

**THE COUNCIL**

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*Minutes of the Proceedings for the*

**STATED MEETING**

*of*

Thursday, October 27, 2016, 1:55 p.m.

The Public Advocate (Ms. James)

*Acting President Pro Tempore and Presiding Officer*

Council Members

Melissa Mark-Viverito, *Speaker*

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

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 51 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: Pastor Malobe Sampson, Thessalonia Baptist Church, 951 Reverend James A. Polite Avenue, Bronx, N.Y. 10459.

Let us pray. Gracious and kind Heavenly Father,  
we come to say thank you for life, health and strength  
that has been bestowed upon this great body,  
and upon all who are here.  
And we pray, oh, God,  
that you would unite this body  
to carry out the task, oh, God,  
of ministering and helping  
the people of this great city of New York.  
Comfort us, oh, God. Keep us together.  
Let not one life be valued above another,  
but let all be treated equally, oh, God.  
Now Father, we ask that your presence come upon us even now.  
Give us compassion, give us love,  
bring your great joy into this arena  
that the people would know, oh, God  
that your presence is here.  
Bless us now.  
Unite us as one.  
In Jesus name we pray.  
Everyone said Amen.

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

During the Communication from the Speaker segment of the Meeting, the Speaker (Council Member Mark-Viverito) acknowledged the presence of the family of Briana Ojeda. Briana was an eleven year old from Brooklyn who suffered a fatal asthma attack in 2010 and could not be saved by a police officer at the scene because he was not sufficiently trained in CPR procedure. This tragedy led to the introduction of State legislation known as Briana's law which would require law enforcement officers to receive training on CPR techniques every two years. The legislation was passed by the State Assembly but has yet to be passed by the State Senate. The Speaker (Council Member Mark-Viverito) extended the Council's sympathy to the Ojeda family for their loss. She also called on the New York Legislature to pass and for the Governor to sign Briana's law (please see Res No. 1181-A in the voice-vote Resolutions calendar section of these Minutes).

### ADOPTION OF MINUTES

Council Member Ferreras-Copeland moved that the Minutes of the Stated Meeting of September 28, 2016 be adopted as printed.

**MESSAGES & PAPERS FROM THE MAYOR**

Preconsidered M-456

**Communication from the Mayor - Submitting the name of Kenneth Mitchell to the Council for its advice and consent regarding his appointment to the New York City Taxi and Limousine Commission, Pursuant to Sections 31 and 2301 of the City Charter.**

October 14, 2016

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

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 2301 of the New York City Charter, and following the recommendation of the Staten Island delegation of the City Council, I am pleased to present the name of Kenneth Mitchell to the City Council for advice and consent concerning his appointment to the New York City Taxi and Limousine Commission.

When appointed to the Commission, Mr. Mitchell will serve for the remainder of a seven-year term expiring on January 31, 2022.

I send my thanks to you and all Council members for reviewing this Taxi and Limousine Commission appointment.

Sincerely,

Bill de Blasio  
Mayor

BDB:tf

cc: Kenneth Mitchell  
Anthony Shorris, First Deputy Mayor  
Meera Joshi, Commissioner, New York City Taxi and Limousine Commission

Referred to the Committee on Rules, Privileges and Elections.

M-457

**Communication from the Mayor - Transmitting proposed maritime lease ("Lease") between the City of New York ("City"), acting by and through its Department of Small Business Services, as landlord ("Landlord") and Ferrara Bros. LLC, as tenant ("Tenant"), initially for approximately 58,000 square foot City-owned parcel located on the waterfront and along 3rd Avenue in Sunset Park, Brooklyn ("Moore McCormack Site"), pursuant to City Charter Section 1301(2)(f).**

October 19, 2016

Jon Paul Lupo  
Director  
Mayor's Office of City Legislative Affairs  
City Hall  
New York, New York 10007

**Re: City Council Approval Required for Maritime Lease for approximately 58,000 square feet on Brooklyn Block 644 Lot 50**

Dear Mr. Lupo:

I am writing this letter to request that the Office of City Legislative Affairs submit to the City Council for approval a proposed maritime lease ("Lease") between the City of New York ("City"), acting by and through its Department of Small Business Services, as landlord ("Landlord"), and Ferrara Bros. LLC, as tenant ("Tenant"), initially for an approximately 58,000 square foot City-owned parcel located on the waterfront and along 3rd Avenue in Sunset Park, Brooklyn ("Moore McCormack Site"), pursuant to City Charter Section 1301(2)(f). As more fully described below, the Lease provides that upon termination of a certain City lease for property adjacent to the Moore McCormack Site, property being subleased by Tenant under that City lease will be incorporated automatically into the Lease and become a part of the Moore McCormack Site. The Lease will be administered by the New York City Economic Development Corporation ("NYCEDC").

The proposed Lease to be entered into between the City and the Tenant will be substantially in the form attached hereto as Exhibit A.

On October 7, 2016, the Department of Small Business Services issued a determination, a copy of which is attached as Exhibit B, that the proposed Lease would have no significant environmental impacts.

#### Background

In June 2012, NYCEDC, on behalf of the City, issued a Request for Proposals for the Moore McCormack Site ("REP"), seeking proposals for a lease with the City that increased industrial maritime activity across the bulkhead or through the adjacent 25th Street Pier. The RFP sought uses that would create quality jobs for City residents and support and enhance the growth of the City's industrial base and other positive community impacts. The Moore McCormack site is presently vacant and has lacked job-intensive uses since 1986.

NYCEDC received three responses to the RFP, and the Tenant was selected to enter into the Lease. The Tenant's selection was based on the following: (i) over 45 years of experience as a ready-mixed concrete company providing quality jobs to its unionized workforce; and (ii) a commitment to operate a compressed natural gas ("CNG") fueling station to power its fleet of trucks. Additionally, the Lease facilitates the Tenant's relocation from its current plant at 435 Hoyt Street, a City-owned site managed by the New York City Department of Housing Preservation and Development ("HPD Site"). The Tenant's departure from the HPD

Site will enable remediation of the Gowanus Canal around the property and the construction of affordable housing on the HPD Site.

The Tenant will construct and operate a maritime dependent concrete manufacturing batch plant and a CNG fueling station (collectively, the "Project") on the Moore McCormack Site. The Lease will revive the Moore McCormack Site's use as an industrial property and restore the property to active maritime uses, helping to retain industrial jobs in Brooklyn. The Moore McCormack Site's proximity to the water and multiple thoroughfares will enable the efficient movement of raw materials into the plant and from the plant to construction sites throughout the City. Ferrara Bros. LLC has been a family-owned concrete company operating several plants in Brooklyn and Queens continuously since 1969. In April 2015, U.S. Concrete, Inc., a national ready-mixed concrete and aggregate company, purchased all of the outstanding stock in Ferrara Bros. Employees will be paid a living wage.

In connection with the Project, Tenant is subleasing approximately 45,000 square feet of property adjacent to the Moore McCormack Site ("Sublease Property") from Lafarge Building Materials, Inc. ("Lafarge"). Lafarge currently leases approximately 296,000 square feet of open area from the City adjacent to the Moore McCormack Site ("Lafarge Lease"). The Lafarge Lease provides for a lease term through December 31, 2035. The transaction to sublease the Sublease Property to Tenant is a closing condition for execution and delivery of the Lease. The Lease provides that, subject to certain conditions, upon the expiration or earlier termination of the Lafarge Lease, the Sublease Property will be automatically incorporated into the Lease and become a part of the Moore McCormack Site and will be leased to Tenant for the balance of the Lease term for the operation of the Project.

#### Material Lease Terms

The proposed material Lease terms are as follows:

Landlord: The City of New York, acting by and through its Department of Small Business Services

Tenant: Ferrara Bros. LLC

Premises: Approximately 58,000 square feet of land in the Borough of Brooklyn, City and State of New York, Block 644, Lot 50 along the waterfront and 3rd Avenue at 24th Street, initially, and thereafter, upon satisfaction of certain conditions in the Lease for the incorporation of the Sublease Property into the Lease, approximately 45,000 square feet of land will be added to the Premises.

Term: Initial term will be for 25 years, beginning immediately after receipt of all required approvals. Tenant has five consecutive 5 year renewal options to extend the term for a total of an additional 25 years.

Permitted Use: Tenant will cause the Premises to be maintained and used, pursuant to applicable zoning regulations, as a maritime-dependent concrete manufacturing plant and compressed natural gas fueling station. A minimum of fifty percent of the raw materials used by the concrete manufacturing plant must be delivered by waterborne craft.

Base Rent and Production Payment: During the first lease year of the initial term annual Base Rent will equal \$220,000, escalating by 3% annually throughout the initial term of the Lease. For the first year of each renewal option period Base Rent will reset to the higher of Fair Market Rent, as determined by an independent appraiser, or 103% of the Base Rent for the final lease year of the prior period and thereafter escalate by 3% annually for the balance of the renewal option period. After the Abatement Period (hereinafter defined) Tenant is also required to pay the higher of (i) an annual production payment of \$2.50, escalating by 3% annually (including during the Abatement Period) for each cubic yard of concrete produced on the Moore McCormack Site and the Sublease Property, collectively ("Production Payment") or (ii) the total Dockage and Wharfage (described below) due on the Moore McCormack Site and the Sublease Property (provided that while the

sublease for the Sublease Property is in effect Tenant shall receive a reduction in such payments for Dockage and Wharfage paid under the sublease). Provided that Tenant shall not be in default under the Lease, all payments of annual Base Rent, the production payment and Dockage and Wharfage shall be abated for the first seven years of the initial term of the Lease ("Abatement Period") and the 3% annual increase to Base Rent shall not apply during the Abatement Period.

Other Charges:

Dockage: Tenant will have a charge assessed for berthing at the Moore McCormack Site or for mooring to a vessel so berthed (except for vessel calls exclusively related to the initial construction at the Moore McCormack Site), calculated as if the Moore McCormack Site were a Port Authority Marine Terminal (as defined in the Port Authority Tariff, as amended from time to time).

Wharfage: Tenant will have a charge assessed against all cargo (except materials used in connection with initial construction work at the Moore McCormack Site) passing or conveyed over, onto, or under the Moore McCormack Site or between vessels (to or from barge, lighter, or water), when berthed at the Moore McCormack Site or when moored in a slip adjacent to the Moore McCormack Site, calculated as if the Moore McCormack Site were a Port Authority Marine Terminal (as defined in the Port Authority Tariff, as amended from time to time).

Payment of Dockage and Wharfage: After the Abatement Period, Dockage and Wharfage shall be payable as provided under the caption "Base Rent and Production Payment" above.

Sublease Property: In the event that the Sublease Property is incorporated into the Lease, then Tenant shall make the following additional payments:

Base Rent: If the Lafarge Lease terminates prior to December 31, 2035 and the Sublease Property comes into the Lease, Base Rent through December 31, 2035 will be the greater of (i) the Fair Market Rent, as determined by an independent appraiser, or (ii) rent calculated on the following per square foot basis, such calculation to be made when the Sublease Property first comes into the Lease and thereafter at the beginning of each of the following periods:

<b>Period</b>	<b>Rent</b>	<b>Per Square Foot</b>
1/1/2015-12/31/2019	\$3.86	<i>times</i> 44,635
1/1/2020-12/31/2024	\$4.05	<i>times</i> 44,635
1/1/2025-12/31/2029	\$4.25	<i>times</i> 44,635
1/1/2030-12/31/2035	\$4.46	<i>times</i> 44,635

Thereafter, for the balance of the initial term of the Lease Base Rent on the Sublease Property will for the first year equal the greater of (i) the Fair Market Rent, as determined by an independent appraiser, or (ii) 103% of the Base Rent payable in the prior 12-month period or if no Base Rent had been payable for such period then pursuant to the last entry in the above schedule. The Base Rent paid on the Sublease Property shall be escalated by 3% annually. For the first year of each renewal option period Base Rent on the Sublease Property will reset to the higher of Fair Market Rent, as determined by an independent appraiser, or 103% of the Base Rent for the final lease year of the prior period and thereafter escalate by 3% annually for the balance of the renewal option period.

Approvals: The proposed lease is a maritime lease and therefore, pursuant to Section 1301(2)(f) of the City Charter, is subject to City Council approval for disposition. The Council has 45 days to approve the Lease from the time of receipt. If the Council fails to act on the Lease within the 45 days, the Lease will be automatically approved upon the expiration of the 45th day.

Please inform me of the date of submission of the Lease to the City Council. If you have any questions or concerns, please feel free to contact Lydia Downing at (212) 312-4281 or the undersigned at (212) 312-3778. Thank you.

Very Truly Yours,

James Katz  
Executive Vice President and Chief of Staff  
New York City Economic Development Corporation  
[jkatz@edc.nyc](mailto:jkatz@edc.nyc)

Referred to the Committee on Land Use.

#### LAND USE CALL-UPS

M-458

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

**Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure application nos. C 160310 ZSM, C 160311 ZSM, C 160312 ZSM, and C 160313 ZSM shall be subject to Council review. These items are related to application nos. N 160308 ZRM and C 160309 ZMM, which are subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.**

Coupled on Call-Up Vote.

M-459

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

**Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure application nos. C 160338 ZSM and C 160339 ZSM shall be subject to Council review. These items are related to application nos. C 160336 ZMM, N 160337 ZRM and C 160340 HAM which are subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.**

Coupled on Call-Up Vote.

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

**Affirmative** – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **51**.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) noted the upcoming four year anniversary of Hurricane Sandy making landfall and devastating communities across New York City and the Greater Eastern Seaboard. She mentioned particularly the rebuilding still needed in the neighborhoods of Breezy Point, the Rockaways, and Coney Island. The Speaker (Council Member Mark-Viverito) confirmed the Council’s commitment to the rebuilding process and referred to legislation expected to pass at this Stated Meeting (please see the Report of the Committee on Recovery and Resiliency for Preconsidered Int No. 1341 printed in these Minutes).

## **REPORTS OF STANDING COMMITTEES**

### **Report of the Committee on Consumer Affairs**

Report for Int 1017-C

**Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to protections for freelance workers.**

The Committee on Consumer Affairs, to which the annexed proposed amended local law was referred on December 7, 2015 (Minutes, page 4308), respectfully

## **REPORTS:**

### **INTRODUCTION**

On October 26, 2016, the Committee on Consumer Affairs will hold a vote on Proposed Introduction Number 1017-C (“Proposed Int. No. 1017-C”), a Local Law to amend the administrative code of the city of New York, in relation to protections for freelance workers, also known as the Freelance Isn’t Free Act. The first public hearing on this bill was held on February 29, 2016. The Committee heard testimony from the Department of Consumer Affairs (“DCA”) and from freelance workers and their advocates. The bill has been amended in response to public testimony and subsequent negotiations.



## **BACKGROUND**

According to a study conducted by the Freelancer’s Union, there are almost 53 million freelancers across the nation<sup>1</sup> and 1.3 million in New York City.<sup>2</sup> Freelance workers include independent contractors, part-time moonlighters, full-time self-employed workers and others. Their work ranges from highly specialized professions in the tech, fashion and media industries to event planning, caregiving, housekeeping and more in the rapidly expanding gig economy. Unfortunately, many of these independent workers have struggled with nonpayment and delayed payment for work rendered. The Freelancer’s Union reports that 71% of freelancers have faced difficulty getting paid and that the average loss per freelancer totaled nearly \$6,000 in 2014.<sup>3</sup>

Under current law, the freelancer’s primary legal recourse would be to commence a legal action for breach of contract in small claims court or civil court, depending on the amount of the claim.<sup>4</sup> Noting the time and expense of hiring a lawyer and going to court, the Freelancer’s Union study found that, in 2014, only 5% of freelancers facing nonpayment filed a claim in small claims court.<sup>5</sup> The vast majority of independent workers feel they have no choice but to absorb the loss.

At the public hearing on this proposed local law, witnesses provided personal testimony of their struggles with late payment, incomplete payment and nonpayment.<sup>6</sup> Freelance workers and their advocates testified that a written contract establishes the transparency that makes it possible for freelance workers to speak up against violation of their rights to be paid timely and in full.<sup>7</sup> Many freelance workers testified that they were pressured to accept partial payment and to give up their claim to the remainder, when facing the risk of losing the entire fee for their work.<sup>8</sup> Multiple witnesses gave testimony of being intimidated to dissuade them from demanding a written contract, either by industry practice—for example, in the tech, film and fashion industries—or by direct threat by a prospective hiring party to cancel a contract.<sup>9</sup> Witnesses also spoke of fear of retaliation, including being blacklisted from future work opportunities, if they were to pursue legal action.<sup>10</sup> Witnesses testified that legal action is onerous, expensive and time-consuming and the results too uncertain.<sup>11</sup> Further, witnesses testified that they could not afford the expense of an attorney and that individual claims were often too small to secure an attorney on contingency.<sup>12</sup> The provisions of the bill, they testified, that enhance remedies to include double damages for nonpayment scenarios and attorney’s fees would greatly increase the likelihood that freelance workers would avail themselves of their rights in state court.<sup>13</sup>

## **ANALYSIS OF PROPOSED INT. NO. 1017-C**

Section one of Proposed Int. No. 1017-C would amend title 20 of the Administrative Code of the City of New York (“Code”) to add a new Chapter 10 titled “Freelance Workers.” This chapter would begin with a new section 20-927 defining key terms, including “freelance worker” and “hiring party.”

<sup>1</sup> Freelancing in America: A National Survey of the New Workforce, Freelancer’s Union and Elance-oDesk, December 2014, available at [http://fu-web-storage-prod.s3.amazonaws.com/content/file\\_public/c2/06/c2065a8a-7f00-46db-915a-2122965df7d9/fu\\_freelancinginamericareport\\_v3-rgb.pdf](http://fu-web-storage-prod.s3.amazonaws.com/content/file_public/c2/06/c2065a8a-7f00-46db-915a-2122965df7d9/fu_freelancinginamericareport_v3-rgb.pdf)

The Costs of Nonpayment, Freelancers Union, December 2015. Available at [https://fu-web-storage-prod.s3.amazonaws.com/content/advocacy/uploads/resources/FU\\_NonpaymentReport\\_r3.pdf](https://fu-web-storage-prod.s3.amazonaws.com/content/advocacy/uploads/resources/FU_NonpaymentReport_r3.pdf)

<sup>2</sup> Sara Horowitz and Mile McDerment, “Freelancers, now key to NYC’s economy, merit protection to match,” Crain’s New York Business, Op-Ed. December 22, 2015. Available at <http://www.crainnewyork.com/article/20151222/OPINION/151219868/freelancers-now-key-to-nycs-economy-merit-protection-to-match>

<sup>3</sup> The Costs of Nonpayment, *supra* note 1

<sup>4</sup> The freelancer would commence an action to collect on small claims of up to \$5,000 in New York City Civil Court. Larger claims would be filed in the Civil Branch of the New York State Supreme Court.

<sup>5</sup> The Costs of Nonpayment, *supra* note 1 at 6

<sup>6</sup> Hearing of the Consumer Affairs Committee, Hearing Transcript, February 29, 2016, available at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2530972&GUID=61F8754B-80AF-493E-895E-D6D17209776E&Options=ID|Text|&Search=1017>

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

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

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

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

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

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

The definition of “freelance worker” would include any natural person or any organization composed of no more than one natural person that is hired or retained as an independent contractor for services in exchange for compensation. The definition would make specific exemption for any person who is a sales representative as defined in Section 191 of the New York State Labor Law, any person licensed to practice law and any person who is a licensed medical professional because of other regulatory structures to which they are subjected.

The definition of “hiring party” would include any person, other than federal, state, local and foreign governments, who retains a freelance worker to provide any service. This term would apply to every industry and person, unless otherwise provided by law. For example, an agent who is licensed as an Employment Agency under New York State Law would have to comply both with the contracting requirements set forth in the statutory provisions governing that license and with the requirements of Proposed Int. No. 1017-C, to the extent that the requirements do not conflict. An agent who claims an exemption from the requirement to be licensed as an Employment Agency would be a hiring party under this local law.

Section 20-928 of the proposed chapter would establish when a contract is required to be written and the terms, at minimum, required to be included in such contract. A written contract would be required when a contract for freelance services has a value of \$800 or more, either by itself or when aggregated with contracts made between the same parties in the immediately preceding 120 days. The written contract must include, at minimum, the name and mailing address of both parties, an itemization of services and the compensation to be paid, and the date on which payment will be made or a mechanism to determine such date.

The requirement for a written contract would vest when the value of the contracted services between a hiring party and a freelancer reaches \$800 within a 120-day period, and the obligation for a writing would continue to apply to every subsequent agreement within any 120-day period. Each writing for each subsequent agreement would have to contain an accurate itemization of services, compensation to be paid and the date on which the payment will be made or a mechanism to determine that date.

The requirement for a written contract would be satisfied by any writing or writings that meet state law requirements for a contract and contain the required terms. For example, an email, a letter, an advertisement or a text message, or some combination of those, that satisfy the state-law requirements for a contract and contain the information required by Proposed Int. No. 1017-C would satisfy the requirement to reduce the contract to a writing.

Section 20-929 of the proposed chapter would detail unlawful payment practices. Subdivision a would require the hiring party to pay the freelance worker on or before the date compensation is due pursuant to the terms of contract or, if the contract did not specify such date, no later than 30 days after the services under the contract have been completed. Subdivision b would provide that, once the contracted services have begun, a hiring party shall not require, pressure or induce the freelance worker to accept less than full compensation.

Section 20-930 of the proposed chapter would provide that a hiring party shall not retaliate against a freelance worker for exercising any right guaranteed by this chapter. Examples of retaliation include blacklisting a freelance worker from an industry, discrediting a freelance worker to other potential hiring parties or canceling a multipart contract after the contracted work has begun. Subject to surrounding circumstances, a claim of retaliation might also exist if, having established the terms of a contract for freelance services, the hiring party cancels the agreement in response to a request by the freelance worker to memorialize the agreement in a written contract.

Section 20-931 of the proposed chapter would establish a complaint procedure to be administered by the director of the Office of Labor Standards (“OLS”), a division of DCA, although the agency would not be enforcing the law. Subdivision a would provide that a freelance worker may submit a complaint to OLS, in a form prescribed by the director, alleging a violation of the chapter and must submit such a complaint within two years after acts occurred. At minimum, the complaint would include the names and mailing addresses of the freelance worker and the hiring party, a statement detailing the terms of the freelance contract, including a copy of the contract if available, the freelance worker’s occupation, a statement detailing the alleged violations of the chapter, and a signed affirmation that all facts alleged in the complaint are true.

Subdivision b would provide that, upon receipt of a complaint, the director will refer the freelance worker to the navigation program to be created pursuant to this local law.

Subdivision c would set forth limitations on the director’s jurisdiction over complaints. The director would not have jurisdiction if either party commenced a civil action in state court or filed an administrative complaint

with any local, state or federal agency. For example, if a freelance worker qualified as an employee in an action before the Department of Labor, Equal Employment Opportunity Commission, or other governmental agency, the freelance worker could file an appropriate action before the relevant agency and OLS consequently would not have jurisdiction over any complaint filed with it. Where the director lacks jurisdiction over a complaint, notice of such would be sent within 10 days.

Subdivision d would provide that, within 20 day of receiving a complaint from a freelance worker, the director will send a written notice of the complaint to the hiring party named in the complaint. The notice would inform the hiring party that a complaint has been filed, detail remedies available to the freelance worker pursuant to Proposed Int. No. 1017-C and include a copy of the complaint. The notice would also inform the hiring party that failure to respond to the complaint would create a rebuttable presumption in any action commenced in state court pursuant to this local law that the hiring party committed the violations alleged in the complaint. The director would send this notice by certified mail and bear the cost of sending the notice.

Subdivision e would detail the response required from the hiring party. Paragraph 1 would provide that the hiring party must respond to the director's notice within 20 days with a written statement either that the freelance worker has been paid in full and proof of such payment, or that the freelance worker has not been paid in full and the reasons for nonpayment. Paragraph 2 would provide that within 20 days of receiving the hiring party's response, the director will send the freelance worker a copy of the response, any enclosures, materials about bringing action in civil court, any other information about the status of the complaint and information about the navigation program created by this local law. Paragraph 3 would provide that if the director does not receive a response to the notice sent to the hiring party, the director shall mail a notice of non-response to the freelance worker and the hiring party and include proof that the notice on complaint was sent to the hiring party by certified mail.

Section 20-932 of the proposed chapter would create a navigation program to provide information and assistance about the rights pursuant to Proposed Int. No. 1017-C. The navigation program would include online resources and assistance by a natural person by phone and email. The bill would require the director to make model contracts available on the OLS website, and those model contracts would be available in English and in the six languages most commonly spoken by individuals with limited English proficiency. The navigation program would provide general court information and information about the procedures under this chapter; information about templates and relevant court forms; general information about classification as an employee or an independent contractor; information about translation, interpretation and other courtroom services; a list of organizations that can identify attorneys; and any other information related to filing a complaint or civil action pursuant to this chapter that the director would require. The navigation program would include outreach and education to the public on the provisions of the proposed chapter. The navigation program would not be permitted to provide legal advice.

Section 20-933 would create a civil action to enforce the provisions of Proposed Int. No. 1017-C. Subdivision a would detail the freelance worker's cause of action, and subdivision b would detail the damages for each type of violation of this chapter. A plaintiff who files a civil action for violation of this chapter would be required to serve a copy of the complaint on the director, but failure to do so would not adversely affect the plaintiff's cause of action.

Any action alleging a violation of section 20-928, requiring a written contract, would have to be brought within two years of the violation. A standalone cause of action for failure of a written contract would entitle the prevailing freelance worker to damages of \$250. To prevail on a standalone cause of action for failure to provide a written contract, the freelance worker would have to prove that he or she requested a written contract from the hiring party before the contracted work began. If, in addition to prevailing on a claim for failure of written contract, the plaintiff also prevailed on one or more other provisions of the proposed chapter, then damages for failure of written contract claim no longer would be \$250 but instead would equal the full value of the contract. All damages would also include attorney's fees and costs.

Any action alleging a violation of section 20-929, unlawful payment practices, would have to be brought within six years after the acts alleged to violate the proposed chapter. A plaintiff who prevails on this cause of action would be awarded double damages, injunctive relief and other such remedies as appropriate. All awards of damages would also include attorney's fees and costs.

Any action alleging a violation of section 20-930, retaliation, would have to be brought within six years after the acts alleged to violate the proposed chapter. A plaintiff who prevails on this cause of action would be

awarded damages equal to the full value of the contract. All awards of damages would also include attorney's fees and costs.

Section 20-934 of the chapter would provide for a civil action for a pattern or practice of violations. Where reasonable cause exists to believe that a hiring party has engaged in a pattern or practice of violations, the Corporation Counsel may commence legal action on behalf of the City in a court of competent jurisdiction. Such an action would be commenced by filing a complaint setting forth the facts relating to the alleged pattern or practice of violations and requesting relief, which could include injunctive relief, civil penalties and any other appropriate relief. The filing of a pattern or practice complaint by the City would not prohibit any complaint or civil action by a freelance worker. Upon a finding that a hiring party has engaged in a pattern or practice of violations, the trier of fact could impose a civil penalty of up to \$25,000.

Section 20-935 would provide additional details about how the proposed chapter would apply and how it would interact with other laws. Subdivision a would provide that, except as otherwise provided by law, any provision of a contract that purports to waive the rights granted by this chapter is void as against public policy. Subdivision b would provide that the provisions of this chapter would supplement and not diminish or replace any other basis of liability or other requirement established by statute or common law. Subdivision c would provide that failure to comply with the provisions of this chapter would not void or impair a contract between a hiring party and freelance worker. Finally, subdivision d would provide that nothing in this chapter shall be construed as providing a determination about the legal classification of any individual as an employee or independent contractor.

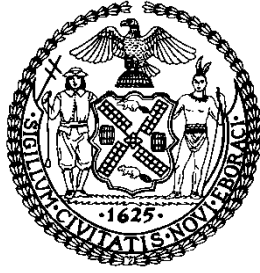
Section 20-936 of the chapter would require OLS to conduct follow-up, data collection and reporting. Subdivision a would require the director to send a follow-up survey to every freelance worker who submits a complaint to OLS within six months after the director sent either a hiring party's response or a letter of non-response to the freelance worker. The survey would ask whether or not the freelance worker pursued any claims in court or through an alternative dispute resolution process and whether the hiring party ultimately paid any or all of the compensation that the freelance worker alleged was due, or if the matter was resolved in a different manner. The survey would state clearly that response is voluntary.

Subdivision b would require the director to collect and track information about complaints including, at minimum: the identity of the hiring party alleged to have violated the chapter, the freelance worker's occupation, the section of the chapter that was alleged to have been violated, the value of the contract, the response or non-response from the hiring party, and information from completed follow-up surveys.

Subdivision c would require the director to submit a recurring report to the Council and to publish such report on the OLS website. The first report would be due one year after the effective date of this local law and subsequent reports would be due every five years thereafter on November 1. The report would include, at minimum, the number of complaints the director has received pursuant to this chapter; the value of the contracts disaggregated into ranges of \$500 and by section of the chapter alleged to have been violated; the number of responses and non-responses received from hiring parties disaggregated into ranges of \$500 and by section of the chapter alleged to have been violated; the proportion of surveys received from freelance workers indicating that they pursued their claims in court, the proportion indicating that they pursued their claims through an alternative dispute resolution process, and a summary of the outcomes of such cases; and legislative recommendations for this chapter, including consideration of whether certain occupations should be exempted from the definition of freelance worker.

Section three of the bill would provide that this local law would take effect 180 days after it becomes law and applies only to future contracts, except that the director may take any necessary action, such as promulgation of rules, before such date.

**(The following is the text of the Fiscal Impact Statement for Int No. 1017-C:)**



**THE COUNCIL OF THE CITY OF NEW YORK**  
**FINANCE DIVISION**  
 LATONIA MCKINNEY, DIRECTOR  
**FISCAL IMPACT STATEMENT**  
**PROPOSED INTRO. NO. 1017-C**  
**COMMITTEE: Consumer Affairs**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to protections for freelance workers

**SPONSORS:** Council Members Lander, Levin, Johnson, Cumbo, Espinal, Chin, Mendez, Ferreras-Copeland, Constantinides, Richards, Rose, Torres, Kallos, Reynoso, Rodriguez, Levine, Treyger, Van Bramer, Gentile, Cabrera, Menchaca, Dickens, Rosenthal, Koslowitz, Miller, Palma, Salamanca, Williams, Cornegy, Gibson and Ulrich and the Public Advocate (Ms. James)

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1017-C would create a set of legal protections for certain freelance workers that would be enforced by the filing of a civil action in state court. The bill would also require by the Office of Labor Standards (“OLS”) within the Department of Consumer Affairs (“DCA”) to create a navigation program. Specifically, the law would require that whenever a hiring party retains a freelance worker and the contract between them has a value of \$800 or more, such contract must be in writing and must contain certain provisions. In addition, the law would require the hiring party to pay the freelance worker on time and in full according to the terms of the contract, or within 30 days of completion of the work and would prohibit retaliation against any freelance worker for exercising the rights granted pursuant to the law.

To enforce these rights, an aggrieved freelance worker would file a civil action in state court. A hiring party that refused to provide a written contract would be liable to the freelance worker for damages of \$250, and if the hiring party also violates other provisions of the law those damages would be increased to equal the total value of the contract. A hiring party that fails to pay timely and in full would be liable for double damages, and a hiring party that retaliates against a freelance worker would be liable for the full value of the contract. All awards of damages would also include attorney’s fees and costs. The law also grants authority to Corporation Counsel to file a civil cause of action for a pattern or practice of violations. Upon a finding of a pattern or practice of violations, a court could award civil

The legislation would also require the Office of Labor Standards (“OLS”) within the Department of Consumer Affairs (“DCA”) to receive complaints from freelance workers, which must be filed within two years of the alleged violation, and forward those complaints to the hiring parties, along with information about the rights granted to freelance workers under this law. Any freelance worker filing a complaint would be referred to a new navigation program that OLS would be required to establish. The navigation program would provide information and resources to the public regarding the requirements of the law, including model contracts available in multiple languages, and would require OLS to conduct outreach and education about the law to the public.

Lastly, the legislation would require OLS to 1) send a survey to freelancers who filed complaints requesting additional information about the resolution, if any, of their claims; 2) collect and track information about complaints made; 3) and provide to Council, and publish on its website, a report due one year after the effective date of the local law and every fifth year thereafter, about the effectiveness of the local law at improving freelance contracting and payment practices.

**EFFECTIVE DATE:** This local law would take effect 180 days after it becomes law and would apply only to contracts entered into on or after the effective date of this local law, except that the Director shall take any actions necessary for the implementation of this local law, including the promulgation of rules, before such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$95,000	\$450,000	\$450,000
Net	(\$95,000)	\$(450,000)	(\$450,000)

**IMPACT ON REVENUES:** This legislation is not expected to impact revenue. Individuals aggrieved by violations of this law would pursue action in state court for damages. These individual actions would not yield any penalty for the City. Although the legislation authorizes the imposition of civil penalty up to \$25,000 for a pattern or practice of violations, it is anticipated that there would be no impact on revenues resulting from this cause of action because full compliance with this cause of action is expected.

**IMPACT ON EXPENDITURES:** This legislation establishes a navigation program that provides information and assistance to the public. It is estimated that implementation of this legislation would cost \$95,000 in Fiscal 2017 and \$450,000 in Fiscal 2018. This funding will pay for the hiring of two full time associates, one full time call center representative and one lawyer. There will be a one-time cost for a graphic design consultant, who will to create contract templates, as well as funding for subway ads or other digital marketing. The graphic design consultant expense will be incurred in Fiscal 2017. The agency has 180 days before the local law takes into effect and can shift resources within the agency as needed to implement the law.

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

**SOURCES OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Aliya Ali, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director, Finance Division  
Regina Poreda Ryan, Deputy Director, Finance Division  
Rebecca Chasan, Counsel, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1017 on December 7, 2015 and referred to the Committee on Consumer Affairs. A hearing was held by the Committee on February 29, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1017-C, will be considered by the Committee on October 26, 2016. Upon a successful vote by the Committee, Proposed Intro. No. 1017-C will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 21, 2016

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

**(The following is the text of Int No. 1017-C:)**

## Int. No. 1017-C

By Council Members Lander, Levin, Johnson, Cumbo, Espinal, Chin, Mendez, Ferreras-Copeland, Constantinides, Richards, Rose, Torres, Kallos, Reynoso, Rodriguez, Levine, Treyger, Van Bramer, Gentile, Cabrera, Menchaca, Dickens, Rosenthal, Koslowitz, Miller, Palma, Salamanca, Williams, Cornegy, Gibson, Cohen, Ulrich and the Public Advocate (Ms. James).

**A Local Law to amend the administrative code of the city of New York, in relation to protections for freelance workers**

*Be it enacted by the Council as follows:*

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

**CHAPTER 10  
FREELANCE WORKERS**

- § 20-927 Definitions.
- § 20-928 Written contract required.
- § 20-929 Unlawful payment practices.
- § 20-930 Retaliation.
- § 20-931 Complaint procedure; jurisdiction of director.
- § 20-932 Navigation program.
- § 20-933 Civil action.
- § 20-934 Civil action for pattern or practice of violations.
- § 20-935 Application; waiver; effect on other laws.
- § 20-936 Follow-up; data collection; reporting.

§ 20-927 Definitions. For purposes of this chapter, the following terms have the following meanings:

*Director.* The term “director” means the director of the office of labor standards established pursuant to section 20-a of the charter.

*Freelance worker.* The term “freelance worker” means any natural person or any organization composed of no more than one natural person, whether or not incorporated or employing a trade name, that is hired or retained as an independent contractor by a hiring party to provide services in exchange for compensation. This term does not include:

1. Any person who, pursuant to the contract at issue, is a sales representative as defined in section 191-a of the labor law;
2. Any person engaged in the practice of law pursuant to the contract at issue and who is a member in good standing of the bar of the highest court of any state, possession, territory, commonwealth or the District of Columbia and who is not under any order of any court suspending, enjoining, restraining, disbaring or otherwise restricting such person in the practice of law; and
3. Any person who is a licensed medical professional.

*Hiring party.* The term “hiring party” means any person who retains a freelance worker to provide any service, other than (i) the United States government, (ii) the state of New York, including any office, department, agency, authority or other body of the state including the legislature and the judiciary, (iii) the city, including any office, department, agency or other body of the city, (iv) any other local government, municipality or county or (v) any foreign government.

*Office.* The term “office” means the office of labor standards established pursuant to section 20-a of the charter.

