180051 (A) ZMX Borough of the Bronx, Community District 4, 5 and 7, Council Districts 14 and 16. |
| (11) | L.U. 19 & Res 265 - | App. C 170305 MMX Borough of the Bronx, Community District 4, Council District 16. |

- (12) L.U. 21 & Res 252 - App. **20185148 HKX** (N **180166 HKX**) Borough of the Bronx, Community Board 10, Council District 13. (**Coupled to be Disapproved**).
- (13) L.U. 22 & Res 253 - App. **20185149 HKX** (N **180169 HKX**) Borough of the Bronx, Community Board 10, Council District 13. (**Coupled to be Disapproved**).
- (14) L.U. 28 & Res 266 - App. **C 170299 ZMQ** Borough of Queens, Community Board 1, Council District 22.
- (15) L.U. 29 & Res 267 - App. **N 170300 ZRQ** Borough of Queens, Community District 1, Council District 22.
- (16) L.U. 31 & Res 254 - App. **C 180121 ZMX** Borough of the Bronx, Community Board 2, Council District 17.
- (17) L.U. 32 & Res 255 - App. **N 180122 ZRX** Borough of the Bronx, Community District 2, Council District 17.
- (18) L.U. 33 & Res 256 - App. **C 180123 ZSX** Borough of the Bronx, Community District 2, Council District 17.
- (19) L.U. 34 & Res 257 - App. **C 180124 ZSX** Borough of the Bronx, Community Board 2, Council District 17.
- (20) L.U. 35 & Res 258 - App. **C 180126 PPX** Borough of the Bronx, Community District 2, Council District 17.
- (21) L.U. 39 & Res 259 - App. **20185068 SCQ** Borough of Queens, Community School District 30, Community District 2, Council District 26.
- (22) L.U. 40 & Res 260 - App. **20185069 SCQ** Borough of Queens, Community School District 30, Community District 2, Council District 26.
- (23) L.U. 45 & Res 245 - 346 East 21st Street, Manhattan, Community District No. 6, Council District No. 2.

- (24) **L.U. 46 & Res 246 -** Red Hook Gardens, Brooklyn, Community District No. 6, Council District No. 38.
- (25) **L.U. 47 & Res 247 -** Manhattanville Phase I-Unit A, Manhattan, Community District No. 9, Council District No. 7.
- (26) **L.U. 48 & Res 248 -** Manhattanville Phase II-Unit B, Manhattan, Community District No. 9, Council District No. 7.
- (27) **L.U. 49 & Res 249 -** Manhattanville Phase II-Unit C, Manhattan, Community District No. 9, Council District No. 7.
- (28) **Resolution approving various persons Commissioners of Deeds.**

The Majority Leader and Acting President Pro Tempore (Council Member Cumbo) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **48**.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **M-28 & Res. No. 250** and **M-29 & Res. No. 251**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **47**.

Negative – Yeger – **1**.

The following was the vote recorded for **Int. No. 600-A**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Cumbo, and the Speaker (Council Member Johnson) – **47**.

Negative – Matteo – **1**.

The following was the vote recorded for **L.U. No. 28 & Res. No. 266 and L.U. No. 29 & Res. No. 267**:

Affirmative – Adams, Ampry-Samuel, Ayala, Brannan, Cabrera, Chin, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **47**.

Negative – Barron – **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int. Nos. 262, 600-A, and 605-A.

RESOLUTIONS*presented for voice-vote*

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

Report for voice-vote item Res. No. 188-A

Report of the Committee on Housing and Buildings in favor of approving, as amended, a Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2018.

The Committee on Housing and Buildings, to which the annexed amended resolution was referred on February 15, 2018 (Minutes, page 893), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on for Int. No. 600-A printed in the Reports of Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 188-A:)

Res. No. 188-A

Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2018.

By The Speaker (Council Member Johnson) and Council Members Cornegy, Williams, Kallos, Rosenthal, Constantinides, Koslowitz, Chin, Reynoso and Powers.

Whereas, The City, acting by the Mayor, has caused a survey to be made of the supply of housing accommodations and the need for continuing the regulation and control of residential rents and evictions within the City, and such survey has been submitted to the Council in accordance with the law; now, therefore, be it

Resolved, That the Council hereby determines that the public emergency requiring the regulation and control of residential rents and evictions within the City continues to exist and will continue to exist on and after April 1, 2018, and that an acute shortage of dwellings continues to exist and will continue to exist on and after April 1, 2018, that such shortage constitutes a threat to the citizens of New York City and creates a special hardship to persons and families of limited and moderate means; that unless residential rents and evictions continue to be regulated and controlled, there will be excessive rent increases and evictions for failing to pay such increases, which will produce serious threats to the public health, safety and general welfare, that to prevent such perils to the public health, safety and general welfare, preventive action through local legislation of the City continues to be imperative; that such action, as a temporary measure to be effective until it is determined by the Council that such emergency no longer exists, is necessary in order to prevent threats to the public health, safety and general welfare; that the transition from regulation to a normal market of free bargaining between landlord and tenant, while still the object of State and City policy, must be administered with due regard for such emergency; and be it further

Resolved, That the Council of the City of New York, for the reasons hereinabove set forth, hereby determines, pursuant to subdivision 3 of section 1 of Chapter 21 of the Laws of 1962, as amended, that the continuation of the regulation and control of residential rents and evictions on and after April 1, 2018 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued as now or hereafter provided pursuant to the provisions of Chapter 3 of Title 26 of the Administrative Code of the City of New York, subject to such amendment as may be enacted into law.

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN, HELEN K. ROSENTHAL, JUMAANE D. WILLIAMS, BARRY S. GRODENCHIK, MARK GJONAJ, CARLINA RIVERA; Committee on Housing and Buildings, March 19, 2018. *Other Council Members Attending: The Speaker (Council Member Johnson) and Council Member Powers.*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

The following Council Member formally noted his opposition to the passage of this item:
Council Member Matteo voted in the negative.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 722

By The Speaker (Council Member Johnson) and Council Members Constantinides, Cornegy and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to an audit of expiring affordable housing units

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

CHAPTER 21 EXPIRING AFFORDABLE HOUSING

§ 26-2101 Definitions. For the purposes of this chapter, the following terms shall have the following meanings:

Affordable housing unit. The term “affordable housing unit” means a dwelling unit that is required, pursuant to a federal, state or local law, rule or program administered by the city or an agreement with the city or a person acting on the city’s behalf, to be affordable for an extremely low income household, a very low income household, a low income household or a moderate income household.

Area median income. The term “area median income” means the median income for households in the city or in the metropolitan area that includes the city.

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

Expiring affordable housing unit. The term “expiring affordable housing unit” means, with respect to the report required by section 26-2102, an affordable housing unit that, without a change in a federal, state or local law, rule or program or an agreement with the city or a person acting on the city’s behalf, will cease to be an affordable housing unit in or before the end of the second calendar year that commences after the due date of such report.

Extremely low income household. The term “extremely low income household” means a household who has an income of no more than 30 percent of the area median income, adjusted for the size of the household.

Extremely low income affordable housing (ELI-AH) unit. The term “extremely low income affordable housing (ELI-AH) unit” means an affordable housing unit that is required pursuant to a federal, state or local law, rule or program to be affordable for an extremely low income household.

Low income household. The term “low income household” means a household who has an income of more than 50 percent of the area median income but no more than 80 percent of the area median income, adjusted for the size of the household.

Low income affordable housing (LI-AH) unit. The term “low income affordable housing (LI-AH) unit” means an affordable housing unit that is required pursuant to a federal, state or local law, rule or program to be affordable for a low income household.

Moderate income household. The term “moderate income household” means a household who has an income of more than 80 percent of the area median income but no more than 165 percent of the area median income, adjusted for the size of the household.

Moderate income affordable housing (MI-AH) unit. The term “moderate income affordable housing (MI-AH) unit” means an affordable housing unit that is required pursuant to a federal, state or local law, rule or program to be affordable for a moderate income household.

Supportive housing. The term “supportive housing” means a dwelling unit that is required, pursuant to a federal, state or local law, rule or program, to be used as an affordable housing unit for a person with special needs.

Very low income household. The term “very low income household” means a household who has an income of more than 30 percent of the area median income but no more than 50 percent of the area median income, adjusted for the size of the household.

Very low income affordable housing (VLI-AH) unit. The term “very low income affordable housing (VLI-AH) unit” means an affordable housing unit that is required pursuant to a federal, state or local law, rule or program to be affordable for a very low income household.

§ 26-2102 Annual audit. By no later than June 30 in each year, the department of housing preservation and development shall conduct an audit of affordable housing units and supportive housing to determine:

- 1. The number of ELI-AH units that are expiring affordable housing units in each neighborhood tabulation area;*
- 2. The number of VLI-AH units that are expiring affordable housing units in each neighborhood tabulation area;*
- 3. The number of LI-AH units that are expiring affordable housing units in each neighborhood tabulation area; and*
- 4. The number of MI-AH units that are expiring affordable housing units in each neighborhood tabulation area.*

§ 26-2103 Notice to council members. By no later than June 30 in each year, the department of housing preservation and development shall submit to the mayor, the speaker of the council and each council member:

- 1. The number of ELI-AH units that are expiring affordable housing units in the council district that such member represents;*
- 2. The number of VLI-AH units that are expiring affordable housing units in the council district that such member represents;*
- 3. The number of LI-AH units that are expiring affordable housing units in the council district that such member represents;*
- 4. The number of MI-AH units that are expiring affordable housing units in the council district that such member represents; and*
- 5. For each affordable housing unit that is an expiring affordable housing unit in the council district that such member represents:*
 - (a) The street address and borough, block and lot number of the building containing such unit;*
 - (b) A description of the federal, state or local law, rule or program or expiring agreement with the city or a person acting on the city’s behalf that renders such unit an expiring affordable housing unit; and*
 - (c) A plan for preserving the affordability of such unit.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 723

By The Speaker (Council Member Johnson) and Council Members Menchaca and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to requiring sight-seeing bus operators to submit operating plans to the department of transportation

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of Chapter 1 of Title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.6, to read as follows:

§ 19-175.6 On-street bus stops for sight-seeing buses. a. The commissioner shall provide written authorization for on-street bus stops for sightseeing buses pursuant to subdivision d of section 20-374 of this code on the basis of the following criteria: (i) traffic, bicycle and pedestrian flow, and public safety; (ii) preferences of the sight-seeing bus permit applicant; (iii) consultation with the local community board for the district encompassing the location to be authorized, including but not limited to a notice and comment period of

45 days prior to the authorization or permanent amendment thereto; (iv) the number of stops proposed and the viability of a bus route as determined by the commissioner; (v) the availability and location of planned garage or other parking space for periods when buses picking up or discharging passengers at the authorized stops are not in use; and (vi) any other criteria deemed appropriate by the commissioner.

b. When authorizing one or more on-street bus stops for sight-seeing buses, the commissioner shall specify the conditions on which such authorization is based. Any violation of such conditions shall be grounds for revocation of such bus stop authorization. The commissioner shall notify the commissioner of consumer affairs of any such revocations as soon as practicable.

c. As a condition for authorizing one or more on-street bus stops for sightseeing buses, the commissioner may require an applicant or renewal applicant to collect and transmit to the commissioner bus location data in the form and frequency determined by the commissioner, including real time electronic location tracking data. Such data may be used by the commissioner in determining whether on-street bus stop authorizations should be granted, renewed or revoked.

§2. Section 20-374 of the administrative code of the city of New York is amended by adding a new subdivision d, to read as follows:

d. Each applicant for a sight-seeing bus license issued by the commissioner pursuant to subdivision a of this section, and each applicant for the renewal of such license, shall first obtain written authorization from the commissioner of transportation for all designated on-street bus stops for the pickup and discharge of passengers in order to be eligible for the issuance or renewal of such license. Sight-seeing bus licensees shall, in the event that a written authorization required by this subdivision is modified or revoked by the commissioner of transportation, notify the commissioner within five days of receiving notice of such modification or revocation.

§3. Subdivision a of section 20-383 of the administrative code of the city of New York, as amended by local law number 41 for the year 2005, is amended to read as follows:

a. After notice and opportunity to be heard, the commissioner may suspend or revoke any sight-seeing bus license where the holder has failed to comply with any provisions of this subchapter or of the rules promulgated thereunder, or with any other laws or rules governing sight-seeing buses, or which sight-seeing bus is otherwise found to be unfit for operation. Such suspension shall remain in effect until compliance and fitness have been established by the licensee and accepted by the department. Grounds for suspension or revocation shall include, but not be limited to, *revocation of one or more bus stop authorizations by the commissioner of transportation pursuant to section 19-175.5 of this code*, installation of an engine which does not meet the requirements of subdivision b of section 20-376 of this subchapter, being found to have violated the requirements for diesel fuel-powered sight-seeing buses contained in section 24-163.6 of the administrative code, failure to submit a bus for inspection, installation of an engine not covered by a certificate of conformity in a vehicle which was originally manufactured with such an engine and installation of an engine of any model year preceding the year of manufacture in a vehicle which was originally manufactured with an engine covered by a certificate of conformity. *The commissioner shall, as soon as practicable, notify the commissioner of transportation of each sight-seeing bus license that is suspended or revoked.*

§4. This local law takes effect 120 days after it becomes law, except that the commissioner of transportation and 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 Transportation.