*§ 20-928 Written contract required. a. Whenever a hiring party retains the services of a freelance worker and the contract between them has a value of \$800 or more, either by itself or when aggregated with all contracts for services between the same hiring party and freelance worker during the immediately preceding 120 days, the contract shall be reduced to writing. Each party to the written contract shall retain a copy thereof.*

*b. The written contract shall include, at a minimum, the following information:*

- 1. The name and mailing address of both the hiring party and the freelance worker;*
- 2. An itemization of all services to be provided by the freelance worker, the value of the services to be provided pursuant to the contract and the rate and method of compensation; and*
- 3. The date on which the hiring party must pay the contracted compensation or the mechanism by which such date will be determined.*

*c. The director may by rule require additional terms to ensure that the freelance worker and the hiring party understand their obligations under the contract.*

*§ 20-929 Unlawful payment practices. a. Except as otherwise provided by law, the contracted compensation shall be paid to the freelance worker either:*

- 1. On or before the date such compensation is due under the terms of the contract; or*
- 2. If the contract does not specify when the hiring party must pay the contracted compensation or the mechanism by which such date will be determined, no later than 30 days after the completion of the freelance worker's services under the contract.*

*b. Once a freelance worker has commenced performance of the services under the contract, the hiring party shall not require as a condition of timely payment that the freelance worker accept less compensation than the amount of the contracted compensation.*

*§ 20-930 Retaliation. No hiring party shall threaten, intimidate, discipline, harass, deny a work opportunity to or discriminate against a freelance worker, or take any other action that penalizes a freelance worker for, or is reasonably likely to deter a freelancer worker from, exercising or attempting to exercise any right guaranteed under this chapter, or from obtaining future work opportunity because the freelance worker has done so.*

*§ 20-931 Complaint procedure; jurisdiction of director. a. Complaint. A freelance worker who is aggrieved by a violation of this chapter may file a complaint with the director within two years after the acts alleged to have violated this chapter occurred. The director shall prescribe the form of the complaint, which shall include, at a minimum:*

- 1. The name and mailing address of the freelance worker and of the hiring party alleged to have violated this chapter;*
- 2. A statement detailing the terms of the freelance contract, including a copy of such contract if available;*
- 3. The freelance worker's occupation;*
- 4. A statement detailing the alleged violations of this chapter; and*
- 5. A signed affirmation that all facts alleged in the complaint are true.*

*b. Referral to navigation program. At the time the director receives a complaint alleging a violation of this chapter, the director shall refer the freelance worker to the navigation program identified in section 20-932.*

*c. Jurisdiction. 1. The director does not have jurisdiction over a complaint if:*

*(a) Either party to the contract has initiated a civil action in a court of competent jurisdiction alleging a violation of this chapter or a breach of contract arising out of the contract that is the subject of the complaint filed under subdivision a of this section, unless such civil action has been dismissed without prejudice to future claims; or*

*(b) Either party to the contract has filed a claim or complaint before any administrative agency under any local, state or federal law alleging a breach of contract that is the subject of the complaint filed under subdivision a of this section, unless the administrative claim or complaint has been withdrawn or dismissed without prejudice to future claims.*

*2. Where the director lacks jurisdiction over a complaint, the director shall notify the following, in writing, within 10 days of discovering the lack of jurisdiction:*

*(a) The freelance worker; and*

*(b) The hiring party, if the director discovered the lack of jurisdiction after sending a notice to the hiring party pursuant to subdivision d of this section.*



*d. Notice to hiring party. Within 20 days of receiving a complaint alleging a violation of this chapter, the director shall send the hiring party named in the complaint a written notice of complaint. Such notice shall inform the hiring party that a complaint has been filed alleging violations of this chapter, detail the remedies available to a freelance worker for violations of this chapter by a hiring party and include a copy of the complaint and notice that failure to respond to the complaint creates a rebuttable presumption in any civil action commenced pursuant to this chapter that the hiring party committed the violations alleged in the complaint. The director shall send such notice by certified mail and shall bear the cost of sending such notice.*

*e. Response. 1. Within 20 days of receiving the notice of complaint, the hiring party identified in the complaint shall send the director one of the following:*

*(a) A written statement that the freelance worker has been paid in full and proof of such payment; or*

*(b) A written statement that the freelance worker has not been paid in full and the reasons for the failure to provide such payment.*

*2. Within 20 days of receiving the written response, the director shall send the freelance worker a copy of:*

*(a) The response;*

*(b) Any enclosures submitted to the director with the response;*

*(c) Materials informing the freelance worker that he or she may bring an action in a court of competent jurisdiction;*

*(d) Any other information about the status of the complaint; and*

*(e) Information about the navigation program described in section 20-932.*

*3. If the director receives no response to the notice of complaint within the time provided by paragraph 1 of this subdivision, the director shall mail a notice of non-response to both the freelance worker and the hiring party by regular mail and shall include with such notice proof that the director previously mailed the notice of complaint to the hiring party by certified mail. Upon satisfying the requirements of this paragraph, the director may close the case.*

*§ 20-932 Navigation program. a. The director shall establish a navigation program that provides information and assistance, as set forth in subdivision c of this section, relating to the provisions of this chapter. Such program shall include assistance by a natural person by phone and e-mail and shall also include online information.*

*b. The director shall make available model contracts on the website of the office for use by the general public at no cost. Such model contracts shall be made available in English and in the six languages most commonly spoken by limited English proficient individuals in the city as determined by the department of city planning.*

*c. The navigation program shall provide the following:*

*1. General court information and information about procedures under this chapter;*

*2. Information about available templates and relevant court forms;*

*3. General information about classifying persons as employees or independent contractors;*

*4. Information about obtaining translation and interpretation services and other courtroom services;*

*5. A list of organizations that can be used for the identification of attorneys; and*

*6. Other information, as determined by the director, related to the submission of a complaint by a freelance worker or the commencement of a civil action pursuant to this chapter by a freelance worker.*

*d. The navigation program shall include outreach and education to the public on the provisions of this chapter.*

*e. The navigation program shall not provide legal advice.*

*§ 20-933 Civil action. a. Cause of action. 1. Except as otherwise provided by law, a freelance worker alleging a violation of this chapter may bring an action in any court of competent jurisdiction for damages as described in subdivision b of this section.*

*2. Any action alleging a violation of section 20-928 shall be brought within two years after the acts alleged to have violated this chapter occurred.*

*3. Any action alleging a violation of sections 20-929 or 20-930 shall be brought within six years after the acts alleged to have violated this chapter occurred.*

*4. Within 10 days after having commenced a civil action pursuant to subdivision a of this section, a plaintiff shall serve a copy of the complaint upon an authorized representative of the director. Failure to so serve a complaint does not adversely affect any plaintiff's cause of action.*

5. A plaintiff who solely alleges a violation of section 20-928 must prove that such plaintiff requested a written contract before the contracted work began.

b. Damages. 1. A plaintiff who prevails on a claim alleging a violation of this chapter shall be awarded damages as described in this subdivision and an award of reasonable attorney's fees and costs.

2. Violation of section 20-928. (a) A plaintiff who prevails on a claim alleging a violation of section 20-928 shall be awarded statutory damages of \$250.

(b) A plaintiff who prevails on a claim alleging a violation of section 20-928 and on one or more claims under other provisions of this chapter shall be awarded statutory damages equal to the value of the underlying contract for the violation of section 20-928 in addition to the remedies specified in this chapter for the other violations.

3. Violation of section 20-929. In addition to any other damages awarded pursuant to this chapter, a plaintiff who prevails on a claim alleging a violation of section 20-929 is entitled to an award for double damages, injunctive relief and other such remedies as may be appropriate.

4. Violation of section 20-930. In addition to any other damages awarded pursuant to this chapter, a plaintiff who prevails on a claim alleging a violation of section 20-930 is entitled to statutory damages equal to the value of the underlying contract for each violation arising under such section.

§ 20-934 Civil action for pattern or practice of violations. a. Cause of action. 1. Where reasonable cause exists to believe that a hiring party is engaged in a pattern or practice of violations of this chapter, the corporation counsel may commence a civil action on behalf of the city in a court of competent jurisdiction.

2. An action pursuant to paragraph 1 of this subdivision shall be commenced by filing a complaint setting forth facts relating to such pattern or practice and requesting relief, which may include injunctive relief, civil penalties and any other appropriate relief.

3. Nothing in this section prohibits:

(a) A person alleging a violation of this chapter from filing a civil action pursuant to section 20-933 based on the same facts as a civil action commenced by the corporation counsel pursuant to this section.

(b) The director from sending a notice of complaint pursuant to section 20-931, unless otherwise barred from doing so.

b. Civil penalty. In any civil action commenced pursuant to subdivision a of this section, the trier of fact may impose a civil penalty of not more than \$25,000 for a finding that a hiring party has engaged in a pattern or practice of violations of this chapter. Any civil penalty so recovered shall be paid into the general fund of the city.

§ 20-935 Application; waiver; effect on other laws. a. Except as otherwise provided by law, any provision of a contract purporting to waive rights under this chapter is void as against public policy.

b. The provisions of this chapter supplement, and do not diminish or replace, any other basis of liability or requirement established by statute or common law.

c. Failure to comply with the provisions of this chapter does not render any contract between a hiring party and a freelance worker void or voidable or otherwise impair any obligation, claim or right related to such contract or constitute a defense to any action or proceeding to enforce, or for breach of, such contract.

d. No provision of this chapter shall be construed as providing a determination about the legal classification of any individual as an employee or independent contractor.

§ 20-936 Follow-up; data collection; reporting. a. No later than six months after the director sends to a freelance worker either a hiring party's response and accompanying materials or a notice of non-response pursuant to paragraph 2 or 3 of subdivision e of section 20-931, the director shall send the freelance worker a survey requesting additional information about the resolution of the freelance worker's claims. Such survey shall ask whether or not the freelance worker pursued any such claims in court or through an alternative dispute resolution process and whether or not the hiring party ultimately paid any or all of the compensation the freelance worker alleged was due or if the matter was resolved in a different manner. Such survey shall state clearly that response to the survey is voluntary.

b. The director shall collect and track information about complaints alleging violations of this chapter. The information collected shall include, at minimum:

1. The identity of the hiring party alleged to have violated this chapter;
2. The freelance worker's occupation;
3. The section of this chapter that was alleged to have been violated;

4. *The value of the contract;*
5. *The response or non-response from the hiring party; and*
6. *Information from a completed survey identified in subdivision a of this section.*

*c. One year after the effective date of the local law that added this chapter, and every fifth year thereafter on November 1, the director shall submit to the council and publish on its website a report regarding the effectiveness of this chapter at improving freelance contracting and payment practices. That report shall include, at a minimum:*

1. *The number of complaints the director has received pursuant to this chapter;*
2. *The value of the contracts disaggregated into ranges of \$500 and by section of this chapter alleged to have been violated;*
3. *The numbers of responses and non-responses received by the director disaggregated by contract value into ranges of \$500 and by section of this chapter alleged to have been violated;*
4. *The proportion of surveys received from freelance workers that indicate that they pursued their claims in court and the proportion of surveys received from freelance workers that indicate that they pursued their claims through an alternative dispute resolution process and a summary of the outcomes of such cases; and*
5. *Legislative recommendations for this chapter, including consideration of whether certain occupations should be exempted from the scope of the definition of freelance worker in section 20-927.*

§ 3. This local law takes effect 180 days after it becomes law and applies only to contracts entered into on or after the effective date of this local law, except that the director shall take any actions necessary for the implementation of this local law, including the promulgation of rules, before such date.

RAFAEL L. ESPINAL, Jr., *Chairperson*; VINCENT J. GENTILE, JULISSA FERRERAS-COPELAND, KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, October 26, 2016. *Other Council Members Attending: Council Members Cohen, Rodriguez, Levine, Lander, Salamanca, Reynoso, Barron, Menchaca, Chin, Williams and the Public Advocate (Ms. James).*

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

### **Report of the Committee on Finance**

Report for Int No. 1242

#### **Report of the Committee on Finance in favor of approving and adopting a local law to amend the administrative code of the city of New York, in relation to the establishment of the Greater JFK business improvement district.**

The Committee on Finance, to which the annexed proposed amended local law was referred on August 16, 2016 (Minutes, page 2756), respectfully

#### **REPORTS:**

##### **BACKGROUND**

Under Local Law 82 of 1990, the City Council assumed responsibility for adopting the legislation that would establish individual business improvement districts (“BIDs”).

BIDs are specifically defined areas of designated properties. They use the City’s real property tax collection mechanism to collect a special tax assessment that the BID District Management Association uses to pay for additional services beyond those that the City provides. The additional services would be designed to enhance the area and to improve local business. Normally, a BID’s additional services would be in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising).

Under the process established by Chapter 4 of Title 25 of the Administrative Code, the City Council has already adopted Resolution 1178, which set the hearing date for the Greater JFK BID plan and its enacting legislation for Wednesday, September 14, 2016.

Prior to the Council's action, the Community Boards for the district in which the proposed BID is located -- Community Boards 12 and 13 of Queens -- voted to approve the plan on March 16, 2016 and March 21, 2016, respectively. The City Planning Commission ("CPC") reviewed the plan and held a public hearing on the plan on April 13, 2016. The CPC approved a resolution on May 11, 2016 (Calendar No. 4), which certified the CPC's unqualified approval of the plan.

Resolution 1178, approved by the Finance Committee and adopted by the Council on August 16, 2016, set the date for the hearing and directed that all notice provisions contained in the law be complied with. Therefore, the Department of Small Business Services was directed to publish the Resolution or its summary in the City Record not less than ten nor more than thirty days before the public hearing and the Greater JFK BID Steering Committee was directed to mail the Resolution or its summary to each owner of real property within the BID, to such other persons as are registered with the City to receive tax bills for property within the BID and to occupants of each building within the BID, also not less than 10 nor more than 30 days before the public hearing.

The public hearing to consider both the Plan itself and the enacting legislation, according to the provisions of the law, was closed without a vote. The Committee then must wait at least 30 days before it can again consider and possibly vote to approve this legislation. The 30-day period immediately after the public hearing serves as an objection period. Any property owner may, during this time period, formally object to the Plan by filing such objection in the Office of the City Clerk, on forms provided by the City Clerk. In the event that either at least 51 percent of the total number of property owners or owners with at least 51 percent of the assessed valuation of all the benefited real property within the proposed BID object to the Plan, then the City Council is prohibited, by law, from approving such Plan.

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

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

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

This local law takes effect after all requirements contained in chapter four of title 25 are complied with.

#### **SEPTEMBER 14, 2016 HEARING**

On September 14, 2016, as set forth in Resolution 1178, the Finance Committee held a public hearing to consider Intro. 1242 that would establish the Greater JFK BID. Representatives of SBS, Queens Community Board 13, a residential block association and several businesses affected by the establishment of the proposed BID testified in support of the proposed BID's establishment. As required by law, the hearing closed without a vote and the 30-day period for property owners to file objections to the Plan with the Office of the City Clerk began. Copies of objection forms were made available at the Office of the City Clerk which is located at 1 Centre Street in Manhattan.

#### **GREATER JFK BID DETAILS**

The proposed Greater JFK BID (hereinafter the "District") is located in the borough of Queens in an industrial/commercial area of the Springfield Gardens neighborhood adjacent to the John F. Kennedy Airport. The proposed District has approximately 4.1 million square feet of commercial and industrial space, with most business related to the off-airport air cargo industry, such as customs brokers, messengers, logistics services,

and freight forwarders. The proposed District also has nine hotels, manufacturing businesses, government and government-related facilities, and residential homes.

The proposed District is comprised of 525 parcels, which include 199 commercial or industrial lots, 154 residential lots (primarily individual condominiums), 103 vacant or undeveloped lots, 10 mixed use lots, and 59 tax-exempt lots and is located in Queens Community Boards 12 and 13.

The District will be managed by the Greater JFK District Management Association, Inc. Services to be provided within the District include: district marketing, networking, and labor force development; public safety and security; technical services and planning studies for project development; and advocacy and administrative. The proposed maximum annual budget is \$500,000.

SERVICES	AMOUNT
District Marketing, Networking, and Labor Force Development	\$130,000
Public Safety and Security	\$100,000
Sanitation and Maintenance Services	\$50,000
Technical Services and Planning Studies for Project Development	\$70,000
Advocacy and Administrative	\$150,000
<b>TOTAL FIRST CONTRACT YEAR BUDGET</b>	<b>\$500,000</b>

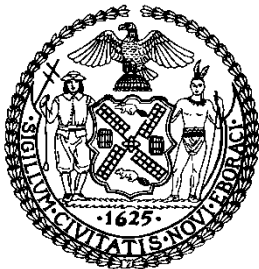
The District’s assessment will be based on a combination of building square footage and assessed value. All properties within the District in whole to commercial or industrial uses will be assessed at the full rate, vacant and undeveloped land would be assessed at 95 percent of the full rate, and mixed use properties would be assessed at 50% of the full rate. Government and not-for-profit owned property are exempt from assessment. Residential properties will be assessed \$1 per year. The median annual assessment for the District would be approximately \$620, the minimum assessment would be approximately \$52, and the highest assessment would be approximately \$44,868.

**OCTOBER 27, 2016 HEARING**

The objection period for the establishment of the Greater JFK BID closed on October 14, 2016 at 5:00 p.m. According to the City Clerk, no property owners located in the proposed BID filed a valid objection to the establishment of the BID.

Since the number of objections required to prevent the creation of the BID have not been filed with the City Clerk, at today’s hearing, if the Committee and the full Council finds in the affirmative on the four questions outlined on page 3 of this report, then the legislation can be adopted, and the BID will be established

**(The following is the text of the Fiscal Impact Statement for Int No. 1242:)**



**THE COUNCIL OF THE CITY OF NEW YORK  
 FINANCE DIVISION  
 LATONIA MCKINNEY, DIRECTOR  
 FISCAL IMPACT STATEMENT  
 INTRO. NO: 1242  
 COMMITTEE: Finance**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the Greater JFK business improvement district  
**Sponsor:** By Council Members Ferreras-Copeland and Koslowitz (by request of the Mayor)

**SUMMARY OF LEGISLATION:** Intro. No. 1242 would establish a business improvement district (“BID”) in the borough of Queens to be known as the Greater JFK BID (the “District”).

**EFFECTIVE DATE:** This local law would take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York, which requires that the New York State Comptroller conduct a review to determine that the relevant tax and debt limitations will not be exceeded by the establishment of the District.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

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

**IMPACT ON REVENUES AND EXPENDITURES:** This local law would result in no fiscal impact upon the City's revenues or expenditures. Under the administrative code of the city of New York, proceeds authorized to be assessed by the District are collected by the City on behalf of the District. None of these proceeds are those of the City and they may not be used for any purpose other than those set forth in the BID’s District Plan. The Greater JFK BID will be funded through a self-assessment by property owners within the district. The anticipated revenues from this self-assessment will be \$500,000 annually. This amount will cover the BID's expenses, as proposed by its first year budget.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Rebecca Chasan, Counsel, Finance Division

**ESTIMATE REVIEWED BY:** Emre Edev, Assistant Director, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced on August 16, 2016 and referred to the Committee on Finance. A hearing was held by the Committee on September 14, 2016 and the legislation was laid over to allow for the statutory 30-day objection period. The legislation will be considered again by the Committee on Finance on October 27, 2016. Upon successful vote by the Committee, Intro. No. 1242 will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 26, 2016

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Int No. 1242:)**

Int. No. 1242

By Council Members Ferreras-Copeland, Koslowitz and Richards (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the Greater JFK business improvement district**

*Be it enacted by the Council as follows:*

Section 1. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-489 to read as follows:

*§ 25-489 Greater JFK business improvement district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, there is hereby established in the borough of Queens, the Greater JFK business improvement district. Such district is established in accordance with the district plan required to be filed with the city clerk pursuant to subdivision b of this section.*

*b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the district plan upon which the Greater JFK business improvement district is based.*

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

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

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, October 27, 2016. *Other Council Members Attending: Council Member Richards.*

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

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

Report for Res No. 1259

**Report of the Committee on Finance in favor of approving a Resolution authorizing an increase in the amount to be expended annually in the Queens Plaza/Court Square Business Improvement District in the Borough of Queens, an extension of the Queens Plaza/Court Square Area Business Improvement District, and a change in the method of assessment upon which the district charge in**

**the Queens Plaza/Court Square Business Improvement District is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Queens Plaza/Court Square Business Improvement District.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 27, 2016, respectfully

**REPORTS:**

**BACKGROUND**

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

The Queens Plaza/Court Square Area BID was first established in 2005 and the area in and around the BID constitutes a major transportation, retail, manufacturing, and retail hub of western Queens. Much of the area covered by the BID was rezoned in 2001 to a new special district that increases density and in some areas allowed new residential uses. That rezoning has successfully facilitated a large daytime working population and, increasingly, a large residential population.

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

- 1) an extension of its boundaries to add a new “South Sub-District” to the existing boundaries that will become the “North Sub-District” and to rename the entire BID the Long Island City BID (“LIC BID”);
- 2) a change to the method by which assessments are calculated to be based on a formula that factors in the assessed value of property and the linear foot frontage of commercial properties; and
- 3) a \$350,000 increase in its annual assessment from \$450,000 to \$800,000.

*Boundary Expansion*

The current boundaries of the BID generally includes all street-facing property lots extending north along Jackson Avenue on both sides of the street from Court Square to Queens Plaza, and extends west along Queens Plaza North and Queens Plaza South from Northern Boulevard / Jackson Avenue to 21<sup>st</sup> Street. The proposed South Sub-District would expand the existing BID to generally include properties facing Jackson Avenue from Court Square to 51<sup>st</sup> Avenue, properties facing Vernon Boulevard from Borden Avenue north to 44<sup>th</sup> Drive, and properties facing 44<sup>th</sup> Drive from Vernon Boulevard east to Hunter Street.

The existing North Sub-District is a mixed-use area comprised of approximately 85 properties. The district has about 2.8 million square feet of existing office space with about 1.1 million additional square feet in planning. This includes three large office buildings: the 50-story Citigroup tower, the MetLife Building, and 2 Gotham Center, a 21-story building occupied by the New York City Department of Health. Additionally, there are a number of smaller office buildings, two existing hotels, and one hotel in planning. The North Sub-District also contains national retail chains and locally owned retail businesses. According to the BID, there are currently 669 residential units, with another 4,085 units in planning or construction.

The South Sub-District would be comprised of approximately 115 wholly commercial properties and approximately 93 mixed-use residential properties, predominantly two-stories or three-stories in height, with ground floor retail or office uses. There are currently an additional 2,700 residential units in planning or construction. Two Court Square, a large building tenanted by Citigroup and CUNY Law School, would be located within the district, as well as Hunters Point Plaza, which contains a mix of government and private



offices. The BID estimates that there are approximately 140,000 square feet of additional commercial space in planning or construction. Within the proposed extension of the BID, there is also one existing hotel and three more in planning. The South Sub-District would also contain many professional services such as real estate brokerage offices and medical offices. There are about 18 industrial businesses interspersed throughout the district, including auto repair and general contracting.

*Change in Method of Assessment*

For both Sub-Districts, the BID proposes an assessment based on a formula which factors in the assessed value of property and the linear foot frontage of commercial properties. The assessment formula is structured to meet the total annual budget for each Sub-District. The formula differs slightly between the two Sub-Districts to account for the higher proportion of mixed-use buildings in the South Sub-District where commercial frontage weighs more heavily in the formula than assessed value of the property.

In the North Sub-District, assessed value from commercial property will account for 60% of assessments, while the linear foot frontage of commercial properties will account for 40% of assessments. In the South Sub-District, assessed value from commercial property will account of

30% of assessments and the linear foot frontage of commercial properties will account for 70% of the assessments. Commercial uses above the ground floor will be assessed an additional 50% of the linear foot frontage for each floor of commercial use or part thereof. Residential property will be assessed \$1 per year. Government and non-profit property are exempt.

The following is a breakdown of the high, low, average, and median assessments expected to be paid by fully assessed properties under this proposed assessment scheme for each Sub-District:

	North Sub-District	South Sub-District
High	\$ 110,633.65	\$ 38,127.64
Low	\$ 304.31	\$ 400.98
Median	\$ 2,703.61	\$ 699.31
Average	\$ 6,617.65	\$ 1,680.72

*Increase in Annual Expenditures*

The Queens Plaza/Court Square BID is proposing to increase its annual expenditures from \$450,000 to \$800,000. The \$350,000 increase would represent the budget of the South Sub-District whereas the budget of the North Sub-District would remain \$450,000.

**PRECONSIDERED RES. 1259**

This Resolution is required by law to set the public hearing date, time, and place for the consideration of the local law which would amend the district plan of the Queens Plaza/Court Square BID. The public hearing will be held on November 16, 2016, in the City Council Committee Room, 2nd Floor, City Hall at 10:00 a.m. before the Committee on Finance.

Because the proposal involves an amendment to the BID’s district plan that would increase the amount it expends annually and change the method of assessment, the Resolution directs the Queens Plaza/Court Square District Management Association to, not less than ten nor more than thirty days before the date of the public hearing, mail a copy of the Resolution or a summary thereof to each owner of real property within the BID at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the BID, and to the tenants of each building within the BID. The Resolution also directs Small Business Services to arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the public hearing. The resolution further directs the Queens Plaza/Court Square District Management Association to publish in a newspaper having general circulation in the BID, not less than ten days prior to the public hearing, a notice stating the time and place of the public hearing and stating the increase in the amount to be expended annually in the BID.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res No. 1259:)**

Preconsidered Res. No. 1259

**Resolution authorizing an increase in the amount to be expended annually in the Queens Plaza/Court Square Business Improvement District in the Borough of Queens, an extension of the Queens Plaza/Court Square Area Business Improvement District, and a change in the method of assessment upon which the district charge in the Queens Plaza/Court Square Business Improvement District is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Queens Plaza/Court Square Business Improvement District.**

By Council Member Ferreras-Copeland.

**Whereas**, Pursuant to the authority formerly granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated April 28, 2016, provided for the preparation of an amended district plan (“the Amended Plan”) for the Queens Plaza/Court Square Business Improvement District (“the District”) in the Borough of Queens; and

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

**Whereas**, Pursuant to authority granted by the Law, the District was established by Local Law No. 62 for the year 2004; and

**Whereas**, Pursuant to Section 25-410(b) of the Law, an amendment to the District Plan that provides for any change in the method of assessment upon which the district charge is based or an increase in the amount to be expended annually may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such changes and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such changes; and

**Whereas**, The District wishes to increase the amount to be expended annually in the District to \$800,000, to extend the District, and to amend the District Plan in order to change the method of assessment upon which the district charge is based; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Amended Plan for the District to the City Planning Commission (“the CPC”) on May 5, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the City Council on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Council Member representing the council district in which the district is located on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to Queens Community Board 1 and Queens Community Board 2, in which the proposed extended district is located, on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Queens Borough President on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the Community Boards notified the public of the Amended Plan in accordance with the requirements established by the CPC; and

**Whereas**, Pursuant to section 25-405(c) of the Law, Community Board 1 conducted a public hearing on May 17, 2016; and

**Whereas**, On May 17, 2016, Community Board 1 voted to approve the extension of the District; and

**Whereas**, Pursuant to section 25-405(c) of the Law, Community Board 2 conducted a public hearing on June 2, 2016; and

**Whereas**, On June 2, 2016, Community Board 2 voted to approve the extension of the District; and

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

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Queens Borough President, to the City Council and to the Council Member representing the council district in which the district is located; and

**Whereas**, Pursuant to section 25-405(c) of the Law, a copy of the CPC's report, the Original Plan, and the Amended Plan were transmitted for filing with the City Clerk on August 4, 2016; and

**Whereas**, Pursuant to section 25-406(a) of the Law, a copy of the Amended Plan and the CPC's report are annexed hereto and are made part of this Resolution; and

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

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

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

**Resolved**, That the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that November 16, 2016 is the date and the City Council Committee Meeting Room, 2nd Floor, City Hall is the place and 10:00a.m. is the time for a public hearing ("the Public Hearing") to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually in the District, extension of the District, and a change in the method of assessment upon which the district charge in the District is based; and be it further

**Resolved**, That the Queens Plaza/Court Square District Management Association shall, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed extended district at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed extended district, and to the tenants of each building within the proposed extended district; and be it further

**Resolved**, That SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing; and be it further

**Resolved**, That in the event that the Queens Plaza/Court Square District Management Association mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law; and be it further

**Resolved**, That on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the Queens Plaza/Court Square District Management Association is hereby authorized to publish in a newspaper having general circulation in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the increase in the amount to be expended annually in the District.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, October 27, 2016. *Other Council Members Attending: Richards.*

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

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

Report for Res No. 1260

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 27, 2016, respectfully

**REPORTS:**

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

Analysis. This Resolution, dated October 27, 2016, approves the new designation and the changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, new designations and/or changes in the designation of certain organizations receiving local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget, new designations and/or changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as well as amendments to the Description/Scope of Services of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 and Fiscal 2016 Expense Budgets.

This Resolution approves the change in the name of a certain initiative; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 1; sets forth the change in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 3; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2017 Expense Budget, as described in Charts 4-30; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 31; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described

in Chart 32; sets forth the new designation and changes in the designation of funding pursuant to a certain initiative in the Fiscal 2016 Expense Budget, as described in Chart 33; amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as described in Chart 34; amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2016 Expense Budget, as described in Chart 35; and sets forth the organizations that will receive equipment from the organization funded by a certain initiative, as described in Chart 36.

In addition, the charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/Fiscal 2017 Expense Budget, dated June 14, 2016, Adjustments Summary/Schedule C/Fiscal 2016 Expense Budget, dated June 26, 2015, and Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014.

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

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

Chart 3 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 4 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget. In addition, Chart 4 sets forth the removal of funds from the administering agency that were erroneously allocated to this initiative in a prior resolution passed on September 28, 2016. Such funds are reallocated to another initiative in Chart 5 of this resolution.

Chart 5 sets forth the allocation of funds to the administering agency receiving funding pursuant to the SU CASA Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were removed from the administering agency of another initiative in Chart 4 of this resolution.

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

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 8 sets forth the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 9 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 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 10 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 11 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 12 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 13 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 14 sets forth the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 15 sets forth the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 16 sets forth the removal of funds from the administering agency receiving funding pursuant to the Power Action Change Empowerment (PACE) Initiative for Young Adults in accordance with the Fiscal 2017 Expense Budget. Such funds are allocated to another initiative in Chart 17 of this resolution.

Chart 17 sets forth the allocation of funds to the administering agency receiving funding pursuant to the HRA Teen RAPP Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were removed from the administering agency of another initiative in Chart 16 of this resolution.

Chart 18 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Senior Centers for Immigrant Populations Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 19 sets forth the changes in the designation of a certain organization receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 20 sets forth the change in the designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2017 Expense Budget. In addition, Chart 20 sets forth the removal of funds from an organization receiving funding pursuant to the initiative. Such funds are being redesignated to the organization pursuant to another initiative in Chart 21 of this resolution. Such removal of funds will be effectuated upon a budget modification.

Chart 21 sets forth the new designation of a certain organization receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were removed from the organization pursuant to another initiative in Chart 20 of this resolution.

Chart 22 sets forth the changes in the designation of a certain organization receiving funding pursuant to the City's First Readers Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 23 sets forth the changes in the designation of a certain organization receiving funding pursuant to the Viral Hepatitis Prevention Initiative in accordance with the Fiscal 2017 Expense Budget.

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

Chart 25 sets forth the new designation of a certain organizations receiving funding pursuant to the Veterans Community Development Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 26 sets forth the new designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Enhancement Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 27 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Access Health Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 28 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Child Health and Wellness Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 29 sets forth the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 30 sets forth the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 31 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 32 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 33 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Children Under Five Initiative in accordance with the Fiscal 201 Expense Budget.

Chart 34 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

Chart 35 amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 36 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, from the organization, Staten Island Heart Society, Inc., funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res No.1260:)**

Preconsidered Res. No. 1260

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

By Council Member Ferreras-Copeland.

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

**Whereas**, On June 26, 2015 the City Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 Expense Budget”); and

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

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017 and Fiscal 2016 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

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

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

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

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

**Resolved**, That the City Council approves the allocation of funds to the administering agency receiving funding pursuant to the SU CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2017 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 Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further



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

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 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 NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the removal of funds from the administering agency receiving funding pursuant to the Power Action Change Empowerment (PACE) Initiative for Young Adults in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the allocation of funds to the administering agency receiving funding pursuant to the HRA Teen RAPP Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Senior Centers for Immigrant Populations Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2017 Expense Budget, as well as the removal of funds from a certain organization, as set forth in Chart 20; and be it further

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

**Resolved,** That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the City's First Readers Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Viral Hepatitis Prevention Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 23; and be it further

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

**Resolved,** That the City Council approves the new designation of a certain organizations receiving funding pursuant to the Veterans Community Development Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Enhancement Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Access Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Child Health and Wellness Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 28; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 29; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 30; and be it further

**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 2016 Expense Budget, as set forth in Chart 31; and be it further

**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 2015 Expense Budget, as set forth in Chart 32; 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 Children Under Five Initiative in accordance with the Fiscal 201 Expense Budget, as set forth in Chart 33; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 34; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organization receiving local discretionary funding and funding for a certain initiative accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 35; and be it further

**Resolved,** That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 36.

**ATTACHMENT:**

**CHART 1: Local Initiatives - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit	*
Mealy	Brownsville Think Tank	47-2440990	DYCD	(\$15,000.00)	260	005			*
Mealy	Brownsville Think Tank Matters	47-2440990	DYCD	\$15,000.00	260	005			*
Rosenthal	Wild Bird Fund, Inc.	32-0155774	DYCD	(\$5,000.00)	260	005			
Rosenthal	Wild Bird Fund, Inc.	32-0155774	DYCD	\$5,000.00	260	005			
Chin	New York Foundation for Senior Citizens, Inc.	13-2618568	DFTA	(\$6,000.00)	125	003			
Chin	New York Foundation for Senior Citizens, Inc.	13-2618568	DFTA	\$6,000.00	125	003			*
Williams	Young Israel Senior Services, Inc.	13-4136312	DFTA	(\$3,500.00)	125	003			
Williams	National Council of Young Israel - Young Israel	03-0381957	DFTA	\$3,500.00	125	003			*
Williams	Pratt Area Community Council, Inc.**	11-2451752	DYCD	(\$40,000.00)	260	312			*
Williams	Pratt Area Community Council, Inc.**	11-2451752	HPD	\$40,000.00	806	009			*
Williams	Flatbush Development Corporation**	51-0188251	HPD	(\$40,000.00)	806	009			
Williams	Flatbush Development Corporation**	51-0188251	DYCD	\$40,000.00	260	005			*
Johnson	Actors Fund of America, The**	13-1635251	DCLA	(\$5,000.00)	126	003			
Johnson	Actors Fund of America, The**	13-1635251	DFTA	\$5,000.00	125	003			*
Kallos	Friends of the Upper East Side Historic Districts**	13-3193351	DCLA	(\$16,500.00)	126	003			
Kallos	Friends of the Upper East Side Historic Districts**	13-3193351	DYCD	\$16,500.00	260	005			*
Salamanca	Lincoln Center for the Performing Arts, Inc.**	13-1847137	DCLA	(\$15,000.00)	126	022			
Salamanca	Wildlife Conservation Society**	13-1740011	DCLA	(\$5,000.00)	126	007			
Salamanca	South Bronx Concerned Citizens**	58-2435828	DYCD	\$20,000.00	260	005			*
Salamanca	New York Lawyers for the Public Interest, Inc.**	13-2860703	DYCD	(\$10,000.00)	260	005			
Salamanca	Legal Services NYC - Bronx**	13-2600199	DSS/HR	\$10,000.00	069	107			*
Reynoso	EcoStation NY, Inc.**	27-0626902	DYCD	(\$5,000.00)	260	005			
Reynoso	Ridgewood Bushwick Senior Citizens Council, Inc.**	11-2453853	DPR	\$5,000.00	846	006			*
Williams	New York United Jewish Association, Inc.	26-2647383	DYCD	(\$6,500.00)	260	312			
Williams	New York City Outward Bound Center, Inc.**	13-3471084	DOE	\$3,500.00	040	402			
Williams	Girl Be Heard Institute**	27-1848709	DCLA	\$3,000.00	126	003			
Ulrich	One Stop Richmond Hill Community Center, Inc.**	68-0602829	DYCD	(\$10,000.00)	260	312			
Ulrich	Rockaway Theatre Company, Inc.**	11-3505908	DCLA	\$10,000.00	126	003			
Levin	El Puente de Williamsburg, Inc.**	11-2614265	DYCD	(\$3,500.00)	260	312			
Levin	Generation Citizen, Inc.**	27-2039522	DYCD	(\$3,000.00)	260	312			
Levin	Girl Be Heard Institute**	27-1848709	DCLA	\$6,500.00	126	003			

\* Indicates pending completion of pre-qualification review.

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

**CHART 2: Aging Discretionary - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit	*
Deutsch	National Council of Young Israel - Young Israel	03-0381957	DFTA	(\$50,000.00)	125	003			*
Koslow	National Council of Young Israel - Young Israel	03-0381957	DFTA	\$50,000.00	125	003			*

\* Indicates pending completion of pre-qualification review.

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

**CHART 3: Youth Discretionary - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit	*
Ferreras-Copeland	St Andrew the Apostle Roman Catholic Church	11-2265787	DYCD	(\$9,000.00)	260	312			*
Ferreras-Copeland	Roman Catholic Church of St. Paul the Apostle	11-2057887	DYCD	\$9,000.00	260	312			*
Espinal	Swim Strong Foundation, Inc.	37-1526132	DYCD	(\$10,000.00)	260	312			
Espinal	Opportunities for a Better Tomorrow	11-2934620	DYCD	\$10,000.00	260	312			*
Miller	St. Albans/Jamaica Little League	80-0103495	DYCD	(\$9,500.00)	260	312			*
Miller	Springfield Rifles & Riflettes, Inc.	23-7269660	DYCD	\$9,500.00	260	312			*
Mealy	Victory Music & Dance Co., Inc.	47-2167056	DYCD	(\$5,000.00)	260	312			
Mealy	Victory Music and Dance Company, Inc.	47-2167056	DYCD	\$5,000.00	260	312			
Torres	Mary Mitchell Youth and Family Center, Inc.	13-3385032	DYCD	(\$40,000.00)	260	312			
Torres	Mary Mitchell Family and Youth Center, Inc.	13-3385032	DYCD	\$40,000.00	260	312			
Williams	New York City Outward Bound Center, Inc.	13-3471084	DYCD	(\$3,500.00)	260	312			
Williams	Girl Be Heard Institute	27-1848709	DYCD	(\$3,000.00)	260	312			
Williams	New York United Jewish Association, Inc.	26-2647383	DYCD	\$6,500.00	260	312			
Ulrich	Rockaway Theatre Company, Inc.	11-3505908	DYCD	(\$10,000.00)	260	312			
Ulrich	One Stop Richmond Hill Community Center, Inc.	68-0602829	DYCD	\$10,000.00	260	312			
Levin	Girl Be Heard Institute	27-1848709	DYCD	(\$6,500.00)	260	312			
Levin	El Puente de Williamsburg, Inc.	11-2614265	DYCD	\$3,500.00	260	312			
Levin	Generation Citizen, Inc.	27-2039522	DYCD	\$3,000.00	260	312			
Cumbo	One Love Soccer, Inc.	81-1482903	DYCD	(\$2,500.00)	260	312			
Cumbo	Magnus Mukoro Sports Foundation, Inc.	81-2828793	DYCD	\$2,500.00	260	312			*

\* Indicates pending completion of pre-qualification review.

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

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

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$80,000.00)	126	003	
Johnson	Midori Foundation, Inc. - M422	13-3682472	DCLA	\$20,000.00	126	003	
Johnson	JLSC Educational Tour Bus, Inc. - M412	13-4085631	DCLA	\$20,000.00	126	003	
Johnson	Friends of the High Line, Inc. - M033	31-1734086	DCLA	\$20,000.00	126	003	
Mendez	Town Hall Foundation, Inc. - ASL & English Secondary School	23-7296167	DCLA	\$20,000.00	126	003	
Levin	Harmony Program - Frances Perkins Academy	05-0606695	DCLA	(\$20,000.00)	126	003	
Levin	Purelements: An Evolution in Dance - Frances Perkins Academy	20-5332584	DCLA	\$20,000.00	126	003	*
Barron	Victory Music & Dance Company, Inc.	47-2167056	DCLA	(\$20,000.00)	126	003	
Barron	Victory Music and Dance Company, Inc.	47-2167056	DCLA	\$20,000.00	126	003	
Barron	Victory Music & Dance Company, Inc.	47-2167056	DCLA	(\$20,000.00)	126	003	
Barron	Victory Music and Dance Company, Inc.	47-2167056	DCLA	\$20,000.00	126	003	
Mealy	Victory Music & Dance Co., Inc.	47-2167056	DCLA	(\$20,000.00)	126	003	
Mealy	Victory Music and Dance Company, Inc.	47-2167056	DCLA	\$20,000.00	126	003	
Mealy	Victory Music & Dance Co., Inc.	47-2167056	DCLA	(\$20,000.00)	126	003	
Mealy	Victory Music and Dance Company, Inc.	47-2167056	DCLA	\$20,000.00	126	003	
Garodnick	Asian American Writers' Workshop	13-3677911	DCLA	(\$20,000.00)	126	003	
Garodnick	Asian American Writers' Workshop	13-3677911	DCLA	\$20,000.00	126	003	
	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 5: SU CASA - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	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 6: Cultural Immigrant Initiative - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	(\$1,170,000.00)	126	003	
Cohen	Bronx Opera Company, Inc.	23-7170675	DCLA	\$40,000.00	126	003	
Cohen	Riverdale Community Center, Inc.	13-2899410	DCLA	\$20,000.00	126	003	
Cohen	Van Cortlandt Park Conservancy	80-0361646	DCLA	\$20,000.00	126	003	
Cohen	Sinfonietta of Riverdale, Ltd.	26-3555683	DCLA	\$20,000.00	126	003	
Rodriguez	United Palace of Cultural Arts, Inc.	90-0884007	DCLA	\$20,000.00	126	003	
Rodriguez	Association of Dominican Classical Artists, Inc.	13-3843597	DCLA	\$40,000.00	126	003	
Rodriguez	People's Theatre Project, Inc.	26-4705999	DCLA	\$20,000.00	126	003	
Rodriguez	Lotus Fine Arts Productions, Inc. (d/b/a Lotus Music & Dance)	13-3530544	DCLA	\$20,000.00	126	003	
Cumbo	Central Brooklyn Jazz Consortium, Inc.	11-3549224	DCLA	\$20,000.00	126	003	
Palma	Bronx River Art Center, Inc.	13-3261148	DCLA	\$20,000.00	126	003	
Palma	Bronx Children's Museum	26-0579140	DCLA	\$20,000.00	126	003	
Palma	Harmony Program	05-0606695	DCLA	\$20,000.00	126	003	
Palma	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	\$20,000.00	126	003	
Palma	Musica de Camara, Inc.	13-3253232	DCLA	\$10,000.00	126	003	
Corney	Society for the Preservation of Weeksville and Bedford-Stuyvesant History	23-7330454	DCLA	\$20,000.00	126	003	
Corney	Museum of Contemporary African Diasporian Arts, Inc.	11-3526774	DCLA	\$20,000.00	126	003	
Corney	Noel Pointer Foundation, Inc.	11-3271472	DCLA	\$20,000.00	126	003	
Corney	KowTeff School of African Dance	27-0117085	DCLA	\$20,000.00	126	003	
Ulrich	Queens Symphony Orchestra, Inc.	11-2106191	DCLA	\$40,000.00	126	003	
Ulrich	Historic Districts Council, Inc.	13-3389566	DCLA	\$20,000.00	126	003	
Richards	Black Spectrum Theatre Co Inc.	51-0135262	DCLA	\$60,000.00	126	003	
Richards	Spanish Theatre Repertory Company, Ltd.	13-2672755	DCLA	\$40,000.00	126	003	
Menchaca	Theatre of the Oppressed NYC	45-4815944	DCLA	\$40,000.00	126	003	
Menchaca	Chashama, Inc.	13-3862422	DCLA	\$20,000.00	126	003	
Menchaca	Asian American Writers' Workshop	13-3677911	DCLA	\$20,000.00	126	003	
Menchaca	Midtown Management Group, Inc. - For Partnership with PS 172	13-3192793	DCLA	\$20,000.00	126	003	
Levin	Brooklyn Ballet, Inc.	02-0569320	DCLA	\$20,000.00	126	003	
Levin	New York Foundation for the Arts, Inc.	23-7129564	DCLA	\$20,000.00	126	003	*
Levin	JazzReach Performing Arts and Education Association	11-3179208	DCLA	\$20,000.00	126	003	
Levin	Brooklyn Book Festival, Inc.	46-5328190	DCLA	\$20,000.00	126	003	*
Levin	Asian American Writers' Workshop	13-3677911	DCLA	\$20,000.00	126	003	
Koo	Qi Shu Fang Peking Opera Association, Inc.	11-3093248	DCLA	\$10,000.00	126	003	*
Koo	Tong Xiao Ling Chinese Opera Ensemble	84-1690164	DCLA	\$10,000.00	126	003	*
CD 28	Afrikan Poetry Theatre, Inc.	11-2515828	DCLA	\$40,000.00	126	003	
CD 28	Black Spectrum Theatre Company, Inc.	51-0135262	DCLA	\$60,000.00	126	003	
Cabrera	Society of the Educational Arts, Inc. (SEA)	11-3210593	DCLA	\$20,000.00	126	003	
Cabrera	ENACT, Inc.	13-3422660	DCLA	\$20,000.00	126	003	
Cabrera	2020 Vision for Schools, Inc.	45-3023036	DCLA	\$10,000.00	126	003	
Cabrera	Community-Word Project, Inc.	13-4114145	DCLA	\$20,000.00	126	003	
Cabrera	Spanish Theatre Repertory Company, Ltd.	13-2672755	DCLA	\$20,000.00	126	003	
Cabrera	Community Works, Inc.	13-3580813	DCLA	\$10,000.00	126	003	
Maisel	West Indian American Day Carnival Association, Inc.	23-7176396	DCLA	\$20,000.00	126	003	



Maisel	Kings Bay YM-YWHA, Inc.	11-3068515	DCLA	\$40,000.00	126	003	
Maisel	Wyckoff House and Association, Inc.	11-2615053	DCLA	\$40,000.00	126	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 6: Cultural Immigrant Initiative - Fiscal 2017 (continued)**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Johnson	Bindlestiff Family Variety Arts, Inc.	11-3479226	DCLA	\$20,000.00	126	003	*
Johnson	Covenant Ballet Theatre of Brooklyn, Inc.	26-1136590	DCLA	\$20,000.00	126	003	
Johnson	Global Action Project, Inc.	11-3425000	DCLA	\$20,000.00	126	003	*
Johnson	Asian American Writers' Workshop	13-3677911	DCLA	\$20,000.00	126	003	
Johnson	Midtown Management Group, Inc.	13-3192793	DCLA	\$20,000.00	126	003	
Mealy	Victory Music & Dance Co., Inc.	47-2167056	DCLA	(\$20,000.00)	126	003	
Mealy	Victory Music and Dance Company, Inc.	47-2167056	DCLA	\$20,000.00	126	003	
Mealy	Victory Music & Dance Co., Inc.	47-2167056	DCLA	(\$20,000.00)	126	003	
Mealy	Victory Music and Dance Company, Inc.	47-2167056	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: Domestic Violence and Empowerment (DoVE) - Fiscal 2017**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Richards	Day One New York, Inc.	06-1103000	MOCJ	(\$98,074.00)	098	002	
Richards	Queens Law Associates Not-for-Profit Corporation	27-0364845	MOCJ	\$98,074.00	098	002	*
Levine	Northern Manhattan Improvement Corporation	13-2972415	MOCJ	(\$400.00)	098	002	
	Mayor's office of Criminal Justice	13-6400434	MOCJ	\$400.00	098	002	
Citywide	Battered Women's Center	11-3302911	MOCJ	(\$32,812.00)	098	002	*
Citywide	Battered Women's Resource Center	11-3302911	MOCJ	\$32,812.00	098	002	
Van Bramer	Arab-American Family Support Center, Inc., The	11-3167245	MOCJ	(\$333.00)	098	002	
Van Bramer	Arab-American Family Support Center, Inc., The - Long Island City	11-3167245	MOCJ	\$333.00	098	002	

\* Indicates pending completion of pre-qualification review.

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

**CHART 8: Digital Inclusion and Literacy - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development	13-6400434	DYCD	(\$20,000.00)	260	005	
Crowley	Greater Ridgewood Youth Council, Inc.	11-2518141	DYCD	\$20,000.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 9: Parks Equity Initiative- Fiscal 2017**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Parks and Recreation	13-6400434	DPR	(\$250,000.00)	846	006	
Barron	East New York 4 Gardens	81-3468040	DPR	\$10,000.00	846	006	*
Corney	Department of Parks and Recreation - St. Marks Children's Park	13-6400434	DPR	\$20,000.00	846	006	
Corney	Council on the Environment, Inc. - Whole Community Garden	13-2765465	DPR	\$10,000.00	846	006	
Corney	New York Restoration Project	13-3959056	DPR	\$10,000.00	846	006	
Dickens	Manhattan Land Trust - Clayton Williams Community Garden	76-0715837	DPR	\$10,000.00	846	006	*
Dickens	Council on the Environment, Inc. - Electric Ladybug Garden	13-2765465	DPR	\$10,000.00	846	006	
Koo	City Parks Foundation	13-3561657	DPR	\$10,000.00	846	006	
Kallos	Friends of The East River Esplanade60th - 120th Streets, Inc. - CD5	46-0542653	DPR	\$10,000.00	846	006	*
Levin	Department of Parks and Recreation	13-6400434	DPR	\$20,000.00	846	006	
Levin	Open Space Alliance for North Brooklyn, Inc.	01-0849087	DPR	\$10,000.00	846	006	
Rodriguez	City Parks Foundation - Inwood Hill Park	13-3561657	DPR	\$10,000.00	846	006	
Rodriguez	City Parks Foundation - Fort Tryon Park	13-3561657	DPR	\$10,000.00	846	006	
Rodriguez	City Parks Foundation - Inwood Hill Park	13-3561657	DPR	\$10,000.00	846	006	
Rodriguez	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006	
Rosenthal	Riverside Park Conservancy, Inc. - Riverside Park	13-3443825	DPR	\$10,000.00	846	006	*
Ulrich	Forest Park Trust, Inc. - Forest Park	31-1558645	DPR	\$20,000.00	846	006	
Ulrich	Department of Parks and Recreation	13-6400434	DPR	\$20,000.00	846	006	
Van Bramer	Central Astoria Local Development Coalition, Inc.	11-2652331	DPR	\$10,000.00	846	006	
Van Bramer	Hip to Hip Theatre Company	26-4049629	DPR	\$10,000.00	846	006	
Van Bramer	Jacob A. Riis Neighborhood Settlement, Inc. - Queensbridge Park	11-1729398	DPR	\$10,000.00	846	006	
Van Bramer	Dutch Kills Civic Association - Windmill Community Garden	11-2806214	DPR	\$10,000.00	846	006	
Chin	Lower East Side District Management Corp, Inc. - Seward Park	13-3683266	DPR	(\$10,000.00)	846	006	*
Chin	Lower East Side District Management Association, Inc. - Seward Park	13-3683266	DPR	\$10,000.00	846	006	
Reynoso	EcoStation NY, Inc.**	27-0626902	DYCD	(\$10,000.00)	260	005	
Reynoso	Ridgewood Bushwick Senior Citizens Council, Inc.**	11-2453853	DPR	\$10,000.00	846	006	*

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

**CHART 10: Neighborhood Development Grant Initiative - Fiscal 2017**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Small Business Services	13-6400434	DSBS	(\$44,000.00)	801	002	
Miller	Allen AME Neighborhood Preservation and Development Corporation	11-2705085	DSBS	\$22,000.00	801	002	*
Johnson	Hudson Yards Hells Kitchen Business Improvement District	47-1247857	DSBS	\$22,000.00	801	002	*
Rose	Staten Island Downtown Alliance	13-4104889	DSBS	(\$22,000.00)	801	002	
Rose	Bayview Community Council, Inc.	13-4104889	DSBS	\$22,000.00	801	002	
Salamanca	Urban Health Plan, Inc.	23-7360305	DSBS	(\$22,000.00)	801	002	
Salamanca	Urban Health Plan, Inc. - Project Hope - Hunts Point WorkForce Development	23-7360305	DSBS	\$22,000.00	801	002	

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

**CHART 11: A Greener NYC - Fiscal 2017**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development**	13-6400434	DYCD	(\$157,116.00)	260	005	
Cabrera	Council on the Environment, Inc.	13-2765465	DYCD	\$13,085.00	260	005	
Cabrera	Sustainable South Bronx -The HOPE Program	02-0535999	DYCD	\$13,085.00	260	005	
Rodriguez	Waterfront Alliance, Inc.	13-4355067	DYCD	\$13,254.00	260	005	
Van Bramer	City Growers, Inc.	45-2149344	DYCD	\$13,084.00	260	005	
Van Bramer	Gowanus Dredgers	32-0039318	DYCD	\$13,085.00	260	005	*
Van Bramer	Big Initiatives, Inc. – Queens	46-5083170	DYCD	\$13,085.00	260	005	*
Rodriguez	New York Restoration Project	13-3959056	DYCD	\$26,000.00	260	005	
King	PS 111 Seton Falls School**	13-6400434	DOE	\$13,118.00	040	402	
King	PS 103 Hector Fontanez School**	13-6400434	DOE	\$13,118.00	040	402	
King	Academy for Scholarship and Entrepreneurship**	13-6400434	DOE	\$13,118.00	040	402	
Cabrera	Department of Parks and Recreation - St. James Park**	13-6400434	DPR	\$13,084.00	846	006	
Dromm	Queens Botanical Garden Society, Inc.	11-1635083	DCLA	(\$13,084.00)	126	011	
Dromm	Queens Botanical Garden Society, Inc.	11-1635083	DCLA	\$13,084.00	126	011	
Koo	Queens Botanical Garden Society, Inc.	11-1635083	DCLA	(\$39,254.00)	126	011	
Koo	Queens Botanical Garden Society, Inc.	11-1635083	DCLA	\$39,254.00	126	011	

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

**CHART 12: NYC Cleanup- Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development**	13-6400434	DYCD	(\$306,225.00)	260	005	
Cabrera	Wildcat Service Corporation	13-2725423	DYCD	\$103,921.00	260	005	
Cabrera	Outstanding Renewal Enterprises, Inc.	13-3320984	DYCD	\$5,000.00	260	005	
Cabrera	Department of Sanitation**	13-6400434	DSNY	\$44,020.00	827	109	
Cohen	Kingsbridge Riverdale Van Cortlandt Development Corporation	13-3097905	DYCD	\$343.00	260	005	
Rodriguez	Community League of the Heights, Inc.	13-2564241	DYCD	\$122,941.00	260	005	
Rodriguez	Department of Sanitation**	13-6400434	DSNY	\$30,000.00	827	102	
Cumbo	Department of Sanitation	13-6400434	DSNY	(\$5,941.00)	827	102	
Cumbo	Department of Sanitation	13-6400434	DSNY	\$5,941.00	827	109	

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



CHART 13: Food Pantries - Fiscal 2017

Delegation	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development	13-6400434	DYCD	(\$2,304,116.00)	260	005	
Staten Island	Franciscan Handmaids of Mary St. Edwards Food Pantry , Inc.	13-3913578	DYCD	\$15,000.00	260	005	*
Brooklyn	Food Bank for New York City, The - ACTS Community Development Corporation	13-3179546	DYCD	\$20,000.00	260	005	
Brooklyn	Food Bank for New York City, The - SBH Community Service Network, Inc. (Sephardic Bikur Choli13-		DYCD	\$12,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Reaching Out Community Services, Inc.	13-3179546	DYCD	\$30,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Salt and Sea Mission Church, Inc.	13-3179546	DYCD	\$6,242.00	260	005	
Brooklyn	Food Bank for New York City, The - Our Lady of Grace Parish	13-3179546	DYCD	\$6,242.00	260	005	
Brooklyn	Food Bank for New York City, The - Salvation Army Bay Ridge Corps	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Bay Ridge Community Service Center	13-3179546	DYCD	\$10,000.00	260	005	
Brooklyn	Food Bank for New York City, The - CCNS - Our Lady of Angels Human Services	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Islamic Society of Bay Ridge	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - St Mark Church	13-3179546	DYCD	\$10,000.00	260	005	
Brooklyn	Food Bank for New York City, The - St. Therese Food Pantry	13-3179546	DYCD	\$10,641.00	260	005	
Brooklyn	Food Bank for New York City, The - My Brother's Keeper Those Who Care Inc.	13-3179546	DYCD	\$10,641.00	260	005	
Brooklyn	Food Bank for New York City, The - Admirable Church Inc.	13-3179546	DYCD	\$10,641.00	260	005	
Brooklyn	Food Bank for New York City, The - Southside United HDFC	13-3179546	DYCD	\$9,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Fort Greene Council, Inc. - for Hugh Gilroy Senior	13-3179546	DYCD	\$7,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Union Baptist Church	13-3179546	DYCD	\$10,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Shalom Senior Center	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Unity Faith Outreach	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Church of God Inc.	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - St. Mark's Church of Christ	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - God's Battalion of Prayer Church	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - St. Augustine's American Catholic Church, Inc.	13-3179546	DYCD	\$17,484.00	260	005	
Brooklyn	Food Bank for New York City, The - Mt. Moriah Church	13-3179546	DYCD	\$10,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Blessed Sacrament	13-3179546	DYCD	\$10,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Family Services Network of NY	13-3179546	DYCD	\$15,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Overcoming Love Ministries	13-3179546	DYCD	\$13,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Love Fellowship Tabernacle	13-3179546	DYCD	\$5,984.00	260	005	
Brooklyn	Food Bank for New York City, The - Horeb SDA Church - Food Pantry	13-3179546	DYCD	\$6,366.00	260	005	
Brooklyn	Food Bank for New York City, The - Mount Calvary Baptist Church	13-3179546	DYCD	\$6,366.00	260	005	
Brooklyn	Food Bank for New York City, The - Holy Innocents Church, Inc.	13-3179546	DYCD	\$6,366.00	260	005	
Brooklyn	Food Bank for New York City, The - Fernande Valme Ministries, Inc.	13-3179546	DYCD	\$6,366.00	260	005	
Brooklyn	Food Bank for New York City, The - Holy Cross Food Church Pantry	13-3179546	DYCD	\$6,366.00	260	005	
Brooklyn	Food Bank for New York City, The - Grace Reformed Church of Flatbush	13-3179546	DYCD	\$6,366.00	260	005	
Brooklyn	Food Bank for New York City, The - Calvary Pentecostal Church	13-3179546	DYCD	\$5,184.00	260	005	
Brooklyn	Food Bank for New York City, The - CAMBA-Beyond Hunger Emergency Food Pantry	13-3179546	DYCD	\$5,184.00	260	005	
Brooklyn	Food Bank for New York City, The - Flatbush SDA Church	13-3179546	DYCD	\$5,184.00	260	005	
Brooklyn	Food Bank for New York City, The - More Grace Redemptive Center, Inc.	13-3179546	DYCD	\$5,184.00	260	005	
Brooklyn	Food Bank for New York City, The - Gospel Tabernacle Church of Jesus Christ, Inc.	13-3179546	DYCD	\$5,184.00	260	005	
Brooklyn	Food Bank for New York City, The - Crown Heights Community Outreach Center	13-3179546	DYCD	\$5,184.00	260	005	

Brooklyn	Food Bank for New York City, The - CCNS-Our Lady of Miracles-Canarsie Cluster Center	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Christian Church of Canarsie	13-3179546	DYCD	\$5,000.00	260	005	

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

**CHART 13: Food Pantries - Fiscal 2017 (continued)**

Delegation	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn	Food Bank for New York City, The - Bay View Houses Resident Association	13-3179546	DYCD	\$7,484.00	260	005	
Brooklyn	Food Bank for New York City, The - Southside Community Mission, Inc.	13-3179546	DYCD	\$12,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Recovery House of Worship	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Cuyler Warren United Methodist Church	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - First Presbyterian Church	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Mamre SDA Church	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - Kings Bay Y Senior Center	13-3179546	DYCD	\$5,000.00	260	005	
Brooklyn	Food Bank for New York City, The - OLPH - Basilica of Our Lady of Perpetual Help	13-3179546	DYCD	\$9,311.00	260	005	
Brooklyn	Food Bank for New York City, The - Holding Hands Ministry	13-3179546	DYCD	\$9,311.00	260	005	
Brooklyn	Food Bank for New York City, The - Southside United HDFC- Los Sures	13-3179546	DYCD	\$2,584.00	260	005	
Brooklyn	Food Bank for New York City, The - Church of God Prophecy	13-3179546	DYCD	\$7,448.00	260	005	
Brooklyn	Food Bank for New York City, The - The House of David Church	13-3179546	DYCD	\$7,448.00	260	005	
Brooklyn	City Harvest, Inc.	13-3170676	DYCD	\$7,900.00	260	005	
Brooklyn	City Harvest, Inc. - Reaching Out Community Service	13-3170676	DYCD	\$31,984.00	260	005	
Brooklyn	City Harvest, Inc. - Trinity Human Services Corporation	13-3170676	DYCD	\$25,484.00	260	005	
Brooklyn	City Harvest, Inc. - SA - Bushwick Corps	13-3170676	DYCD	\$5,000.00	260	005	
Brooklyn	City Harvest, Inc. - Miller Avenue Block Association, Inc.	13-3170676	DYCD	\$7,750.00	260	005	
Brooklyn	City Harvest, Inc. - Bed Stuy Campaign Against Hunger	13-3170676	DYCD	\$7,750.00	260	005	
Brooklyn	City Harvest, Inc. - Emmaus S.D.A. Church	13-3170676	DYCD	\$5,184.00	260	005	
Brooklyn	City Harvest, Inc. - Greenpoint Reformed Church	13-3170676	DYCD	\$9,000.00	260	005	
Brooklyn	City Harvest, Inc. - Park Slope Christian Help, Inc. (CHIPS)	13-3170676	DYCD	\$5,000.00	260	005	
Brooklyn	City Harvest, Inc. - Miller Avenue Block Association	13-3170676	DYCD	\$7,448.00	260	005	
Brooklyn	Masbia	20-1923521	DYCD	\$7,500.00	260	005	
Brooklyn	Masbia of Boro Park	26-3851559	DYCD	\$9,310.00	260	005	
Brooklyn	Masbia of Boro Park	26-3851559	DYCD	\$37,242.00	260	005	
Brooklyn	Masbia of Boro Park	26-3851559	DYCD	\$12,700.00	260	005	
Brooklyn	Masbia of Flatbush	27-1209610	DYCD	\$12,500.00	260	005	
Brooklyn	Masbia of Flatbush	27-1209610	DYCD	\$10,641.00	260	005	
Brooklyn	Boro Park Jewish Community Council	11-3475993	DYCD	\$10,284.00	260	005	
Brooklyn	Boro Park Jewish Community Council	11-3475993	DYCD	\$9,311.00	260	005	
Brooklyn	Bed-Stuy Campaign Against Hunger, Inc.	20-0934854	DYCD	\$5,000.00	260	005	
Brooklyn	Bed-Stuy Campaign Against Hunger, Inc.	20-0934854	DYCD	\$9,000.00	260	005	
Brooklyn	Bed-Stuy Campaign Against Hunger, Inc.	20-0934854	DYCD	\$10,641.00	260	005	
Brooklyn	New York United Jewish Association, Inc.	26-2647383	DYCD	\$10,641.00	260	005	
Brooklyn	New York United Jewish Association, Inc.	26-2647383	DYCD	\$15,000.00	260	005	
Brooklyn	SCO Family of Services	11-2777066	DYCD	\$10,000.00	260	005	
Brooklyn	SCO Family of Services	11-2777066	DYCD	\$9,310.00	260	005	
Brooklyn	R.C. Church of St. Patrick in Fort Hamilton	11-1631818	DYCD	\$10,000.00	260	005	
Brooklyn	Bensonhurst Council of Jewish Organizations	11-2568013	DYCD	\$7,500.00	260	005	
Brooklyn	Shorefront Jewish Community Council, Inc.	11-2986161	DYCD	\$9,742.00	260	005	
Brooklyn	Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DYCD	\$9,742.00	260	005	
Brooklyn	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	DYCD	\$7,500.00	260	005	
Brooklyn	Council of Jewish Organizations of Flatbush, Inc.	11-2864728	DYCD	\$30,000.00	260	005	

Brooklyn	Park Slope Christian Help, Inc.	11-2449994	DYCD	\$37,242.00	260	005	
Brooklyn	Rugby Family Services	11-3223904	DYCD	\$10,641.00	260	005	

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\* Indicates pending completion of pre-qualification review.

CHART 13: Food Pantries - Fiscal 2017 (continued)

Delegation	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn	Tomche Shabbos of Boro Park and Flatbush, Inc.	11-3518348	DYCD	\$14,000.00	260	005	
Brooklyn	SBH Community Service Network, Inc.	23-7406410	DYCD	\$25,000.00	260	005	
Brooklyn	Southside Mission of Transfiguration Church	11-2306447	DYCD	\$25,000.00	260	005	
Brooklyn	St. Rita's Roman Catholic Church	11-1711002	DYCD	\$15,000.00	260	005	
Brooklyn	Walk Whitman Houses Tenants Association, Inc.	11-2843920	DYCD	\$18,621.00	260	005	
Brooklyn	Crown Heights Youth Collective, Inc.	11-2506422	DYCD	\$18,621.00	260	005	
Brooklyn	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	DYCD	\$32,000.00	260	005	
Brooklyn	St. John's Bread and Life Program, Inc.	11-3174514	DYCD	\$18,621.00	260	005	
Brooklyn	National Committee for Furtherance of Jewish Education	11-6003180	DYCD	\$18,621.00	260	005	*
Brooklyn	United Jewish Organizations of Williamsburg, Inc.	11-2728233	DYCD	\$9,000.00	260	005	
Brooklyn	Catholic Charities Neighborhood Services, Inc. - Brooklyn West Family Center	11-2047151	DYCD	\$5,000.00	260	005	
Brooklyn	Open Door to Heaven Outreach Ministry	27-4860420	DYCD	\$7,448.00	260	005	*
Brooklyn	Trinity Lutheran Church of Sunset Park	11-1675939	DYCD	\$9,310.00	260	005	*
Brooklyn	Bethel Gospel Tabernacle, Inc.	11-2517879	DYCD	\$9,311.00	260	005	*
Queens	TSQ, Inc.	11-2693305	DYCD	\$33,293.00	260	005	
Queens	Our Lady of Lourdes	11-1677499	DYCD	\$16,646.00	260	005	*
Manhattan	Food Bank for New York City, The - Ascension Outreach, Inc.	13-3179546	DYCD	\$12,258.00	260	005	
Manhattan	Food Bank for New York City, The - Rauschenbusch Metro Ministries, Inc.	13-3179546	DYCD	\$12,258.00	260	005	
Manhattan	Food Bank for New York City, The - New Alternatives for Children	13-3179546	DYCD	\$12,258.00	260	005	
Manhattan	Food Bank for New York City, The - National Council of Jewish Women, Inc.	13-3179546	DYCD	\$20,430.00	260	005	
Manhattan	Food Bank for New York City, The - Father's Heart Ministries	13-3179546	DYCD	\$5,000.00	260	005	
Manhattan	Food Bank for New York City, The - Grand Central Neighborhood	13-3179546	DYCD	\$10,000.00	260	005	
Manhattan	Food Bank for New York City, The - Our Lady of Sorrows	13-3179546	DYCD	\$6,290.00	260	005	
Manhattan	Food Bank for New York City, The - Trinity's Services and Food for the Homeless	13-3179546	DYCD	\$5,000.00	260	005	
Manhattan	Food Bank for New York City, The - Hetrick-Martin Institute, Inc.	13-3179546	DYCD	\$5,000.00	260	005	
Manhattan	Food Bank for New York City, The - Jan Hus Presbyterian Church	13-3179546	DYCD	\$20,290.00	260	005	
Manhattan	Food Bank for New York City, The - All Souls Church	13-3179546	DYCD	\$9,000.00	260	005	
Manhattan	Food Bank for New York City, The - Church of the Epiphany	13-3179546	DYCD	\$12,000.00	260	005	
Manhattan	Food Bank for New York City, The - Park Avenue Synagogue	13-3179546	DYCD	\$20,430.00	260	005	
Manhattan	Food Bank for New York City, The - Project FIND	13-3179546	DYCD	\$20,430.00	260	005	
Manhattan	Food Bank for New York City, The - Temple Sharaay Tefila	13-3179546	DYCD	\$20,430.00	260	005	
Manhattan	Food Bank for New York City, The - Bailey House, Inc.	13-3179546	DYCD	\$12,763.00	260	005	
Manhattan	Food Bank for New York City, The - Primitive Christian Church	13-3179546	DYCD	\$10,000.00	260	005	
Manhattan	Food Bank for New York City, The - Christian Herald Association (Bowery Mission)	13-3179546	DYCD	\$10,000.00	260	005	
Manhattan	Food Bank for New York City, The - Rescue Mission	13-3179546	DYCD	\$8,000.00	260	005	
Manhattan	Food Bank for New York City, The - Cabrini Immigrant Services	13-3179546	DYCD	\$10,000.00	260	005	
Manhattan	Food Bank for New York City, The - University Settlement Senior Center	13-3179546	DYCD	\$6,000.00	260	005	
Manhattan	Food Bank for New York City, The - BRC Homeless Senior Center	13-3179546	DYCD	\$5,000.00	260	005	
Manhattan	Food Bank for New York City, The - Community League of the Heights	13-3179546	DYCD	\$10,000.00	260	005	
Manhattan	Food Bank for New York City, The - Upper Manhattan Mental Health Center - Emma Bowen Food Pantry	13-3179546	DYCD	\$5,000.00	260	005	
Manhattan	Food Bank for New York City, The - St. Mary's Episcopal Church	13-3179546	DYCD	\$5,000.00	260	005	

Manhattan	Food Bank for New York City, The - Convent Avenue Baptist Church-Hamilton Grange Senior Center	13-3179546	DYCD	\$20,000.00	260	005	
Manhattan	City Harvest, Inc. - Church of Holy Apostles	13-3170676	DYCD	\$12,258.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 13: Food Pantries - Fiscal 2017 (continued)**

Delegation	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Manhattan	City Harvest, Inc. - Congregation B'nai Jeshurun	13-3170676	DYCD	\$20,430.00	260	005	
Manhattan	City Harvest, Inc. - Project ORE of Ed Alliance	13-3170676	DYCD	\$5,000.00	260	005	
Manhattan	City Harvest, Inc. - Kenmore Associates LP	13-3170676	DYCD	\$5,000.00	260	005	
Manhattan	City Harvest, Inc. - Ed Alliance/ Pride Site I	13-3170676	DYCD	\$5,000.00	260	005	
Manhattan	City Harvest, Inc. - George Daly House	13-3170676	DYCD	\$5,000.00	260	005	
Manhattan	City Harvest, Inc. - Project Renewal-Manhattan Bowery	13-3170676	DYCD	\$5,000.00	260	005	
Manhattan	City Harvest, Inc. - Beth- Hark Christian Counseling Center, Inc.	13-3170676	DYCD	\$12,763.00	260	005	
Manhattan	City Harvest, Inc. - Iris House	13-3170676	DYCD	\$12,500.00	260	005	
Manhattan	City Harvest, Inc. - Salem Service Council, Inc.	13-3170676	DYCD	\$10,500.00	260	005	
Manhattan	MCCNY Charities, Inc.	27-5282132	DYCD	\$12,258.00	260	005	
Manhattan	MCCNY Charities, Inc.	27-5282132	DYCD	\$5,000.00	260	005	
Manhattan	New York Common Pantry, Inc.	13-3127972	DYCD	\$11,000.00	260	005	
Manhattan	New York Common Pantry, Inc.	13-3127972	DYCD	\$20,430.00	260	005	
Manhattan	West Side Center for Community Life, Inc.	71-0908184	DYCD	\$20,430.00	260	005	
Manhattan	Greenhope Services for Women	13-2813350	DYCD	\$12,764.00	260	005	
Manhattan	St. Michael's Church	13-1656684	DYCD	\$5,000.00	260	005	
Manhattan	Bailey House, Inc.	13-3165181	DYCD	\$20,430.00	260	005	
Manhattan	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DYCD	\$20,430.00	260	005	
Bronx	Food Bank for New York City, The - Garden of Prayer Cathedral	13-3179546	DYCD	\$5,275.00	260	005	
Bronx	Food Bank for New York City, The - New St. John Baptist Church	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - Abrigo Del Altisimo	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - Bethel Prayer Ministries	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - Thorpe Family Residence - Nazareth Housing	13-3179546	DYCD	\$14,960.00	260	005	
Bronx	Food Bank for New York City, The - Heavenly Vision Christian Center	13-3179546	DYCD	\$13,195.00	260	005	
Bronx	Food Bank for New York City, The - Davidson Community Center	13-3179546	DYCD	\$12,000.00	260	005	
Bronx	Food Bank for New York City, The - St. Edmund's Episcopal Church	13-3179546	DYCD	\$9,000.00	260	005	
Bronx	Food Bank for New York City, The - Creston Avenue Baptist Church	13-3179546	DYCD	\$8,000.00	260	005	
Bronx	Food Bank for New York City, The - St. Luke's Senior Community Program	13-3179546	DYCD	\$10,295.00	260	005	
Bronx	Food Bank for New York City, The - City of Faith Church of God	13-3179546	DYCD	\$10,295.00	260	005	
Bronx	Food Bank for New York City, The - Black Forum of Coop City Inc.	13-3179546	DYCD	\$10,295.00	260	005	
Bronx	Food Bank for New York City, The - Coop City Seventh Day Adventist Church	13-3179546	DYCD	\$10,295.00	260	005	
Bronx	Food Bank for New York City, The - Pentecost Care Community Outreach	13-3179546	DYCD	\$10,295.00	260	005	
Bronx	Food Bank for New York City, The - Immaculate Conception Church	13-3179546	DYCD	\$10,295.00	260	005	
Bronx	Food Bank for New York City, The - St. Joan of Arc Church	13-3179546	DYCD	\$10,000.00	260	005	
Bronx	Food Bank for New York City, The - St. Paul's Lutheran Church	13-3179546	DYCD	\$10,000.00	260	005	
Bronx	Food Bank for New York City, The - St. Margaret's Episcopal Church	13-3179546	DYCD	\$14,500.00	260	005	
Bronx	Food Bank for New York City, The - Union Grove Baptist Church	13-3179546	DYCD	\$19,000.00	260	005	
Bronx	Food Bank for New York City, The - Thessalonina Baptist Church	13-3179546	DYCD	\$19,000.00	260	005	
Bronx	Food Bank for New York City, The - Caldwell Temple AME Zion	13-3179546	DYCD	\$5,565.00	260	005	
Bronx	Food Bank for New York City, The - Jewish Council of Pelham Parkway	13-3179546	DYCD	\$47,065.00	260	005	
Bronx	Food Bank for New York City, The - St. Peter's Episcopal Love Kitchen	13-3179546	DYCD	\$25,000.00	260	005	
Bronx	Food Bank for New York City, The - Grand Concourse SDA Temple Community Service	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - Mid-Bronx Food Panty	13-3179546	DYCD	\$5,000.00	260	005	

Bronx	Food Bank for New York City, The - Manna of Life Ministries, Inc.	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - Mosaic Beacon Community Center Food Pantry	13-3179546	DYCD	\$5,000.00	260	005	

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

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\* Indicates pending completion of pre-qualification review.