Int. No. 724

By The Speaker (Council Member Johnson) and Council Members Williams, Lancman, Van Bramer, Dromm, Powers, Levine, Espinal and Cohen.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that bail bond businesses make certain disclosures

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 20 to read as follows:

*SUBCHAPTER 20
REQUIRED DISCLOSURES BY BAIL BOND BUSINESSES*

§ 20-830 Required disclosures by bail bond businesses. a. Definitions. For purposes of this subchapter, the following terms have the following meanings:

Bail bond business. The term “bail bond business” means any bail or insurance business, as described in subsection a of section 6801 of the New York insurance law, that operates in the city.

Bail bond referral business. The term “bail bond referral business” means any entity that refers or connects individuals to bail bond businesses for a fee.

b. Disclosures related to bail bonds. The department shall produce an informational flier regarding laws and consumers’ rights concerning bail bond businesses to be called a “consumer bill of rights regarding bail bond businesses.” The department shall provide the flier in a form that is easily reproducible by photocopy machine and in a downloadable format on the department’s website in English and in the six languages most commonly spoken by limited English proficient individuals in the city as determined by the department of city planning. The flier shall contain information including, but not limited to, the following:

- 1. What a bail bond business is and how the process of obtaining bail with a bail bond business works;*
- 2. What a bail bond business is and is not required to do for a consumer;*
- 3. How to make a complaint regarding a particular bail bond business, including the contact information for the city and state agencies to which a complaint may be directed;*
- 4. Explanations of the commonly offered services and commonly used industry terms, such as “premium” and “collateral,” including when collateral is returned; and*
- 5. That the flier is available upon request in six specifically listed non-English languages, with such information stated in English and in each of the listed languages.*

c. Each bail bond business shall post in a conspicuous manner, at the location where its principal business transactions are executed, in a size and style to be determined by the commissioner, a sign stating the following:

- 1. The license number of the bail bond business and the name of the person associated with such license;*
- 2. The registered name of the bail bond business; and*
- 3. All addresses and phone numbers that operate under the license.*

d. Before entering into a contract with a consumer, each bail bond business and bail bond referral business shall produce and distribute to every consumer a flier containing the information required in subdivision b of this section, and each bail bond business shall produce and distribute to every consumer a flier containing the information required in subdivision c of this section. Such business shall distribute the fliers to each consumer:

- 1. In English and*
- 2. If the consumer is a limited English proficient individual who speaks a language for which a flier is otherwise required by this subchapter and such business knows or reasonably should know that the consumer is such an individual, in such language as well.*

e. All receipts and contracts shall include the bail bond business’s name, license number, address and phone number.

f. Each bail bond business shall provide to each consumer using its services a copy of any document related to the provision of its services that the consumer signed, including but not limited to any contract.

g. Civil penalties. Any bail bond business or bail bond referral business that violates any provision of this subchapter or any rule or regulation promulgated pursuant to this subchapter is liable for a civil penalty of not less than \$500 or more than \$1,000 for each violation. A proceeding to recover any civil penalty authorized pursuant to this subchapter is returnable to the administrative tribunal of the department.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of consumer affairs 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 Consumer Affairs and Business Licensing.

Res. No. 238

Resolution calling upon the New York City Department of Education to ban processed meats from being served in New York City public schools.

By Council Members Cabrera, Rosenthal, Brannan, Vallone, Rivera, King, Menchaca, Maisel, Levine, Chin, Levin, Perkins, Deutsch, Cumbo, Reynoso, Cornegy, Torres and Ampry-Samuel (by request of the Brooklyn Borough President).

Whereas, The Office of School Food (SchoolFood) of the New York City Department of Education (DOE), is responsible for serving school meals within the New York City public school system, serving around 850,000 meals to students daily; and

Whereas, According to SchoolFood's menus, New York City public schools administer numerous food menus containing processed meats, including hot dogs, ham, bacon and sausage; and

Whereas, According to Harvard's T.H. Chan School of Public Health, processed meat, like hot dogs, ham, bacon and sausage, is meat that has been transformed through salting, curing, fermentation, smoking, or other processes to enhance flavor or improve preservation; and

Whereas, According to Harvard's T.H. Chan School of Public Health, meat processing methods like curing, smoking or cooking can lead to the formation of potentially cancer-causing (carcinogenic) chemicals such as N-nitroso compounds (NOCs), polycyclic aromatic hydrocarbons (PAHs), heterocyclic aromatic amines (HAAs) and polycyclic aromatic hydrocarbons (PAHs), all of which can adversely affect one's health; and

Whereas, In 2015, the World Health Organization's (WHO) International Agency for Research on Cancer (IARC) announced that consumption of processed meat is "carcinogenic to humans," which can lead to increased risk of colorectal cancer, pancreatic cancer, prostate cancer, coronary heart disease, stroke and type II diabetes, among other diseases; and

Whereas, In the IARC's 2015 report, experts concluded that each 50 gram portion of processed meat eaten daily increased the risk of colorectal cancer by 18%; and

Whereas, According to a 2017 report by the American Institute for Cancer Research, an estimated 47% of United States colorectal cancer could be prevented each year through healthy lifestyles changes, such as eating more fiber and exercising properly; and

Whereas, According to a 2017 article in the Agricultural Research and Technology Open Access Journal, livestock production, which is responsible for adding to the supply of processed meats, is an important cause of various environmental problems such as increasing greenhouse gas (GHG) emissions, agricultural land expansion and associated deforestation, surface water eutrophication, terrestrial biodiversity loss, and nutrient imbalances; and

Whereas, In 2017, New York City public schools launched "Meatless Mondays," a program that eliminates meat being served on Mondays within specific public schools, as well as added vegan lunch options in 1,200 New York City public schools, however a full ban on processed meats being served in public schools is necessary to ensure New York City public schools offer healthy food choices, while also helping the environment; and

Whereas, Banning processed meats from being served throughout all New York City public schools can help ensure that students stay healthy; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to ban processed meats from being served within New York City public schools

Referred to the Committee on Education.

Int. No. 725

By Council Members Chin, Menchaca and Koslowitz (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to limiting the number of sightseeing bus licenses

Be it enacted by the Council as follows:

Section 1. Section 20-375 of the administrative code of the city of New York is amended to read as follows:
§ 20-375. License plate.

a. Upon the payment of the license fee the commissioner shall issue a license to the owner of the sightseeing bus or horse drawn cab together with a license plate to be securely affixed to a conspicuous and indispensable part of such sightseeing bus or securely and conspicuously affixed to the rear axle of such horse drawn cab, on which shall be clearly set forth the license number of such sightseeing bus or horse drawn cab. The license plate issued to the licensee may, in the discretion of the commissioner, be a plate of a permanent nature with a replaceable date tag attached thereto, indicating the expiration date of the plate during each license year and the issuance of such a plate with such date tag to a person possessing such a plate, shall be deemed issuance of a license plate. Such license plate and the replaceable date tag to be issued from year to year to be attached thereto, shall be of such material, form, design and dimension and set forth such distinguishing number or other identification marks as the commissioner shall prescribe. The commissioner upon renewal of the license hereunder, may continue the use of the license plate for as many additional license years as he or she in his or her discretion may determine, in which event he or she shall issue and deliver to the licensee a replaceable date tag as evidence of renewal of the license, which shall be attached or affixed in such manner as he or she may prescribe by rule. The failure to affix or display such date tag in a manner prescribed by the commissioner shall constitute a violation of this section. In the event of the loss, mutilation or destruction of any license plate or date tag issued hereunder, the owner may file such statement and proof of facts as the commissioner shall require, with a fee of twenty-five dollars, at the department, and the department shall issue a duplicate or substitute license plate or date tag.

b. *The commissioner may issue new sight-seeing bus license plates pursuant to this section provided that the number of active license plates is less than two hundred and twenty-five. For purposes of this subdivision an active license plate is a plate that has been issued for purposes of operating a licensed sight-seeing bus. Nothing in this subdivision shall prevent the commissioner from issuing a replacement license plate to a licensed sight-seeing bus operator.*

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

Referred to the Committee on Consumer Affairs and Business Licensing.

Preconsidered Res. No. 239

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

By Council Member Dromm.

Whereas, On June 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”); and

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 and Fiscal 2017 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and

changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 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 2018 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Initiative to Address Borough Wide Needs in accordance with the Fiscal 2018 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 Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 7; 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 2018 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion Literacy Initiative in accordance with the Fiscal 2018 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 Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 12; 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 Art as a Catalyst for Change Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Housing Preservation Strategies Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Center for Court Innovation Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Communities of Color Nonprofit Stabilization Fund initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the removal of funds from the administering agency pursuant to the Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves 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 21; 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 2018 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2018, as set forth in Chart 23.

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. 239 printed in these Minutes).

Int. No. 726

By Council Members Espinal, Ampy-Samuel, Ayala, Maisel, Constantinides and Rosenthal.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to private employees disconnecting from electronic communications during non-work hours

Be it enacted by the Council as follows:

Section 1. Subdivision (e) of section 2203 of the New York city charter, as added by local law number 46 for the year 2013, is hereby amended to read as follows:

(e) The commissioner shall have all powers as set forth in:

(1) chapter 8 of title 20 of the administrative code relating to the receipt, investigation, and resolution of complaints thereunder regarding earned sick time, and the power to conduct investigations regarding violation of such chapter upon his or her own initiative; and

(2) *chapter 14 of title 20 of the administrative code relating to the receipt, investigation, and resolution of complaints thereunder regarding the right to disconnect from email during non-work hours, and the power to conduct investigations regarding violation of such chapter upon his or her own initiative; and*

[(2)](3) section 22-507 of the administrative code relating to the receipt, investigation, and resolution of complaints thereunder regarding the retention of grocery workers, and the power to conduct investigations regarding violations of such section upon his or her own initiative.

§ 2. Paragraph (1) of subdivision (h) of section 2203 of the New York city charter, as relettered by local law number 46 for the year 2013, is hereby amended to read as follows:

(h) (1) Notwithstanding any inconsistent provision of law, the department shall be authorized, upon due notice and hearing, to impose civil penalties for the violation of any laws or rules the enforcement of which is

within the jurisdiction of the department pursuant to this charter, the administrative code or any other general, special or local law. The department shall have the power to render decisions and orders and to impose civil penalties for all such violations, and to order equitable relief for and payment of monetary damages in connection with enforcement of chapters 8 and 14 of title 20 of the administrative code. Except to the extent that dollar limits are otherwise specifically provided, such civil penalties shall not exceed five hundred dollars for each violation. All proceedings authorized pursuant to this subdivision shall be conducted in accordance with rules promulgated by the commissioner. The remedies and penalties provided for in this subdivision shall be in addition to any other remedies or penalties provided for the enforcement of such provisions under any other law including, but not limited to, civil or criminal actions or proceedings.

§ 3. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 14
DISCONNECTING FROM WORK

§ 20-1401 Definitions. When used in this chapter, the following terms shall be defined as follows:

Chain business. The term “chain business” means any employer that is part of a group of establishments that share a common owner or principal who owns at least thirty percent of each establishment where such establishments (i) engage in the same business or (ii) operate pursuant to franchise agreements with the same franchisor as defined in general business law section 681; provided that the total number of employees of all such establishments in such group is at least ten.

Electronic communications. The term “electronic communications” means electronic mail, text messages or other digital means of conveying data electronically.

Emergency. The term “emergency” means a sudden and serious event, or an unforeseen change in circumstances, that calls for immediate action to avert, control or remedy harm.

Employee. The term “employee” means any “employee” as defined in section 190(2) of the labor law who is employed for hire within the city of New York for more than eighty hours in a calendar year who performs work on a full-time or part-time basis, including work performed in a transitional jobs program pursuant to section 336-f of the social services law, but not including work performed as a participant in a work experience program pursuant to section 336-c of the social services law, and not including those who are employed by (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city of New York or any local government, municipality or county or any entity governed by general municipal law section 92 or county law section 207.

Employer. The term “employer” means any “employer” as defined in section 190(3) of the labor law with ten or more employees, but shall not include employees of (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city of New York or any local government, municipality or county or any entity governed by general municipal law section 92 or county law section 207. In determining the number of employees performing work for an employer for compensation during a given week, all employees performing work for compensation on a full-time, part-time or temporary basis shall be counted, provided that where the number of employees who work for an employer for compensation per week fluctuates, business size may be determined for the current calendar year based upon the average number of employees who worked for compensation per week during the preceding calendar year, and provided further that in determining the number of employees performing work for an employer that is a chain business, the total number of employees in that group of establishments shall be counted.

Retaliation. The term “retaliation” means any threat, discipline, discharge, demotion, suspension, reduction in employee hours, or any other adverse employment action against any employee for exercising or attempting to exercise any right guaranteed under this chapter.

§ 20-1402 Disconnecting from work. a. 1. It shall be unlawful for any employer to require an employee to access work-related electronic communications outside of such employee’s usual work hours, not including overtime, except in cases of emergency.

2. All employers shall be required to adopt a written policy regarding the use by employees of electronic

devices to send or receive emails, text messages, or any other digital, work-related communication, during non-work hours. Such policy shall include:

(i) The usual work hours for each class of employees of the employer;

(ii) The categories of paid time off, including, but not limited to, vacation days, personal days and sick days to which employees are entitled. Use of such paid time off shall be considered non-work hours.

b. The provisions of this chapter do not apply to (i) any employees whose terms of employment require them to be on call twenty-four hours a day on days when they are working, in which case it shall only apply on such employee's days off, including paid time off, (ii) work study programs under 42 U.S.C. section 2753, (iii) employees for the hours worked and compensated by or through qualified scholarships as defined in 26 U.S.C. section 117 and (iv) independent contractors who do not meet the definition of employee under section 190(2) of the labor law.

20-1403 Retaliation and interference prohibited. No employer shall engage in retaliation or threaten retaliation against an employee for exercising or attempting to exercise any right provided pursuant to this chapter, or interfere with any investigation, proceeding or hearing pursuant to this chapter. The protections of this chapter shall apply to any person who mistakenly but in good faith alleges a violation of this chapter. Rights under this chapter shall include, but not be limited to, the right to: file a complaint for alleged violations of this chapter with the department, communicate with any person about any violation of this chapter, participate in any administrative or judicial action regarding an alleged violation of this chapter, and inform any person of his or her potential rights under this chapter.

§ 20-1404 Notice of rights. a. An employer shall provide any new employee at the commencement of employment or any existing employee within thirty days of the effective date of this local law, with written notice of such employee's right to disconnect pursuant to this chapter, including the right to be free from retaliation and to bring a complaint to the department. Such notice shall be in English and the primary language spoken by that employee, provided that the department has made available a translation of such notice in such language pursuant to subdivision b of this section. Instead of providing each employee with such notice, an employer may instead conspicuously post such notice at such employer's place of business in an area accessible to employees.

b. Any person or entity that willfully violates the notice requirements of this section shall be subject to a civil fine in an amount not to exceed fifty dollars for each employee who was not given appropriate notice pursuant to this section.

§ 20-1405 Other legal requirements. a. Nothing in this chapter shall be construed as creating or imposing any requirement in conflict with any federal or state law, rule or regulation, nor shall anything in this chapter be construed to diminish or impair the rights of an employee or employer under any valid collective bargaining agreement.

§ 20-1406 Enforcement and penalties. a. The department shall enforce the provisions of this chapter. In effectuating such enforcement, the department shall establish a system utilizing multiple means of communication to receive complaints regarding non-compliance with this chapter and investigate complaints received by the department in a timely manner.

b. Any person alleging a violation of this chapter shall have the right to file a complaint with the department within two years of the date the person knew or should have known of the alleged violation. The department shall maintain confidential the identity of any complainant unless disclosure of such complainant's identity is necessary for resolution of the investigation or otherwise required by law. The department shall, to the extent practicable, notify such complainant that the department will be disclosing his or her identity prior to such disclosure.

c. Upon receiving a complaint alleging a violation of this chapter, the department shall investigate such complaint and attempt to resolve it through mediation. The department shall keep complainants reasonably notified regarding the status of their complaint and any resultant investigation. If the department believes that a violation has occurred, it shall issue to the offending person or entity a notice of violation. The commissioner shall prescribe the form and wording of such notices of violation. The notice of violation shall be returnable to the administrative tribunal authorized to adjudicate violations of this chapter.

d. The department shall have the power to impose penalties provided for in this chapter and to grant an employee or former employee all appropriate relief. Such relief shall include: (i) for each instance of an employee being required to access work-related electronic communications outside of the standard work hours: two hundred fifty dollars; (ii) for each instance of unlawful retaliation not including discharge from employment:

full compensation including wages and benefits lost, five hundred dollars and equitable relief as appropriate; and (iii) for each instance of unlawful discharge from employment: full compensation including wages and benefits lost, two thousand five hundred dollars and equitable relief, including reinstatement, as appropriate.

e. Any entity or person found to be in violation of the provisions of sections 20-1402 of this chapter shall be liable for a civil penalty payable to the city not to exceed five hundred dollars for the first violation and, for subsequent violations that occur within two years of any previous violation, not to exceed seven hundred and fifty dollars for the second violation and not to exceed one thousand dollars for each succeeding violation.

f. The department shall report annually on its website the number and nature of the complaints received pursuant to this chapter, the results of investigations undertaken pursuant to this chapter, including the number of complaints not substantiated and the number of notices of violations issued, the number and nature of adjudications pursuant to this chapter, and the average time for a complaint to be resolved pursuant to this chapter.

§ 4. This local law shall take effect 120 days after its enactment and the commissioner shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 727

By Council Members Espinal, Menchaca and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to strengthening the licensing requirements in the sight-seeing bus industry

Be it enacted by the Council as follows:

Section 1. Section 20-372 of subchapter 21 of chapter 2 of title 20 of the New York city administrative code is amended by adding a new subdivision 11 to read as follows:

11. "Sight-seeing bus driver" shall mean any natural person who operates a sight-seeing bus in the city of New York.

§ 2. Subchapter 21 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-376.2 to read as follows:

§ 20-376.2 *Sight-seeing bus drivers.* a. It shall be unlawful for an owner of a sight-seeing bus company to employ any person as a sight-seeing bus driver unless that person:

1. Is at least 18 years of age;
2. Possesses a valid motor vehicle driver license;
3. Possesses a valid commercial driver license for the operation of such bus pursuant to the state vehicle and traffic law;
4. Has not had their motor vehicle license or commercial driver license suspended or revoked two or more times within the past five years;
5. Has not been convicted of three or more traffic infractions pursuant to the state vehicle and traffic law within the past three years; and
6. Has not been convicted of any alcohol or drug-related offense pursuant to article 31 of the state vehicle and traffic law within the past three years.

b. An owner of a sight-seeing bus company shall provide the commissioner with a complete list of all sight-seeing bus drivers employed by the sight-seeing bus company in writing. Such list shall be provided at the time of application and renewal of the sight-seeing bus license, and shall be updated within five days after a new sight-seeing bus driver is hired or a sight-seeing bus driver leaves the company.

c. 1. An owner of a sight-seeing bus company shall inform the commissioner of the details any accident or traffic infraction that involves one of the company's sight-seeing buses within one business day of the incident.

Such details shall include the identification of the sight-seeing bus driver involved in the incident, a description of the incident, and, if known, whether or not the sight-seeing bus driver was at fault.

2. An owner of a sight-seeing bus company shall register all sight-seeing bus drivers employed by the sight-seeing bus company and licensed in the state of New York in the license event notification service offered by the state department of motor vehicles. An owner of a sight-seeing bus company shall record all such notifications in the sight-seeing bus drivers' records pursuant to subdivision e of this section.

d. An owner of a sight-seeing bus company shall not permit a sight-seeing bus driver to operate a sight-seeing bus for more than 12 hours of any continuous 24 hour period. The requirements of this subdivision shall not apply to a sight-seeing bus driver exclusively hired or engaged for a special trip or excursion.

e. 1. An owner of a sight-seeing bus company shall maintain the following records, either in paper or electronic form, and shall make such records available for inspection by the department:

(a) Copies of any commercial and motor vehicle licenses of sight-seeing bus drivers employed by such company;

(b) A driving record for each sight-seeing bus driver employed by such company. Such record shall include the following information: i) the expiration and renewal dates of any commercial driver license; ii) any orders of suspensions, revocations and restorations of a motor vehicle or commercial driver license; iii) any motor vehicle or commercial vehicle traffic convictions; iv) reportable traffic accidents; v) any driver training courses; and vi) proof of passage of any physical examinations.

2. Such records shall be updated, at a minimum, once every two months, and shall be maintained so long as a driver is employed with such sight-seeing bus company. The owner of a sight-seeing bus company shall keep on file the records of sight-seeing bus drivers who are no longer employees of the company for a period of one year after such employees' departure. The commissioner may promulgate rules regarding the form and manner of such records.

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 728

By Council Member Espinal.

A Local Law in relation to establishing a temporary program to resolve awning violations and provide an education campaign for awning violations

Be it enacted by the Council as follows:

Section 1. Temporary program to resolve judgments for awning violations. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Administrative tribunal. The term "administrative tribunal" means the Office of Administrative Trials and Hearings, or any other tribunal authorized to adjudicate applicable violations.

Applicable violations. The term "applicable violations" means any violation of section BC 105 of the building code or of paragraph (a) of section 32-653 or paragraph (a) of section 42-542 of the zoning resolution alleged in a notice of violation issued within 2 years immediately prior to the enactment of this local law.

Resolve. The term "resolve" means, with respect to an outstanding judgment of the administrative tribunal, to conclude all administrative proceedings in connection with a notice of violation.

Respondent. The term "respondent" means a person or entity named as the subject of a notice of violation returnable to, or a judgment issued by, the administrative tribunal.

b. Program parameters. The commissioner of finance shall establish a temporary program to resolve outstanding judgments imposed by the administrative tribunal for applicable violations. The temporary program shall be in operation for 180 days, during which time respondents who are subject to a judgement entered after

an adjudication and finding of violation with respect to an applicable violation may resolve such judgments by curing the violation within 60 days rather than paying a penalty.

c. Resolution of outstanding judgments. 1. A judgment may not be resolved under the temporary program to resolve outstanding judgments pursuant to subdivision b of this section if the judgment had been the subject of a settlement agreement with the department of finance or the department of law that was executed under the temporary program to resolve outstanding judgments established by the department of finance pursuant to local law number 45 for the year 2016.

2. A judgment may not be resolved under the temporary program to resolve outstanding judgments pursuant to subdivision b of this section unless the respondent:

- (a) Has received an applicable violation;
- (b) Admits liability for the applicable violation;
- (c) Demonstrates to the satisfaction of the department of buildings that the condition cited in the applicable violation has been corrected; and
- (d) Seeks resolution of all outstanding judgments against such respondent for applicable violations.

3. Where a respondent satisfies the conditions of paragraphs 1 and 2 of this subdivision, no penalty of any kind may be imposed and any penalty already imposed is voided.

4. If a violation that is the subject of a written agreement with the department of finance pursuant to paragraph 2 of this subdivision is not corrected to the satisfaction of the department of buildings within the required 60 day period, any monetary judgment imposed plus accrued interest shall have full legal effectiveness and enforceability.

d. Program expiration. After the temporary program operated pursuant to this section has concluded, any judgment that remains outstanding and has not been resolved by this program shall have full legal effectiveness and enforceability regardless of whether it could have been resolved under this program.

e. Exception. The provisions of the temporary program operated pursuant to this section shall not apply where the applicable awning creates an imminent threat to public health or safety.

f. Notification of public. The commissioner of finance shall publicize the temporary program operated pursuant to this section to maximize public awareness of, and participation in, such program.

g. Rules. The commissioner of finance may promulgate rules for the implementation of this section.

h. Nothing in this section creates a new private right of action for any respondent.

§ 2. Subject to the requirements of subdivision c of section 1 of this local law, any respondent that has (a) settled a judgment for an applicable violation or (b) has otherwise admitted guilt and paid a fine to the department of buildings for an applicable violation, and has cured such violation to the satisfaction of the department of buildings, has 180 days from enactment of this law to apply to recover from the department of finance all moneys paid for imposed penalties. The commissioner of finance shall make publicly available on the department's website an application to be used by respondents.

§ 3. Temporary program to resolve notices of violation for awning violations. a. Notwithstanding any other provision of law, where a notice of violation is issued on or after the effective date of this subdivision for an applicable violation, for an awning in existence on the effective date of this subdivision, no penalty may be imposed, nor may injunctive relief be sought to restrain such violation, for a period of 6 months commencing on the effective date of this subdivision.

b. No penalty may be subsequently sought or imposed for any person or entity that receives a notice of violation pursuant to subdivision a of this section and cures such violation to the satisfaction of the department of buildings during such 6 month period.

c. Exception. The provisions of subdivision a of this section shall not apply where the applicable awning creates an imminent threat to public health or safety.

d. Notification of public. The commissioner of buildings shall publicize the temporary program pursuant to section two to maximize public awareness of, and participation in, such program.

e. Rules. The commissioner of buildings may promulgate rules for the implementation of this section.