**CHART 13: Food Pantries - Fiscal 2017 (continued)**

Delegation	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Bronx	Food Bank for New York City, The - Morrisania Revitalization Corp. Inc.	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - St. Augustine Food Pantry	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - Mt. Carmel Baptist Church	13-3179546	DYCD	\$5,000.00	260	005	
Bronx	Food Bank for New York City, The - St. Ann's Church of Morrisania	13-3179546	DYCD	\$6,005.00	260	005	
Bronx	Food Bank for New York City, The - Friendly Baptist Church - 962 Ogden Avenue (Shout for Joy B13-		DYCD	\$6,005.00	260	005	
Bronx	Food Bank for New York City, The - Casa De Esperanza	13-3179546	DYCD	\$6,005.00	260	005	
Bronx	City Harvest, Inc. - Africa Redemption Alliance	13-3170676	DYCD	\$6,569.00	260	005	
Bronx	City Harvest, Inc. - Momentum Project, Inc.	13-3170676	DYCD	\$5,000.00	260	005	
Bronx	City Harvest, Inc. - Gethsemane Baptist Church	13-3170676	DYCD	\$5,000.00	260	005	
Bronx	Coalition for the Homeless, Inc.	13-3072967	DYCD	\$102,500.00	260	005	
Bronx	Part of the Solution	13-3425071	DYCD	\$36,830.00	260	005	
Bronx	Part of the Solution	13-3425071	DYCD	\$62,066.00	260	005	
Bronx	SCAN-New York Volunteer Parent-Aides Association, Inc.	13-2912963	DYCD	\$5,496.00	260	005	
Bronx	SCAN-New York Volunteer Parent-Aides Association, Inc.	13-2912963	DYCD	\$6,005.00	260	005	
Bronx	Power, Praise and Deliverance, Inc.	84-1650246	DYCD	\$11,000.00	260	005	*
Bronx	Volunteers of America, Inc. - Eden House	58-1959781	DYCD	\$5,000.00	260	005	
Bronx	New Alternatives for Children, Inc.	13-3149298	DYCD	\$10,000.00	260	005	
Bronx	Coalition for the Homeless, Inc.	13-3072967	DYCD	\$25,000.00	260	005	
Bronx	Second Chance Resources Group	45-4345759	DYCD	\$7,065.00	260	005	
Bronx	Harvest Fields Community Church	13-4125016	DYCD	\$10,000.00	260	005	*
Bronx	BronxWorks, Inc. - Heights Senior Center	13-3254484	DYCD	\$5,000.00	260	005	
Bronx	Muslim Women's Institute for Research and Development (MWIRD)	80-0010627	DYCD	\$5,000.00	260	005	
Bronx	Every Day Is a Miracle, Inc.	27-4262907	DYCD	\$6,005.00	260	005	*
Bronx	Housing Options and Geriatric Association and Resources, Inc.	13-3887707	DYCD	\$6,005.00	260	005	
Queens	Food Bank for New York City, The - Ridgewood Older Adult Center	13-3179546	DYCD	(\$12,485.00)	260	005	
Queens	Food Bank for New York City, The - Blessed Virgin Mary Help of Christians Church	13-3179546	DYCD	\$12,485.00	260	005	
Queens	City Harvest, Inc. - Queens Jewish Community Council	13-3170676	DYCD	(\$15,180.00)	260	005	
Queens	Masbia	20-1923521	DYCD	\$15,180.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 14: Support Our Seniors - Fiscal 2017**

Member	Organization -Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department for the Aging	13-6400434	DFTA	(\$80,000.00)	125	003	
Van Bramer	Selfhelp Community Services, Inc. - Big Six NORC	13-1624178	DFTA	\$13,334.00	125	003	
Van Bramer	Samaritan Village, Inc. - Woodside Senior Center	11-2635374	DFTA	\$13,333.00	125	003	
Van Bramer	HANAC, Inc. - Ravenswood Senior Center	11-2290832	DFTA	\$13,333.00	125	003	
Garodnick	Find Aid for the Aged, Inc. - Woodstock Senior Center	13-2666921	DFTA	\$20,000.00	125	003	
Garodnick	Lenox Hill Neighborhood House, Inc.	13-1628180	DFTA	\$20,000.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 15: Healthy Aging - Fiscal 2017**

Member	Organization -Program	EIN Number	Agency	Amount	Agy #	U/A	*
	Department for the Aging	13-6400434	DFTA	(\$35,490.00)	125	003	
Garodnick	Find Aid for the Aged, Inc. - Woodstock Senior Center	13-2666921	DFTA	\$17,745.00	125	003	
Garodnick	Lenox Hill Neighborhood House, Inc.	13-1628180	DFTA	\$17,745.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 16: Power Action Change Empowerment (PACE) Initiative for Young Adults - Fiscal 2017**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Social Services	13-6400434	DSS/HRA	(\$250,000.00)	069	105	

\* Indicates pending completion of pre-qualification review.

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

**CHART 17: HRA Teen RAPP - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Department of Social Services	13-6400434	DSS/HRA	\$250,000.00	069	105	

\* Indicates pending completion of pre-qualification review.

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

**CHART 18: Senior Centers for Immigrant Populations - Fiscal 2017**

<b>Organization - Program</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Southside United HDFC - David Santiago Senior Center	11-2268359	DFTA	(\$10,000.00)	125	003	
Southside United Housing Development Fund Corp. - David Santiago Senior Center	11-2268359	DFTA	\$10,000.00	125	003	
Sunset Park Health Council, Inc. d.b.a. NYU Lutheran Family Health Centers	20-2508411	DFTA	(\$10,000.00)	125	003	
Sunset Park Health Council, Inc.	20-2508411	DFTA	\$10,000.00	125	003	
Sunset Park Health Council, Inc. d.b.a. NYU Lutheran Family Health Centers	20-2508411	DFTA	(\$10,000.00)	125	003	
Sunset Park Health Council, Inc.	20-2508411	DFTA	\$10,000.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 19: Maternal and Child Health Services - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Fort Greene Strategic Neighborhood Action	11-3343941	DOHMH	(\$10,000.00)	816	113	
Fort Greene Strategic Neighborhood Action Partnership	11-3343941	DOHMH	\$10,000.00	816	113	

\* Indicates pending completion of pre-qualification review.

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

**CHART 20: Autism Awareness Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Care for Special Children Foundation	47-2616448	DOHMH	(\$25,000.00)	816	121	
Care for Special Needs Children Foundation, Inc.	47-2616448	DOHMH	\$25,000.00	816	121	
Service Program for Older People, Inc. (SPOP)**	13-2947616	DOHMH	(\$78,540.00)	816	120	

\* Indicates pending completion of pre-qualification review.

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



**CHART 21: Geriatric Mental Health Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Service Program for Older People, Inc. (SPOP)**	13-2947616	DOHMH	\$78,540.00	816	120	

\* Indicates pending completion of pre-qualification review.

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

**CHART 22: City's First Readers Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Sunset Park Health Council, Inc. d.b.a. NYU Lutheran Family Health Centers	20-2508411	DYCD	(\$25,000.00)	260	312	
Sunset Park Health Council, Inc.	20-2508411	DYCD	\$25,000.00	260	312	

\* Indicates pending completion of pre-qualification review.

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

**CHART 23: Viral Hepatitis Prevention Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Sunset Park Health Council, Inc. d.b.a. NYU Lutheran Family Health Centers	20-2508411	DOHMH	(\$40,410.00)	816	112	
Sunset Park Health Council, Inc.	20-2508411	DOHMH	\$40,410.00	816	112	

\* Indicates pending completion of pre-qualification review.

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

**CHART 24: Adult Literacy Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Sunset Park Health Council, Inc. d.b.a. NYU Lutheran Family Health Centers	20-2508411	DYCD	(\$92,500.00)	260	005	
Sunset Park Health Council, Inc.	20-2508411	DYCD	\$92,500.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 25: Veterans Community Development - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Department of Youth and Community Development	13-6400434	DYCD	(\$185,000.00)	260	005	
Department of Youth and Community Development	13-6400434	DYCD	(\$40,000.00)	260	005	
Jericho Project	13-3213525	DYCD	\$225,000.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 26: Senior Centers, Programs, and Enhancements - Fiscal 2017**

<b>Organization - Program</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Department for the Aging	13-6400434	DFTA	(\$120,000.00)	125	003	
BronxWorks, Inc. - Morris ISC	13-3254484	DFTA	\$15,000.00	125	003	
Institute for the Puerto Rican/Hispanic Elderly, Inc. - Carver Senior Center	13-2987263	DFTA	\$30,000.00	125	003	
Convent Avenue Baptist Church Hamilton Grange Senior Citizen Center	13-2780116	DFTA	\$15,000.00	125	003	
GRIOT Circle, Inc.	11-3364328	DFTA	\$20,000.00	125	003	
Associations of Black Social Workers - ABSW Neighborhood Senior Center	13-2914318	DFTA	\$40,000.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 27: Access Health - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Centro Altagracia de Fe y Justicia	16-1765323	DOHMH	(\$52,692.00)	816	117	*
Northern Manhattan Improvement Corporation	13-2972415	DOHMH	\$52,692.00	816	117	

\* Indicates pending completion of pre-qualification review.

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

**CHART 28: Child Health and Wellness - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
American Lung Association of the City of New York, Inc.	13-5563004	DOHMH	(\$78,000.00)	816	113	*
American Lung Association of the Northeast, Inc.	06-0646594	DOHMH	\$78,000.00	816	113	*

\* Indicates pending completion of pre-qualification review.

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



**CHART 29: Ending the Epidemic - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$337,520.00)	816	112	
Under 21	13-3076376	DOHMH	\$28,800.00	816	112	*
La Casa de Salud, Inc.	02-0693325	DOHMH	\$33,720.00	816	112	*
Montefiore Medical Center	13-1740114	DOHMH	\$275,000.00	816	112	*

\* Indicates pending completion of pre-qualification review.

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

**CHART 30: Immigrant Opportunities Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Department of Social Services	13-6400434	DSS/HRA	(\$40,000.00)	069	107	
Immigration Equality	13-3802711	DSS/HRA	\$10,000.00	069	107	*
Urban Justice Center	13-3442022	DSS/HRA	\$30,000.00	069	107	

\* Indicates pending completion of pre-qualification review.

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

**CHART 31: Local Initiatives- Fiscal 2016**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Speaker	Yeshiva University	13-1624225	DOHMH	(\$50,000.00)	816	120			
Speaker	Montefiore Medical Center	13-1740114	DOHMH	\$50,000.00	816	120			
Levine	South Bronx Overall Economic Development Corporation	13-2736022	DYCD	(\$5,000.00)	260	005			
Levine	Harlem Historical Society	13-4088101	DYCD	\$5,000.00	260	005			*

\* Indicates pending completion of pre-qualification review.

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

**CHART 32: Local Initiatives- Fiscal 2015**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Ulrich	Corporal John Ruoff Post No. 632, American Legion, Inc.	11-6104896	DYCD	(\$5,000.00)	260	005			
Ulrich	Corporal John Ruoff Post No. 632, American Legion, Inc.	11-6104896	DYCD	\$5,000.00	260	005	Greater Ridgewood Youth Council	11-2518141	
Williams	Pacifica Foundation Radio - WBAI Radio	94-1347046	DYCD	(\$3,500.00)	260	005			
Williams	Flatbush Development Corporation	51-0188251	DYCD	\$3,500.00	260	005			*

\* Indicates pending completion of pre-qualification review.

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

**CHART 33: Children Under Five- Fiscal 2016**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Yeshiva University	13-1624225	DOHMH	(\$425,000.00)	816	120	
Montefiore Medical Center	13-1740114	DOHMH	\$425,000.00	816	120	

\* Indicates pending completion of pre-qualification review.

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

**CHART 34: Purpose of Funds Changes - Fiscal 2017**

Source	Member	Organization	EIN	Agency	Amount	New Purpose of Funds	*
Local	Dickens	National Association of Each One Teach One, Inc.	13-3163183	DYCD	(5,000.00)	Funds will be used to cover the cost of consultants who will perform at each workshop and Conduct College tours, College Readiness workshop and workshop on the requirement of the SAT, ACT and College board exams.	
Local	Dickens	National Association of Each One Teach One, Inc.	13-3163183	DYCD	5,000.00	Funds will be used to support the operating costs of various workshops, Conducting College tours, College Readiness workshops and workshops on the requirements of the SAT, ACT and College board exams.	
Local	Barron	Man Up!, Inc.	03-0553092	DYCD	(150,000.00)	Funding to support Man-Up, Inc.'s programming including: CURE VIOLENCE, HARAMBAY SUMMER BC, AFTER SCHOOL, READY 4 WORK, MENTORSHIP, ATHLETICS	
Local	Barron	Man Up!, Inc.	03-0553092	DYCD	150,000.00	Funds will be used to provide general operating support for the Harambay After School and Summer Programs.	
Youth	Barron	Man Up!, Inc.	03-0553092	DYCD	(60,000.00)	Funds are intended to support organization's programming : "CURE VIOLENCE, HARAMBAY SUMMER BC AFTER SCHOOL READY 4 WORK, MENTORSHIP, ATHLETICS"	
Youth	Barron	Man Up!, Inc.	03-0553092	DYCD	60,000.00	Funds will be used to provide general operating support for the Harambay After School and Summer Programs.	
Local	Speaker	Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DFTA	(115,000.00)	To fund Senior Citizen Transportation, Vocational Support Systems, Homecare, Adult Literacy programing, the Horizons Academy, the Nonprofit HelpDesk, Health Insurance Help Center and Southern Brooklyn Community Shuttle Bus.	
Local	Speaker	Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DFTA	115,000.00	To fund Senior Citizen Transportation, Homecare, and Health Insurance Help.	
Local	Speaker	Children's Aid Society, The	13-5562191	DYCD	(75,000.00)	The Children's Aid Society (CAS), Saturday Program for Deaf Children and Teens is the only free, weekend recreational program for deaf young people in New York City. This funding will support a portion of the salary of the Program Director and of the other part-time staff members who work hands on with the children.	
Local	Speaker	Children's Aid Society, The	13-5562191	DYCD	75,000.00	To provide funding support for the East Harlem Center adolescent programming to support services including the Keystone Club, youth and police community relations and STEM programming.	
Aging	Vacca	Morris Park Community Association	23-7429900	DFTA	(9,000.00)	Funding to support programming/activities of Morris Park Senior Program including cultural and recreational excursions, senior health fitness programs, and Italian classes.	
Aging	Vacca	Morris Park Community Association	23-7429900	DFTA	9,000.00	Funding to support programming/activities of Morris Park Senior Program including cultural and recreational excursions, senior health fitness programs, and Italian classes.	

Youth	Vacca	Morris Park Community Association	23-7429900	DYCD	(10,000.00)	To fund marching bands, transportation, and floats for Italian heritage events.	
Youth	Vacca	Morris Park Community Association	23-7429900	DYCD	10,000.00	Funding to support the operating expenses associated with Italian Heritage events including marching bands, transportation, floats, and Italian classes.	
Parks Equity Initiative	Chin	Friends of Downtown Parks NYC, Inc.	46-1974668	DPR	(10,000.00)	To provide maintenance and programming for Desalvio Playground	
Parks Equity Initiative	Chin	Friends of Downtown Parks NYC, Inc.	46-1974668	DPR	10,000.00	To provide maintenance and programming for Desalvio Playground and Washington Market Park	
Youth	Crowley	Midori Foundation, Inc.	13-3682472	DYCD	(8,000.00)	Funding to support the operation expenses of the PS 229 after-school musical program	
Youth	Crowley	Midori Foundation, Inc.	13-3682472	DYCD	8,000.00	Funding to support the operation expenses of the PS 229 quality music instruction.	

\* Indicates pending completion of pre-qualification review.

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

**CHART 34: Purpose of Funds Changes - Fiscal 2017 (continued)**

Source	Member	Organization - Program	EIN	Agency	Amount	New Purpose of Funds	*
Local	Speaker	Cypress Hills Local Development Corporation	11-2683663	HPD	(50,000.00)	Funding will support an after-school program, which provides academic support, recreational, arts, sports and leadership development activities for students in grades K-5. Students enroll in the program for the full academic year, and participate in a variety of activities from Monday-Friday, from 3-6 pm. During the summer, we run a seven-week summer day camp, where students participate in arts, recreation, leadership development and enrichment activities Mondays-Fridays, from 8 am to 6 pm.	
Local	Speaker	Cypress Hills Local Development Corporation	11-2683663	HPD	50,000.00	To support the organization's complete continuum of housing work, including tenant meetings, a resource fair, assisting in the creation of tenant associations, mailings to homeowners in trouble, and to support a portion of a full time foreclosure prevention specialist.	
Local	Williams	New York United Jewish Association, Inc.	26-2647383	DYCD	(22,000.00)	Funds will be used to support college preparation workshops and activities, food, and employment referrals for young people.	
Local	Williams	New York United Jewish Association, Inc.	26-2647383	DYCD	22,000.00	Funds will support the "Girls Enrichment Program," which provides training and recreation in gymnastics, swimming, dance and arts and crafts for ages 2 thru 12; the "Back to School Street Fair," an initiative to assist local students returning to school with supplies and extracurricular activities; "Project Machal," a food pantry program; "Social Services and Employment Assistance Program," which advises residents on state and local programs related to employment and social services, such as healthcare enrollment.	
Autism Awareness		Service Program for Older People, Inc. (SPOP)	13-2947616	DOHMH	(78,540.00)	This allocation supports wraparound services to autistic children in after-school and summer programs and during school closings. The programs also provide forums and training seminars to teach coping skills to families and caregivers affected by autism.	
Geriatric Mental Health		Service Program for Older People, Inc. (SPOP)	13-2947616	DOHMH	78,540.00	This funding supports organizations that provide a range of mental health services to older adults in "non-clinical settings," such as senior centers, drop-in centers, religious institutions, social clubs, homeless prevention programs, and individual homes.	
Parks Equity Initiative	Levine	City Parks Foundation	13-3561657	DPR	(10,000.00)	To support park maintenance and programming at Riverside Oval and La Perla parks	
Parks Equity Initiative	Levine	City Parks Foundation	13-3561657	DPR	10,000.00	Funds will be used to support expenses associated with Montefiore Park	
Youth	Levin	Catholic Charities Neighborhood Services, Inc.	11-2047151	DYCD	(3,000.00)	To support the Out of School Time (OST) program for 9th Graders at the HS for Global Studies, including a trip to Caumsett State Historic Park.	
Youth	Levin	Catholic Charities Neighborhood Services, Inc.	11-2047151	DYCD	3,000.00	Funds will be used to support the Summer Youth Employment Program.	
NYC Cleanup	Cumbo	Department of Sanitation	13-6400434	DSNY	(5,941.00)	Funds will be used for Mechanical Broom Service.	
NYC Cleanup	Cumbo	Department of Sanitation	13-6400434	DSNY	5,941.00	Funds will be used to purchase high end litter baskets.	



Local	Cumbo	Onos Footprints, Inc.	90-0719956	DYCD	(15,000.00)	Funding will be used to feed 1000 families in the Brooklyn community during the Thanksgiving holiday season of 2016.
Local	Cumbo	Onos Footprints, Inc.	90-0719956	DYCD	15,000.00	Funds will be used for General operating support and to feed low income families during the holiday season.
NYC Cleanup	Dickens	New Harlem East Merchants Association, Inc.	46-2326516	DYCD	(30,000.00)	Funds will be used to pay staff to sweep streets, collection and removal of litter and trash, and replacing basket liners for the 145 Street corridor from Malcolm X Boulevard to St. Nicholas Avenue, 1-2 days a week.
NYC Cleanup	Dickens	New Harlem East Merchants Association, Inc.	46-2326516	DYCD	30,000.00	Funds will be used to pay staff to sweep streets, collection and removal of litter and trash, and replacing basket liners for the 125th St. corridor from Second Avenue to Fifth Avenue, five days a week.
Local	Mark-Viverito	UnLocal, Inc.	41-2278265	DYCD	(10,000.00)	To fund services related to English language courses, workplace abuse trainings, and immigration law seminars and consultations.
Local	Mark-Viverito	UnLocal, Inc.	41-2278265	DYCD	10,000.00	To fund services related to immigration law seminars and immigration law consultations.

\* Indicates pending completion of pre-qualification review.

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

**CHART 34: Purpose of Funds Changes - Fiscal 2017 (continued)**

Source	Member	Organization - Program	EIN	Agency	Amount	New Purpose of Funds	*
Speaker's Initiative		Comunilife, Inc.	13-3530299	DYCD	(300,000.00)	The funding will provide academic support and creative arts therapy to at-risk Latina teens, enrolled in LIP, 6 days a week in the Bronx and increase services in Brooklyn from 3 to 6 days.	
Speaker's Initiative		Comunilife, Inc.	13-3530299	DYCD	300,000.00	The funding will provide academic support and creative arts therapy to at-risk Latina teens, enrolled in LIP, 6 days a week in the Bronx, 3 days a week in Queens and increase services in Brooklyn from 3 to 6 days.	
Youth	Mendez	Grand Street Settlement, Inc.	13-5562230	DYCD	(10,000.00)	Funding to support operational expenses for Jacob Riis and Baruch Houses Cornerstones	
Youth	Mendez	Grand Street Settlement, Inc.	13-5562230	DYCD	10,000.00	Fund to support operational expenses for the 80 Pitt Street Community Center and Baruch Houses Cornerstone.	
Local	Dromm	New Immigrant Community Empowerment (NICE)	11-3560625	DYCD	(19,500.00)	To fund Know your Rights Workshops and Wage Theft Clinic for immigrant workers.	
Local	Dromm	New Immigrant Community Empowerment (NICE)	11-3560625	DYCD	19,500.00	To fund Know your Rights Workshops and Wage-Theft/Legal Clinic for immigrant workers. Funds will support general operating expenses, as well as staff time for development, executing and coordinating services.	
Local	Ferreras-Copeland	New Immigrant Community Empowerment (NICE)	11-3560625	DYCD	(15,000.00)	Funds will support know-your-rights community engagement work, wage theft clinics and occupational health and safety trainings for immigrant domestic workers. Funds will support general operating expenses, as well as staff time for development, executing and coordinating services.	
Local	Ferreras-Copeland	New Immigrant Community Empowerment (NICE)	11-3560625	DYCD	15,000.00	Funds will support community engagement work for NICE's Know-Your-Rights workshops, Wage-Theft/Legal clinics, women's committee, and Participatory Budgeting. Funds will support general operating expenses, as well as staff time for development, executing and coordinating services.	

\* Indicates pending completion of pre-qualification review.

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

**CHART 35: Purpose of Funds - Fiscal 2016**

Source	Member	Organization	EIN	Agency	Amount	New Purpose of Funds	*
Local	Speaker	Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DFTA	(115,000.00)	To fund Senior Citizen Transportation, Vocational Support Systems, Homecare, Adult Literacy programing, the Horizons Academy, the NonProfit HelpDesk, Health Insurance Help Center and Southern Brooklyn Community Shuttle Bus.	
Local	Speaker	Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DFTA	115,000.00	To fund Senior Citizen Transportation, Homecare, and Health Insurance Help.	
Local	Speaker	Brooklyn Hospital Center	11-1630755	DOHMH	(50,000.00)	The addition of ergonomically-designed stretchers and wheelchairs will assist to accommodate the growth in patient volume and bring improvements to the overall patient experience. Modern streamlined stretchers improve the ability to move patients within the facility. They also allow the patients to sit up if their state of health allows this positioning.	
Local	Speaker	Brooklyn Hospital Center	11-1630755	DOHMH	50,000.00	To provide funding support for the purchase of operating room equipment for the Hospital.	
Local	Salamanca	Urban Youth Alliance International, Inc.	13-2969182	DYCD	(10,000.00)	To support after school classes to BronxConnect youth to enable local at-risk and high risk youth to explore leadership skills, community development and positive youth development.	
Local	Salamanca	Urban Youth Alliance International, Inc.	13-2969182	DYCD	10,000.00	Funding to support after school programming at BronxConnect, enabling local at-risk and high risk youth to explore leadership skills, community development and positive youth development. Programming will also include educational and recreational trips.	
Local	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	(10,000.00)	Funds to sustain our Mental Health services at Harlem Dowling Westside- Far Rockaway. Funds to assist our Beacon By the Sea (including tutoring) at PS / MS 43. Funds to support our MS ExTRA 289 Afterschool program. Funds to uphold our Beacon program at PS 42.	
Local	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	10,000.00	Funds to support the operating costs associated with the B41 Cornerstone program.	
Anti-Poverty	Cabrera	Kips Bay Boys & Girls Club	13-1623850	DYCD	(6,000.00)		
Anti-Poverty	Cabrera	Kips Bay Boys & Girls Club	13-1623850	DYCD	6,000.00	the purpose of this request is to 1) reinstate and revitalize teen programming; and 2) to feature vigorous exercise, nutrition education and healthy culinary activities. We would allocate 2/3 of any support to enhanced teen programming and 1/3 to obesity prevention programming.	
Local	Miller	103rd Precinct Community Council	20-5484666	DYCD	(\$5,000.00)	Funds will support basketball and softball games and field trips and for the Youth Explorers program and change it to reflect: Funds will be used for General Operating Support.	

Local	Miller	103rd Precinct Community Council	20-5484666	DYCD	\$5,000.00	Funds will be used for General Operating Support.	
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\* Indicates pending completion of pre-qualification review.

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

**CHART 36: Beating Hearts Initiative - Fiscal 2017\*\*\***

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<b>Member</b>	<b>Organization</b>	<b>EIN Number</b>	<b>*</b>
Salamanca	Urban Health Plan	23-7360305	
Salamanca	Bronx Documentary Center	45-2403312	
Salamanca	Union Grove Baptist Church	13-5078662	
Salamanca	Immaculate Conception Church	13-2686496	
Van Bramer	Queen of Angelas Church	11-1723787	
Van Bramer	Variety Boys & Girls Club of Queens, Inc.	11-6014770	
Van Bramer	Roman Catholic Church of Corpus Christi	11-1666228	
Van Bramer	Young Men's Christian Association of Greater New York-Long Island City	13-1624228	
King	Future Talent Basketball	61-1641474	
King	Bronx Giants	45-4010209	
King	Retirees of Dreiser Loop	01-0677804	
King	Emmanuel Baptist Church	13-3421183	
Lander	Brooklyn Youth Chorus	11-3129249	
Espinal	St Thomas Episcopal Senior Citizens Housing- Duncan Genns Senior Center	13-3162242	
Espinal	New York City Housing Authority - Glenmore Plaza Tenant Association	13-6400434	
Espinal	Quebradillas Baseball Program	45-0491693	
Espinal	New York City Housing Authority - Wilson House Resident Association	13-6400434	
Koslowitz	CHAZAQ Organization USA	46-2148352	
Koslowitz	Project Lead	13-3761446	
Ulrich	Rockaway Artists Alliance	11-3217121	
Ulrich	Nativity of the Blessed Virgin Mary	45-4113791	
Rosenthal	AYSO Region 611 (West Side Soccer League)	95-6205398	
Rosenthal	<ul style="list-style-type: none"> <li>AYSO Region 611 (West Side Soccer League)</li> </ul>	95-6205398	

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, October 27, 2016. *Other Council Members Attending: Richards.*

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

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

Report for LU No. 504

**Report of the Committee on Finance in favor of approving Villa Gardens, Block 3321, Lot 38; Bronx, Community District No. 7, Council District No. 11.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 27, 2016, respectfully

**REPORTS:**

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

October 27, 2016

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

FROM: Rebecca Chasan, Counsel, Finance Division

RE: Finance Committee Agenda of October 27, 2016 - Resolution approving a tax exemption for one Land Use item (Council District 11)

**Item 1: Villa Gardens**

Villa Gardens is a new construction project that will consist of 1 building with 53 units of rental housing, including one superintendent's unit. The units will be a mix of studios, one-, two-, and three-bedroom units. The building will be constructed on what is now a vacant, privately owned lot used for parking.

The project is being constructed under the Department of Housing Preservation and Development's ("HPD") Mixed Income Program: M<sup>2</sup>, under which sponsors purchase City- or privately-owned land or vacant buildings and construct multifamily buildings in order to create affordable rental housing units with a range of affordability in which up to 25 percent of the units are affordable to low-income households earning up to 60% of the Area Median Income ("AMI") and the remaining units are affordable to other low-income households. Construction and permanent financing is provided through loans from private institutional lenders and from

public sources including HPD, the New York City Housing Development Corporation, the State of New York, and the federal government. Additional funding may also be provided from the syndication of low-income housing tax credits.

Under the proposed project, HP Villa Gardens Housing Development Fund Company, Inc. (“HDFC”) will own the property as the legal owner and Villa 204 Associates LLC will be the beneficial owner and will operate the property. Together, they will construct the building. The HDFC and the LLC will enter into a regulatory agreement with HPD establishing that all units must be rented to households whose incomes do not exceed 60%, 90%, or 110% of AMI. In 2016, those AMIs are as follows:

<b>AMI</b>	<b>Family of Four</b>	<b>Family of Three</b>	<b>Family of Two</b>	<b>Individual</b>
60%	\$51,780	\$48,960	\$43,500	\$38,100
90%	\$81,540	\$73,440	\$65,250	\$57,150
110%	\$99,660	\$89,760	\$79,750	\$69,850

In order to facilitate the project, HPD is requesting that the Council approve, pursuant to Section 577 of the Private Housing Finance Law, a full, 40-year property tax exemption that will be coterminous with the term of the regulatory agreement.

Summary:

- Council District – 11
- Council Member – Cohen
- Council Member approval – Yes
- Borough – the Bronx
- Block/Lot – 3321/38
- Number of Buildings – 1
- Number of Units – 53, including one superintendent’s unit
- Type of Exemption – Article XI, full, 40-year
- Population Served – Rentals for low-income households
- Sponsor/Developer – Galaxy General Contracting Corp., HP Villa Gardens HDFC, Villa 204 Associates LLC
- Purpose – new construction
- Cost to the City – \$3.8M
- Housing Code Violations – none
- Income Limitation –
  - 13 units will be leased to households earning up to 60% of AMI, with rents set as affordable to those at 57% of AMI;
  - 14 units will be leased to households earning up to 90% of AMI, with rents set as affordable to those at 80% of AMI; and
  - 25 units will be leased to households earning up to 110% of AMI, with rents set as affordable to those at 90% of AMI.

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

Res No. 1262

**Resolution approving an exemption from real property taxes for property located at (Block 3321, Lot 38) the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 504).**

By Council Member Ferreras-Copeland.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated October 3, 2016 that the Council take the following action regarding a housing project located (Block 3321, Lot 38) the Bronx, ("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 provided:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. "HDFC" shall mean HP Villa Gardens Housing Development Fund Company, Inc.
  - b. "HDC" shall mean New York City Housing Development Corporation.
  - c. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
  - d. "LLC" shall mean Villa 204 Associates LLC, or an affiliate.
  - e. "New Owner" shall mean the HDFC and the LLC or any future owner of the Exemption Area.
  - f. "Exemption" shall mean the exemption from real property taxation provided hereunder.



- g. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, and (ii) the date that HPD, HDC and the New Owner enter into the Regulatory Agreement in their respective sole discretion.
  - h. "Exemption Area" shall mean the real property located on the Tax Map of the City of New York in the Borough of the Bronx, City and State of New York, identified as Block 3321, Lot 38.
  - i. "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 or leased by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - j. "Project" shall mean the construction of one multiple dwelling building on the Exemption Area containing approximately fifty-two (52) affordable rental units plus one (1) superintendent unit.
  - k. "Regulatory Agreement" shall mean the regulatory agreement between HPD, HDC and the New 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 or commercial use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon Expiration Date.
3. (a) Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("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 operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written consent of HPD, or (v) the demolition or construction of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the New Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
- (b) Nothing herein shall entitle the New 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.

(c) The Exemption shall not apply to any building constructed on the Exemption Area which does not have a permanent or temporary certificate of occupancy by December 31, 2021, as such date may be extended in writing by HPD.

4. In consideration of the Exemption, the New Owner (i) shall execute and record the Regulatory Agreement, and (ii) for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, October 27, 2016. *Other Council Members Attending: Council Member Richards.*

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

### **Report of the Committee on General Welfare**

Report for Int No. 1187-A

#### **Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a report on obtaining government-issued identification for youth**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 25, 2016 (Minutes, page 1473), respectfully

### **REPORTS:**

#### **Introduction**

On October 26, 2016, the Committee on General Welfare chaired by Council Member Stephen Levin, held a hearing on a package of legislation including seven bills and one resolution regarding foster care. The Committee passed the bills and resolution by a vote of seven in the affirmation, zero in the negatives and zero abstentions. This was the second hearing on the bills and resolution, the first hearing was held on June 16, 2016. At the hearing representatives from the Administration for Children's Services (ACS), youth who had aged out of foster care, providers and advocates testified. Amendments were made to the bill after the hearing.

#### **Background**

Over the past six years, New York City has seen a continuous decline in both the number of children entering foster care and the total number of children who have remained in foster care.

<sup>1</sup> The City's most recent data reflects this trend. Compared to the same period in Fiscal 2015, during the first four months of Fiscal 2016 (July 2015 – October 2015)<sup>2</sup> the number of children entering foster care fell by 8.8 percent from 1,379 to 1,257;<sup>3</sup> and the number of children in foster care declined by 6.7 percent, from 11,156 to 10,408.<sup>4</sup> As of March 2016, the number of children in foster care has decreased to 9,563.<sup>5</sup> In addition, the number of total days all children spent in foster care declined by 4.7 percent, from 1,616,786 to 1,540,852 during the first four months of Fiscal 2016.<sup>6</sup> Despite the steady decline in length of stay in foster care, there are many youth who spend extended periods of time in care, which will be discussed further in this paper.