§ 4. The department of buildings, in consultation with the department of small business services, shall develop a program to educate the business community about the requirements of section BC 105 of the building code and sections 32-653 and 42-542 of the zoning resolution. The program shall be implemented as soon as practicable and continue until a period of time lasting no shorter than 7 months that is deemed sufficient by the commissioner of buildings to provide reasonable notice to the public.

§ 5. a. There shall be an interagency task force to explore issues related to awning regulations in the building code and zoning resolution.

b. The task force shall consist of the following 7 members:

1. The commissioner of buildings, or their designee, who shall serve as co-director of the task force;
2. The chair of the city planning commissioner, or their designee, who shall serve as co-director of the task force;
3. The commissioner of the landmarks preservation commission, or their designee;
4. Two members appointed by the speaker of the council; and
5. Two members appointed by the mayor.

c. The task force shall consult, on an ongoing basis, with businesses across the city to determine the common issues facing businesses that have or want to install awnings and to determine if these issues can be addressed by changing the current regulations in the zoning resolution or building code.

d. The task force shall meet not less than quarterly, and such meetings shall be considered a meeting of a public body subject to article 7 of the public officers law.

e. Within 12 months of the enactment of the local law that added this section, the task force must complete an evaluation of the relevance and appropriateness of current regulations for awnings in the zoning resolution and building code and the issues faced by businesses, especially small businesses, in complying with these regulations. The task force shall issue a report to the mayor and the speaker including its findings and recommendations, if any, for improving these regulations.

f. This task force shall dissolve upon submission of its report as required by subdivision e of this section.

§ 6. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Housing and Buildings.

Int. No. 729

By Council Members Kallos and Menchaca.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to post methodology and data for determining identified seat need

Be it enacted by the Council as follows:

Section 1. Title 21-a of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

Chapter 21. Posting of methodology and data for determining identified seat need

§ 21-988 *Posting of methodology and data for determining identified seat need. a. For the purposes of this section, the term “identified seat need” means the number of seats required to meet the need of the current and future enrollment in each community school district identified in the five-year educational facilities capital plan created by the department pursuant to section 2590-p of the education law.*

b. No later than December 1, 2019, and no less than every five years thereafter on or before December 1, the department shall, in consultation with the New York city school construction authority, post conspicuously on its website the methodology and underlying data used by the department and the New York city school construction authority to calculate identified seat need in the current five-year education facilities capital plan created by the department pursuant to section 2590-p of the education law, including, but not limited to all relevant factors, formulas, algorithms and qualitative factors.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 730

By Council Member Kallos.

A Local Law to amend the New York city charter, in relation to alternate eligibility for designation or nomination of a candidate for an elected office of the city

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 1057-b of the New York city charter is amended to read as follows:

a. The number of signatures required for any designating petition or independent nominating petition for the designation or nomination of a candidate for an elected office of the city shall be governed by applicable provisions of the New York state election law, except that in no event shall the number of signatures required exceed the following limits:

(1) for the offices of mayor, comptroller, or public advocate, three thousand seven hundred fifty signatures;

(2) for the office of borough president, two thousand signatures; [and]

(3) for the office of member of the city council, four hundred fifty Signatures[.]; and

(4) for the offices of mayor, comptroller, public advocate, borough president, or member of the city council, zero signatures, where the candidate has met the requirements set forth in section 1057-g of this chapter.

§ 2. Chapter 46 of the New York city charter is amended by adding a new section 1057-g to read as follows:

§ 1057-g. Designation or nomination; alternate eligibility method. a. The method by which a candidate may qualify to be on a ballot for an elected office of the city shall be governed by applicable provisions of the New York state election law and section 1057-b of this chapter, except that as an alternative to meeting the requirements set forth in the New York state election law and in section 1057-b of this chapter a candidate for an elected office of the city may qualify to be on the ballot by raising funds sufficient to meet the minimum threshold set forth for such office pursuant to subdivision two of section 3-703 of the administrative code.

b. The campaign finance board shall issue a certificate designating or nominating a person for public office to a person who qualifies pursuant to the method provided for in subdivision a of this section. Such certificate shall be delivered by such person to the board of elections in the city of New York in the manner prescribed by the board of elections in the city of New York.

c. Upon the filing of such certificate designating or nominating a person for an elected office of the city, the board of elections in the city of New York shall mail notice thereof to each such person. Such notice shall also state the last day to decline such designation or nomination, and include a statement that the candidate's name shall appear on the ballot as it appears in such notice.

§ 2. Subdivision 1 of section 3-703, as amended by local law 67 for the year 2007, is amended to read as follows:

1. To be eligible for optional public financing under this chapter, a candidate for nomination for election or election must:

[(a) meet all the requirements of law to have his or her name on the ballot, or, for the disbursement of optional public financing occurring prior to two weeks after the last day to file designating petitions for a primary election, certify that he or she intends to meet all the requirements of law to have his or her name on the ballot for the primary or general election;]

(a)[(b)] be a candidate for mayor, public advocate, comptroller, borough president or member of the city council in a primary, special, or general election and meet the threshold for eligibility set forth in subdivision two of this section;

(b)[(c)] choose to participate in the public funding provisions of this chapter, by filing a written certification in such form as may be prescribed by the campaign finance board, which sets forth his or her acceptance of an agreement to comply with the terms and conditions for the provision of such funds. The deadline for filing such certification for a primary and general election shall be:

(i) the tenth day of June in the year of the covered election, or such other later date as the board shall provide, provided, however, that any candidate who files such written certification prior to such date shall be permitted to rescind such certification in writing on or before such date;

(ii) the thirtieth day after a special election is held to fill a vacancy for the office sought by the candidate; whichever is later. The deadline for filing such certification for a special election to fill a vacancy shall be on the seventh day after the proclamation of such special election. A certification may be filed on or before the seventh day after the occurrence of an extraordinary circumstance in an election, as declared by the campaign finance board, following the receipt and review of a petition submitted by a candidate in such election. For purposes of this paragraph, an "extraordinary circumstance" shall include the death of a candidate in the election, the resignation or removal of the person holding the office sought, and the submission to the board of a written declaration by an officeholder that terminates his or her campaign for reelection;

(c)[(d)] obtain and furnish to the campaign finance board and his or her principal committee or authorized committees must obtain and furnish to the board any information it may request relating to his or her campaign expenditures or contributions and furnish such documentation and other proof of compliance with this chapter as may be requested by such board, provided, however, that the board shall accept such required documentation through an electronically scanned transmission;

(d)[(e)] notify the board in the candidate's written certification as to:

(i) the existence of each authorized committee authorized by such candidate that has not been terminated, (ii) whether any such committee also has been authorized by any other candidate, and (iii) if the candidate has authorized more than one authorized committee, which authorized committee has been designated by the candidate as the candidate's principal committee for the election(s) covered by the candidate's certification; provided, that such principal committee (i) shall be the only committee authorized by such candidate to aid or otherwise take part in the election(s) covered by the candidate's certification, (ii) shall not be an authorized committee of any other candidate, and (iii) shall not have been authorized or otherwise active for any election prior to the election(s) covered by the candidate's certification. The use of an entity other than the designated principal committee to aid or otherwise take part in the election(s) covered by the candidate's certification shall be a violation of this section and shall trigger the application to such entity of all provisions of this chapter governing principal committees;

(e)[(f)] not accept and his or her principal committee or authorized committees must not accept, either directly or by transfer, any contribution or contributions from any one individual, partnership, political committee, labor organization or other entity for all covered elections held in the same calendar year in which he or she is a participating candidate or a non-participating candidate which in the aggregate: (i) for the office of mayor, public advocate or comptroller shall exceed four thousand five hundred dollars, or (ii) for borough president, shall exceed three thousand five hundred dollars, or (iii) for member of the city council, shall exceed two thousand five hundred dollars; provided that a participating candidate and his or her principal committee or a non-participating candidate and his or her authorized committees may accept additional contributions which do not exceed one half the amount of the applicable limitation for any run-off primary election, additional day for voting held pursuant to section 3-108 of the New York state election law, special election to fill a vacancy, run-off special election to fill a vacancy, delayed or otherwise postponed election, or election held pursuant to court order which is a covered election and in which the candidate seeks nomination for election or election; and provided further that for the purposes of this paragraph, contributions made by different labor organizations shall not be aggregated or treated as contributions from a single contributor for purposes of the contribution limit that is set forth in this paragraph if those labor organizations make contributions from different accounts, maintain separate accounts with different signatories, do not share a majority of members of their governing boards, and do not share a majority of the officers of their governing boards; and provided further that if state law prescribes a contribution limitation of a lesser amount, this paragraph shall not be deemed to authorize acceptance of a contribution in excess of such lesser amount. The maximum contributions set forth in this paragraph shall be adjusted in accordance with subdivision seven of this section;

(f)[(g)] maintain and his or her principal committee or authorized committees must maintain such records of receipts and expenditures for a covered election as required by the board;

(g)[(h)] not make expenditures from or use his or her personal funds or property or the personal funds or property jointly held with his or her spouse, domestic partner, or unemancipated children in connection with his or her nomination for election or election except as a contribution to his or her principal committee in an amount

that does not exceed three times the maximum contribution amount applicable pursuant to paragraph (f) of this subdivision. Such candidate shall not make expenditures from or use other personal funds or property of his or her spouse, domestic partner or unemancipated children in connection with his or her nomination for election or election; provided that this paragraph shall not be construed to limit contributions by persons other than the candidate;

(h)(i) not make and his or her principal committee must not make expenditures which in the aggregate exceed the applicable expenditure limitations set forth in section 3-706;

(i)(j) meet the threshold for eligibility set forth in subdivision two of this section;

(j)(k) not accept and his or her principal committee must not accept, either directly or by transfer, any contribution, loan, guarantee, or other security for such loan from any political committee for all covered elections held in the same calendar year in which he or she is a participating candidate, except as is otherwise provided for contributions by political committees pursuant to section 3-707 of this chapter; and

(k)(l) not accept and his or her principal committee or authorized committees must not accept, either directly or by transfer, any contribution, loan, guarantee, or other security for such loan from any corporation, limited liability company, limited liability partnership or partnership, other than a corporation, limited liability company, limited liability partnership or partnership that is a political committee as defined in subdivision eleven of section 3-702 of this chapter, for all covered elections held in the same calendar year in which he or she is a participating or non-participating candidate, provided, however, that where a contribution is from a contributor whose name is followed by a professional designation including but not limited to "M.D.", "Esq." and "C.P.A." the board shall not treat such contribution as coming from a corporation, limited liability company, limited liability partnership or partnership in the absence of further indicia that such contribution is from such an entity;

(l)(m) fulfill the requirements of section 12-110 of the administrative code of the city of New York, including payment of any penalties as determined by the conflicts of interest board.

(i) The conflicts of interest board shall maintain a record of all candidates in compliance with section 12-110 of the administrative code of the city of New York. Such record shall indicate the date of filing of the candidate's most recent annual disclosure report and the status of the candidate's compliance with section 12-110 of the administrative code for all years for which the candidate is required to file. Such record shall be provided to the campaign finance board upon request.

(ii) A participating candidate shall fulfill the requirements of section 12-110 of the administrative code to the satisfaction of the conflicts of interest board by the last business day of July in the year of the covered election, or such other later date as the campaign finance board shall provide by rule, except that in a special election to fill a vacancy such deadline shall be established by campaign finance board rule.

(iii) A participating candidate who fails to adhere to the requirements of subparagraph (ii) of this paragraph may thereafter satisfy the requirements of this paragraph by fulfilling the requirements of section 12-110 of the administrative code to the satisfaction of the conflicts of interest board. The campaign finance board shall thereafter allow the participating candidate to make a claim for public funds upon satisfying the requirements of this paragraph and all other applicable law, rules and regulations; provided, however that a failure to fulfill the requirements of section 12-110 of the administrative code to the satisfaction of the conflicts of interest board in a timely fashion pursuant to subparagraph (ii) of this paragraph may result in a delay of any payment of public funds by the board.

(m)(n) satisfy any claim made by the board for the payment of civil penalties or repayment of public funds that remains outstanding against such candidate or his or her principal committee or an authorized committee of such candidate from a prior covered election, if (i) the candidate had written notice of such potential claim and ineligibility to receive public funds prior to filing a written certification for the current covered election pursuant to paragraph (c) of this subdivision, or (ii) in the event no such timely notice has been given pursuant to subparagraph (i), the candidate has been given an opportunity to present to the board reasons he or she should be eligible to receive public funds.