After a child is placed in foster care, the goal is to implement a permanency plan for each child, which can be one of the following:<sup>7</sup>

- Reunification;
- Permanent placement with relatives;
- Adoption;
- Legal guardianship; or
- Another or Alternative Planned Permanent Living Arrangement (APPLA).

Permanency can have different meanings depending on the child, family, and case circumstances.<sup>8</sup> Child welfare professionals first focus on supporting and stabilizing a family to prevent an initial placement.<sup>9</sup> Reunification with family is the preferred outcome for children removed from their homes and placed in foster care.<sup>10</sup> When children must be removed from their families to ensure their safety, permanency planning efforts focus on returning them to their home as soon as is safely possible or placing them with another lawful permanent family.<sup>11</sup> Other permanent families may include relatives, adoptive families who obtain legal custody, or guardians.<sup>12</sup> New York State's Kinship Guardianship Assistance Program (KinGAP) for example, is designed for a foster child to achieve a permanent placement with a relative who had been the child's foster parent for at least six months.<sup>13</sup> Permanency also includes maintaining or establishing meaningful connections with other caring adults in the child's life (relational permanency) with family, friends, and connections to the community.<sup>14</sup>

If family reunification is not possible and the youth is not adopted, the young person will officially age out of the system at the age of 21, and at that time ACS will no longer have legal authority over the young person. ACS, and by extension the contracted foster care agency providers, is mandated by New York State law to help youth prepare for independent living. Youth who will likely age out of foster care without reunification, adoption or guardianship, have no other option but to pursue the APPLA permanency planning goal.

Beginning on the 16th birthday of a youth in foster care, ACS requires caseworkers to begin developing the APPLA plan with the young person. Caseworkers will begin to address "housing, income, medical

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<sup>1</sup> Preliminary Fiscal 2016 Mayor's Management Report *available at* <http://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2016/acs.pdf> (Hereinafter FY 16 PMMR).

<sup>2</sup> Fiscal Year 2016 begins on July 1, 2015 and ends on June 30, 2016.

<sup>3</sup> FY 16 PMMR, *supra* note 1.

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

<sup>5</sup> NYC Administration for Children's Services, Data and Policy, "Snapshot of Children Receiving ACS Services" *available at* <http://www1.nyc.gov/site/acs/about/data-policy.page> (last visited June 1, 2016).

<sup>6</sup> FY 16 PMMR, *supra* note 1.

<sup>7</sup> Williams-Mbengue, Nina, "Moving Children Out of Foster Care: The Legislative Role in Finding Permanent Homes for Children," National Conference of State Legislatures (2008) *available at* <http://www.ncsl.org/documents/cyf/movingchildrenoutofcare.pdf>

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

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

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

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

<sup>13</sup> See New York State Office of Children and Family Services, The Kinship Guardianship Assistance Program (KinGAP) <http://ocfs.ny.gov/kinship/kingap.asp> (last visited June 3, 2016).

<sup>14</sup> Child Welfare Information Gateway, "Achieving and Maintaining Permanency, Overview" *available at* <https://www.childwelfare.gov/topics/permanency/overview/>

coverage, arrangements to receive essential documents... arrangement[s] with any needed service providers and any safety concerns.”<sup>15</sup> Providers must additionally begin a transition plan for youth 180 days prior to his or her 18th birthday, which includes specific options for housing, health insurance and employment and education opportunities; the plan must be completed 90 days prior to the young person’s scheduled discharge.<sup>16</sup>

The overall number of foster care children in New York City who achieved permanency remained stable during the first four months of Fiscal 2016 compared to the same period of Fiscal 2015, even as the foster care census declined.<sup>17</sup> While the number of adoptions decreased by 4.5 percent (from 266 to 254 adoptions) and the number of children who achieved permanency through the KinGAP program declined 8.4 percent (from 95 to 87 KinGAP finalizations), the number of children reunified with their families rose 2.2 percent (from 801 to 819 reunifications).<sup>18</sup> In 2015, ACS streamlined administrative processes in order to speed adoptions and expanded the use of KinGAP as a permanency option for children living with relatives.<sup>19</sup> During the course of 2015, over 4,400 youth in New York City were discharged from foster care, of which 2,527 were discharged to reunification,<sup>20</sup> 1,023 to adoption,<sup>21</sup> 260 to KinGAP,<sup>22</sup> and 652 to APPLA.<sup>23</sup> In addition, 1,700 foster youth have a permanent connection to a caring adult.<sup>24</sup>

### The Impact of Aging Out of Foster Care

Numerous studies demonstrate that youth who age out of foster care tend to experience worse outcomes than their peers in a variety of critical areas such as education, employment, criminal justice involvement, mental health, income security, and housing.<sup>25</sup> Such youth also rely heavily on government benefits. There are limited housing options for youth aging out of foster care. The main options are a (1) private apartment with an ACS subsidy, (2) New York City Housing Authority (NYCHA) apartment or (3) supportive housing. Youth ages 18 and older with an APPLA goal can apply for an ACS housing subsidy, which provides a monthly rent allowance of \$300 per month for up to 3 years or \$10,800.<sup>26</sup> Despite the availability of the subsidy, given the New York City housing market, it is questionable whether this subsidy effectively enables youth aging out of foster care to secure and maintain a private apartment. According to the Legal Aid Society, the current ACS housing subsidy is insufficient to meet housing needs and it is “nearly impossible” for youth aging out of care to take advantage of any such private housing opportunity.<sup>27</sup> In 2015, of the 652 youth who aged out, only 48 utilized this subsidy.<sup>28</sup>

Youth aging out of foster care are also eligible for NYCHA apartments.<sup>29</sup> In 2001, ACS entered into an agreement with NYCHA which provides youth aging out the N-0<sup>30</sup> priority code from NYCHA, the highest

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<sup>15</sup> “Keeping Foster Youth Off The Streets: Improving Housing Outcomes for Youth that Age Out of Care in New York City,” Federation of Protestant Welfare Agencies, p. 16 (Jan. 2014) available at <http://fpwa.org/wp-content/uploads/2015/01/Keeping-Foster-Youth-Off-the-Streets.pdf> (hereinafter FPWA report).

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

<sup>17</sup> FY 16 PMMR, *supra* note 1.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> ACS Report on Youth in Foster Care (2015) available at <http://www1.nyc.gov/assets/acs/pdf/data-analysis/2016/Reportonyouthinfostercare.pdf> (hereinafter 2015 ACS Youth in Foster Care Report).

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> Smithgall, Cheryl, et al., Chapin Hall, *Educational Experiences of Children in Out-Of-Home Care* (2004); Rumberger, Russell W., et al., University of California Santa Barbara, *The Educational Consequences of Mobility for California Students and Schools*, (March 1999); Courtney, Mark E., et al., Chapin Hall, *Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 21* (December 2007); George, Robert M., et al., Chapin Hall, *Employment Outcomes for Youth Aging Out of Foster Care* (March 2002); Pecora, Peter J., et al., *Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study* (revised March 14, 2005).

<sup>26</sup> NYC Administration for Children’s Services, Housing Support, available at <http://www1.nyc.gov/site/acs/child-welfare/housing-support.page> (last visited June 1, 2016) (hereinafter Housing Support).

<sup>27</sup> FPWA Report, *supra* note 15 at 23.

<sup>28</sup> 2015 ACS Youth in Foster Care Report, *supra* note 20.

<sup>29</sup> Housing Support, *supra* note 26.

<sup>30</sup> There are several need-based preferences for NYCHA applicants. The N-0 priority is for those applicants that are referred from a City agency, including the Department of Homeless Services, the HIV/AIDS Services Administration, the Department of Housing

priority code available.<sup>31</sup> In order to qualify for NYCHA, a young person must be at least 18 years old and contribute 30 percent of their income to rent, and additionally undergo a criminal background check.<sup>32</sup> For disabled youth or students, Social Security Supplemental Income (SSI) payments or student loans can be considered a source of income to contribute to rent payments.<sup>33</sup> For youth who are not employed or disabled, in order to submit an application, NYCHA requires the submission of a presumptive budget letter from the Human Resources Administration (HRA), which details the public assistance a youth may receive after aging out of care that can be used to pay rent at NYCHA.<sup>34</sup> HRA will not provide the presumptive budget letter until a young person is within 90 days of turning 21.<sup>35</sup> In order to qualify for the N-0 priority, the young person must submit their completed application to NYCHA prior to their discharge from foster care.<sup>36</sup> According to a recent report by the Federation of Protestant Welfare Agencies, “Keeping Foster Youth Off The Streets, Improving Housing Outcomes for Youth that Age Out of Care in New York City” (FPWA Report), this bureaucratic hurdle often hinders youth from securing a NYCHA apartment because they are not able to get the presumption budget letter on time.<sup>37</sup> Additionally, the overall supply of NYCHA apartments, particularly studio apartments, has decreased, leaving youth aging out of care with fewer opportunities for this option.<sup>38</sup> In addition to NYCHA apartments, young people aging out of foster care previously were able to apply for a NYCHA Section 8 voucher to pay for a private apartment, however Section 8 vouchers were frozen in 2009, and there has been no indication of the waiting list being re-opened.<sup>39</sup>

Finally, under the NY/NY III supportive housing agreement, youth who qualify may apply for supportive housing. Youth who qualify include either young adults aged 25 years or younger leaving or having recently left foster care or who had been in foster care for more than a year after their 16th birthdays and who are at risk of street homelessness or sheltered homelessness, and young adults aged 18 to 24, who have a serious mental illness and are being treated in a New York State psychiatric facility or a New York State licensed residential treatment facility and are leaving or having recently left foster care and who could live independently in the community if provided with supportive housing, and who would be at risk of street or sheltered homelessness if discharged without supportive housing assistance.<sup>40</sup> However, there is only a small portion of supportive housing units set aside for youth and many youth report that supportive housing applications are difficult to understand and complete.<sup>41</sup> In 2015, 1,554 youth with an APPLA goal applied for supportive housing and 1,053 were found eligible.<sup>42</sup> However, out of the all youth who aged out of care in 2015, only between 0 and 10 youth<sup>43</sup> accessed supportive housing.<sup>44</sup> Mayor de Blasio’s recent announcement of the creation of 15,000 new units of supportive housing over the next 15 years will continue to serve youth aging out of foster care and at risk of homelessness as a category.<sup>45</sup>

Less than half of the 652 foster youth discharged to APPLA last year received some type of housing assistance, including NYCHA housing, ACS housing subsidies, supportive housing, or adult residential care.<sup>46</sup> Despite these housing options, according to the FPWA Report, it is estimated that between 18 to 21 percent of youth who age out of foster care become homeless, and on any given night, many former foster care youth can

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Preservation and Development or the Administration for Children’s Services. New York City Housing Authority, Public Housing, Priority Codes – Need-Based Preference, available at <https://www1.nyc.gov/assets/nycha/downloads/pdf/eligibility-priority-codes-1.pdf> (last visited June 1, 2016).

<sup>31</sup> FPWA Report, *supra* note 15 at 23.

<sup>32</sup> *Id.* at 24.

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

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

<sup>39</sup> *Id.*

<sup>40</sup> NY/NY III Housing Agreement, (Nov. 2015) <http://shnny.org/images/uploads/NY-NY-III.pdf>.

<sup>41</sup> FPWA Report, *supra* note 15 at 26-27.

<sup>42</sup> 2015 ACS Youth in Foster Care Report, *supra* note 20.

<sup>43</sup> Pursuant to Local Law 46 of 2014, when any category in the Youth in Foster Care Report included between 0 and 10 youth, the number would be indicated by a symbol to protect a youth’s privacy. See Local Law 49 of 2014.

<sup>44</sup> 2015 ACS Youth in Foster Care Report, *supra* note 20.

<sup>45</sup> Testimony of Commissioner Steve Banks, before the Committees on General Welfare and Housing and Buildings, “Oversight: Supportive Housing in New York City,” (Nov. 19, 2015).

<sup>46</sup> *Id.*

be found couch-surfing, sleeping on the streets or in shelters.<sup>47</sup> Although ACS is prohibited from discharging a young person from foster care into the shelter system, young people who are unable to maintain their living situations may end up homeless. According to the most recent data available from ACS and the Department of Homeless Services (DHS), during the period from October 31, 2015 to December 31, 2015 180 youth aged 18 to 21 aged out of care.<sup>48</sup> Out of that group, 8 youth entered the DHS system by March 7, 2016.<sup>49</sup>

#### *Permanency*

As discussed above, despite the City's success in continuing to reduce the overall foster care census, children in foster care in New York City spend almost twice the amount of time in foster care compared to the rest of the country; 3.2 years<sup>50</sup> as compared to 1.7 years.<sup>51</sup> Further, children who are discharged from their families to foster care spend an average of 1.6 years in care prior to being reunified, and children who are adopted have spent an average of 5.1 years in care prior to being adopted.<sup>52</sup>

When examining New York State compared to the rest of the nation on four federal indicators related to permanency, New York did not meet national standards and received some of the lowest scores compared to the rest of the ranked states. It should be noted that while the data is statewide, the majority of children in the child welfare system in New York State are from the City.

- Permanency in 12 months: 35 out of 49 ranked states.
- Permanency in 12 months for children in care 12 to 23 months: 50 out of 51 ranked states.
- Permanency in 12 months for children in care 24 months or more: 48 out of 51 ranked states.
- Re-entry into foster care in 12 months: 48 out of 51 ranked states.

The inability to move children into permanent situations with families is linked to youth aging out of care into independence at 21. As discussed above, youth who leave foster care without a family tend to have worse outcomes than their peers in critical areas such as housing, employment, education and parenting. Further, many youth currently in foster care or who have recently aged out have reported to the Committee that they felt ill-prepared to enter adulthood at the age of 21 without family support.

#### **Analysis**

**Res. No. 1073-A** - Resolution calling upon the New York State Legislature to pass, and the Governor to sign legislation that would increase the amount of housing subsidy from \$300 to \$600 per month, and extend the age eligibility from 21 to 24 for youth who have aged out of foster care

Res. No. 1073-A would state that several national studies have demonstrated that many youth who age out of foster care are more likely to become homeless, lack a high school diploma, become involved in the criminal justice system, and rely on public assistance; and that according to ACS, there are currently 9,748 youth in foster care in New York City. The resolution would also state that youth who are discharged from foster care either reunify with their families, enter legal guardianship by a relative, become adopted, or end up living on their own. Res. No. 1073 would cite the fact that, according to data from ACS, in 2015, approximately 3,800 youth in New York City were discharged from the foster care system, of which 652 were discharged to independent living, also known as another planned permanent living arrangement (APPLA).

The resolution would then explain that the Housing Subsidy program administered through ACS provides rental assistance to families who need housing in order to reunify with children in foster care or to prevent

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<sup>47</sup> *Id.*

<sup>48</sup> NYC Administration for Children's Services, Data provided to the City Council pursuant to the Fiscal Year 2015 Budget (report on file with Committee).

<sup>49</sup> *Id.*

<sup>50</sup> The City of New York Dept. of Investigations, DOI Investigation of Child Fatalities and Other Injuries Reveals Legal and Practice Violations by the City Administration for Children's Services (May 3, 2016) (citing data provided to DOI by ACS, Jan. 21, 2016) [http://www.nyc.gov/html/doi/downloads/pdf/2016/May%202016/14-ACS%20Report%2005-03-16\\_FINAL%20w%20Report.pdf](http://www.nyc.gov/html/doi/downloads/pdf/2016/May%202016/14-ACS%20Report%2005-03-16_FINAL%20w%20Report.pdf) (hereinafter DOI Report).

<sup>51</sup> DOI Report, *supra* note 50 (citing U.S. Dep't of Health & Human Services, Administration for Children and Families, Children's Bureau. The AFCARS Report, No. 22. <http://www.acf.hhs.gov/sites/default/files/cb/afcarsreport22.pdf>.)

<sup>52</sup> DOI Report, *supra* note 1.

children from entering foster care, and that young adults ages 18-21 who have no other permanent living arrangement than to live independently after leaving foster care are also eligible for this program. The resolution would also state that the Housing Subsidy program currently provides a maximum monthly rent allowance of \$300, but the subsidy amount has remained the same for more than 20 years, during which rents throughout New York City have dramatically increased.

Res. No. 1073-A would explain that youth advocates argue that public housing for which foster youth and their families qualify is extremely limited and there are not enough supportive housing units, and points to the fact that of the 652 foster youth discharged to APPLA in 2015, less than half received some type of housing assistance, including public housing, ACS housing subsidies, supportive housing, Section 8 vouchers or adult residential care. The resolution would cite to the fact that out of such group, only 48 received the ACS housing subsidy in 2015. The resolution would also cite to arguments that youth who have aged out of foster care at age 21 do not have enough income to afford housing, and therefore, the age eligibility for a housing subsidy should be increased to 24.

The resolution would state that it is extremely important for the State to enact legislation to increase the housing subsidy from a maximum of \$300 to \$600 per month, not exceeding three years, for youth up to age 24 who aged out of the foster care system and allow former foster youth to live with roommates just as other young adults make such living arrangements to afford their rent.

Res. No. 1073-A would argue that in order to reduce the risk of homelessness among youth who have aged out of foster care, New York State should increase the housing subsidy to enable them to achieve self-sufficiency, and would therefore state that the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign legislation that would increase the amount of housing subsidy from \$300 to \$600 per month, and to extend the age eligibility from 21 to 24 for youth who have aged out of foster care.

Since introduction, the resolution was amended to remove references to the bill number of the State legislation that was proposed during the 2015-2016 legislative session in order to ensure that the resolution would be applicable to any future legislation introduced in the new State legislative session.

**Int. No. 1187-A – A Local Law to amend the administrative code of the city of New York, in relation to a report on obtaining government-issued identification for youth**

Int. No. 1187-A would amend Local Law 48 of 2014 which requires ACS to report on whether youth in currently in foster care and youth who have recently aged out of care have government-issued identification disaggregated by the type of identification. The bill would add the total number of youth aged 17 and older in care and the total number of youth who aged out of care, and the total number of youth in those groups who obtained any type identification to the local law.

Since introduction, Int. No. 1187-A was amended to add a metric on the number of youth who only possess one form of government-issued identification, and to mandate that any required reports to remain permanently accessible on ACS' website. Int. 1187-A would take effect immediately.

**Int. No. 1190-A - A Local Law to amend the administrative code of the city of New York, in relation to a report on the educational continuity of children in foster care**

Int. No. 1190-A would require ACS to submit to the Speaker of the Council and post on its website an annual report on the educational stability of children in foster care. The bill would require the reports to include the percentage of children in foster care who remained in their school of origin upon their initial entry into foster care and who remained in their school of origin after transferring foster homes, the percentage of children in foster care who did not return to their school of origin due to a determination that it was not in the child's best interest, and the average school attendance rates of children in foster care. After introduction, Int. 1190-A was amended to remove the requirement that that data be disaggregated based on the best interest determination due to ACS' inability to aggregate such data. Int. No. 1190-A was also amended to make technical changes to the way average school attendance rates would be reported and to mandate that any required reports to remain permanently accessible on ACS' website. Int. 1190-A was would take effect immediately.



**Int. No. 1191-A - A Local Law to amend the administrative code of the city of New York, in relation to certain children who have spent the greatest length of time in foster care**

Int. No. 1191-A would require ACS to submit to the Speaker of the Council and post on its website a five-year plan to address barriers to permanency for youth in foster care. The plan required pursuant to Int. 1191-A would include a case study of a statistically significant sample of children, no less than 5% of the total foster care population, who have spent at least two years in foster care. The case study would include demographic information, permanency plans, the length of time in care and barriers to permanency for the sample of youth. The five-year plan would also include an analysis of how ACS plans to address the systemic barriers to permanency identified during the case study. The proposed five-year plan would be updated by ACS annually and in the fifth year covered by the plan ACS would submit a new plan.

After introduction, Int. 1191-A was amended to change the structure of the bill from reporting on the 200 children who have spent the greatest length of time in foster care, to a five-year plan to address barriers to permanency with a statistically significant case study of youth who have spent at least two years in care. Such amendments were drafted because the bill in its original form would have captured data on a group of young people that have not achieved permanency for reasons that would not be representative of the overall population of youth in foster care. Int. 1191-A would take effect immediately and is deemed repealed 15 years after it becomes law.

**Int. No. 1192-A - A Local Law in relation to a foster care task force**

Int. 1192-A would require an interagency task force to develop and submit to the Mayor and the Speaker recommendations for improving services for youth in foster care and outcomes for youth aging out of foster care. The task force would include representatives of ACS, DSS, DOE, DYCD, DOMHM, NYCHA, the City Council, the Public Advocate, foster care providers, advocacy organizations, and youth who are in foster care and youth who have recently aged out of foster care, and a parent with child welfare experience. The task force would submit recommendations regarding education, housing, financial literacy, health and mental health services, parenting, decreasing the number of youth who age out of foster care, and prioritizing permanent placements of youth with families before they age out. The task force would submit follow-up reports regarding implementation of the recommendations one and two years after the submissions of the initial report, and would then cease to exist.

After introduction, Int. 1192-A was to make changes to the membership of the task force; the Public Advocate and parents with child welfare experience were added. Int. 1192-A was also amended to expand the list of topics the task force would make recommendations on to include post-permanency services.

**Int. No. 1197-A - A Local Law to amend the administrative code of the city of New York, in relation to information collected and reported about youth and foster care**

Int. No. 1197-A would make amendments to Local Law 46 of 2014 which requires ACS to report on youth in foster care and youth that have recently aged out of foster care. The bill would add the total number of youth discharged with an APPLA goal disaggregated by age from 0 to 21 and over 21, and the total number of youth discharged to any other permanency outcomes such as, discharges to psychiatric institutions, correctional facilities, or unspecified destinations, disaggregated by age from 0 to 21 and over 21. The bill would also require ACS to report on the total population of youth currently in care by age from 0 to 21 and over 21. For consistency purposes, Int. No. 1197-A would also amend age disaggregation for certain existing metrics to report data in the following age categories: 14-15; 16-17; 18-19; 20-21; over 21.

The bill would also require ACS to report on the number of youth who enter a DHS or HRA homeless shelter within 30 days, 90 days, 180 days and 1 year of aging out of care, the number of youth who receive cash assistance and Supplemental Nutrition Assistance Program benefits from HRA within 30 days and 60 days of being discharged from foster care, and the number of youth who age out and transition to Medicaid without a gap in coverage.



After introduction, Int. 1197-A was amended to make certain technical amendments to the definitions section of the local law and to require all metrics to be reported by percentage, in addition to whole numbers. Int. 1197-A was also amended to include reporting on all youth in care disaggregated by age. Int. 1197-A would take effect immediately.

**Int. No. 1199-A - A Local Law to amend the administrative code of the city of New York, in relation to foster care experience surveys**

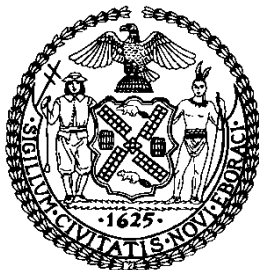
Int. No. 1199-A would require ACS to provide to all youth in foster care ages 13 and older an annual survey regarding their experiences in foster care. For youth residing with foster parents, the surveys would be administered in a location other than the foster parent's home, unless it was provided online or in a mobile application. The surveys would question about youth's experiences in topic areas including access to food and clothing; religious practices; relationships with foster families, biological families and friends; personal allowances; education and extracurricular activities; internet and phone access. The bill would also require ACS to aggregate the data from the surveys and report it to the City Council and post it on their website on an annual basis.

After introduction, Int. 1199-A was amended to include all youth in foster care, not just youth who were placed with a foster parent. Int. 1199-A was also amended to require that certain topic areas be addressed in the surveys and not require the specific phrasing of survey questions in order to allow ACS to utilize experts to develop the questions. Int. 1199-A was amended to require that ACS begin to administer the surveys within one year of the effective date of the local law, in order to provide ACS with a sufficient period of time to develop the survey. Int. 1199-A was amended to require ACS to report to the Council within 120 days a report for its plan for the implementation of the survey. Int. 1199-A would take effect immediately.

**Int. No. 1205-A - A Local Law to amend the administrative code of the city of New York, in relation to high school graduation rates of youth in foster care**

Int. No. 1205-A would amend Local Law 49 of 2014 which requires ACS to report on high school graduation rates of youth in foster care. The bill would make technical amendments to age disaggregation categories in the Local Law by changing the age breakdown of the total number of youth in care and the number of youth enrolled in high school from under 16 to the age range 13-15 in order to have a more accurate reflection of youth who should be enrolled in high school based on their age. The bill would also amend Local Law 49 to add the number of youth in foster care who are on track to graduate high school in five years. After introduction, Int. 1205-A was amended to change the reporting metric for youth who are on track to graduate from four to five years, in order to comply with the way the Department of Education currently tracks whether students are on track to graduate. Int. 1205-A was also amended to mandate that any required reports to remain permanently accessible on ACS' website. Int. 1205-A would take effect immediately.

**(The following is the text of the Fiscal Impact Statement for Int No. 1187-A:)**



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

**PROPOSED INTRO. NO: 1187-A**

**COMMITTEE: General Welfare**

**TITLE:** To amend the administrative code of the city of New York, in relation to a report on obtaining government-issued identification for youth

**SPONSORS:** By Council Members Dromm, Salamanca, Levin, Eugene, Richards, Chin, Grodenchik, Miller, Johnson, Cohen, and Mendez

**SUMMARY OF LEGISLATION:** Proposed Intro. 1187-A would require the Administration for Children’s Services (ACS) to report on additional data points in its annual report related to the possession of government-issued identification by youth currently in foster care and who have recently aged out of care. The legislation would also require ACS to make all such annual reports permanently available on its website.

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

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

**FISCAL IMPACT STATEMENT:**

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** There would be no impact on revenues resulting from this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because ACS will be able to use existing resources to conduct the reporting required under this legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Dohini Sompura, Unit Head

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Regina Poreda Ryan, Deputy Director

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on May 25, 2016 as Intro. No. 1187 and referred to the Committee on General Welfare. The Committee on General Welfare considered the legislation at a hearing held on June 16, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1187-A, will be voted on by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. No. 1187-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 20, 2016

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

**(The following is the text of Int No. 1187-A)**

Int. No. 1187-A

By Council Member Dromm, Salamanca, Levin, Eugene, Richards, Chin, Grodenchik, Miller, Johnson, Cohen, Mendez, Menchaca, Lander, Van Bramer, Rosenthal and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to a report on obtaining government-issued identification for youth**

*Be it enacted by the Council as follows:*

Section 1. Subdivision b of section 21-908 of the administrative code of the city of New York, as added by local law number 48 for the year 2014, is amended to read as follows:

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

1. the number of youth in foster care who are aged seventeen or older; and the *total* number of youth in foster care who are aged seventeen or older and have a form of government-issued personal identification, disaggregated by birth certificate, social security card, state-issued identification, municipal identification, passport or other form of government-issued personal identification, *the number of such youth who only possess one form of government-issued personal identification, disaggregated by the type of identification* and the number of youth in foster care who obtained such identification with assistance from ACS; provided, however, that the information relating to municipal identification, passports or other forms of government-issued personal identification required by this paragraph shall be included in such report only upon required New York state approval of changes to the Discharge Checklist and PYA Checklist in a manner that reasonably allows for the collection of such information beginning with the report for the second calendar year following such approval;

2. *the number of youth in foster care who were discharged with an APPLA goal; and the total number of youth with an APPLA goal who were in possession of a birth certificate, social security card, state-issued identification, municipal identification or passport at the time of discharge from foster care, disaggregated by the type of identification and the number of such youth who only possess one form of government-issued personal identification at the point of discharge, disaggregated by the type of identification*; provided, however, that the information relating to municipal identification and passports required by this paragraph shall be included in such report only upon required New York state approval of changes to the Discharge Checklist and PYA Checklist in a manner that reasonably allows for the collection of such information beginning with the report for the second calendar year following such approval; and

3. a description of the actions ACS has taken in the prior calendar year to assist youth in foster care in obtaining the kinds of government-issued personal identification described in the report required by this subdivision. *The reports required pursuant to this section shall remain permanently accessible on ACS' website.*

§ 2. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, FERNANDO CABRERA, VANESSA L. GIBSON, COREY D. JOHNSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 26, 2016. *Other Council Members Attending: Council Member Dromm*

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

Report for Int No. 1190-A

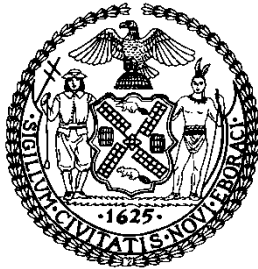
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a report on the educational continuity of children in foster care.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 25, 2016 (Minutes, page 1477), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Fire and Criminal Justice Services for Int No. 1187-A printed in the Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 1190-A:*



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

**PROPOSED INTRO. NO: 1190-A**

**COMMITTEE: General Welfare**

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**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to a report on the educational continuity of children in foster care.

**SPONSORS:** Council Members Levin, Dickens, Dromm, Salamanca, Eugene, Richards, Chin, Grodenchik, Miller, Johnson and Cohen

**SUMMARY OF LEGISLATION:** Proposed Intro. 1190-A would require the Administration for Children’s Services (ACS) to submit to the Speaker of the Council and post on its website annual reports on the educational stability rates for children in foster care.

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

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

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY 17</b>	<b>FY Succeeding Effective FY 18</b>	<b>Full Fiscal Impact FY 18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures as a result of this legislation because it is anticipated that the administrative requirements proposed under this bill can be implemented by existing personnel and resources at the Administration for Children’s Services.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Jin Lee, Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Regina Poreda Ryan, Deputy Director

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on May 25, 2016 as Intro. 1190 and was referred to the Committee on General Welfare. The Committee held a hearing on June 16, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. 1190-A will be considered by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. 1190-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 20, 2016

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

**(The following is the text of Int No. 1190-A:)**

Int. No. 1190-A

By Council Members Levin, Dickens, Dromm, Salamanca, Eugene, Richards, Chin, Grodenchik, Miller, Johnson, Cohen, Mendez, Menchaca, Lander, Van Bramer, Rosenthal and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to a report on the educational continuity of children in foster care**

*Be it enacted by the Council as follows:*

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-907.1 to read as follows:

§ 21-907.1 *Educational continuity of children in foster care. a. For the purposes of this section, the term "school of origin" means the school that a child or youth attended at the time of their entry into foster care or prior to transferring foster care placements.*

*b. Not later than February 1, 2017, and on or before December 1 annually thereafter, ACS shall submit to the speaker of the council and post on its website annual reports regarding the educational continuity of children in foster care. Such reports shall include the following information:*

*1. Of the children who entered foster care during the school year, the number and percentage who remained in their school of origin 90 days after the child's initial entry into foster care;*

*2. Of the children who entered foster care during the school year, the number and percentage who remained in their school of origin 90 days after transferring to a new foster care placement;*

*3. Of the children who entered foster care during the school year, the number and percentage who did not return to their school of origin upon initial entry into foster care;*

*4. Of the children who transferred foster care placements during the school year, the number and percentage who did not return to their school of origin after transferring to a new foster care placement; and*

*5. The average school attendance rates of children in foster care disaggregated by the following percentages: less than 50 percent, 50-59 percent, 60-69 percent, 70-79 percent, 80-89 percent and 90 percent or more, disaggregated by age as follows: 5-10; 11-15; 16-21.*

*c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between 1 and 5 youth in foster care, or allows another category to be narrowed to between 1 and 5 youth in foster care, the number shall be replaced with a symbol. The reports required pursuant to this section shall remain*

*permanently accessible on ACS' website.*

§ 2. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, FERNANDO CABRERA, VANESSA L. GIBSON, COREY D. JOHNSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 26, 2016. *Other Council Members Attending: Council Member Dromm*

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

Report for Int No. 1191-A

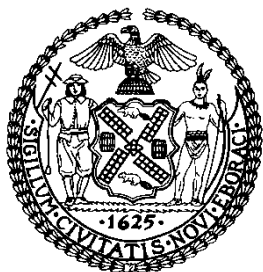
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a five-year plan to address barriers to permanency.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 25, 2016 (Minutes, page 1478), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on General Welfare for Int No. 1187-A printed in the Minutes)**

*The following is the text of the Fiscal Impact Statement for Int No. 1191-A:*



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

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 1191-A  
COMMITTEE: General Welfare**

**TITLE:** A local law to amend the administration code of the city of New York, in relation to a five-year plan to address barriers to permanency.

**SPONSORS:** Council Members Levin, Grodenchik, Dromm, Salamanca, Eugene, Richards, Chin, Miller, Johnson and Cohen.

**SUMMARY OF LEGISLATION:** Proposed Intro. 1191-A would require the Administration for Children's Services (ACS) to submit to the Speaker of the Council and post on its website a five-year plan to address barriers to permanency for youth in foster care by December 31, 2017. The plan would include a case study of a statistically significant sample of youth who have spent at least two years in foster care and an analysis of how ACS plans to address systemic barriers to permanency identified during the case study. ACS would be

required to review and update the plan annually and, in the fifth year of the plan, to create a new five-year plan that would cover the subsequent five years.

**EFFECTIVE DATE:** This legislation would take effect immediately and would be deemed repealed 15 years after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY 17</b>	<b>FY Succeeding Effective FY 18</b>	<b>Full Fiscal Impact FY 18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is estimated that this legislation would have no impact expenditures. ACS reported that it is capable of completing the work internally and existing resources would be used to develop, revisit, and revise the resulting plan.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Administration for Children’s Services

**ESTIMATE PREPARED BY:** Brittany Morrissey, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Dohini Sompura, Unit Head, NYC Council Finance Division  
Rebecca Chasan, Counsel, NYC Council Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on May 25, 2016 as Intro. 1191 and was referred to the Committee on General Welfare. The Committee on General Welfare held a hearing on June 16, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 1191-A, will be considered by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. No. 1191-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 21, 2016

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

**(The following is the text of Int No. 1191-A:)**

Int. No. 1191-A

By Council Members Levin, Grodenchik, Dromm, Salamanca, Eugene, Richards, Chin, Miller, Johnson, Cohen, Menchaca, Lander, Van Bramer, Rosenthal and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to a five-year plan to address barriers to permanency**

*Be it enacted by the Council as follows:*

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-909 to read as follows:

§ 21-909 *Five-year plan to address barriers to permanency. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:*

*Another planned permanent living arrangement (APPLA). The term “another planned permanent living arrangement (APPLA)” means a permanency planning goal to assist foster care youth in their transition to self-sufficiency by connecting the youth to an adult permanency resource, equipping the youth with life skills and, upon discharge, connecting the youth with any needed community and/or specialized services.*

*Kinship guardianship assistance program (KinGAP). The term “kinship guardianship assistance program (KinGAP)” means the permanency and discharge outcome for children for whom a relative has become the legal guardian via court order and whereby the relative and ACS has entered into a final KinGAP agreement for a subsidy pursuant to the Kinship Guardianship Assistance Program.*

*b. By December 31, 2017, ACS shall submit to the speaker of the council and post on its website a five-year plan to address barriers to permanency for youth in foster care. Such plan shall include, but not be limited to, the following information:*

*1. A case study of a statistically significant sample of children who have spent at least two years in foster care, but no less than 5% of the total foster care population, including but not limited to the following aggregated information:*

*(a) Age, gender, race/ethnicity, and, if available, sexual orientation;*

*(b) Permanency plan, including reunification, adoption, KinGAP, APPLA, or other.*

*(c) The number of months in care; and*

*(d) Barriers to permanency, including but not limited to parental homelessness, parental relapse, parental childcare needs, education issues, family court delays, lack of permanency resources, juvenile incarceration, college enrollment, and any other barrier as determined by ACS.*

*2. An analysis of how ACS plans to address the systemic barriers to permanency identified during the case study required pursuant to paragraph 1.*

*c. The five-year plan shall be reviewed and updated by ACS annually and the updated version shall be submitted to the speaker of the council and posted online one year following the submission of the initial five-year report and annually on such date thereafter.*

*d. In the fifth year covered by each such five-year plan, ACS shall submit to the speaker of the council and post on its website a new five-year plan to address barriers to permanency for the next succeeding five-year period not later than six months prior to the last day of such fifth year. The previous five-year report shall remain on ACS' website when the new report is added.*

*e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between 1 and 5 youth in foster care, or allows another category to be narrowed to between 1 and 5 youth in foster care, the number shall be replaced with a symbol.*

§ 2. This local law takes effect immediately and is deemed repealed 15 years after it becomes law.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, FERNANDO CABRERA, VANESSA L. GIBSON, COREY D. JOHNSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 26, 2016. *Other Council Members Attending: Council Member Dromm*

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



## Report for Int No. 1192-A

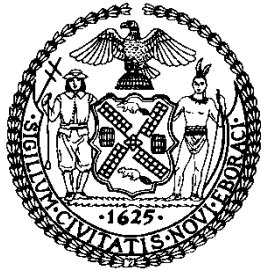
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law in relation to a foster care task force.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 25, 2016 (Minutes, page 1479), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on General Welfare for Int No. 1187-A printed in the Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 1192-A:*



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

**PROPOSED INTRO. NO: 1192-A**

**COMMITTEE: General Welfare**

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**TITLE:** A local law in relation to a foster care task force

**SPONSORS:** By Council Members Levin, Richards, Dickens, Dromm, Salamanca, Eugene, Chin, Grodenchik, Miller, Johnson, and Cohen

**SUMMARY OF LEGISLATION:** Proposed Intro. 1192-A would require the creation of a temporary interagency task force to issue recommendations for improving services for youth in foster care and outcomes for youth aging out of foster care. The task force would consist of the heads of the Administration of Children's Services (ACS), the Department of Social Services (DSS), the Department of Education (DOE), the Department of Youth and Community Development (DYCD), the Department of Health and Mental Hygiene (DOHMH), and the New York City Housing Authority (NYCHA) or their designees; the Speaker of the City Council, or his or her designee; and the Public Advocate, or his or her designee. In addition, the Mayor and the Speaker of the City Council would each appoint six members to the task force who represent foster care providers, relevant advocacy organizations, youth currently in foster care and have recently aged out of foster care, and a parent of a child who has spent time in the child welfare system. All task force members would serve without compensation.