(n)(o) agree that expenditures by his or her principal committee for the purpose of advocating a vote for or against a proposal on the ballot in an election that is also a covered election shall be subject to the contribution and expenditure limitations applicable in such covered election.

§ 3. This local law shall take effect 120 days following its ratification by the voters of this city in a referendum to be held in the general election next following its enactment, provided that the campaign finance board and the board of elections in the city of New York may, following such ratification but before such

effective date, take such measures as are necessary, including the promulgation of rules, to implement this local law.

Referred to the Committee on Governmental Operations.

Int. No. 731

By Council Members Kallos and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring landlords to distribute voter registration forms

Be it enacted by the Council as follows:

Section 1. Section 27-2005 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. 1. An owner of a multiple dwelling shall furnish to each tenant signing a vacancy lease an English-language New York state voter registration form. At such a tenant's request at the time of signing a vacancy lease, an owner shall furnish a Spanish-, Chinese-, Korean-, or Bengali-language New York state voter registration form to such tenant within ten days. For the purposes of this subdivision, the term "vacancy lease" has the meaning given in section 2520.6 of title 9 of the official compilation of the codes, rules and regulations of the state of New York.

2. An owner of a multiple dwelling may provide assistance in completing a voter registration form distributed pursuant to this subdivision, if so requested. An owner may transmit any completed form that was distributed pursuant to this subdivision to the board of elections. If doing so, such owner shall transmit such form within two weeks of the receipt of such completed form, but in no event after the last day for registration to vote in an upcoming citywide election unless such completed form is received on or after such day.

§ 2. This local law takes effect 30 days after enactment.

Referred to the Committee on Housing and Buildings.

Int. No. 732

By Council Members Kallos, Cabrera, Powers, Cohen, Richards, Constantinides, Levin, Rosenthal, Espinal, Dromm, Lander, Brannan, Grodenchik, Vallone, Torres, Reynoso, Chin, Maisel, Cornegy, Menchaca, Rivera, Williams, Ayala, Perkins and Treyger.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the cap on public funds available

Be it enacted by the Council as follows:

Section 1. Paragraph (b) of subdivision 2 of section 3-705 of the administrative code of the city of New York, as amended by local law 67 for the year 2007, is amended to read as follows:

(b) Except as otherwise provided in subdivision three of section 3-706, in no case shall the principal committee of a participating candidate receive public funds pursuant to paragraph (a) above in excess of an amount equal to [fifty-five percent of] the expenditure limitation provided in subdivision one of section 3-706 for the office for which such candidate seeks nomination for election or election, *less the amount of matchable contributions received.*

§ 2. This local law takes effect on January 1, 2019, provided, however, that the campaign finance board shall take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

Referred to the Committee on Governmental Operations.

Int. No. 733

By Council Members Kallos, Rosenthal, Treyger and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York in relation to improving young adults' access to voter registration materials by requiring the department of education of the city of New York and the board of elections of the city of New York to provide students with registration materials in appropriate languages and to track and report on the efficacy of distributing registration materials to students

Be it enacted by the Council as follows:

Section 1. Section 3-209 of the administrative code of the city of New York is amended to read as follows:

§ 3-209 *Young Adult Voter Registration.*

a. Short title. This section shall be known and may be cited as the “Young Adult Voter Registration Act.”

b. *Coded voter registration forms.* *The board of elections of the city of New York shall assign a code to each geographic school district and create voter registration materials that include these codes. Upon request by the department of education of the city of New York, the city board of elections shall provide voter registration forms, either in printed form or in a format suitable for printing, to each public or private high school within the city that are coded for the geographic school district in which that high school is physically located.*

c. *Provision of voter registration materials to students and graduates.* [Registration of voters.]

1. Each public or private high school within the city shall *distribute* [make available] during the school year to seniors such materials as may be published by the board of elections relating to voter registration and, where appropriate, shall provide [applications for registration and enrollment,] *students with voter registration forms that contain the appropriate code assigned by the city board of elections,* and may assist in the execution of such applications.

[c.]2. [Registration of graduating seniors.] The department of education of the city of New York shall provide a postage paid [board of elections of the city of New York] voter registration form *containing the appropriate code assigned by the city board of elections* to each graduating student who receives a high school diploma, including but not limited to a Regents, local, general equivalency or Individualized Education Program diploma. The department shall deliver such voter registration form to each graduating student at the same time and in the same manner as it delivers diplomas to each such student.

[d]3. [Forms to be available at school.] The *city* department of education [of the city of New York] shall ensure that postage paid [board of elections] voter registration forms *containing the appropriate code assigned by the city board of elections* are available in the main or central office of each high school under the jurisdiction of the department for students who wish to obtain one. The department shall also ensure that each such high school provides adequate notice to its students of the availability of such forms in its main or central office.

[e.]4. [Sufficient quantity of forms.] The *city* department of *education* shall request from the *city* board of elections *or otherwise obtain* [of the city of New York] a sufficient quantity of voter registration forms to meet the requirements of this subdivision, *including forms in any language authorized by the state or city board of elections that the city department of education deems appropriate for the students at each school.*

d. *Annual Reporting.*

1. *The city department of education shall report on what steps it has taken to comply with this section and to promote student voter registration as part of its annual report to the New York city council pursuant to subsection (b) of section 522 of the New York city charter. That report shall include, by borough and school, the*

number of students who were seventeen or eighteen years old during the relevant school year and the manner in which registration materials were distributed or made available to students.

2. Consistent with subsection four of section 3-212 of the New York state election law, which requires the city board of elections to include in its annual report to the local legislature a detailed description of existing programs to enhance voter registration, the city board of elections shall specify, by geographic school district: (a) in what form the registration forms were distributed, and if in printed form, how many such forms were distributed, (b) in which language(s) they were distributed, and (c) how many forms were completed and returned to the board.

§ 2. This local law takes effect 120 after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 734

By Council Members Koo, Chin, Diaz and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to smoking on sidewalks

Be it enacted by the Council as follows:

Section 1. Section 17-503 of the administrative code of the city of New York is amended by adding new subdivision e to read as follows:

e. Smoking is prohibited while walking on all sidewalks under the jurisdiction of the department of transportation and any of the following locations under the jurisdiction of the department of parks and recreation:

- 1. The sidewalks immediately adjoining parks, squares and public places;*
- 2. Any pedestrian route through any park strip, median or mall that is adjacent to vehicular traffic;*
- 3. Parking lots.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner may take such actions as are necessary to implement this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Int. No. 735

By Council Member Matteo.

A Local Law to amend the New York city charter, in relation to the advisory opinions of the conflicts of interest board

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision c of section 2603 of the New York city charter is REPEALED and replaced with a new paragraph 4 to read as follows:

4. Not later than the first day of May annually, the board shall initiate a rulemaking to adopt any advisory opinions issued by the board in the prior calendar year which the board determines to have interpretive value in construing the provisions of this chapter. Any advisory opinion not so adopted shall apply only to the requesting public servant, pursuant to paragraph 1 of this subdivision. If a previously issued advisory opinion is cited as an authority in an advisory opinion, such citation shall be accompanied by a statement that such previously issued advisory opinion applies only to the public servant or servants on whose request it was originally rendered.

§ 2. This local law takes effect immediately.

Referred to the Committee on Standards and Ethics.

Res. No. 240

Resolution acknowledging workers' gains through the American labor movement.

By Council Members Miller, Kallos, King and Ulrich.

Whereas, The American labor movement is based on the concept of a just society, in which social equality and honest labor are celebrated and fostered to improve the lives of workers throughout the nation; and

Whereas, From the late 1700's to present-day, the American labor movement made great accomplishments through workers' increased ability to unionize and collectively bargain for better compensation, benefits and worker safety standards; and

Whereas, According to The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), key events in American labor history include: the 1892 Homestead Strike, where skilled workers collectively bargained for good wages and fair work rules against a union-busting millionaire; the Triangle Shirtwaist Fire, where more than 100 workers died due to unsafe work conditions, bringing attention to worker safety standards; and the Great Postal Strike of 1970, where federal employees fought for the right to collectively bargain; and

Whereas, These events allowed for important legislation and changes to be made in hopes of creating a more fair and just workplace for all workers, regardless of class, creed, race or income; and

Whereas, American Federation of State, County and Municipal Employees (AFSCME) highlights the American labor movement's top legislative accomplishments in the 1900s which include: the Social Security Act and the National Labor Relations Act in 1935, the Fair Labor Standards Act in 1938, the Civil Rights Act/Title VII in 1964, the Occupational Safety and Health Act in 1970, and the Family and Medical Leave Act in 1993; and

Whereas, These pieces of legislation ensure that American workers have equal access to employment, a fair wage, safe working conditions, and the ability to join a union and collectively bargain, including the use of agency shops; and

Whereas, "The State of the Unions 2017: A Profile of Organized Labor in New York City, New York State, and the United States" (The State of the Unions 2017), a report by the Joseph S. Murphy Institute for Worker Education and Labor Studies, indicates that organized labor in the United States has suffered sharp decline in numbers and influence in recent years, thus making it more important than ever to acknowledge the gains of the American labor movement; and

Whereas, According to the State of the Unions 2017 report, although organized labor has suffered a decline in numbers and influence throughout the United States from 2016 to 2017, New York State had more union members-just under 2 million-than any other state in the United States except California, with New York City accounting for about 876,000 union members; and

Whereas, The American labor movement has made a huge impact on the United States and more specifically, on New York State and New York City, thus it is important to acknowledge the gains of workers that were won to create a more just and equal workforce; now, therefore, be it

Resolved, That the Council of the City of New York acknowledges workers' gains through the American labor movement.

Referred to the Committee on Civil Service and Labor.

Int. No. 736

By Council Members Richards, Levine, Levin and Powers.

A Local Law in relation to establishing a baby box pilot program

Be it enacted by the Council as follows:

Section 1. Baby box pilot program. a. The department of health and mental hygiene shall establish a baby box pilot program to reduce infant mortality rates in the city. For purposes of this section, a baby box means a box designed to be a safe and comfortable sleep space for infants which is lined with a firm mattress with a fitted sheet and contains any other items the department deems necessary or appropriate. As part of such pilot program, no later than December 1, 2018, baby boxes shall be distributed to expectant parents in the city, provided that, at a minimum, distribution occur in the five neighborhoods with the highest infant mortality rates across the city, as determined by the department. The department shall determine criteria for parents receiving such baby box which may include, but not be limited to, an online parenting course made available by the department.

b. On or before December 1, 2019, the department shall post online and provide to the speaker of the council a written report containing information regarding the pilot program established pursuant to this local law, including, to the extent such information is available, the cost of such pilot program, recommendations with respect to expanding or making such pilot program permanent, an analysis of the impact and effectiveness of such pilot program, and any other recommendations regarding such pilot program.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 737

By Council Member Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to creating a small business lease program for establishing an environment for fair negotiations in the commercial lease renewal process in order to determine reasonable lease terms

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 12 to read as follows:

**CHAPTER 12
COMMERCIAL LEASE ARBITRATION AND MEDIATION**

§ 22-1201 *Scope. This chapter applies only to all commercial lease renewals for a commercial premises. On any occasion wherein a landlord and tenant are required to negotiate the terms of a lease renewal for commercial uses the provisions of this chapter apply. The provisions of this chapter apply to any landlord and current tenant whose lease expired on or after January 1, 2019.*

§ 22-1202 *Definitions. a. As used in this chapter, the following terms have the following meanings:*

Administering agency. The term “administering agency” means mean 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 shall designate to implement the provisions of this chapter pursuant to § 22-1203 of this chapter.

Arbitrator. The term “arbitrator” means the person chosen by the parties or by the American Arbitration Association, or any other recognized arbitration organization, to resolve a dispute between a landlord and a tenant concerning a commercial lease renewal or the rent to be charged for the commercial premises.

Commercial premises. The term “commercial premises” means a building or space in the city of New York occupied for non-residential purposes pursuant to a valid commercial lease.

Landlord. The term “landlord” means any owner, lessor, sublessor or other person entitled to receive rent for the use or occupancy of any commercial premises, or an agent thereof.

Mediator. The term “mediator” means any person, agreed upon by the parties to the dispute or chosen by the American Arbitration Association or any other recognized mediation or arbitration association, to act as an intermediary between the parties. The mediator shall not offer a binding decision concerning the matter in dispute.

Negotiation. The term “negotiation” means the process of conferring with one another through conferences, discussions and compromise, to arrive at a mutually agreeable settlement.

Rent. The term “rent” means any and all consideration, including but not limited to pass-alongs, received by the landlord in connection with the use or occupancy of any commercial premises.

Services. The term “services” means those facilities which enhance the use of the commercial premises, including, but not limited to, repairs, maintenance, painting, heat, hot and cold water, utilities, elevator service, security devices and patrols, furnishings, storage, janitorial and landscaping services, refuse removal, insurance protection, parking spaces and facilities in common areas of the building or parcel in which the rental unit is located.

Tenant. The term “tenant” means tenant, subtenant, lessee, sublessee, or any other persons lawfully entitled to use or occupancy of any commercial premises.

§ 22-1203 Designation of Administering Agency. The mayor or his designee shall designate an agency to implement the provisions of this chapter and shall report such designation to the speaker of the council.

§ 22-1204 Manner of Service. All papers and notices which, by the terms of this chapter are required to be served, shall be served by a process server, or shall be sent by first class mail and certified mail, return receipt requested or by any express mail service.

§ 22-1205 Rental Guidelines. a. All leases of commercial premises may be renewed at the option of a tenant who did not lose the right to renew a lease under the grounds described in subdivision (d) of this section. Such lease renewals shall be for a minimum term of 10 years, provided however, that at the tenant's option, and with the written approval of the landlord, a lease of shorter or longer duration may be selected.

b. No period of lease extension required by this chapter shall extend beyond the landlord's lawful ability to rent the premises to the tenant, where such ability is limited by:

(1) the obligation to rent the premises to a third party pursuant to a bona fide lease entered into prior to the effective date of this chapter;

(2) the exercise by a third party of a bona fide option to rent the premises provided that such option was given prior to the effective date of this chapter; or

(3) any other lawful reason arising prior to such effective date.

c. Any landlord whose obligations under this chapter are limited by the provisions of this section shall not be required to negotiate or to arbitrate as otherwise provided for in this chapter but shall remain obligated to negotiate and to arbitrate a renewal lease for such period of time for which the landlord has a lawful ability to rent the commercial premises to the tenant. The landlord shall provide notice to the tenant 180 days before the termination of the lease of the basis on which the lease cannot be extended for a full 10-year term.

d. A tenant shall lose the right of renewal and a landlord may refuse to renew a lease only on the following grounds:

(1) The tenant has persistently delayed rent payments without cause. For the purpose of this subdivision, “cause” is defined as the withholding or rental payments by the tenant due to the alleged violations of the rental agreement by the landlord. In order for the landlord to be excused from renewal on this ground, the landlord must have served the tenant at least three prior notices during the term of the lease to the tenant for demand of payment within thirty days, and then show that the lessee has not paid within such thirty day period. The landlord shall not serve such notice unless the rent payment was in arrears for a minimum of fifteen days;

(2) The tenant uses the commercial premises in a manner substantially different from that described in the lease;

(3) The tenant conducts or permits any form of illegal activity on the premises;

(4) The tenant has substantially breached any substantive obligation under the current lease and has failed to cure such breach within thirty days following written notice to cure by the landlord;

(5) Upon the termination of the current tenancy, the landlord intends, in good faith, to demolish or substantially reconstruct the premises or a substantial part thereof, or to carry out substantial work or construction on the commercial premises or substantial part thereof which he or she could not reasonably do without obtaining possession of the commercial premises. The landlord shall notify the tenant of his decision to reoccupy the commercial premises at least one year prior to the termination of the lease. In the event that the lessor fraudulently invokes this justification for a refusal to renew a commercial lease, the defrauded tenant may collect treble damages for any loss suffered as a result of such action;

(6) The current tenancy was created by the subletting of the property, whereby the prime tenant did not notify the landlord by certified mail of the subtenant's existence and did not obtain the written consent of the landlord. This ground is void if the landlord and tenant had agreed in the lease to allow subleasing rights without the consent of the landlord and all obligations of the prime tenant on the issue, were in compliance;

(7) It has been determined by the administering agency or by a civil court of competent jurisdiction that the tenant is a gross and persistent violator of New York city tax laws, of any license obligations related to the use of the premises or of any laws of the city of New York;

(8) Upon the termination of the current tenancy, the landlord intends to occupy the retail premises in order to carry out its own business, which cannot be the same type of business that the current tenant is operating, unless the landlord compensates the tenant at fair market value as determined by an arbitrator as restitution for the loss of such tenant's business. The landlord shall notify the tenant of such landlord's decision to reoccupy the premises at least 180 days prior to the termination of the lease. In the event that the landlord fraudulently invokes this justification for a refusal to renew a commercial lease, the defrauded tenant may collect treble damages for any loss suffered as a result of such action.

e. The following procedure shall apply for lease renewals: (1) Where the landlord agrees to renew the lease of the current tenant, such landlord shall notify the tenant at least 180 days prior to the expiration of the lease of such landlord's willingness to negotiate the renewal of the commercial lease agreement. If the landlord and tenant agree, they may at any time renegotiate a new lease, with any agreed to terms and conditions, not inconsistent with the provisions of this chapter. The tenant is to continue rent payments as set forth in the lease until the parties reach an agreement on a lease renewal or until a decision is otherwise rendered through the arbitration or mediation processes described in the provisions of this subdivision. The first 90 days of the 180-day period is for the purpose of negotiations. Alternatively, if there is a dispute, either party may compel the other party to the dispute to use that 90-day period, or any part thereof, for the purposes of mediation. If either the landlord or tenant chooses mediation, he or she shall notify the other party that a mediation session is requested. The parties shall choose a mediator who is agreeable to both the landlord and tenant, or if no such person is agreeable, then the American Arbitration Association shall appoint a mediator. The mediator shall notify the landlord and tenant, no more than 10 days after his or her appointment, of the date, time, place and rules of the hearing. The mediator shall follow his or her customary rules and may render an opinion concerning the dispute, which shall not be binding on the parties. If after 90 days of negotiation and any mediation sessions, the landlord and tenant do not reach an agreement on a new lease, then the tenant is to notify the American Arbitration Association, within fourteen days of the expiration of the first 90-day period, that an arbitration hearing is requested. Failure by the tenant to notify the American Arbitration Association within fourteen days of the expiration of the first 90-day period shall result in the forfeiture of the tenant's right of renewal.

(2) Where the landlord refuses to renew a lease with the current tenant, such landlord is to notify the tenant a minimum of 180 days before the expiration of the lease that such landlord is not going to renew the tenant's lease and state the reason or reasons for such denial in detail. Failure of the landlord to give such notice shall subject the parties to the provisions of paragraph (3) of this subdivision. The landlord is to furnish the tenant with all pertinent data supporting such reason or reasons. If the tenant still wishes to challenge the refusal to renew the lease and apply for a renewal of the lease, then the tenant must notify the landlord within thirty days after the receipt of the landlord's notice of such tenant's intent to challenge the refusal and seek arbitration on the issue of renewal. The tenant shall then notify the administering agency and the American Arbitration Association or any other recognized arbitration organization within fourteen days after notification by the tenant to the landlord that a hearing is requested to determine whether the landlord's grounds for refusal are valid.

(3) If an arbitration hearing is requested pursuant to either paragraphs (1) or (2) of this subdivision:

(a) The landlord and tenant shall choose the arbitrator from a list of arbitrators provided by the American Arbitration Association. If they cannot agree on the selection of the arbitrator within thirty days of the tenant's

notice to such association that a hearing is requested, the tenant shall notify within fourteen days such organization of the parties' failure to make a selection and such arbitration organization shall determine the arbitrator within five days of receipt of such notice from the tenant.

(b) The arbitrator shall notify both parties of the date, place, time and rules of the hearing within sixty days of receipt by the arbitration association of the request for a hearing. The hearing shall take place in the borough where the commercial premises are located unless otherwise agreed to by the landlord and tenant. The landlord and tenant shall furnish the arbitrator with all relevant documentation, and the arbitrator shall conduct a preliminary meeting prior to the hearing to review the data and familiarize himself or herself with the case. The matters the arbitrator shall determine during the preliminary meeting shall include, but not be limited to, the need to inspect the space and the need to hire expert consultants to certify the accuracy of data. The arbitrator may seek to conduct an inspection of the space after notifying both parties at least three days in advance of the inspection and informing them of their right to be present during the inspection.

(c) The hearing before the arbitrator may be recorded by digital, tape or video device. Such recording shall be transcribed upon the request of any party who posts in advance the estimated cost of the transcription. Either party may provide, at their expense, a reporter to transcribe the hearing. The official record of the hearing shall include all documents and offers of proof presented to the arbitrator, the written decision of the arbitrator and any transcript of the hearing. The landlord and tenant will each be given adequate time to present testimony, witnesses, pictures, videos, documents, including charts, comparable rent data and any other relevant data. Each party shall be allowed to confront and cross-examine adverse witnesses. The arbitrator can choose to investigate any aspect of the case to help arrive at a decision.

(d) For a dispute brought before an arbitrator under paragraph (1) of this subdivision, such arbitrator shall render a written determination setting the rent to be paid during a renewal period of 10 years, together with the basis for the determination of the rent, and shall notify the parties of such determination no later than thirty days after the hearing has been concluded. Failure to notify the parties within thirty days shall not affect the enforceability of such determination. Such determination shall be based on (i) the cost of maintenance and operation of the entire property including land and building improvements, including all service debt such as mortgages, (ii) the kind, quality and quantity of services furnished by the landlord, (iii) the condition of the space including capital improvements made by the tenant, (iv) current interest rates on bank deposits and United States government bonds, (v) the current fair market rates for comparable properties in the area in which the property is located, (vi) the lease history and any relevant sublease history, (vii) the longevity of the business, (viii) the location of the business, (ix) the extent to which the business is bound to its particular location, (x) the size of the space, (xi) the cost of leasing similar premises within a one mile radius of the property, (xii) the past five year rental market history within a one mile radius of the property, and (xiii) all other relevant factors. The arbitrator shall consider that each small business and landlord relationship should be dealt with on a case-by-case basis. Where the commercial premises is located in a mixed-use building with less than twenty-five residential units, the arbitrator shall give special consideration to the criteria listed in items (i) and (ii) of this subparagraph. Within thirty days of the hearing, the arbitrator shall send the decision as to the rent price to the parties involved by certified mail.

(e) For a dispute brought before an arbitrator under paragraph (2) of this subdivision, such arbitrator shall render a written determination stating the basis for such determination and notifying the parties of such determination no later than thirty days after the hearing has been concluded. Failure to render a timely, written determination and to notify parties within thirty days shall not affect the enforceability of such determination. Such determination shall be based on (i) appropriate laws applicable to commercial spaces; (ii) the terms of the lease and compliance therewith; (iii) rental guidelines as set forth by the administering agency; and (iv) any other relevant and material factors that the arbitrator shall deem proper. If the arbitrator decides in favor of the landlord, then the tenant shall have until the end of the current lease to vacate. If the arbitrator decides in favor of the tenant, the parties shall have twenty days upon receipt of the arbitrator's decision to renegotiate the lease consistent with the arbitrator's decision. If the parties cannot agree on the rent to be charged for the commercial premises, the tenant shall notify the arbitrator within 10 days. The arbitrator shall then render a written determination setting the rent to be paid during the renewal period of the lease, together with the basis for the determination of the rent, and shall notify the parties of such determination no later than twenty days after receiving notice of the parties' inability to renegotiate the rent and send such decision to the parties involved by certified mail. Failure to notify the parties within twenty days shall not affect the enforceability of such

determination. Such determination shall be based on (i) the cost of maintenance and operation of the entire property including land and building improvements, including all service debt such as mortgages, (ii) the kind, quality and quantity of services furnished by the landlord, (iii) the condition of the space including capital improvements made by the tenant, (iv) current interest rates on bank deposits and United States government bonds, (v) the current fair market rates for comparable properties in the area in which the property is located, (vi) the lease history and any relevant sublease history, (vii) the longevity of the business, (viii) the location of the business, (ix) the extent to which the business is bound to its particular location, (x) the size of the space, (xi) the cost of leasing similar premises within a one mile radius of the property, (xii) the past five year rental market history within a one mile radius of the property, (xiii) the rental guidelines as set forth by the administering agency; and (xiv) all other relevant factors. The arbitrator shall consider that each small business and landlord relationship should be dealt with on a case-by-case basis. Where the commercial premises is located in a mixed-use building with less than twenty-five residential units, the arbitrator shall give special consideration to the criteria listed in items (i) and (ii) of this subparagraph. The costs of arbitration shall be borne equally by the landlord and tenant.

(f) The arbitrator's decision setting the rent price shall be final and binding on both parties except as provided herein, and they shall enter into a lease incorporating such rent which lease does not diminish any services provided by the landlord pursuant to the existing lease. Such renewal lease shall be entered into by the termination date of the current lease and shall commence at the time of expiration of the existing lease. If, however, the tenant elects not to pay the rent set by the arbitrator, then the landlord and tenant shall not enter into a new lease agreement or renew the existing lease.