The task force would issue recommendations, and two annual reports on the implementation of such recommendations, for improving services for youth in foster care.

**EFFECTIVE DATE:** This local law would take effect immediately and would expire and be deemed repealed three years after the date of the local law that added this section.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** There would be no impact on revenues resulting from this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources within all impacted agencies can be used to implement the requirements of the legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Dohini Sompura, Unit Head

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Regina Poreda Ryan, Deputy Director

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on May 25, 2016 as Intro. No. 1192 and referred to the Committee on General Welfare. The Committee on General Welfare considered the legislation at a hearing held on June 16, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1192-A, will be voted on by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. No. 1192-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 20, 2016

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

**(The following is the text of Int No. 1192-A:)**

Int. No. 1192-A

By Council Members Levin, Richards, Dickens, Dromm, Salamanca, Eugene, Chin, Grodenchik, Miller, Johnson, Cohen, Menchaca, Lander, Van Bramer, Rosenthal and Kallos.

**A Local Law in relation to a foster care task force**

*Be it enacted by the Council as follows:*

Section 1. a. There shall be an interagency task force to issue recommendations for improving services for youth in foster care and outcomes for youth aging out of foster care.

b. The task force shall consist of 21 members which shall be:

1. the commissioner of children’s services, or their designee, who shall serve as chair;

2. the commissioner of the department of social services, or their designee;
3. the chancellor of the city school district, or their designee;
4. the commissioner of youth and community development, or their designee;
5. the commissioner of health and mental hygiene, or their designee;
6. the chairperson of the New York city housing authority, or their designee;
7. six members appointed by the mayor, including one member who shall represent foster care service providers, one member who shall represent advocacy organizations with relevant expertise, one youth currently in foster care and two youth who have aged out of the system in the previous 48 months, and one member who shall be a birth parent of a child who has spent a period of time in the child welfare system;
8. six members appointed by the speaker of the city council, including one member who shall represent foster care service providers, one member who shall represent advocacy organizations with relevant expertise, one youth currently in foster care and two youth who have aged out of the system in the previous 48 months, and one member who shall be a birth parent of a child who has spent a period of time in the child welfare system;
9. the speaker of the city council, or their designee, and the chairperson of the council committee on general welfare, or their designee; and
10. the public advocate, or their designee.

c. All members shall be appointed within 60 days of the enactment of this local law. All members of such task force shall serve without additional compensation. No member of the task force shall be removed except for cause and upon notice and hearing by the appropriate appointing official. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment.

d. Such task force shall submit a report of its findings and recommendations to the mayor and the council no later than 14 months after the effective date of the local law that added this section. Such recommendations shall address areas including, but not limited to education, housing, financial literacy, health and mental health services, parenting, decreasing the number of youth who age out of foster care, post-permanency services, and prioritizing permanent placements of youth with families before they age out. Annual reports on the implementation of such recommendations shall be submitted to the mayor and the council no later than 12 and 24 months following the submission of the initial report, after which the task force will cease to exist. Each report required pursuant to this section shall be posted on the administration for children's services' website.

§ 2. This local law takes effect immediately and is expired and deemed repealed three years after the date of the local law that added this section.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, FERNANDO CABRERA, VANESSA L. GIBSON, COREY D. JOHNSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 26, 2016. *Other Council Members Attending: Council Member Dromm*

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

Report for Int 1197-A

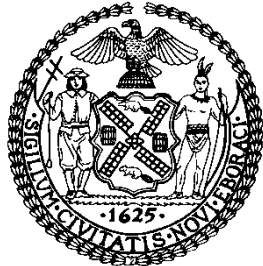
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to information collected and reported about youth and foster care**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 25, 2016 (Minutes, page 1484), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on General Welfare for Int No. 1187-A printed in the Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 1197-A:



THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT  
PROPOSED INTRO. NO: 1197-A

COMMITTEE: General Welfare

**TITLE:** A local law to amend the administration code of the city of New York, in relation to information collected and reported about youth and foster care.

**SPONSORS:** The Public Advocate (Ms. James) and Council Members Ferreras-Copeland, Levin, Dromm, Salamanca, Eugene, Richards, Chin, Grodenchik, Miller, Johnson and Cohen.

**SUMMARY OF LEGISLATION:** Proposed Intro. 1197-A would modify the reporting criteria in Local Law 46 of 2014 related to the Administration for Children’s Services (ACS) reports on youth in foster care and youth who have recently aged out of foster care. The bill would expand certain age disaggregation reporting, make technical amendments, and require ACS to make all reports required under the legislation permanently available on its website. In addition, it would require that the Commissioner of ACS, in consultation with the Commissioner of the Department of Homeless Services (DHS) and the Department of Social Services (DSS), establish a procedure for determining how many youth who were discharged from foster care entered a DHS or DSS operated or contracted shelter within 30 days, 90 days, 180 days, and 1 year of their discharge, as well as a procedure to determine how many discharged youth received cash assistance, supplemental nutrition assistance benefits, and Medicaid.

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

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

**FISCAL IMPACT STATEMENT:**

	Effective FY 17	FY Succeeding Effective FY 18	Full Fiscal Impact FY 18
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources would be used to implement the requirements of the legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Brittany Morrissey, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Dohini Sompura, Unit Head, NYC Council Finance Division  
Rebecca Chasan, Counsel, NYC Council Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on May 25, 2016 as Intro. 1197 and was referred to the Committee on General Welfare. The Committee on General Welfare held a hearing on June 16, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 1197-A, will be considered by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. No. 1197-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 21, 2016

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

**(The following is the text of Int No. 1197-A:)**

Int. No. 1197-A

By the Public Advocate (Ms. James) and Council Members Ferreras-Copeland, Levin, Dromm, Salamanca, Eugene, Richards, Chin, Grodenchik, Miller, Johnson, Cohen, Menchaca, Lander, Van Bramer, Rosenthal and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to information collected and reported about youth and foster care**

*Be it enacted by the Council as follows:*

Section 1. Section 21-902.1 of the administrative code of the city of New York, as added by local law number 46 for the year 2014, is amended to read as follows:

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

[1.] *Absent without leave.* The term “[Absent Without Leave (AWOL)] *absent without leave*” means a child who has been placed by an authorized agency in foster care in a certified foster boarding home, an approved relative foster home, or a licensed foster care facility, and who is absent without the consent of the person(s) or facility in whose care the child has been placed or the consent of the case planner/caseworker at the facility in whose care the child has been placed *for a minimum of three days.*

[2. “ACS” means the Administration for Children’s Services or its successor agency.]

[3.] *ACS Housing subsidy.* The term “ACS [Housing Subsidy] *housing subsidy*” means [two “one-shot” payments of up to \$1,800 each and a monthly rental assistance of up to \$300. The subsidy (including the two one-shots), may last for up to three years or \$10,800 whichever comes first. One Special Grant (One Shot) of up to \$1,800 is allocated to pay rent arrears or mortgage arrears only. One Special Grant (One Shot) of up to \$1,800 is allocated for costs associated with securing an apartment, exterminator fees and for foster care cases only to purchase needed essential furniture] *the rent subsidies or assistance provided pursuant to section 409-a of the social services law.*

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

[5.] *Adult residential care.* The term “[Adult] *adult residential care*” means an adult-care facility contracted by the [Office for Persons with Developmental Disabilities (OPWDD)] *office for persons with*

*developmental disabilities* or the [Office of Mental Health (OMH)] *office of mental health* established and operated for the purposes of providing long-term residential care, room, board, housekeeping, case management, activities and supervision of five or more adults, unrelated to the operator, who are unable or substantially unable to live independently.

[6.] *Age out.* The term “[Age] age out” means the discharge of a [21-year-old person from foster care other than to family reunification, adoption, guardianship, custody or permanent placement with a fit and willing relative] *person aged 18 years or older who has been discharged from care to self or adulthood attained.*

[7.] *Another planned permanent living arrangement (APPLA).* The term “[Another Planned Permanent Living Arrangement] *another planned permanent living arrangement (APPLA)*” means a permanency planning goal to assist foster care youth in their transition to self-sufficiency by connecting the youth to an adult permanency resource, equipping the youth with life skills and, upon discharge, connecting the youth with any needed community and/or specialized services.

[8.] *Concurrent plan.* The term *concurrent plan* “[Concurrent] *concurrent plan*” means a plan to help a child in foster care find a permanent, stable home that is being pursued as an alternative to, and simultaneously with, his or her primary plan to find a permanent, stable home.

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

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

*Exception to policy.* The term “*exception to policy*” means an approval from ACS for a foster care youth to remain living in their foster care placement.

[11.] *Foster care youth.* The term “[Foster Care Youth] *foster care youth*” means a [young] person who was placed in an out-of-home placement with the [New York City Administration for Children’s Services] ACS after the filing of a petition in family court pursuant to [Articles] *articles* 3, 7, 10, 10a, 10b or 10c of the [Family Court Act] *family court act* or [Social Services Law] *social services law* [section] *sections* 358a or 384b.

[12.] *Housing assistance.* The term “[Housing] *housing assistance*” means any form of help designed to assist youth with finding and maintaining a place of residence including but not limited to ACS [Housing Subsidy] *housing subsidy*, rental assistance received from any other city agency, supportive housing, or any other assistance sufficient to obtain adequate housing, *including exception to policy.*

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

[14.] *Kinship guardians assistance program (KinGAP).* The term “[Kinship Guardianship Assistance Program] *kinship guardianship assistance program (KinGAP)*” means the permanency outcome for children in foster care who have been cared for by a relative for six consecutive months and for whom it has been determined that returning home or adoption are not viable options.

[15.] *Permanent connection to a caring adult.* The term “[Permanent Connection to a Caring Adult] *permanent connection to a caring adult*” means finding an adult who is committed to providing support, advice and guidance to the youth and to assist the youth as the youth makes the transition from foster care to responsible adulthood.

[16.] *Permanency planning goal.* The term “[Permanency Planning Goal (Goal)] *permanency planning goal*” means the goal for child permanency as designated in the child’s family assessment and service plan and approved by the family court.

[17.] *Special immigrant juvenile status (SIJS).* The term “[Special] *special immigrant juvenile status (SIJS)*” means legal immigration status that can be awarded by [USCIS] *United States citizenship and immigration services* to undocumented immigrant children, for whom family reunification with one or both

parents is not a viable option and who have been found dependent upon the juvenile court, and that allows a child to apply for lawful permanent residency.

[18.] *Supportive housing*. The term “[Supportive] *supportive housing*” means housing that is for people with mental health needs or other special needs.

[19.] *Test assessing secondary completion (TASC)*. The term “[Test Assessing Secondary Completion] *test assessing secondary completion (TASC)*” means the New York state high school equivalency test which replaced the [General Education Development (GED)] *general education development examination* as the primary pathway to a New York state high school equivalency diploma.

[20.] *Trial discharge*. The term “[Trial] *trial discharge*” means that a child in foster care is no longer in the physical care of the social services district but remains in the legal custody of the social services district.

[21.] *Vocational training*. The term “[Vocational] *vocational training*” means instructional programs, including but not limited to marketable skills or trade or formal on-the-job training.

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

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

i. number *and percentage* of youth who have been adopted, disaggregated by age from 0 to 21 *and over 21*;

ii. number *and percentage* of youth who have been reunified with family, disaggregated by age from 0 to 21 *and over 21*;

iii. number *and percentage* of youth who are placed with family through KinGAP, disaggregated by age from 0 to 21 *and over 21*;

iv. number *and percentage* of youth who have aged out of care, disaggregated by age from 18 to 21, *and over 21*;

v. number *and percentage* of youth who left foster care with any other discharge outcome, including discharges to psychiatric institutions, correctional facilities, or unspecified destinations, disaggregated by age from 0 to 21 *and over 21*;

vi. number *and percentage* of youth who did not consent to remain in foster care past age 18 and for whom the court approved a discharge from foster care, disaggregated by age from 18 to 20; provided, however, that this information shall be included in such report only upon required New York state approval of the necessary changes to the [Discharge Checklist] *discharge checklist*, beginning with the report for the second calendar year following such approval;

[v. number of youth who aged out at 21;]

[vi.] vii. number *and percentage* of youth for whom an [ACS] [Exception to Policy] *exception to policy* to remain in foster care after age 21 was requested;

[vii.] viii. number *and percentage* of youth who remained in foster care after age 21 under an [ACS] [Exception to Policy] *exception to policy*;

[viii.] ix. number *and percentage* of youth who requested to return to foster care after not consenting to remain in care after age 18;

[ix.] x. number *and percentage* of youth who returned to foster care after not consenting to remain in care after age 18.

xi. the number *and percentage* of youth who were absent without leave from foster care *at discharge*, disaggregated by age from 0 to 21, *and over 21*.

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

i. the total number of youth in care disaggregated by age from 0 to 21 *and over 21*, and the number *and percentage* of youth who have a permanency planning goal of APPLA, including those who have concurrent plans, disaggregated by age as follows: 14-15; 16-17; 18-19; 20-21; over 21;

ii. number *and percentage* of youth for whom ACS paid an independent living stipend;

- iii number *and percentage* of youth who receive vocational training, disaggregated by age as follows: [17-19; 20-21; over 21] *14-15; 16-17; 18-19; 20-21; over 21*;
- iv. number *and percentage* of youth who may be eligible to petition for SIJS or other immigration relief, disaggregated by age as follows: [14-18; 19-21] *14-15; 16-17; 18-19; 20-21; over 21*;
- v. number *and percentage* of youth who have SIJS applications or other immigration applications pending, disaggregated by age as follows: 0-3; 4-6; 7-9; 10-12; 13-15; 16-18; 19-21;
- vi. number *and percentage* of youth who have a permanent connection to a caring adult;
- vii. number *and percentage* of youth who applied for housing assistance, disaggregated by the type of assistance as follows:
  - (a) NYCHA public housing;
  - (b) section 8 voucher;
  - (c) supportive housing;
  - (d) adult residential care;
  - (e) ACS housing subsidy;
  - (f) [to the extent it is available,] any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized;
- viii. number *and percentage* of youth who have been found eligible for housing assistance, disaggregated by the type of assistance as follows:
  - (a) NYCHA public housing;
  - (b) section 8 voucher;
  - (c) supportive housing;
  - (d) adult residential care;
  - (e) ACS housing subsidy;
  - (f) [to the extent it is available,] any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized;
- ix. number *and percentage* of youth who have been found ineligible for housing assistance, disaggregated by the type of assistances as follows:
  - (a) NYCHA public housing;
  - (b) section 8 voucher;
  - (c) supportive housing;
  - (d) adult residential care;
  - (e) ACS housing subsidy;
  - (f) [to the extent it is available,] any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized;
- x. number *and percentage* of youth who are currently enrolled in high school, disaggregated by social education status and by age as follows: [under 16; 16-18; over 18] *14-15; 16-17; 18-19; 20-21; over 21*;
- xi. number *and percentage* of youth who are currently enrolled in a New York city department of education approved [High School Equivalency] *high school equivalency* program, disaggregated by age as follows: [16-18; over 18] *14-15; 16-17; 18-19; 20-21; over 21*;
- xii. number *and percentage* of youth who are currently enrolled in colleges, disaggregated by age as follows: [18 and younger; 19-20; 21 and over] *under 18; 18-19; 20-21; over 21*;
- xiii. number *and percentage* of youth who are not enrolled in high school, a New York city department of education approved *high school equivalency program, college or a vocational training program*, disaggregated by age as follows: *14-15; 16-17; 18-19; 20-21; over 21*;
- xiv. number *and percentage* of youth who were absent without leave from foster care, *disaggregated by age from 0 to 21, and over 21*.

3. Youth [Who Left Foster Care Who Were Discharged] *who left foster care who were discharged* to APPLA. The following information regarding youth who aged out of foster care, shall be included in the annual report:

- i. number *and percentage* of youth who were on trial discharge status;
- ii. number *and percentage* of youth who received housing assistance, broken down by the type of assistance as follows:
  - (a) NYCHA public housing;



- (b) section 8 voucher;
- (c) [supported or] supportive housing;
- (d) adult residential care;
- (e) ACS housing subsidy;

(f) [to the extent it is available,] any other type of housing assistance, whether private, federal, state or city-subsidized or operated, including information specifying the specific subsidies or resources utilized; provided, however, that the information required by this subparagraph shall be included in such report only upon required New York state approval of the necessary changes to the [Discharge Checklist] *discharge checklist*, beginning with the report for the second calendar year following such approval;

iii. number *and percentage* of young people who left foster care to alternative safe and stable housing, including but not limited to an apartment or other place of residence shared with friends or family members, or remained in the home of their foster families; provided, however, that this information shall be included in such report only upon required New York state approval of the necessary changes to the [Discharge Checklist] *discharge checklist*, beginning with the report for the second calendar year following such approval;

iv. number *and percentage* of youth who completed high school, disaggregated by the type of diploma or credential certification received;

v. number *and percentage* of youth who passed the TASC high school equivalency test;

vi. number *and percentage* of youth who obtained an [ETV] *education and training voucher*;

vii. number *and percentage* of youth who are enrolled in college;

viii. number *and percentage* of youth who were enrolled in a vocational/trade program at the time of discharge;

ix. number *and percentage* of youth who obtained a college diploma, disaggregated by the type of diploma received; provided, however, that this information shall be included in such report only upon required New York state approval of the necessary changes to the [Discharge Checklist] *discharge checklist*, beginning with the report for the second calendar year following such approval;

x. number *and percentage* of youth who have a verifiable source of income;

xi. number *and percentage* of youth who obtained SIJS;

xii. number *and percentage* of youth who obtained lawful permanent resident status;

xiii. number *and percentage* of young people who were parents at the time of their discharge from foster care;

xiv. number *and percentage* of youth who had a permanent connection to a caring adult at the time of their discharge from foster care;

xv. number *and percentage* of youth who were discharged as [AWOL] *absent without leave* at the time of their discharge from foster care.

§ 2. Subdivision c of section 21-902.1 of the administrative code of the city of New York is amended to read as follows:

c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between [0 and 9] 1 and 5 youth in foster care, or allows another category to be narrowed to between [0 and 9] *1 and 5* youth in foster care, the number shall be replaced with a symbol. *The reports required pursuant to this section shall remain permanently accessible on ACS' website.*

d. *The commissioner, in consultation with the commissioner of social services and the commissioner of homeless services, shall establish a procedure to determine how many youth who were discharged from foster care entered a shelter operated by or under contract or similar agreement with the department of homeless services or the department of social services. The following information regarding youth who were discharged from foster care during the calendar year prior to the year covered by the report required pursuant to this section who entered such shelters shall be included such report, disaggregated as follows: number and percentage who entered within 30 days of their discharge from foster care; number and percentage who entered within 90 days of their discharge from foster care; number and percentage who entered within 180 days of their discharge from foster care; number and percentage who entered within 1 year of their discharge*

from foster care. Such data shall be disaggregated by youth who entered shelters for single adults and shelters for families with children. For the purposes of this subdivision, "entering the homeless shelter system" shall include seeking and being found eligible for shelter at any intake facility operated by or under contract or similar agreement with the department of homeless services or the department of social services.

e. The commissioner, in consultation with the commissioner of social services, shall establish a procedure to determine how many youth who were discharged from foster care received cash assistance, supplemental nutrition assistance benefits, and/or medicaid. The following information regarding youth who were discharged from foster care during the calendar year prior to the year covered by the report required pursuant to this section who received such benefits shall be included in such report, disaggregated as follows: number and percentage who received cash assistance within 30 days of their discharge from foster care; number and percentage who received supplemental nutrition assistance benefits within 30 days of their discharge from foster care; number and percentage who received cash assistance within 60 days of their discharge from foster care; number and percentage who received supplemental nutrition assistance benefits within 60 days of their discharge from foster care; number and percentage who received cash assistance within 180 days of their discharge from foster care; number and percentage who received supplemental nutrition assistance benefits within 180 days of their discharge from foster care; and the number and percentage of youth who were discharged from foster care with a goal of APPLA were successfully transitioned to medicaid without any gap in coverage.

§ 3. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, FERNANDO CABRERA, VANESSA L. GIBSON, COREY D. JOHNSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 26, 2016. *Other Council Members Attending: Council Member Dromm*

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

Report for 1199-A

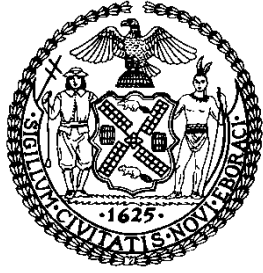
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to foster care experience surveys**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 25, 2016 (Minutes, page 1487), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on General Welfare for Int No. 1187-A printed in the Minutes)**

*The following is the text of the Fiscal Impact Statement for Int No. 1199-A:*



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT  
PROPOSED INTRO. NO: 1199-A  
COMMITTEE: General Welfare**

**TITLE:** A local law to amend the administration code of the city of New York, in relation to foster care experience surveys.

**SPONSORS:** Council Members Richards, Levin, Eugene, Dromm, Salamanca, Chin, Grodenchik, Miller, Johnson and Cohen.

**SUMMARY OF LEGISLATION:** Proposed Intro. 1199-A would require the Administration for Children’s Services (ACS) to provide an annual survey to all youth in foster care ages 13 and older regarding their experiences in foster care. ACS would administer the surveys in a location other than the foster parent’s home, online, or through a mobile application. The surveys would include questions regarding access to food and clothing, religious practices, relationships with foster families, biological families and friends, personal allowances, education and extracurricular activities, and internet and phone access.

ACS would also be required to provide to the Council and post on its website an annual report containing aggregate data from the surveys and detailing any steps it has taken in response to the information obtained from the surveys. Lastly, ACS would be required to submit a report on its plan for the implementation of the survey to the Speaker no later than 120 days after the effective date of the local law.

**EFFECTIVE DATE:** The legislation would take effect immediately, and the first survey would be administration one year after the effective date of the local law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY 17</b>	<b>FY Succeeding Effective FY 18</b>	<b>Full Fiscal Impact FY 18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** In order to comply with Proposed Intro. 1199-A, ACS would have to develop a survey tool and mechanism for administering a survey. This would be a one-time expense. It is estimated that ACS has sufficient resources to both develop and implement the survey. Existing resources would be used to administer the survey, as well as to prepare and issue the progress reports.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

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

**ESTIMATE PREPARED BY:** Brittany Morrissey, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Dohini Sompura, Unit Head, NYC Council Finance Division  
Rebecca Chasan, Counsel, NYC Council Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on May 25, 2016 as Intro. 1199 and was referred to the Committee on General Welfare. The Committee on General Welfare held a hearing on June 16, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 1199-A, will be considered by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. No. 1199-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 21, 2016

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

**(The following is the text of Int No. 1199-A:)**

Int. No. 1199-A

By Council Member Richards, Levin, Eugene, Dromm, Salamanca, Chin, Grodenchik, Miller, Johnson, Cohen, Menchaca, Lander and Van Bramer

**A Local Law to amend the administrative code of the city of New York, in relation to foster care experience surveys**

*Be it enacted by the Council as follows:*

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-910 to read as follows:

§ 21-910 *Foster care experience surveys.* a. Commencing one year after the effective date of the local law that added this section, ACS shall provide to all youth in foster care ages 13 and older an annual survey regarding such youth's experiences with each foster care placement where the youth resided that year. For youth placed with foster parents, such surveys shall be administered in a location other than the foster parent's home, or administered online or through a mobile application. ACS shall explain the purpose of such survey to youth and shall not attribute survey responses to youth without their consent. In addition to questions, such survey shall provide space for such youth to provide ACS with any additional information they wish to share.

b. Such survey shall include but not be limited to questions addressing the following topic areas: access to food and clothing; religious practices; relationships with foster families, biological families and friends; personal allowances; education and extracurricular activities; and internet and phone access.

c. No later than six months following the first administration of the survey, and annually thereafter, ACS shall submit to the speaker of the council and post on its website aggregated data from the surveys required pursuant to this section and any steps ACS had taken in response to the information provided in such surveys.

d. Not later than 120 days after the effective date of the local law that added this section, ACS shall submit to the speaker of the council a report on its plan for the implementation of the survey required pursuant to this section.

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between 1 and 5 youth in foster care, or allows another category to be narrowed to between 1 and 5 youth in foster care, the number shall be replaced with a symbol.

§ 2. This local law takes effect immediately

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, FERNANDO CABRERA, VANESSA L. GIBSON, COREY D. JOHNSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 26, 2016. *Other Council Members Attending: Council Member Dromm*

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

Report for Int No. 1205-A

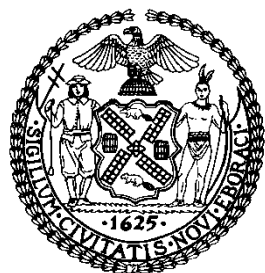
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to high school graduation rates of youth in foster care**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on June 8, 2016 (Minutes, page 1526), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on General Welfare for Int No. 1187-A printed in the Minutes)

*The following is the text of the Fiscal Impact Statement for Int No. 1205-A:*



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

**PROPOSED INTRO. NO: 1205-A**

**COMMITTEE: General Welfare**

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to high school graduation rates of youth in foster care.

**SPONSORS:** Council Members Cumbo, Richards, Levin, Eugene, Grodenchik, Chin, Miller, Johnson and Cohen

**SUMMARY OF LEGISLATION:** Proposed Intro. 1205-A would amend Local Law 49 of 2014, which requires the Administration for Children's Services (ACS) to produce an annual report on high school enrollment and graduation rates of youth in foster care. The proposed bill would modify age categories and require data indicating whether youth in foster care are on track to graduate high school in five years in the annual reports. In addition, the legislation would require the reports to be permanently available on ACS' website.

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

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY 17</b>	<b>FY Succeeding Effective FY 18</b>	<b>Full Fiscal Impact FY 18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures as a result of this legislation because ACS would use existing resources to comply with the requirements of the legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Jin Lee, Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Regina Poreda Ryan, Deputy Director

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on June 8, 2016 as Intro. 1205 and was referred to the Committee on General Welfare. The Committee held a hearing on June 16, 2016 and the bill was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. 1205-A will be considered by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. 1205-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 20, 2016

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

**(The following is the text of Int No. 11205-A:)**

Int. No. 1205-A

By Council Member Cumbo, Richards, Levin, Eugene, Grodenchik, Chin, Miller, Johnson, Cohen, Menchaca, Lander, Van Bramer, Rosenthal and Kallos

**A Local Law to amend the administrative code of the city of New York, in relation to high school graduation rates of youth in foster care**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 21-907 of the administrative code of the city of New York, as added by local law number 49 for the year 2014, is amended to read as follows:

§ 21-907 Graduation rates of foster care youth. a. Beginning no later than January 31, 2015, and no later than every January 31 thereafter, the commissioner shall submit to the speaker of the council and post on ACS'

website an annual report regarding the number of youth in foster care who were enrolled in and/or graduated from high school in the previous academic year as described by the department of education. Each such report shall disaggregate the data by gender and ethnicity, and include but not be limited to: (i) the total number of youth in foster care disaggregated by age, utilizing the following ranges: [under 16] 13-15 years old; 16-18 years old; and 19-21 years old; (ii) the number of youth in foster care enrolled in high school disaggregated by age, utilizing the following ranges: [under 16] 13-15 years old; 16-[19] 18 years old; and [20] 19-21 years old; (iii) the number of youth in foster care who, based on cohort and the number of high school credits they have obtained by August 31 of the year of such report, are on pace to graduate high school *and the number of such youth that are on pace to graduate high school in five years*, utilizing the following age ranges: [17-19] 14-15 years old; 16-18 years old; and 19-21 years old; and (iv) the number of youth in foster care who graduated from high school disaggregated by: (1) the age at which such students graduated; (2) the type of diploma or certification received; and (3) based on cohort, the number of years it took to complete high school. *The reports required pursuant to this section shall remain permanently accessible on ACS' website.*

b. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between [0 and 9] 1 and 5 youth in foster care, or allows another category to be narrowed to between [0 and 9] 1 and 5 youth in foster care, the number shall be replaced with a symbol.

§ 2. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, FERNANDO CABRERA, VANESSA L. GIBSON, COREY D. JOHNSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 26, 2016. *Other Council Members Attending: Council Member Dromm*

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

## Report of the Committee on Governmental Operations

Report for Int No. 464-A

### Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the department of correction promoting absentee voting among jailed individuals

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on August 21, 2014 (Minutes, page 3157), respectfully

#### REPORTS:

#### INTRODUCTION

On October 26, 2016, the Committee on Governmental Operations, chaired by Council Member Benjamin Kallos, will hold a hearing and vote on two bills and four resolutions: Proposed Int. No. 464-A, in relation to the department of correction promoting absentee voting among jailed individuals; Proposed Int. No. 796-A, in relation to requiring assistance if requested for individuals signing up to be organ donors as part of the agency-based voter registration program, Proposed Res. No. 232-A, calling upon the New York State Legislature to pass, and the Governor to sign into law, A.9108 and S.6452-A, which would amend the election law to consolidate New York's federal, state, and local primaries into one primary which would take place on the fourth Tuesday of June, Proposed Res. No. 281-A, calling upon the Mayor of the City of New York to create an annual Student Voter Registration Day, Res No. 695, calling upon the New York State Legislature to pass, and the Governor to sign, A2529/S857, allowing 16 and 17 year-olds to pre-register to vote, and Res. No. 870, calling on the New York State Legislature to pass and the Governor to sign A.7634, which would amend both the New York State Election Law and the Correction Law, in relation to voting by convicted felons. This will be the second hearing on the bills and resolution; the first hearing on the bills and Res. No. 695 was held on October 1, 2015 and the first hearing on the remaining resolutions was held on February 29, 2016.

#### BACKGROUND

Voting and voter engagement is essential to building and maintaining a strong democracy. Yet in the United States, only 36.4% of eligible voters cast a ballot in the 2014 midterm elections, the lowest rate since 1942.<sup>1</sup> In New York State, 29% of those eligible actually voted in the same elections, making it 49<sup>th</sup> in the nation for voter participation.<sup>2</sup> Even more alarming was New York City's turnout rate for the 2014 midterm elections, which hit a historic low of 20%.<sup>3</sup> There is a clear need for action on the national, state, and city levels.

The youth voter participation rate reached its lowest level on record in the 2014 elections. Nationally, only 17.1% of 18- to 24-year-olds voted, compared to 47.9% of voters 30 and older.<sup>4</sup> Young people's low turnout rate is mirrored by their low registration rate: only 42.2% of 18- to 24-year-olds were registered as of

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<sup>1</sup> Charlotte Alter, "Voter Turnout in Midterm Elections Hits 72-Year Low," *TIME Magazine*, November 10, 2014.

<sup>2</sup> United States Elections Project, "2014 November General Election Turnout Rates," last updated December 30, 2014, available at <http://www.electproject.org/2014g>.

<sup>3</sup> New York City Campaign Finance Board, "990,776 Reasons Why We Need Universal Registration," June 29, 2015, available at <http://www.nycffb.info/media/blog/990776-reasons-why-we-need-universal-registration>.

<sup>4</sup> The Center for Information and Research on Civic Learning and Engagement, "2014 Youth Turnout and Youth Registration Rates Lowest Ever Recorded; Changes Essential in 2016," July 22, 2015, available at <http://www.civicyouth.org/2014-youth-turnout-and-youth-registration-rates-lowest-ever-recorded-changes-essential-in-2016/>.



November of 2014, compared to 69.5% of citizens 30 and older.<sup>5</sup> Engaging young voters is particularly important because once registered and voting, young adults are more likely to continue the habit of civic engagement throughout their lives.<sup>6</sup>

Promoting voting among eligible voters who are incarcerated is another challenge. People who have been involved in the criminal justice system are often misinformed about their eligibility to vote, partially due to the confusion caused by jurisdictions having vastly different and changing laws on this issue. As of 2014, citizens in Maine and Vermont could vote even while serving their felony sentences, whereas Florida, Iowa, Kentucky, and Virginia permanently disenfranchised citizens with felony convictions.<sup>7</sup> The remaining 44 states have enacted laws between the two ends of this spectrum. In New York State, those with felony convictions have their voting rights automatically restored once they finish serving their sentences and are not on parole. While pre-trial detainees and those serving misdemeanor sentences can vote, the process of applying for and returning absentee ballots can seem daunting to many who are incarcerated.

Since 2009, the New York State voter registration form has included an optional section for individuals to enroll as an organ and tissue donor.<sup>8</sup> In 2010, 1.6% of all newly enrolled donors came from voter registration, increasing to 4.6% in 2011 and 14.6% in 2012.<sup>9</sup> New York State ranked 49<sup>th</sup> in the country in 2013 for its rate of registered organ donors,<sup>10</sup> and a New Yorker dies every 15 hours while waiting for an organ transplant.<sup>11</sup>

#### **Proposed Int. No. 464-A**

Proposed Int. No. 464-A would require the Department of Correction to implement and administer a program for the distribution of absentee ballot applications, absentee ballots and then to provide for their collection, from inmates registered to vote. The absentee applications would first be distributed sixty days prior to an election until two weeks prior. The department would provide any assistance needed for filling out applications and ballots, and then transmit completed applications and ballots to the New York City Board of Elections within five days. There is a waiver of the bill's requirements for any specific instance where the department believes it would be unsafe to comply. Proposed Int. No. 464-A would take effect 90 days after enactment.

In addition to technical amendments, the bill has been amended to clarify that absentee ballot applications should be offered to registered voters.

#### **Proposed Int. No. 796-A**

Proposed Int. No. 796-A would require all of the agencies participating in the agency-based voter registration law and that are providing assistance to persons completing voter registration forms to also provide assistance for the organ donor section of the form. Proposed Int. No. 796-A would take effect 90 days after enactment.

Only technical amendments were made since its first hearing.

#### **Proposed Res. No. 232-A**

Proposed Resolution No. 232-A calls upon the state governments to consolidate the non-presidential state and federal primaries on a single day, specifically the fourth Tuesday of June.

Currently, non-presidential federal primaries are held in June while primaries for state and local offices are held in September. Previously all such primaries had been consolidated in September but a 2013 decision by a U.S. District Court judge moved the federal primary earlier in order to ensure compliance with the Military and

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

<sup>6</sup> Gerber, Alan S., Donald P. Green & Ron Shachar (2003) "Voting May be Habit Forming: Evidence from a Randomized Field Experiment." *American Journal of Political Science* 47(3): 540-550.

<sup>7</sup> Unless a governor's pardon is granted. "Felon Voting Rights," National Conference of State Legislatures, July 15, 2014, available at <http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>.

<sup>8</sup> New York Alliance for Donation, "Increasing Organ Donation in New York State through Voter Registration," available at <http://www.alliancefordonation.org/VoterRegistration>.

<sup>9</sup> *Id.*

<sup>10</sup> Donate Life America, "2014 National Donor Designation Report Card."

<sup>11</sup> LiveOnNY, "Facts About Organ Donation," available at <http://www.liveonny.org/about-donation/quick-facts-about-donation/>.

Overseas Voter Empowerment Act, a 2009 federal law. This resolution calls for these primaries to be consolidated again by holding them both in June.

**Proposed Res. No. 281-A**

Proposed Resolution No. 281-A calls upon the Mayor to create an annual Student Voter Registration Day.

Voting and registration rates among eligible 18- to 29-year olds in New York have been notably low in recent years, with an analysis by the New York City Campaign Finance Board finding that only 11% of such voters registered in that bracket having voted in the 2013 general election. Further, eligible voters who do not register at a young age and do not attend college become unlikely to vote in their lifetimes, leaving them unrepresented in the political process. It is hoped that the City school system can engage students and prepare them for civic engagement. A Student Voter Registration day, with civic education, discussions and activities, may further that goal and increase the number of young voters who are registered.

**Res. No. 695**

Resolution No. 695 calls upon the state government to pass legislation allowing 16- and 17-year olds to pre-register to vote.

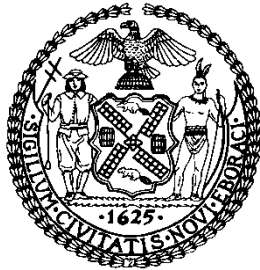
As described above, current registration rates among young voters are low it is hoped that by reaching them at a younger age they will grow to be more civically engaged. The school system or the Department of Motor Vehicles both have contacts with youth in this age bracket and pre-registration might allow them to use that contact to encourage youth to become registered voters.

**Res. No. 870**

Resolution No. 870 calls upon the state government to pass legislation allowing convicted felons to vote after their discharge from incarceration.

Currently, the New York State Election Law bars persons convicted of a state felony from voting or registering to vote, but later restores those voting rights upon release from parole or arrival of the maximum expiration date of their sentence. Since the parole period is one in which formerly incarcerated persons are encouraged to reintegrate into their communities and reentering civic society, that period might also function as one during which voting rights should be restored.

**(The following is the text of the Fiscal Impact Statement for Int No. 464-A:)**



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

**PROPOSED INT. NO. 464-A**

**COMMITTEE: Governmental Operations**

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**TITLE:** A Local Law to amend the New York city charter, in relation to the department of correction promoting absentee voting among jailed individuals

**SPONSOR(S):** Council Members Wills, Barron, Mendez, Rodriguez, Miller, Menchaca, Kallos and Rosenthal

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 464-A would require the Department of Correction (“DOC”) to implement and administer a program to assist eligible jailed individuals to vote by absentee ballot.

**EFFECTIVE DATE:** This local law would take effect 90 days after enactment.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** There would be no impact on revenues resulting from this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because DOC already complies with the provisions of this law and therefore existing resources are being used to implement and administer the program.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** James Subudhi, Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
John Russell, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on August 1, 2014 as Intro. No. 464 and referred to the Committee on Governmental Operations. The Committee on Governmental Operations considered the legislation at a hearing held on October 1, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 464-A, will be voted on by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. No. 464-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 21, 2016

**(For text of Int No. 796-A and its Fiscal Impact Statement, please see the Report of the Committee on Governmental Operations for Int No. 796-A printed in these Minutes; for text of Res Nos. 232-A, 281-A, 696, and 870, please see, respectively, the Reports of the Committee on Governmental Operations for Res Nos. 232-A, 281-A, 696, and 870 printed in the voice-vote Resolution Calendar of these Minutes).**

*Accordingly, this Committee recommends the adoption of Int Nos 464-A and 796-A and Res Nos. 232-A, 281-A, 696, and 870.*

**(The following is the text of Int No. 464-A:)**

Int. No. 464-A

By Council Members Wills, Barron, Mendez, Rodriguez, Miller, Menchaca, Kallos, Rosenthal, Lander, Van Bramer, Levin and Williams.

**A Local Law to amend the New York city charter, in relation to the department of correction promoting absentee voting among jailed individuals**

*Be it enacted by the Council as follows:*

Section 1. Section 1057-a of the New York city charter is amended by adding a new subdivision 9 to read as follows:

*9. In addition to the other requirements of this section, the department of correction shall implement and administer a program of distribution and submission of absentee ballot applications, and subsequently received absentee ballots, for eligible inmates. Such department shall offer, to all inmates who are registered to vote, absentee ballot applications, and a means to complete them, during the period from sixty days prior to any primary, special, or general election in the city of New York until two weeks prior to any such election. Such department shall subsequently provide any absentee ballot received from the board of elections in response to any such application to the applicable inmate, as well as a means to complete it. Such department shall provide assistance to any such inmate in filling out such application or ballot upon request. Such department shall, not later than five days after receipt, transmit such completed applications and ballots from any inmate who wishes to have them transmitted to the board of elections for the city of New York. The provisions of this subdivision shall not apply in any specific instance in which the department deems it unsafe to comply therewith.*

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

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, CARLOS MENCHACA, ANTONIO REYNOSO, RITCHIE J. TORRES, JOSEPH C. BORELLI; Committee on Governmental Operations, October 26, 2016. *Other Council Members Attending: Council Members Lander, Wills and Rodriguez.*

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

Report for Int No. 796-A

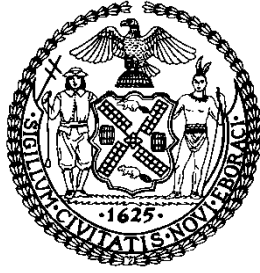
**Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring assistance if requested for individuals signing up to be organ donors as part of the agency-based voter registration program**

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on May 27, 2015 (Minutes, page 1796), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 464-A printed above in these Minutes)**

*The following is the Fiscal Impact Statement for Int No. 796-A:*



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

**PROPOSED INT. NO. 796-A**

**COMMITTEE: Governmental Operations**

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**TITLE:** A Local Law to amend the New York city charter, in relation to requiring assistance if requested for individuals signing up to be organ donors as part of the agency-based voter registration program

**SPONSOR(S):** Constantinides, Johnson, Kallos, Chin, Cornegy, Espinal, Gentile, Koslowitz, Mendez, Richards, Cohen, Menchaca and Wills

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 796-A would require staff at the 26 agencies that participate in the agency-based voter registration program to give assistance to individuals who receive voter registration forms with the section of the form allowing them to register to become an organ donor.

**EFFECTIVE DATE:** This local law would take effect 90 days after enactment.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** There would be no impact on revenues resulting from this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources would be used to implement the requirements of the legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** James Subudhi, Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
John Russell, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on May 27, 2015 as Intro. No. 796 and referred to the Committee on Governmental Operations. The Committee on Governmental Operations considered the legislation at a hearing held on October 1, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 796-A, will be voted on by the Committee at a hearing on October 26, 2016. Upon successful vote by the Committee, Proposed Intro. No. 796-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 21, 2016

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

**(The following is the text of Int No. 796-A:)**

Int. No. 796-A

By Council Members Constantinides, Johnson, Kallos, Chin, Cornegy, Espinal, Gentile, Koslowitz, Mendez, Richards, Cohen, Menchaca, Wills, Lander, Van Bramer, Levin and Williams.

**A Local Law to amend the New York city charter, in relation to requiring assistance if requested for individuals signing up to be organ donors as part of the agency-based voter registration program**

*Be it enacted by the Council as follows:*

Section 1. The opening paragraph of section 1057-a of the New York city charter, as amended by local law number 52 for the year 2003, and as amended by local law 63 for the year 2014, is amended to read as follows:

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

§ 2. Subdivision 2 of section 1057-a of the New York city charter, as added by local law number 29 for the year 2000, as renumbered by vote of the electors of the city of New York at a general election held on November 6, 2001, and as amended by local law 63 for the year 2014, is amended to read as follows:

2. Participating agencies shall provide and distribute voter registration forms to all persons together with written applications for services, renewal or recertification for services and change of address relating to such services, in the same language as such application, renewal, recertification or change of address form where practicable; provided however that this section shall not apply to services that must be provided to prevent

actual or potential danger to life, health or safety of any individual or of the public. Participating agency staff shall provide assistance in completing these distributed voter registration forms, *including the section of the form allowing for registration to become an organ donor*, and in cases in which such an agency would provide assistance with its own form, such agency shall provide the same degree of assistance with regard to the voter registration [form] *and organ donor forms* as is provided with regard to the completion of its own form, if so requested. Participating agencies shall also include a voter registration form with any agency communication sent through the United States mail for the purpose of supplying clients with application, renewal or recertification for services and change of address relating to such services materials. Participating agencies shall also incorporate an opportunity to request a voter registration application into any application for services, renewal or recertification for services and change of address relating to such services provided on computer terminals, the World Wide Web or the Internet. Any person indicating that they wish to be sent a voter registration form, via computer terminals, the World Wide Web or the Internet shall be sent such a form by the participating agency, or directed to a bank on that system where such a form may be downloaded.

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

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, CARLOS MENCHACA, ANTONIO REYNOSO, RITCHIE J. TORRES, JOSEPH C. BORELLI; Committee on Governmental Operations, October 26, 2016. *Other Council Members Attending: Council Members Lander, Wills and Rodriguez.*

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

### **Report of the Committee on Land Use**

Report for L.U. No. 428

**Report of the Committee on Land Use in favor of approving Application No. 20175024 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 577 of the Private Housing Finance Law for approval of a real property tax exemption, urban development action area project, and waiver of the area designation requirement and Section 197-c and 197-d of the New York City Charter, for eleven properties located in Community Board 42, Council District 5, Borough of Brooklyn.**

The Committee on Land Use, to which the annexed Land Use item was referred on July 14, 2016 (Minutes, page 2557) and which same Land Use item was coupled with the resolution shown below, respectfully

### **REPORTS:**

### **SUBJECT**

**BROOKLYN - CB 5**

**20175024 HAK**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law and Article 16 of the General Municipal Law for approval of real property tax exemptions, an urban development action area project, waiver of the area designation requirement and waiver of Sections 197-c and 197-d of the New York City Charter for properties located at Block 4050, Lot 25, Block 4067, Lot 8, Block 4058, Lot 18, Block 4081, Lot 23, Block 4065, Lot 22, Block 3767, Lots 10, 11, 12, 13, Block 4060, Lot 16, and Block 4062, Lot 30.

**INTENT**

To approve real property tax exemptions pursuant to Section 577 of the Private Housing Finance Law and Section 696 of the General Municipal Law for a Project, known as Blake Hendrix. When completed, the Sponsor will sell the homes to low-income purchasers with the stipulation that the homes must be owner-occupied for a minimum of twenty years.

**PUBLIC HEARING**

**DATE:** October 19, 2016

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 19, 2016

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

**In Favor:**

Dickens, Mealy, Rodriguez, Cohen, Treyger,

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 20, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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



Res No. 1263

**Resolution approving real property tax exemptions for a project located at Block 4050, Lot 25, Block 4067, Lot 8, Block 4058, Lot 18, Block 4081, Lot 23, Block 4065, Lot 22, Block 3767, Lots 10-13, Block 4060, Lot 16, and Block 4062, Lot 30, in Community District 5, Borough of Brooklyn (L.U. No. 428; 20175024 HAK).**

By Council Members Greenfield and Dickens.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on July 1, 2016 its request dated April 29, 2016 that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law and Section 696 of the General Municipal Law (the "Tax Exemption"), for properties located at Block 4050, Lot 25, Block 4067, Lot 8, Block 4058, Lot 18, Block 4081, Lot 23, Block 4065, Lot 22, Block 3767, Lots 10-13, Block 4060, Lot 16, and Block 4062, Lot 30 (the "Disposition Area"):

1. Finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the project from real property taxes pursuant to Section 577 of the Private Housing Finance Law and Section 696 of the General Municipal Law.

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on October 19, 2016;

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

**RESOLVED:**

1. The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. The Council waives the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;

3. The Council waives the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. The Council approves the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. The Council approves the exemption of the project from real property taxes pursuant to Section 577 of the Private Housing Finance Law as follows:
  - a. All of the value of the property in the Disposition Area, including both the land and any improvements, shall be exempt from real property taxes, other than assessments for local improvements, for a period commencing upon the date of conveyance of the Disposition Area to the a housing development fund company ("Article XI Commencement Date") and terminating upon the earlier to occur of (i) the fifth anniversary of the Article XI Commencement Date, or (ii) the date of reconveyance of the Disposition Area to an owner which is not a housing development fund company ("Article XI Expiration Date").
  - b. In consideration of the tax exemption pursuant to Section 577 of the Private Housing Finance Law provided hereunder ("Article XI Exemption"), the owner of the Disposition Area shall waive the benefits, if any, of additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state, or federal law, rule, or regulation ("Alternative Tax Benefit"), for so long as the Article XI Exemption shall remain in effect.
  - c. The Article XI Exemption shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, or (ii) the Disposition Area is not being operated in accordance with the requirements of any agreement with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination to the property 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 Article XI Exemption shall prospectively terminate.
  - d. The provisions of the Article XI Exemption shall apply separately to each individual property comprising the Disposition Area, and a sale or other event which would cause the expiration, termination, or revocation of the Article XI Exemption with respect to one property in the Disposition Area shall not affect the continued validity of the Article XI Exemption with respect to other properties in the Disposition Area.
6. The Council approves the exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law as follows:
  - a. All of the value of the buildings, structures, and other improvements situated on the Disposition Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the date of reconveyance of the Disposition Area to an owner which is not a housing development fund company ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.
  - b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Disposition Area shall waive

the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect.

- c. The UDAAP Exemption shall terminate with respect to all or any portion of the Disposition Area if the Department of Housing Preservation and Development (“HPD”) determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.
- d. Notwithstanding any other provision to the contrary, the combined duration of the Article XI Exemption and the UDAAP Exemption shall not exceed twenty five (25) years.
- e. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Disposition Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Disposition Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Disposition Area.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 20, 2016.

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

Report for L.U. No. 470

**Report of the Committee on Land Use in favor of approving Application No. 20175051 TCQ pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 10802 72nd Rest LLC, d/b/a Reef, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 108-02 72nd Avenue, Borough of Queens, Community Board 6, Council District 29. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 28, 2016 (Minutes, page 3223) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

***SUBJECT*****QUEENS - CB 6****20175051 TCQ**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 10802 72<sup>nd</sup> Rest, LLC, d/b/a Reef, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 108-02 72<sup>nd</sup> Avenue.

***INTENT***

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

***PUBLIC HEARING*****DATE:** October 19, 2016**Witnesses in Favor:** One**Witnesses Against:** None***SUBCOMMITTEE RECOMMENDATION*****DATE:** October 19, 2016

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

***In Favor:***

Richards, Gentile, Garodnick, Williams, Wills, Reynoso, Torres.

***Against:***

None

***Abstain:***

None

**COMMITTEE ACTION****DATE:** October 20, 2016

The Committee recommends that the Council approve the attached resolution.

***In Favor:***

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

***Against:***

None

***Abstain:***

None

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

Res No. 1264

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 108-02 72<sup>nd</sup> Avenue, Borough of Queens (20175051 TCQ; L.U. No. 470).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on September 19, 2016 its approval dated September 19, 2016 of the petition of 10802 72<sup>nd</sup> Rest, LLC, d/b/a Reef, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 108-02 72<sup>nd</sup> Avenue, Community District 6, Borough of Queens (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on October 19, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 20, 2016.

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

Report for L.U. No. 471

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application No. 20165243 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Happy Cooking Bistro LLC, for a revocable consent to establish, maintain and operate an enclosed sidewalk café located at 322 Spring Street, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 28, 2016 (Minutes, page 3223) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

***SUBJECT***

**MANHATTAN - CB 2**

**20165243 TCM**

Application pursuant to Section 20-225 of the Administrative Code of the City of New York, concerning the petition of Happy Cooking Bistro, LLC, d/b/a Happy Cooking Bistro, for a new revocable consent to establish, maintain and operate an enclosed sidewalk café located at 322 Spring Street.

***PUBLIC HEARING***

**DATE:** October 19, 2016

**Witnesses in Favor:** One

**Witnesses Against:** One

By a letter dated October 19, 2016, and submitted to the City Council on October 19, 2016, the applicant withdrew the application submitted to the Department of Consumer Affairs for recommendation for approval for the revocable consent.

***SUBCOMMITTEE RECOMMENDATION***

**DATE:** October 19, 2016

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the application by the Applicant.

**In Favor:**

Richards, Gentile, Garodnick, Williams, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 20, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res No. 1265

**Resolution approving a motion to file pursuant to withdrawal of the Application for a revocable consent for an enclosed sidewalk café located at 322 Spring Street, Borough of Manhattan (20165243 TCM; L.U. No. 471).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on September 9, 2016 its approval dated September 9, 2016 of the petition of Happy Cooking Bistro, LLC, d/b/a Happy Cooking Bistro, for a new revocable consent to establish, maintain and operate an enclosed sidewalk café located at 322 Spring Street, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-225 of the New York City Administrative Code (the "Administrative Code");

**WHEREAS**, the Petition is subject to review by the Council pursuant to Section 20-225 (g) of the Administrative Code;

**WHEREAS**, by letter dated October 19, 2016, and submitted to the City Council on October 19, 2016, the Applicant withdrew the Application submitted to the Department of Consumer Affairs for recommendation for approval for the revocable consent.

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 20, 2016.

Coupled to be Filed pursuant to a Letter of Withdrawal.

## Report for L.U. No. 493

**Report of the Committee on Land Use in favor of approving Application No. 20175059 HKK (N 170058 HKK) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Williamsburg Trust Company Building, located at 177-185 South 5th Street (Block 2446, Lot 63), as an historic landmark, Borough of Brooklyn, Community Board 1, Council District 34.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 28, 2016 (Minutes, page 3229) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****BROOKLYN - CB 1****20175059 HKK (N 170058 HKK)**

Designation by the Landmarks Preservation Commission [DL-489/LP-0163] pursuant to Section 3020 of the New York City Charter, of the landmark designation of the Williamsburg Trust Company Building, located at 177-185 South 5<sup>th</sup> Street (Block 2446, Lot 63), as an historic landmark.

**PUBLIC HEARING****DATE:** October 19, 2016**Witnesses in Favor:** Four**Witnesses Against:** Two**SUBCOMMITTEE RECOMMENDATION****DATE:** October 19, 2016

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

**In Favor:**

Koo, Palma, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

Barron

**COMMITTEE ACTION****DATE:** October 20, 2016

The Committee recommends that the Council approve the attached resolution.



**In Favor:**

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

**Against:**

None

**Abstain:**

Barron

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

Res No. 1266

**Resolution affirming the designation by the Landmarks Preservation Commission of the Williamsburgh Trust Company Building, located at 177-185 South 5<sup>th</sup> Street (Block 2446, Lot 63), Borough of Brooklyn, Designation List No. 489, LP-0163 (L.U. No. 493; 20175059 HKK; N 170058 HKK).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on August 18, 2016 a copy of its designation dated August 9, 2016 (the "Designation"), of the Williamsburgh Trust Company Building (later Fifth District Magistrates Court / later Holy Trinity Cathedral), located at 177-185 South 5<sup>th</sup> Street, Community District 1, Borough of Brooklyn, as a landmark and Tax Map Block 2446, Lot 63, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS**, the City Planning Commission submitted to the Council on September 23, 2016, its report on the Designation dated September 21, 2016 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on October 19, 2016; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 20, 2016.

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

## Report for L.U. No. 494

**Report of the Committee on Land Use in favor of approving Application No. C 160332 ZMX submitted by Dominick Calderoni, Fred T. Santucci Jr., and Jeffery D Klein, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 4b, establishing a C2-2 district within existing R4 and R4A districts, on property located in the vicinity of Pierce Avenue and Williamsbridge Road, Borough of the Bronx, Community Board 11, Council District 13.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 13, 2016 (Minutes, page 3366) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:*****SUBJECT*****BRONX - CB 11****C 160332 ZMX**

City Planning Commission decision approving an application submitted by Dominick Calderoni, Fred T. Santucci Jr. & Jeffrey D. Klein pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 4b:

1. establishing within an existing R4 District a C2-2 District bounded by Pierce Avenue, a line 150 feet southwesterly of Yates Avenue, a line 75 feet southeasterly of Pierce Avenue, Williamsbridge Road, a line 50 feet southeasterly of Pierce Avenue, and a line 50 feet northeasterly of Tomlinson Avenue; and
2. establishing within an existing R4A District a C2-2 District bounded by a line 100 feet northwesterly of Pierce Avenue, Williamsbridge Road, a line 225 feet northwesterly of Pierce Avenue, a line 110 feet southwesterly of Yates Avenue, Pierce Avenue, and a line 50 feet northeasterly of Tomlinson Avenue.

***INTENT***

To amend the Zoning Map to facilitate the legalization of commercial properties which are not currently permitted at the intersection of Williamsbridge Road and Pierce Avenue, in the Morris Park section, Borough of the Bronx.

***PUBLIC HEARING*****DATE:** October 19, 2016**Witnesses in Favor:** One**Witnesses Against:** None

***SUBCOMMITTEE RECOMMENDATION*****DATE:** October 19, 2016

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

**In Favor:**

Richards, Gentile, Garodnick, Williams, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** October 20, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res No. 1267

**Resolution approving the decision of the City Planning Commission on ULURP No. C 160332 ZMX, a Zoning Map amendment (L.U. No. 494).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on October 7, 2016 its decision dated October 5, 2016 (the "Decision"), on the application submitted by Dominick Calderoni, Fred T. Santucci Jr. & Jeffrey D. Klein, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 4b, adding a C2-2 commercial overlay within existing R4 and R4A districts to facilitate the legalization of commercial properties which are not currently permitted at the intersection of Williamsbridge Road and Pierce Avenue, in the Morris Park section of the Bronx, (ULURP No. C 160332 ZMX), Community District 11, Borough of the Bronx (the "Application");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on October 19, 2016;

**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 (CEQR No. 16DCP153X) issued on May 23, 2016 (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 160332 ZMX, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 4b:

1. establishing within an existing R4 District a C2-2 District bounded by Pierce Avenue, a line 150 feet southwesterly of Yates Avenue, a line 75 feet southeasterly of Pierce Avenue, Williamsbridge Road, a line 50 feet southeasterly of Pierce Avenue, and a line 50 feet northeasterly of Tomlinson Avenue; and
2. establishing within an existing R4A District a C2-2 District bounded by a line 100 feet northwesterly of Pierce Avenue, Williamsbridge Road, a line 225 feet northwesterly of Pierce Avenue, a line 110 feet southwesterly of Yates Avenue, Pierce Avenue, and a line 50 feet northeasterly of Tomlinson Avenue;

as shown on a diagram (for illustrative purposes only) dated May 23, 2016, Community District 11, Borough of the Bronx.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 20, 2016.

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

## Report of the Committee on Public Safety

Report for Int No. 83-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 publicly post reports concerning cardiopulmonary resuscitation and automated external defibrillator training.**

The Committee on Public Safety, to which the annexed amended proposed local law was referred on February 26, 2014 (Minutes, page 440), respectfully

#### **REPORTS:**

##### **I. INTRODUCTION**

On October 21, 2016, the Committee on Public Safety, chaired by Vanessa L. Gibson, will vote on Proposed Introduction 83-A (“Prop. Int. 83-A”), in relation to requiring the police department to submit reports concerning cardiopulmonary resuscitation and automated external defibrillator certification to the Council, and Proposed Resolution 1181-A (“Res. 1181-A”), which calls on New York State to require all police officers to be retrained in cardiopulmonary resuscitation every two years.

##### **II. BACKGROUND**

More than 350,000 out-of-hospital cardiac arrests take place in the United States every year, with almost 90% of the cases resulting in death.<sup>1</sup> When the heart stops during a cardiac arrest, blood stops flowing to the brain, and brain damage and/or death can happen in less than eight minutes.<sup>2</sup> Cardiopulmonary resuscitation (“CPR”) is a procedure developed to save lives during emergencies in which an individual’s breathing or heartbeat has stopped. CPR is a manual technique of chest compressions and sometimes artificial ventilation to keep oxygenated blood flowing to the brain and other vital organs until further treatment can restore a normal heart beat.<sup>3</sup> If CPR is performed within the first few minutes of cardiac arrest, an individual’s chance of survival can be doubled or tripled.<sup>4</sup>

Defibrillation is another procedure used to respond to cardiac arrest and to treat abnormal heart rhythms by delivering an electric shock to the heart to help restore a normal heartbeat.<sup>5</sup> An automated external defibrillator (“AED”) is a computerized device that can check a person’s heart and deliver an electric shock if needed.<sup>6</sup> AEDs are designed to be easy to use and most people can operate them safely after a few hours of training.<sup>7</sup> One estimate indicates prompt use of an AED could save 20,000 lives annually.<sup>8</sup> CPR training for NYPD officers has generated public scrutiny in recent

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<sup>1</sup> *CPR Facts and Stats*, American Heart Association, available at [http://cpr.heart.org/AHA/ECC/CPRAndECC/AboutCPRFirstAid/CPRFactsAndStats/UCM\\_475748\\_CPR-Facts-and-Stats.jsp](http://cpr.heart.org/AHA/ECC/CPRAndECC/AboutCPRFirstAid/CPRFactsAndStats/UCM_475748_CPR-Facts-and-Stats.jsp).

<sup>2</sup> Cardiopulmonary Resuscitation (CPR): First Aid, Mayo Clinic, available at <http://www.mayoclinic.org/first-aid/first-aid-cpr/basics/art-20056600>.

<sup>3</sup> *Id.*

<sup>4</sup> *Supra* note 1.

<sup>5</sup> *Heart and Stroke Encyclopedia: Defibrillation*, American Heart Association, available at [http://www.heart.org/HEARTORG/Encyclopedia/Heart-Encyclopedia\\_UCM\\_445084\\_Encyclopedia.jsp?levelSelected=18&title=defibrillation](http://www.heart.org/HEARTORG/Encyclopedia/Heart-Encyclopedia_UCM_445084_Encyclopedia.jsp?levelSelected=18&title=defibrillation).

<sup>6</sup> *Heart and Stroke Encyclopedia: Automated External Defibrillator*, American Heart Association, available at [http://www.heart.org/HEARTORG/Encyclopedia/Heart-Encyclopedia\\_UCM\\_445084\\_Encyclopedia.jsp?levelSelected=11&title=automated%20external%20defibrillator](http://www.heart.org/HEARTORG/Encyclopedia/Heart-Encyclopedia_UCM_445084_Encyclopedia.jsp?levelSelected=11&title=automated%20external%20defibrillator).

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

<sup>8</sup> *State Laws on Cardiac Arrest and Defibrillators*, National Conference of State Legislators, January 31, 2012, available at <http://www.ncsl.org/research/health/laws-on-cardiac-arrest-and-defibrillators-aeds.aspx>.

years. According to news reports, in 2010, an 11-year-old girl from Brooklyn named Briana Ojeda died of an asthma attack after a police officer claimed he was not qualified to administer CPR on her.<sup>9</sup> In early 2016, former NYPD officer Peter Liang was tried for manslaughter in the shooting death of Akai Gurley in the stairwell of a Brooklyn public housing development. Liang was also tried for official misconduct, which the prosecution said he committed by failing to administer CPR to Gurley after he was accidentally shot.<sup>10</sup> At the trial, a police academy instructor testified that cadets are required to receive 14 hours of CPR and other first-aid training and must pass such tests in order to graduate.<sup>11</sup> However, Liang and other officers testified that they had not been adequately trained in CPR and that instructors had helped students cheat on the exam.<sup>12</sup>

### **III. ANALYSIS OF PROPOSED INT. 83-A**

Section 1 of the bill would add a new section 14-165 to the administrative code and defines CPR and AED. The section would also require the department to identify when CPR and AED training is appropriate and provide all relevant staff such training and re-training, the curriculum for which shall, where practicable, be consistent with standards developed by a nationally recognized organization or association. The Department would also be required to publish a CPR report and an AED report on an annual basis and post it on their website. These reports would include the number of patrol precinct, transit district or police service area officers that were trained and re-trained in the last calendar year. In a separate report, the NYPD would be required to report on the same information with respect to school safety agents.

Section 2 of the bill states that the local law takes effect immediately.

### **IV. AMENDMENTS TO PROPOSED INT. 83-A**

Since Int. 83 was heard it has been amended. The bill previously amended section 14-150 and only required the Department to submit reports to the council. The current version of the bill creates a new section 14-165 in the administrative code, and requires the data to be posted on the Department's website. In addition, Prop. Int. 83-A adds a section on training which would require the department to identify when CPR and AED training is appropriate and provide all relevant staff such training and re-training, the curriculum for which shall, where practicable, be consistent with standards developed by a nationally recognized organization or association. Finally, Prop. Int. 83-A requires reporting on patrol precinct, transit district, police service area and school safety agents whereas the previous version of the bill required reporting on all uniformed officers and civilians, excluding school safety agents.

### **V. ANALYSIS AND AMENDMENTS TO RES. 1181**

Res. No. 1181 calls on New York State to require all police officers to be retrained in CPR every two years. It calls for the passage of Briana's Law, named after Briana Ojeda, an 11-year-old girl from Brooklyn who died of an asthma attack in 2010, after a police officer claimed he was not qualified to administer CPR on her. Res. 1181-A was amended slightly from its original version to reflect that the Briana's Law has not been called for a vote in the Senate.

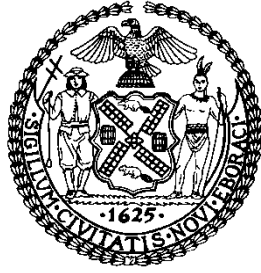
**(The following is the text of the Fiscal Impact Statement for Int No. 83-A:)**

<sup>9</sup> <http://www.nydailynews.com/new-york/brooklyn/nypd-blame-girl-death-cops-didn-cpr-article-1.2730333>

<sup>10</sup> <http://www.wsj.com/articles/nypd-probes-cpr-training-1456280558>

<sup>11</sup> Pervaiz Shallwani and Rebecca Davis O'Brien, *NYPD Probes CPR Training*, Wall Street Journal, February 23, 2016, available at <http://www.wsj.com/articles/nypd-probes-cpr-training-1456280558>.

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



**THE COUNCIL OF THE CITY OF NEW YORK**

**FINANCE DIVISION**

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO:** 83-A

**COMMITTEE:** Public Safety

**TITLE:** To amend the administrative code of the city of New York, in relation to requiring the police department to publicly post reports concerning cardiopulmonary resuscitation and automated external defibrillator training.

**SPONSORS:** Council Members Levin, Williams, Salamanca, Gentile, Koslowitz, Johnson, Cabrera, Gibson and Lander.

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 83-A would require the New York Police Department (“NYPD”) to identify when training in cardiopulmonary resuscitation and in the use of automated external defibrillators is appropriate and to train and re-train relevant staff. Proposed Intro. No. 83-A would also require the NYPD to publish one annual report on the number of officers assigned to a patrol precinct, transit district, or police service area and school safety agents trained and re-trained in cardiopulmonary resuscitation and a second report on those trained in automated external defibrillation in the past calendar year.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because the NYPD could use existing resources to implement this local law. According to the Department, it estimates that it would annually train 15,000 uniformed staff and other appropriate personnel. In order to complete this training program, the NYPD would have a one-time equipment purchase of \$100,000. Ongoing training costs will include \$105,000 for the annual course completion cards for the basic life support curriculum, and \$30,000 for annual training costs. These include the cost of an instructor and trainee resources, such as textbooks, DVDs, instructor recertification, routine maintenance of equipment, and general other than personal service costs. The annual course completion cards for approximately 15,000 uniformed members of services are estimated to be \$7 per trainee each. The NYPD anticipates that training will be refreshed every two years. These components total the \$235,000 in the initial year and \$135,000 in subsequent years. It is the Council’s estimate that these training needs could be funded within the Department’s current budget and therefore no additional resources would be required.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council  
New York Police Department  
Office of Management and Budget

**ESTIMATE PREPARED BY:** Ellen Eng, Senior Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on February 26, 2014 as Intro. No. 83 and referred to the Committee on Public Safety. The Committee considered the legislation at a hearing on September 15, 2016 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 83-A, will be voted on by the Committee at a hearing on October 21, 2016. Upon successful vote by the Committee, Proposed Intro. No. 83-A will be submitted to the full Council for a vote on October 27, 2016.

**DATE PREPARED:** October 20, 2016

**(For text of Res No. 1181-A, please see the Report of the Committee on Public Safety for Res No. 1181-A printed in the voice-vote Resolutions section of these Minutes)**

*Accordingly, this Committee recommends the adoption of Int No. 83-A and Res No. 1181-A.*

**(The following is the text of Int No. 83-A:)**

Int. No. 83-A

By Council Members Levin, Williams, Salamanca, Gentile, Koslowitz, Johnson, Cabrera, Gibson, Lander, Van Bramer, Menchaca and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to publicly post reports concerning cardiopulmonary resuscitation and automated external defibrillator training.**

*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 14-165 to read as follows:

*§ 14-165 Cardiopulmonary resuscitation and automated external defibrillator training.*

*a. Definitions. As used in this section, the following terms have the following meanings:*

*Automated external defibrillation. The term “automated external defibrillation” is defined pursuant to subdivision 1 paragraph a of section 3000-b of the public health law.*

*Cardiopulmonary resuscitation. The term “cardiopulmonary resuscitation” is defined pursuant to subdivision 4 of section 2961 of the public health law.*

*b. Training. The department shall identify when cardiopulmonary resuscitation and automated external defibrillation training is appropriate and provide all relevant staff such training and re-training. The curriculum of such training and re-training shall, where practicable, be consistent with standards developed by a nationally recognized organization or association.*



*c. Cardiopulmonary resuscitation report. No later than March 1, 2017 and every March 1 thereafter, the department shall publish on the department's website and provide to the council, a report which shall include:*

*1. the total number of uniformed officers assigned to a patrol precinct, transit district, or police service area in the past calendar year, disaggregated by: (a) the total number trained in cardiopulmonary resuscitation; (b) the total number of officers newly trained in cardiopulmonary resuscitation in the past calendar year; (c) the total number of officers re-trained in cardiopulmonary resuscitation in the past calendar year; and*

*2. the total number of school safety agents, disaggregated by: (a) the total number trained in cardiopulmonary resuscitation; (b) the total number of school safety agents newly trained in cardiopulmonary resuscitation in the past calendar year; and (c) the total number of school safety agents re-trained in cardiopulmonary resuscitation in the past calendar year.*

*d. Automated external defibrillator report. No later than March 1, 2017 and every March 1 thereafter, the department shall publish on the department's website and provide to the council, a report which shall include:*

*1. the total number of uniformed officers assigned to a patrol precinct, transit district, or police service area in the past calendar year, disaggregated by: (a) the total number of officers trained in automated external defibrillator; (b) the total number of officers newly trained in automated external defibrillator in the past calendar year; (c) the total number of officers re-trained in automated external defibrillator in the past calendar year; and*

*2. the total number of school safety agents, disaggregated by: (a) the total number of school safety agents trained in automated external defibrillator; (b) the total number of school safety agents newly trained in automated external defibrillator in the past calendar year; and (c) the total number of school safety agents re-trained in automated external defibrillator in the past calendar year.*

*Such reports shall be stored permanently on the department's website and shall be provided in a format that permits automated processing where appropriate.*

§2. This local law takes effect immediately.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JAMES VACCA, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RAFAEL ESPINAL, Jr., RORY I. LANCMAN, STEVEN MATTEO; Committee on Public Safety, October 21, 2016. *Other Council Members attending: Council Member Lander.*

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

### **Report of the Committee on Recovery and Resiliency**

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

Report for Preconsidered Int No. 1341

**Report of the Committee on Recovery and Resiliency in favor of approving and adopting a Local Law in relation to special provisions for approval of demolition and construction work by city contractors under the "build it back" disaster recovery program.**

The Committee on Recovery and Resiliency, to which the annexed preconsidered proposed local law was referred on October 27, 2016, respectfully

**REPORTS:**

## Introduction

On October 27, 2016, the Committee on Recovery and Resiliency, chaired by Council Member Mark Treyger, will hold a hearing for the purposes of conducting a vote on Preconsidered Int. No., in relation to special provisions for approval of demolition and construction work by city contractors under the “build it back” disaster recovery program.