(g) If, pursuant to subparagraph 3(f) of this subdivision, the tenant elects to not pay the rent set by the arbitrator, the tenant will be allowed to remain in subsession at a rent no greater than a 10 percent increase of the average rent charged during the final twelve months of the last rental agreement between the landlord and tenant from the termination date of the existing lease until such date on which the tenant shall remove his or her property from the premises as provided herein. In the event the landlord receives a written bona fide offer from a prospective tenant to rent the premises, the landlord must first offer the current tenant the option of entering into a lease at the rent and other terms agreed to by the prospective tenant to the landlord. The landlord is to notify the tenant of such offer within three days of receipt of such written bona fide offer. If the tenant declines to pay the rent or fails to accept the offer within fourteen days of receipt of the landlord's notification to the tenant of such offer, then the tenant has thirty days, from the date such notice is received, to remove property from the commercial premises provided that the lease has expired. If the tenant accepts the option of first refusal, the landlord and tenant shall enter into a lease based upon the terms of the bona fide offer received by the landlord from the prospective tenant.

§ 22-1206 Security deposits. Security deposits shall not exceed an amount equal to two months rent. All security deposits shall be placed in escrow in an interest-bearing account at a federally insured bank located in New York state. The tenant shall be notified in writing of the location of such escrow account. Interest paid on the account shall be paid in full to the tenant upon termination of the lease. The amount of interest paid to the tenant shall equal the interest paid by such federally insured bank less one percent for the landlord's administrative costs.

§ 22-1207 Retaliation. No landlord shall in any way retaliate against any tenant for the tenant's assertion or exercise of any rights under this chapter. Any such retaliation may subject the landlord to a suit for actual and punitive damages, injunctive relief, and attorney's fees. Proof of retaliation by the landlord occurring prior to or during the arbitration proceeding shall be considered by the arbitrator in making a determination as to the rent to be paid.

§ 22-1208 Waiver. No provision in any lease, rental agreement, or agreement made in connection therewith which waives or diminishes any right of tenant under this chapter is valid.

§ 22-1209 Evaluation. At the end of each year, the administering agency shall report to the mayor and the council on the effectiveness of this chapter in carrying out the purposes set forth in the legislative findings. The recommendations should take into account the existing commercial rental market which includes among other factors the inflation and interest rates. This report shall also identify any other positive or negative effects of the law.

§ 22-1210 Penalties. a. A landlord or tenant may seek injunctive relief mandating arbitration and/or appropriate damages against any landlord or tenant who fails to submit voluntarily to arbitration or otherwise fails to act in good faith.

b. Any and all legal expenses incurred by one party as a result of its attempt to compel the other party to comply with the provisions of this chapter may be awarded to the appropriate party by the arbitrator or a civil court of competent jurisdiction.

§ 22-1211 Inconsistency with other laws. In the event of any inconsistency with any other laws of the city of New York, this law shall take precedence.

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

§ 3. This local law takes effect 180 after it becomes law.

Referred to the Committee on Small Business.

Res. No. 241

Resolution calling upon the United States Congress to pass, and the President to sign, legislation increasing federal investment in the nation's passenger ferry systems

By Council Member Rose.

Whereas, New Yorkers have long used the city's extensive waterways as an important means of transportation; and

Whereas, Ferries play a vital role in the city's current transportation network; and

Whereas, The Stated Island Ferry serves over 23 million passengers each year and the NYC Ferry network served more than 2.8 million passengers in 2017, its first year of operation after absorbing and expanding upon the former East River Ferry service; and

Whereas, In 2011, Representative Rick Larsen and Senator Patty Murray introduced the Ferry System Investment Act (H.R.1879/S.980), a bill which would have provided \$200 million per year for construction of ferry boats and terminal facilities by, made ferries eligible for the Clean Fuels Grant Program, and established both a federal Ferry Joint Program Office and an academic National Ferry Transportation Institute; and

Whereas, The Moving Ahead for Progress in the 21st Century Act (MAP-21), signed into law in July 2012, provided \$67 million annually to construct ferry boats and terminal facilities; and

Whereas, The Fixing America's Surface Transportation Act (FAST Act), signed into law in December 2015, increased that amount to \$80 million annually; and

Whereas, Ferries are not only an important mode of day-to-day travel for many New Yorkers, they are also one of the most resilient forms of transportation and often play an essential role during emergencies; and

Whereas, The federal government should invest in new and upgraded boats and terminal facilities so that both passengers and the communities served by the country's ferry systems can benefit from the safest, most efficient, and most environmentally-friendly infrastructure possible; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign, legislation increasing federal investment in the nation's passenger ferry systems.

Referred to the Committee on Transportation.

Res. No. 242

Resolution calling upon the Metropolitan Transit Authority (MTA) to amend its practice to use age rather than height in determining whether to permit children to ride for free on the New York City Transit system.

By Council Members Rose and Rivera.

Whereas, Currently the MTA allows children under 44 inches who are accompanied by an adult to ride for free on buses and trains; and

Whereas, The MTA utilizes an age requirement for discounted and free fares for children on other public transportation systems that it operates, like Metro-North and the Long Island Railroad; and

Whereas, Other jurisdictions utilize age requirements in determining discounted or free transit fare for children; and

Whereas, In New York State, the Niagara Frontier Transportation Authority that services Buffalo utilizes an age requirement; and

Whereas, In Los Angeles and Washington, DC, two children up to the age of five and accompanied by an adult can ride for free; and

Whereas, In London, four children up to the age of 11 and accompanied by an adult can ride for free; and

Whereas, Also in London, children between the ages of five and 18 can ride for free if they have a "Zip Oyster" photocard corresponding to their age range 5-10, 11-15, and 16+, respectively; and

Whereas, By utilizing age instead of height to provide free rides to children, the MTA could reduce confusion for straphangers regarding whether they must pay a fare for their children, including younger children who are tall for their age; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transit Authority (MTA) to amend its practice to use age rather than height in determining whether to permit children to ride for free on the New York City Transit system.

Referred to the Committee on Transportation.

Res. No. 243

Resolution calling upon the New York State Legislature to pass and Governor Cuomo to sign the Child Victims Act.

By Council Members Rosenthal and Levin.

Whereas, According to the National Sexual Violence Resource Center, one in four girls and one in six boys will be sexually abused by their 18th birthday, and nearly three-quarters of all reported sexual assault victims are children; and

Whereas, In 2015, New York State had nearly 2,000 reported cases of child sexual abuse, according to the latest data by the United States Department of Health and Human Services; and

Whereas, Numerous studies have shown that rape and sexual assault are under-reported and that most victims of child sexual abuse do not report their abuse until adulthood; and

Whereas, The National Sexual Violence Resource Center indicated that 63% of sexual assaults are not reported to police, and only 12% of child sexual abuse is reported to the authorities; and

Whereas, Victims of child sexual abuse may pursue justice through both the criminal and civil justice systems, but in many cases, by the time that victims recognize that they have been abused and are able to tell someone about it, the statute of limitations has already expired; and

Whereas, According to advocates, New York is one considered one of the worst states in the nation for child sexual abuse statutes of limitation; and

Whereas, Under current New York State law, victims of childhood sexual abuse have until age 21 to sue institutions where the abuse took place, such as a church or a school; and

Whereas, In addition, survivors of child sexual abuse have until age 23 to file a civil case against their abuser, and criminal charges, with the exception of rape, must also be filed before a survivor turns 23; and

Whereas, Conversely, nationwide the median age of reporting child sexual abuse is 48, according to the national think tank organization Child USA, therefore, the statute of limitations under the current law is a disservice to survivors of child sexual abuse; and

Whereas, Unlike New York, many other states have been taking action to increase justice for child sex abuse victims since 2003; and

Whereas, At least 38 states have eliminated criminal statutes of limitations for child sex abuse, dozens have improved their civil statutes of limitations, and 8 have revived expired claims; and

Whereas, New York has recently seen growing support across the State to effectively change its current law; and

Whereas, S. 809, also known as the Child Victims Act, would make it easier for survivors of child sex abuse to bring criminal and civil cases as adults; and

Whereas, When passed into law, the Child Victims Act would raise the criminal statute of limitations for several child sexual abuse crimes to age 28, and raise the civil statute of limitations to age 50; and

Whereas, Additionally, this legislation would also create a one-year window for past victims of child sexual abuse to initiate lawsuits against their abusers, and hold public and private institutions to the same standard; and

Whereas, Under current law, those abused in a public setting, like a school, have only 90 days from when the incident occurred to formally file an intent to sue; and

Whereas, According to Child USA, there are about 2,000 victims who can no longer sue under the current law, but would be able to do so under the Child Victims Act; and

Whereas, In addition, advocates suggest that passage of the Child Victims act could result in a cost-savings to the State; and

Whereas, Advocates estimate that the State could save approximately \$250 million in Medicaid expenses, because a portion of settlements or judgments recovered by victims would be used to repay Medicaid for past coverage of treatment for problems related to the abuse; and

Whereas, Medicaid repayment accounts for approximately 50% of a settlement; and

Whereas, For too many years, survivors of child sexual abuse in the State of New York had limited recourse in pursuing justice for the sexual violence committed against them, which only exacerbated the trauma they experienced; and

Whereas, It is of utmost importance that New York State recognizes and enacts the much needed, long overdue reforms to better support survivors and enable them to pursue justice in a dignified manner; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and Governor Cuomo to sign the Child Victims Act.

Referred to the Committee on General Welfare.

Int. No. 738

By Council Member Torres.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a list of landlords who affirmatively agree not to discriminate based on lawful source of income

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 21-139 to read as follows:

§ 21-139 List of inclusive landlords. a. For purposes of this section, the term “landlord” means an owner, as such term is defined by paragraph 45 of subdivision a of section 27-2004.

b. The commissioner of social services shall establish a list of inclusive landlords.

c. To be eligible to participate in such list, a landlord:

1. Shall affirmatively agree not to discriminate against any tenant, prospective tenant or putative applicant for a housing accommodation based on such tenant’s, prospective tenant’s or putative applicant’s lawful source of income, as such term is defined in subdivision 25 of section 8-102.

2. May not have been found liable within the previous two years for discrimination based on source of income pursuant to section 8-107. Where a landlord participating in the list is found liable for discrimination based on source of income pursuant to section 8-107, the commissioner of social services shall remove such landlord from the list.

3. May not have an aggregate number of open hazardous and immediately hazardous violations of the housing maintenance code that exceeds an average of one violation per dwelling unit for any individual property the landlord owns.

4. May not be subject to an unresolved order to correct an underlying condition pursuant to subdivision c of 27-2091.

d. On at least an annual basis, the commissioner of social services, in a manner selected by such commissioner in consultation with the commissioner of housing preservation and development, shall proactively ask landlords in the city whether they would like to participate in the list of inclusive landlords. Upon request by the commissioner of social services, the commissioner of housing preservation and development shall provide any contact information or other information in the possession of the department of housing preservation and development that is necessary to comply with this subdivision.

e. Participation by landlords in the list created pursuant to this section shall be voluntary.

f. The commissioner of social services shall consult with the commissioner of housing preservation and development in determining whether a landlord who has expressed interest in participating in such list satisfies the housing maintenance requirements of paragraphs 3 and 4 of subdivision c of this section.

§ 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 739

By Council Members Torres, Rodriguez and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to establishing priority for sidewalk repairs at developments operated by the New York city housing authority

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter one of title 19 of the administrative code of the city of New York is amended to add a new section 19-158 to read as follows:

§19-158 Sidewalk repair priority. a. For purposes of this section, “senior-only housing development” means a housing development or building designated by the new york city housing authority to be occupied exclusively by individuals sixty-two years of age or older.

b. In determining the order of repairs to be made at sidewalks, where the department is required by law or has otherwise undertaken to make such repairs, the commissioner shall give priority to sidewalks in front of or abutting senior-only housing developments operated by the new york city housing authority, followed by non-senior only housing developments operated by the new york city housing authority. Such priority shall not apply where the commissioner determines that the sidewalk in front of or abutting property that is not operated by the new york city housing authority is in need of critical or emergency repairs, provided that the commissioner shall notify in writing the council member in whose district the housing development no longer receiving priority is

located and the community board of the community district in which such development is located of the reasons for such determination.

c. Not later than June 30, 2018, the commissioner shall deliver to the council and shall post to the department's website a report indicating (i) all new york city housing authority developments at which sidewalk repairs have been completed or are in the process of completion and (ii) the proposed timeline for completing sidewalk repairs for those new york city housing authority housing developments at which work has not yet commenced.

§2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Int. No. 740

By Council Members Treyger, Ampry-Samuel and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to suspending alternate side parking regulations on primary election day

Be it enacted by the Council as follows:

Section 1. Section 19-163 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. *The department shall suspend all alternate side of the street parking rules on the day a primary election is held.*

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

Referred to the Committee on Transportation.

Res. No. 244

Resolution calling upon the United States Congress to pass, and the President to sign, a federal version of the New York Secure Ammunition and Firearms Enforcement Act of 2013, known as the SAFE Act.

By Council Members Yeger, Rosenthal, Levine, Rivera, Brannan, Treyger, Ayala and Richards.

Whereas, On February 14, 2018, reports indicate a lone gunman, Nikolas Cruz, walked into Marjory Stoneman Douglas High School in Florida and murdered 17 of his fellow classmates and injured several others; and

Whereas, According to federal law enforcement officers, despite having a documented history of mental illness, Cruz was able to purchase an assault rifle legally; and

Whereas, In the State of Florida, purchasing an assault rifle, such as the AR-15 used in this mass shooting, is easier than purchasing a handgun; and

Whereas, While Florida has a three-day waiting period for handgun purchases, anyone without a felony record, domestic abuse conviction, and other exceptions, such as a commitment to a mental institution, can purchase an assault rifle, magazines, and ammunition on the same day after waiting a few minutes to clear a background check; and

Whereas, Further, under federal law, persons must be 21 years of age to purchase a handgun, however need only to be 18 years of age to purchase semi-automatic rifles; and

Whereas, According to the *New York Times*, since the Sandy Hook Elementary School shooting in December 2012, where 20 first graders and six adults were killed with an assault rifle, more than 400 people have been shot in over 200 school shootings in the United States; and

Whereas, In response to the Sandy Hook Elementary School shooting, New York State enacted the New York Secure Ammunition and Firearms Enforcement Act of 2013, known as the SAFE Act; and

Whereas, The SAFE Act, broadened the definition of assault weapons, including semi-automatic rifles, handguns, and shotguns that accommodate one or more detachable military-like features; and

Whereas, The SAFE Act grandfathered owners of these weapons, allowing them to keep them so as long as they register their guns with the State Police; and

Whereas, While this agreement allowed owners of assault weapons to keep them for life, selling or transferring of them to a New York State resident is prohibited; and

Whereas, The SAFE Act also prohibited high-capacity magazines, providing that only magazines with the capacity of seven rounds could be legally sold in New York; and

Whereas, Magazines purchased with a higher capacity before the law was enacted, are prohibited from being loaded beyond seven rounds; and

Whereas, Further, the SAFE Act requires background checks for private gun sales and mental health professionals to report patients “likely to engage in conduct that would result in serious harm to self of others” into a database that restricts their ability to buy guns; and

Whereas, According to the New York State Office of Mental Health, as of December 2018, approximately 75,000 people have been listed in the database in New York; and

Whereas, While the SAFE Act strengthened New York’s gun laws, states with weaker protections jeopardize the safety of New York State and City; and

Whereas, According to a report issued by the New York State Office of Attorney General, 74% of guns used in crimes between 2010 and 2015 came from states with lax gun laws; and

Whereas, If the federal government were to adopt a version of the New York Secure Ammunition and Firearms Enforcement Act of 2013, law enforcement would be better able to keep guns out of the wrong hands and keep us all safe; therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign, a federal version of the New York Secure Ammunition and Firearms Enforcement Act of 2013, known as the SAFE Act.

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 45

346 East 21st Street, Block 926, Lot 1002; Manhattan, Community District No. 6, Council District No. 2.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 46

Red Hook Gardens, Block 524, Lots 1 and 10, Block 531, Lots 13, 18, and 22, Block 587, Lots 41 and 145; Brooklyn, Community District No. 6, Council District No. 38.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 47

Manhattanville Phase I-Unit A, Block 2094, Lot 1201; Manhattan, Community District No. 9, Council District No. 7.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 48

Manhattanville Phase II-Unit B, Block 2094, Lot 1202; Manhattan, Community District No. 9, Council District No. 7.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 49

Manhattanville Phase II-Unit C, Block 2094, Lot 1203; Manhattan, Community District No. 9, Council District No. 7.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 50

By Council Member Salamanca:

Application No. 20185223 PXX (N 180239 PXX) submitted by the New York City Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter, for Notice of Intent to acquire office space at 188 West 230th Street (Block 3264, Lot 104) for use as offices by the Taxi and Limousine Commission, Borough of the Bronx, Community District 8, Council District 14.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses (preconsidered but laid over by the Subcommittee on Landmarks, Public Siting and Maritime Uses).

L.U. No. 51

By Council Member Salamanca:

Application No. 20185106 CCQ submitted by Montefiore Cemetery pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law for approval to use real property for cemetery purposes, in relation to property located at Block 12695, Lots 15, 21, and 101, Borough of Queens, Community District 12, Council District 27.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 52

By Council Member Salamanca:

Application No. C 180112 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 the amendment of the Zoning Map, Section No. 5d, by changing from an R8B District to an R8A District property bounded by a line 100 feet easterly of Amsterdam Avenue, a line midway between West 109th Street and West 108th Street, a line 100 feet westerly of Columbus Avenue, and West 108th Street, Borough of Manhattan, Community District 7, Council District 7.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 53

By Council Member Salamanca:

Application No. N 180113 ZRM submitted by the New York City Department of Housing Preservation and Development, 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 District 7, Council District 7.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 54

By Council Member Salamanca:

Application No. C 180114 HAM submitted by the New York City Department of Housing Preservation and Development, pursuant Article 16 of the General Municipal Law for the designation of property located at 103-107, 137-143, 145-149 and 151-159 West 108th Street (Block 1863, Lots 5, 10, 13, and 26) as an Urban Development Action Area and for the approval of an Urban Development Area Project for such area, and pursuant to 197-c of the New York City Charter for the disposition of property located at 103-107, 137-143, and 151-159 West 108th Street (Block 1863, Lots 5, 13, and 26), Borough of Manhattan, Community District 7, Council District 7.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 55

By Council Member Salamanca:

Application No. C 180130 HAX submitted by the New York City Department of Housing Preservation and Development, pursuant Article 16 of the General Municipal Law for the designation of property located at 335-349 St. Ann's Avenue and 542-544 East 142nd Street (Block 2268, Lots 23, 24, 25, 26, 27, 28, 29, 30, 32, 48 and 50) as an Urban Development Action Area and for the approval of an Urban

Development Area Project for such area, and pursuant to 197-c of the New York City Charter for the disposition of such property, Borough of the Bronx, Community District 1, Council District 8.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 56

By Council Member Salamanca:

Application No. C 180131 ZMX submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:, by changing from an R6 District to an R7D District and establishing within the proposed R7D District a C1-4 District, for property bounded by East 142nd Street; St. Ann's Avenue; East 141st Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue, Borough of the Bronx, Community District 1, Council District 8.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 57

By Council Member Salamanca:

Application No. N 180132 ZRX submitted by the New York City Department of Housing Preservation and Development, 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 the Bronx, Community District 1, Council District 8.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 58

By Council Member Salamanca:

Application No. C 20185228 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2130, Lot 44, Community District 12, Council District 10.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 59

By Council Member Salamanca:

Application No. C 20185227 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 4329, Lot 1, Community District 5, Council District 42.

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

Friday, March 23, 2018

10:00 a.m. Aging Committee – Council Chambers – City Hall

10:00 a.m. Department for the Aging

11:30 a.m. Public

1:00 p.m. Education Committee – Council Chambers – City Hall

1:00 p.m. Department of Education (Expense)

4:00 p.m. Public

★ *Deferred*

~~**12:00 p.m. Land Use Committee – Council Chambers – City Hall**~~

~~12:00 p.m. Landmarks Preservation Commission~~

~~1:00 p.m. Department of City Planning~~

~~2:00 p.m. Department of Information, Technology & Telecommunications (joint with the Technology Committee)~~

~~3:00 p.m. Public~~

Monday, March 26, 2018

10:00 a.m. Education Committee – Council Chambers – City Hall

10:00 a.m. School Construction Authority and Department of Education (Capital)

12:00 p.m. Public

10:00 a.m. Immigration Committee – Committee Room – City Hall

10:00 a.m. Mayor's Office of Immigrant Affairs

12:00 p.m. Public

10:00 a.m. Oversight & Investigations Committee – Committee Room – 250 Broadway, 14th Floor

10:00 a.m. Department of Investigation

12:00 p.m. Public

- 1:00 p.m. Civil and Human Rights Committee – Committee Room – City Hall**
- 1:00 p.m. Human Rights Commission
- 2:00 p.m. Equal Employment Practices Commission
- 3:00 p.m. Public

Tuesday, March 27, 2018

Subcommittee on Zoning & Franchises

Francisco Moya, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....9:30 a.m.

- 10:00 a.m. Contracts Committee – Committee Room – City Hall**
- 10:00 a.m. Mayor’s Office of Contracts
- 11:00 a.m. Public

★ Note Revisions

- 10:00 a.m. General Welfare Committee – Council Chambers – City Hall**
- 10:00 a.m. Human Resources Administration / Department of Social Services/ ★ Department of Homeless Services

- ~~★ 11:30 a.m. Department of Homeless Services~~
- 1:30 p.m. Administration for Children’s Services joint with Juvenile Justice Committee
- 3:00 p.m. Public

Subcommittee on Landmarks, Public Siting & Maritime Uses

Adrienne Adams, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....12:00 p.m.

- 1:00 p.m. Parks & Recreation Committee joint with the Subcommittee on Capital Committee Room – City Hall**
- 1:00 p.m. Department of Parks & Recreation
- 4:00 p.m. Public

Subcommittee on Planning, Dispositions & Concessions

Ben Kallos, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....2:00 p.m.

Wednesday, March 28, 2018

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

**All items reported out of the Subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**

Committee Room – City Hall.....11:00 a.m.

Monday, April 9, 2018

★ *Deferred*

~~[Committee on Environmental Protection](#).....Costa Constantinides, Chairperson
Oversight – The Mission, Work and Accomplishments of The Mayor’s Office of Sustainability and The Office of Recovery and Resiliency.
Committee Room – City Hall.....1:00 p.m.~~

[Committee on Public Safety jointly with the Committee on Women](#).....Donovan Richards, Jr., Chairperson
Helen K. Rosenthal, Chairperson

Oversight – Examining NYPD’s Response to Sex Crimes.
Council Chambers – City Hall.....10:00 a.m.

[Committee on Technology](#).....Peter Koo, Chairperson
Oversight – Update on LinkNYC.
Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

Tuesday, April 10, 2018

[Committee on Transportation](#).....Ydanis Rodriguez, Chairperson
Oversight – Addressing Traffic Congestion through the Mayor’s Congestion Action Plan and Other Strategies
Proposed Int 210-A - By Council Members Matteo and Brannan - **A Local Law** to amend the administrative code of the city of New York, in relation to certain sidewalk repairs.
Council Chambers – City Hall.....10:00 a.m.

[Committee on Housing and Buildings](#).....Robert Cornegy, Jr., Chairperson
Int 601 - By The Speaker (Council Member Johnson) and Council Members Richards, Lander, Chin and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the development of a fair affordable housing plan.
Int 607 - By Council Members Richards, The Speaker (Council Member Johnson), Lander, Chin and Rosenthal - **A Local Law** in relation to requiring that city affordable housing plans address historic patterns of racial segregation.
Int 722 - By The Speaker (Council Member Johnson) - **A Local Law** to amend the administrative code of the city of New York, in relation to an audit of expiring affordable housing units.
Council Chambers – City Hall.....1:00 p.m.

Wednesday, April 11, 2018

[Stated Council Meeting](#).....
Ceremonial Tributes – 1:00 p.m.
Agenda – 1:30 p.m.

Following the Invocation, the Speaker (Council Member Johnson) acknowledged the presence of Kwabena Mensah as those assembled in the Chambers applauded. Mr. Mensah was the father of the late Army National Guard Private Emmanuel Mensah. Private Mensah, 28, an immigrant from Ghana, lost his life after rushing into his burning building in an attempt to rescue others trapped inside. The massive fire took place on December 28, 2017 in the Belmont section of the Bronx. A proclamation hailing Private Mensah as a hero was given to his father by the Speaker (Council Member Johnson) and Council Member Torres in a ceremonial before the Stated Meeting. A proclamation had also been given to Deputy FDNY Fire Chief Jay Jonas who accepted on behalf of the many FDNY and EMS first responders who were at the Belmont fire.

Shortly before the adjournment of this Meeting, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) congratulated Council Member Kallos and his wife on the recent birth of their daughter.

Whereupon on motion of the Speaker (Council Member Johnson), the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) adjourned these proceedings to meet again for the Stated Meeting on April 11, 2018.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council