## Background

On October 29, 2012, Superstorm Sandy approached New York City from the southeast, causing high winds and a 14-foot storm surge. Sections of Lower Manhattan, Staten Island, Brooklyn and Queens were inundated with seawater. By the end of 2012, the Department of Buildings (DOB) tagged approximately 800 buildings as damaged or destroyed and 70,000 housing units registered with the United States Federal Emergency Management Agency (FEMA) were found to have suffered some amount of damage.<sup>1</sup> On November 9, 2012, then-Mayor Michael Bloomberg announced the start of the Rapid Repairs Program to assist homeowners by utilizing FEMA grants to fund basic repairs so that residents could shelter in their homes while awaiting more extensive repairs or rebuilding.<sup>2</sup>

To achieve permanent home repairs and rebuilding, on June 13, 2013, the City announced the Build It Back (BIB) program. BIB is designed to help multifamily and single family homes by utilizing funds from the United States Department of Housing and Urban Development’s (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) program. The BIB program is administered by the New York City Housing Recovery Office (HRO).<sup>3</sup>

BIB offers multiple pathways to homeowners impacted by the storm: damaged homes may be repaired, repaired and elevated, or rebuilt; already repaired homes may have repair work reimbursed; and severely damaged homes may be made an acquisition offer.<sup>4</sup> Registration for BIB closed on October 31, 2013.<sup>5</sup> There are separate programs and processes for single and multifamily homes.<sup>6</sup> The legislation under consideration concerns “single family homes” (which broadly includes all residential dwellings housing one to four families), so this report will focus on that aspect of the program.

## Process for Single Family Homes

After registering, a participant in the single-family home program would go through an intake process and submit required documents. Next, BIB would review the submitted documents to determine the applicant’s eligibility. Third, an on-site damage assessment is scheduled to review the damaged or destroyed property. The assessment would also review any work that has already been completed and any environmental or safety issues that may be present in the home. There would also be coordination of benefits, in which any transfer amount (the total disaster recovery benefits already received, minus the amount spent on allowable activities) would be identified for potential transference to the program.

At this stage a preliminary pathway will be determined at an options review meeting, to either: 1) repair the home, 2) repair and elevate the home, 3) rebuild the home, 4) have the State acquire the home, and/or 5) reimburse for work already done on the home. To be eligible for repair, BIB must determine that the value of the storm damage is less than 50% of the pre-storm market value of the home (as determined by the Department of Finance). Any home for which the cost to complete repairs is greater than 50% of the pre-storm market value can be repaired, but it will also need to be raised above base flood elevation, if necessary, in

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<sup>1</sup> NYC Special Initiative for Rebuilding and Resiliency Report, A Stronger, More Resilient New York, Foreword from Michael Bloomberg, found at: [http://nytelecom.vo.llnwd.net/o15/agencies/sirr/SIRR\\_singles\\_Lo\\_res.pdf](http://nytelecom.vo.llnwd.net/o15/agencies/sirr/SIRR_singles_Lo_res.pdf)

<sup>2</sup> NYC Recovery: Rapid Repairs, found at: <http://www.nyc.gov/html/recovery/html/resources/rapid.shtml>.

<sup>3</sup> Nyc.gov webpage, “Welcome to NYC Housing Recovery” accessed 10/18 available at <http://www.nyc.gov/html/recovery/html/home/home.shtml>

<sup>4</sup> Nyc.gov webpage, “Welcome to NYC Housing Recovery”

<sup>5</sup> Nyc.gov, “Single Family Program” webpage available at <http://www.nyc.gov/html/recovery/html/homeowners/homeowners.shtml>

<sup>6</sup> Nyc.gov webpage, “Welcome to NYC Housing Recovery”

order to comply with the NYC Building Code.<sup>7</sup> To be eligible for a rebuild, a home must have been either completely destroyed by Superstorm Sandy, demolished as a result of damage caused by the storm, or be more cost-effective to rebuild than to repair based on the damage assessment.<sup>8</sup> Another potential pathway is the buyout and acquisition programs. Buyouts are done under a New York State program to purchase properties and leave them undeveloped. Finally, BIB may reimburse applicants who used personal funds to repair damage to their homes or rental properties if those costs are determined to be reasonable, necessary and to have been completed (or contracted) prior to October 29, 2013.<sup>9</sup>

For those in the repair, elevation or rebuilding pathways, there would next be a design or elevation consultation, as needed, in which a relevant professional would review the available program options with the registrant and the scope of work will be determined. For those registrants in the repair pathway who wish to use their own contractor, that approval would be finalized at this point. At the completion of this stage, legal agreements with the relevant parties would be signed, the registrant's transfer amount would be provided to the program, and a date for the construction to begin will be agreed upon.

In October 2015, Mayor de Blasio announced the goal of completing the BIB single-family home program by the end of calendar year 2016.<sup>10</sup>

### **Main Issues Slowing Down the Completion of BIB Work in Single-Family Program**

#### Demolition

The current demolition process requires extensive documentation prior to work beginning, including construction document approval. In some cases, approving construction documents and completing compliance-related requirements have delayed demolition starts for homes in BIB as long as six months.

#### Open DOB permits and violations

Many homes in BIB have open DOB permits or unresolved violations that effectively prohibit contractors from working on them and prohibit DOB from providing a Certificate of Occupancy when that work is complete.

#### Civil penalties

Homes in the program that are subject to a DOB violation must pay the penalty prior to continuing with the program. This involves a complex process to calculate the amount of the civil penalty.

### **Preconsidered Int. No. 1341**

Preconsidered Int. No. would (1) allow detached one- to four-family dwellings undergoing full demolition under BIB through a contract held by the Department of Environmental Protection (DEP), the Department of Design and Construction (DDC), or the Department of Housing Preservation and Development (HPD) to begin demolition work before DOB approval of construction documents and without prior correction of open violations, provided that such work is supervised by a registered design professional (e.g. an engineer or architect) designated by the relevant agency; (2) allow owners of one- to four-family dwellings undergoing elevation work under BIB through such a contract to continue to occupy the dwelling without a new certificate of occupancy, even where (a) such work would have require a new certificate and (b) a new certificate could not have been issued because of pre-existing violations; and (3) waive penalties for pre-existing violations relating to work without a permit for owners of one-to-four-family homes in BIB.

The legislation would take effect immediately upon enactment.

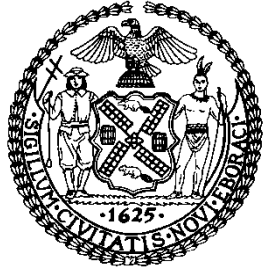
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<sup>7</sup> NYC Recovery: Repair Program, found at: <http://www.nyc.gov/html/recovery/html/homeowners/repair.shtml>

<sup>8</sup> NYC Recovery: Rebuild Program, found at: <http://www.nyc.gov/html/recovery/html/homeowners/rebuild.shtml>

<sup>9</sup> NYC Recovery: Reimbursement Program, found at: <http://www.nyc.gov/html/recovery/html/homeowners/reimbursement.shtml>

<sup>10</sup> New York City Mayor's Office, press release October 29, 2015 at <http://www1.nyc.gov/office-of-the-mayor/news/769-15/markig-sandy-anniversary-mayor-de-blasio-that-build-it-back-program-will-be-complete-by/#/0>



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

**COMMITTEE:** Recovery and Resiliency

**TITLE:** A Local Law in relation to special provisions for approval of demolition and construction work by city contractors under the “build it back” disaster recovery program

**SPONSORS:** Council Member Treyger (by request of the Mayor)

**SUMMARY OF LEGISLATION:** The City has implemented a disaster recovery program known as the Build it Back program for the recovery of residential property damaged or destroyed during Superstorm Sandy. This legislation would allow full demolitions and elevations of one- to four-family dwellings to proceed even where an existing violation or other condition may have previously delayed such work. This legislation applies only where such work is being funded under the Build it Back program through a contract held by the Department of Environmental Protection (“DEP”), the Department of Design and Construction (“DDC”), or the Department of Housing Preservation and Development (“HPD”). Lastly, this bill would also waive certain civil penalties for such buildings.

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

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY17</b>
<b>Revenues (+)</b>	\$(34,400)	\$0	\$(34,400)
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$(34,400)	\$0	\$(34,400)

**IMPACT ON REVENUES:** It is anticipated that this legislation would impact revenues as a result of the waiver of civil penalties for pre-existing violations for work without a permit that, without the passage of this legislation, would otherwise be required to be paid prior to the Build it Back permits being issued. According to the Administration, based on a review of the properties currently enrolled in the Build it Back program, approximately 43 properties would be eligible for such a waiver. Assuming all 43 properties were granted a waiver, then the amount of civil penalties waived would be approximately \$34,400. This estimate is based on the minimum penalty amount for performing work without a permit which is \$800 for one- and two-family dwellings and \$5,000 for three- and four-family dwellings. It is also possible that properties that had previously exited the program would be eligible for re-entry and, by extension, eligible for the waiver in this legislation. This would further reduce revenues.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as existing resources can be used to implement this law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCES OF INFORMATION:** New York City Council Finance Division  
City Legislative Affairs

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

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director, Finance Division

**LEGISLATIVE HISTORY:** This Preconsidered Intro. will be considered by the Committee on Recovery and Resiliency at a hearing held on October 27, 2016. Upon a successful vote by the Committee, the Preconsidered Intro. will be submitted to the full Council for introduction and vote on October 27, 2016.

**DATE PREPARED:** October 26, 2016

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Int No. 1341:)**

Preconsidered Int. No. 1341

By Council Members Treyger and Kallos (by request of the Mayor).

**A Local Law in relation to special provisions for approval of demolition and construction work by city contractors under the “build it back” disaster recovery program**

*Be it enacted by the Council as follows:*

Section 1. **Intent.** The city has implemented a disaster recovery program known as the build it back program for the recovery of residential property damaged or destroyed in the severe storm known as Sandy that occurred on October 29 and October 30 in 2012. The purpose of this local law is to expedite such recovery by implementing special procedures for the review and approval of demolition and construction work by city contractors under such program, consistent with public safety.

§ 2. **Definitions.** a. Unless otherwise indicated in subdivision b of this section, the terms used in this local law have the meanings ascribed to such terms in title 28 of the administrative code of the city of New York.

b. As used in this local law:

Build it back program. The term “build it back program” means the disaster recovery program funded by a community development block grant pursuant to the disaster relief appropriations act of 2013 and implemented by the city for recovery of residential property damaged or destroyed in the severe storm known as Sandy that occurred on October 29 and October 30 in 2012.

Contracting agency. The term “contracting agency” means, with respect to work performed under the build it back program, and funded through (i) a contract held by the department of environmental protection, (ii) a contract held by the department of design and construction or (iii) a disbursement agreement held by the department of housing preservation and development, the agency holding such contract or disbursement agreement.

§ 3. **Applicability.** This local law applies only to one- to four-family dwellings enrolled in the build it back program, where work on such dwellings is funded through a contract or disbursement agreement held by a contracting agency.

§ 4. **Full demolition of detached one- to four-family dwellings.** Notwithstanding any inconsistent provision of sections 28-104.1 and 28-105.1 of the administrative code, the full demolition of a detached one- to four-family dwelling funded through a contract or disbursement agreement held by a contracting agency under the build it back program, which would otherwise require construction document approval and a permit, may be performed without such approval and permit, consistent with public safety, subject to the following conditions:

(1) A complete application for approval of construction documents and issuance of a permit, including all required submittal documents, shall be submitted to the department of buildings as soon as practicable after the completion of the demolition work. The department of buildings will not issue a new building permit for the site of the demolition until a complete application for the demolition is submitted.

(2) The work is performed under the supervision of a registered design professional designated by the contracting agency.

(3) For demolition by hand held devices, or where mechanical equipment is used only for foundation removal, such registered design professional, or a qualified individual with experience in demolition operations designated by the contracting agency under the supervision of such registered design professional is at the site to monitor the demolition from the commencement of the work until its completion. In all other instances where mechanical demolition equipment, other than hand held devices, is being used, such registered design professional shall be at the site to monitor the demolition from the commencement of the work until its completion.

(4) The registered design professional ensures that all required documentation and certifications relating to compliance with the provisions of title 28 of the administrative code and other applicable law have been obtained before commencement of demolition work, except where such documentation or certification is waived by the certifying authority. Such documentation and certifications shall be maintained at the site and available for inspection by the department of buildings.

(5) Where section 3306.5.1 of the New York city building code applies to such demolition, documents complying with such section shall be prepared and professionally certified by a registered design professional for compliance with the New York city construction codes, including the certification that any alternate means of protection of adjoining properties are equally safe as those required by such codes, before commencement of the demolition and shall be available at the site for inspection by the department of buildings.

§ 5. **Option for buildings with outstanding pre-existing violations or pre-existing permits not signed off.** Notwithstanding any inconsistent provision of sections 28-118.3.2 or 28-118.3.3 of the administrative code at the option of the owner and subject to the discretion of the mayor's office of housing recovery, the elevation of a one- to four-family dwelling funded through a contract or disbursement agreement held by a contracting agency under the build it back program that would otherwise require the issuance of a certificate of occupancy by the department of buildings before re-occupancy of such dwelling, may be performed under a permit that will allow such dwelling to be occupied by the owner without a new certificate of occupancy or under its last issued certificate of occupancy, if any. Under this option, the owner may re-occupy the building after the issuance of a letter of completion for such work. Such letter of completion may be issued notwithstanding pre-existing violations or pre-existing permits that have not been signed off. The contracting agency must notify the owner before undertaking the elevation of a one- to four-family dwelling under this option, that although such dwelling may be occupied by the owner without the issuance of a new certificate of occupancy or under the last issued certificate of occupancy, if any, any inconsistency with such last issued certificate of occupancy or not obtaining a new certificate of occupancy may have an impact on the ability of such owner to obtain a mortgage or sell such dwelling and that all pre-existing violations and pre-existing permits that have not been signed off will remain in effect and must be remedied before the department of buildings will issue a new certificate of occupancy for such dwelling. The mayor's office of housing recovery shall establish guidelines for the exercise of its discretion pursuant to this section to exclude the use of this option where the pre-existing violations consist of work without a permit that substantially increased the square footage of the dwelling or where the pre-existing violations are of such a nature that there is no reasonable expectation that the violations will be corrected in the future.

§ 6. **Letter of completion where no certificate of occupancy is required.** Where a letter of completion is required for the alteration of a one- to four-family dwelling funded through a contract or disbursement agreement held by a contracting agency under the build it back program, such letter may be issued notwithstanding pre-existing violations or pre-existing permits that have not been signed off. This section shall not apply where, in accordance with sections 28-118.3.2 or 28-118.3.3 of the administrative code, such work would require the issuance of a new certificate of occupancy.

§ 7. **Waiver of penalties by the department of buildings.** Notwithstanding the provisions of sections 28-213.1.1, 28-213.1.2 and 28-213.3 of the administrative code, civil penalties that may be imposed for pre-existing violations for work without a permit which would otherwise be required to be paid before the issuance of a permit shall be waived by the department of buildings with respect to permits for work on one- to four-family dwellings funded through contracts or disbursement agreements with contracting agencies under the build it back program. Any necessary permits for such work shall be issued, provided all other requirements for such permits are met.

§ 8. Except as specifically provided, nothing in this local law is intended to grant authorization for any work to be done in any manner in violation of the provisions of the New York city construction codes, the zoning resolution or any other law or rules.

§ 9. This local law takes effect immediately.

MARK TREYGER, *Chairperson*, MARGARET S. CHIN, DONOVAN J. RICHARDS, CARLOS MENCHACA, STEVEN MATTEO; Committee on Recovery and Resiliency, October 27, 2016.

**(The following is the text of a Message of Necessity from the Mayor for the Immediate Passage of Preconsidered Int No. 1341:)**

THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N.Y. 10007

Pursuant to authority invested in me by section twenty of the Municipal Home Rule and by section thirty-six of the New York City Charter, I hereby certify to the necessity for the immediate passage of a local law; entitled:

**A LOCAL LAW**

**In relation to special provisions for approval of demolition and construction work by city contractors under the “build it back” disaster recovery program.**

Given under my hand and seal this 27<sup>th</sup> day of  
October, 2016 at City Hall in the City of New York.

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Bill de Blasio  
Mayor

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

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

Report for M-449

**Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment by the Mayor of Laurie Hawkinson as a member of the New York City Art Commission.**

The Committee on Rules, Privileges and Elections, to which the annexed Mayors Message was referred on October 13, 2016 (Minutes, page 3237) and which same Mayor's Message was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-456 & Res No. 1269 printed in the Minutes)**

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 851 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Laurie Hawkinson as a member of the New York City Art Commission to serve for the remainder of a three-year term that expires on December 31, 2016.

This matter was referred to the Committee on October 13, 2016.

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

Res. No. 1268

**RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF LAURIE HAWKINSON, AS A MEMBER OF THE NEW YORK CITY ART COMMISSION.**

By Council Member Lander.

**RESOLVED**, that pursuant to §§ 31 and 851 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Laurie Hawkinson as a member of the New York City Art Commission for the remainder of a three-year term that expires on December 31, 2016.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, RAFAEL L. ESPINAL, Jr., MARK LEVINE, STEVEN MATTEO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, October 27, 2015.

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



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

Report for M-456

**Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment by the Mayor of Kenneth Mitchell as a member of the New York City Taxi and Limousine Commission**

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Mayor's Message was referred on October 27, 2016 and which same Mayor's Message was coupled with the resolution shown below, respectfully

**REPORTS:**

**Topic I: *New York City Taxi and Limousine Commission – (Candidate recommended by the Council for appointment by the Mayor)***

- **KENNETH MITCHELL [Pre-considered M-456]**

In a letter dated October 14, 2016, Mayor Bill de Blasio formally submitted the name of Kenneth Mitchell to the Council of the City of New York, for its advice and consent, regarding his nomination for appointment to the New York City Taxi and Limousine Commission ("TLC").

The TLC was created pursuant to Local Law 12 of 1971. Chapter 65 of section 2300 of the *Charter* states that there shall be a TLC, which shall have the purpose of further developing and improving the taxi and limousine service in New York City ("the City"). It shall also remain consistent with the promotion and protection of the public comfort and convenience, adopting and establishing an overall public transportation policy, which will govern taxi, coach, limousine, and wheelchair accessible van services, as it relates to the overall public transportation network of the City. The TLC is also responsible for establishing certain rates, standards, and criteria for the licensing of vehicles, drivers, chauffeurs, owners, and operators engaged in such services. Furthermore, the TLC provides authorization to individuals who wish to operate commuter van services within the City.

The TLC consists of nine members appointed by the Mayor, all with the advice and consent of the Council. Five of the said members must be a resident from each of the five boroughs of the City, and are recommended for appointment by a majority vote of the Council Members from the respective borough. The TLC members are appointed for seven year terms, and can serve until the appointment and qualification of a successor. Vacancies, other than those that occur due to an expiration of a term, shall be filled for the unexpired term. Furthermore, the mayor may remove any such member for cause, upon stated charges.

The mayor designates one TLC member to act as the Chairperson and Chief Executive Officer. The Chairperson shall have be in-charge of the organization of his/her office, and possesses the authority to employ, assign, and superintend the duties of such officers and employees, as may be necessary to carry out the provisions of Chapter 65 of the *Charter*. The *Charter* provides that the Chairperson shall devote his/her full time to this position and as such, the Chair will receive compensation that is set by the Mayor. The Chair currently receives an annual salary of \$192,198.00. The other TLC members are not entitled to compensation.

Pursuant to the *Charter*, all TLC proceedings and all documents and records in its possession, shall be public records. Furthermore, the TLC is required to make an annual report to the Council, on or before the second Monday of January, of every year, concerning information that consists of the following; complaints received by the commission from the public, including, but is not limited to, complaints of overcharging, as well as enforcement actions undertaken by the commission, whether the enforcement action was dismissed or settled, or if a penalty was imposed by the commission on the subject of the enforcement action. The

information regarding enforcement actions shall also include, but is not limited to; enforcement action relating to illegal street hails, unlicensed vehicles, overcharging, and toll lane infractions.

If Mr. Mitchell, a Staten Island resident, receives the advice and consent of the Council and is subsequently appointed to the TLC, he will be eligible to complete the remainder of a seven-year term, expiring on January 31, 2022.

Copies of the following are annexed to this briefing paper: the candidate's résumé as well as the related associated message.

**Topic II: *New York City Art Commission – (Mayor's nominees for appointment upon advice and consent of the Council)***

- **LAURIE HAWKINSON [M-449]**

In a letter dated October 6, 2016, Mayor Bill de Blasio formally submitted the name of Laurie Hawkinson to the Council of the City of New York, for its advice and consent, regarding her nomination for appointment to the New York City Art Commission.

The New York City Art Commission, also known as the Public Design Commission<sup>1</sup> (“PDC”) reviews permanent works of art, architecture and landscape architecture proposed on or over City-owned property. Projects include construction, renovation or restoration of buildings, such as museums and libraries; creation or rehabilitation of parks and playgrounds; installation of lighting and other streetscape elements; and design, installation and conservation of artwork.<sup>2</sup>

The PDC itself does not contract for any artwork, nor does it select contractors, negotiate fees, or otherwise involve itself in the selection or approval of contracts. The PDC brings its expertise to the process by reviewing submitted plans or work in accordance with standards enumerated in the *Charter*. PDC members have no say in what projects are initiated, or how City funds are allocated. The *Charter* states that the PDC has general advisory oversight over all works of art belonging to the City, and advises agencies having jurisdiction over them as to methods and procedures for their proper maintenance. [*Charter* § 857 (a).]

The PDC is composed of the Mayor or his representative, the President of the Metropolitan Museum of Art, the President of the New York Public Library, the President of the Brooklyn Museum, one painter, one sculptor, one architect, one landscape architect, all of whom shall be residents of the City, and three other residents of the City who cannot be painters, sculptors, architects, landscape architects, or active members of any other profession in the fine arts. *Charter* § 851 (a). The Mayor and the museum and library presidents serve in an ex-officio capacity. Section 31 of the *Charter* states that the Council performs an advice and consent review of mayoral appointees for membership on the PDC. The Council does not review ex-officio members. [*Charter* § 851 (a).]

The appointive members whose service is not ex-officio are chosen from a list submitted by the Fine Arts Federation of not less than three times the number to be appointed. If the Federation fails to present a list of nominees within three months from the time when a vacancy occurs, the Mayor may appoint an individual without such input. In case the Mayor fails to appoint within one year from the time when a vacancy occurs,

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<sup>1</sup> On July 21, 2008, Mayor Michael R. Bloomberg issued Executive Order No. 119, which changed the name of the Art Commission of the City of New York to the Public Design Commission of the City of New York, except in court documents, contracts and any other situation where the name “Art Commission” is legally required.

<sup>2</sup> <http://www.nyc.gov/html/artcom/html/about/about.shtml>

the PDC is authorized to fill such vacancy for any balance of the un-expired term without the Council's advice and consent review. [*Charter* § 851 (b).]

All members serve on the PDC without compensation. Members serve for three-year terms, or until a successor has been appointed and qualified. [*Charter* § 851 (b).]

Upon appointment by the Mayor with the advice and consent of the Council, Ms. Hawkinson, a Manhattan resident, will fill a vacancy and serve as the architect member for the remainder of a three-year term that expires on December 31, 2016. Copies of her résumé and report/resolution are annexed to this Briefing paper.

#### **PROJECT STAFF**

Patrick Bradford, Managing Counsel  
Charles W. Davis III, Director of Investigations  
Alycia Vassell, Legislative Investigator  
Andre Johnson Brown, Legislative Investigator

**(After hearing the testimony and reviewing the submitted material, the Committee approved the appointment of the candidates; in regard to nominee Laurie Hawkinson [M-449], please see the coupled resolution following the Report of the Committee on Rules, Privileges and Elections for M-449 printed above in these Minutes; in regard to nominee Kenneth Mitchell [Preconsidered M-456], please see the coupled resolution printed following the paragraph below:)**

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 2301 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Kenneth Mitchell as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2022.

This matter will be referred to the Committee on October 27, 2016.

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

Res. No. 1269

#### **RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF KENNETH MITCHELL AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.**

By Council Member Lander.

**RESOLVED**, that pursuant to §§ 31 and 2301 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Kenneth Mitchell as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2022.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, RAFAEL L. ESPINAL, Jr., MARK LEVINE, STEVEN MATTEO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, October 27, 2015.

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

## GENERAL ORDER CALENDAR

Report for L.U. No. 475 & Res. No. 1270

**Report of the Committee on Land Use in favor of approving Application No. N 160250 ZRX submitted by MLK Plaza, 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 on property located on either side of 147th Street between Austin Place and Southern Boulevard, Borough of the Bronx, Community Board 1, Council District 8.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 28, 2016, 2016 (Minutes, page 3224) and which was previously brought before the Council at the October 13, 2016 Stated Meeting, respectfully

### REPORTS:

#### *SUBJECT*

**BRONX - CB 1**

**N 160250 ZRX**

City Planning Commission decision approving an application submitted by MLK Plaza, LLC pursuant to Sections 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to establish a Mandatory Inclusionary Housing area.

#### *INTENT*

To amend the text of the Zoning Resolution, which in conjunction with the other related action, would create a Mandatory Inclusionary Housing Program that would require, through zoning actions, a share of new housing to be permanently affordable, and to facilitate the development of a new 165-unit affordable housing building in the Mott Haven neighborhood in Borough of the Bronx.

#### *PUBLIC HEARING*

**DATE:** October 5, 2016

**Witnesses in Favor:** Three

**Witnesses Against:** One

***SUBCOMMITTEE RECOMMENDATION***

**DATE:** October 5, 2016

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

**In Favor:**

Richards, Gentile, Garodnick, Williams, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 6, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Levin, Rose, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

**FILING OF MODIFICATION WITH THE CITY PLANNING COMMISSION**

The Committee's proposed modification was filed with the City Planning Commission on October 7, 2016. The City Planning Commission filed a letter dated October 17, 2016, with the Council on October 17, 2016, indicating that the proposed modification is not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res No. 1270

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 160250 ZRX, for an amendment of the Zoning Resolution of the City of New York, to establish a Mandatory Inclusionary Housing area in Community District 1, Borough of the Bronx (L.U. No. 475).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on September 9, 2016 its decision dated September 7, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by MLK Plaza, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, to create a Mandatory Inclusionary Housing Program that would require, through zoning actions, a share of new housing to be permanently affordable in Community District 1, (Application No. N 160250 ZRX), Community District 1, Borough of the Bronx (the "Application");

**WHEREAS**, the Application is related to application C 160251 ZMX (L.U. No. 476), a zoning map amendment to rezone property from M1-2 to R7X, M1-3 to R7X and establishing a C1-4 Commercial Overlay along a portion of the proposed R7X 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 October 5, 2016;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 16DCP154X) issued on May 9, 2016 which includes an (E) Designation (E-385) relating to air quality, noise and hazardous material impacts (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 160250 ZRX, incorporated by reference herein, the Council approves the Decision with modifications as follows:

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

\* \* \*

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

\* \* \*

**THE BRONX**

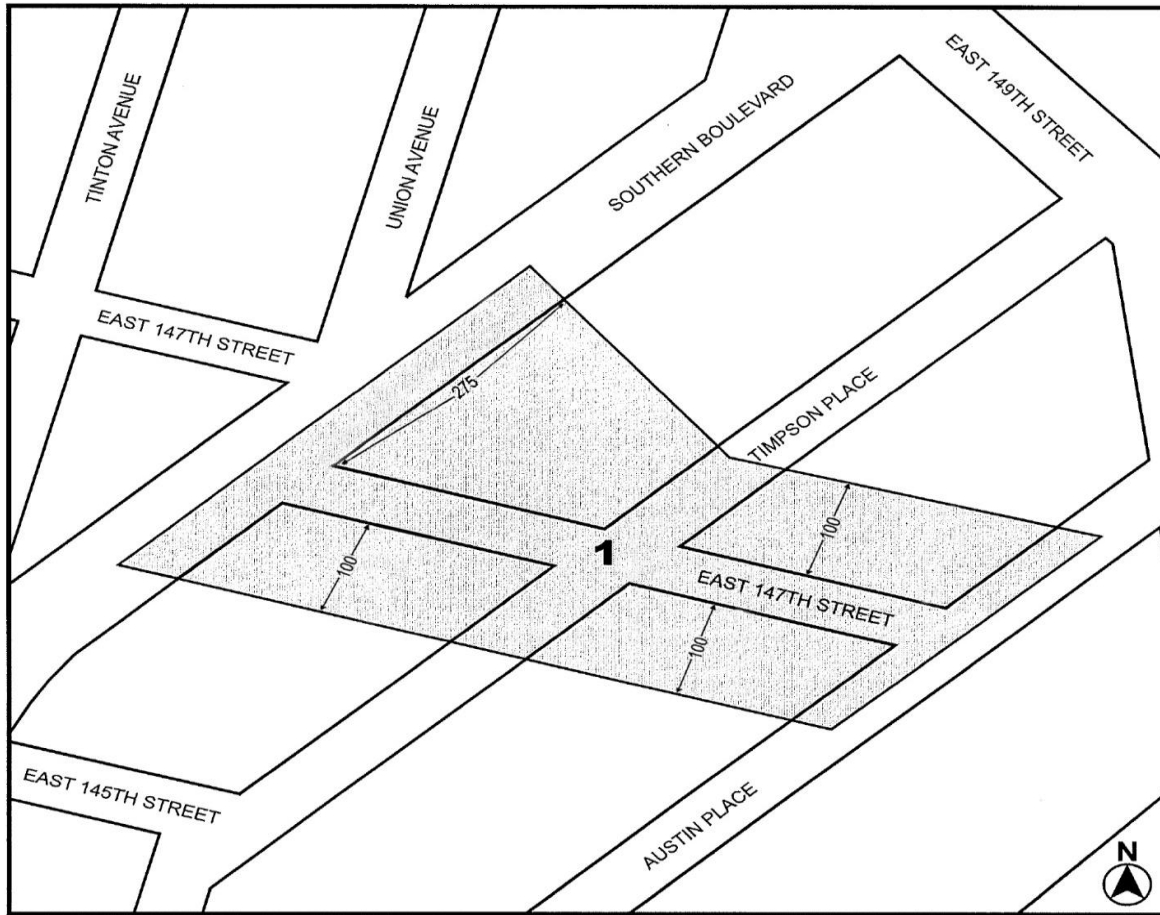
**The Bronx Community District 1**

In the #Special Harlem River Waterfront District# (see Section 87-20) and in the R7A, R7X and R8A Districts within the areas shown on the following Maps 1 and 2:

\* \* \*

Map 2 – [date of adoption]

[PROPOSED MAP]



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

Portion of Community District 1, The Bronx

\* \* \*

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 6, 2016.

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

Report for L.U. No. 476 & Res. No. 1271

**Report of the Committee on Land Use in favor of approving Application No. C 160251 ZMX submitted by MLK Plaza, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6c changing existing M1-2 and M1-3 districts to an R7X and C1-4 District, on property located on either side of 147th Street between Austin Place and Southern Boulevard, Borough of the Bronx, Community Board 1, Council District 8.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 28, 2016 (Minutes, page 3224) and which was previously brought before the Council at the October 13, 2016 Stated Meeting, respectfully

#### **REPORTS:**

#### ***SUBJECT***

#### **BRONX - CB 1 C 160251 ZMX**

City Planning Commission decision approving an application submitted by MLK Plaza LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c:

1. changing from an M1-2 District to an R7X District property bounded by Southern Boulevard, a line perpendicular to the southeasterly street line of Southern Boulevard distant 275 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Southern Boulevard and the northeasterly street line of East 147<sup>th</sup> Street, a line 100 feet northeasterly of East 147<sup>th</sup> Street, Austin Place, East 147<sup>th</sup> Street, Timpson Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street;
2. changing from an M1-3 District to an R7X District property bounded by Timpson Place, East 147<sup>th</sup> Street, Austin Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street; and
3. establishing within a proposed R7X District a C1-4 District bounded by Southern Boulevard, a line perpendicular to the southeasterly street line of Southern Boulevard distant 275 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Southern Boulevard and the northeasterly street line of East 147<sup>th</sup> Street, a line midway between Southern Boulevard and Timpson Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street.



***INTENT***

This zoning map amendment, in conjunction with the other related action, would facilitate the development of a new 165-unit of affordable housing building in the Mott Haven neighborhood in Borough of the Bronx.

***PUBLIC HEARING***

**DATE:** October 5, 2016

**Witnesses in Favor:** Three

**Witnesses Against:** One

***SUBCOMMITTEE RECOMMENDATION***

**DATE:** October 5, 2016

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

**In Favor:**

Richards, Gentile, Garodnick, Williams, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 6, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Levin, Rose, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger.

**Against:**

None

**Abstain:**

None

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

Res No. 1271

**Resolution approving the decision of the City Planning Commission on ULURP No. C 160251 ZMX, a Zoning Map amendment (L.U. No. 476).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on September 9, 2016 its decision dated September 7, 2016 (the "Decision"), on the application submitted by MLK Plaza, 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 an M1-2 and an M1-3 District to an R7X District and establish within the R7X District a C1-4 District to facilitate the development of a new 165-unit affordable housing building in the Mott Haven neighborhood in the Bronx, (ULURP No. C 160251 ZMX), Community District 1, Borough of the Bronx (the "Application");

**WHEREAS**, the Application is related to application C 160250 ZMX (L.U. No. 475), a zoning text amendment pursuant to Appendix F to establish a Mandatory Inclusionary Housing Designated 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 October 5, 2016;

**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 (CEQR No. 16DCP154X) issued on May 9, 2016 which includes an (E) Designation (E-385) relating to air quality, noise and hazardous material impacts (the "Negative Declaration");

**RESOLVED:**

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 160251 ZMX, incorporated by reference herein, the Council approves the Decision.

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

1. changing from an M1-2 District to an R7X District property bounded by Southern Boulevard, a line perpendicular to the southeasterly street line of Southern Boulevard distant 275 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Southern Boulevard and the northeasterly street line of East 147<sup>th</sup> Street, a line 100 feet northeasterly of East 147<sup>th</sup> Street, Austin Place, East 147<sup>th</sup> Street, Timpson Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street;
2. changing from an M1-3 District to an R7X District property bounded by Timpson Place, East 147<sup>th</sup> Street, Austin Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street; and
3. establishing within a proposed R7X District a C1-4 District bounded by Southern Boulevard, a line perpendicular to the southeasterly street line of Southern Boulevard distant 275 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Southern Boulevard and the northeasterly street line of East 147<sup>th</sup> Street, a line midway between Southern Boulevard and Timpson Place, and a line 100 feet southwesterly of East 147<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated May 9, 2016, and subject to the conditions of CEQR Declaration E-385, Community District 1, Borough of the Bronx.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 6, 2016.

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

Report for L.U. No. 489 & Res. No. 1272

**Report of the Committee on Land Use in favor of approving Application No. N 160377 ZRK submitted by Community Board 10, Brooklyn, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 73-622 (Enlargement of single- and two-family detached and semi-detached residences), Borough of Brooklyn, Community Board 10, Council District 43 and 38.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 28, 2016 (Minutes, page 3228) and which was previously brought before the Council at the October 13, 2016 Stated Meeting, respectfully

#### **REPORTS:**

#### ***SUBJECT***

**BROOKLYN - CB 10**

**N 160377 ZRK**

City Planning Commission decision approving an application submitted by Community Board 10, Brooklyn, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences).

#### ***INTENT***

This amendment to the Zoning Resolution would remove Community District 10 from the applicability provisions of Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences), ensuring that enlargements to single- and two-family homes in the Community District either adhere to the as-of-right residential zoning regulations or rely on other discretionary remedies to afford relief.

#### ***PUBLIC HEARING***

**DATE:** October 5, 2016

**Witnesses in Favor:** Six

**Witnesses Against:** None

***SUBCOMMITTEE RECOMMENDATION*****DATE:** October 5, 2016

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

**In Favor:**

Richards, Gentile, Garodnick, Williams, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** October 6, 2016

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Dickens, Garodnick, Mealy, Mendez, Rodriguez, Koo, Levin, Rose, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger.

**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 October 7, 2016. The City Planning Commission filed a letter dated October 17, 2016, with the Council on October 17, 2016, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res No 1272

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 160377 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences), in Community District 10, Borough of Brooklyn (L.U. No. 489).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on September 23, 2016 its decision dated September 21, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Community Board 10, Brooklyn, for an amendment of the text of the Zoning Resolution of the City of New York, for the removal of Community Board 10, Brooklyn, from being applicable under Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences). This action would require that enlargements to single- and two-family homes in Community District 10 adhere to the as-of-right residential zoning regulations or rely on other pre-established discretionary remedies to afford relief, (Application No. N 160377 ZRK), Community District 10, Borough of Brooklyn (the "Application");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on October 5, 2016;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 16DCP178K) issued on June 20, 2016 (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 160377 ZRK, incorporated by reference herein, the Council approves the Decision with the following modifications as follows:

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

\* \* \*

**Article VII  
ADMINISTRATION**

**Chapter 3  
Special Permits by the Board of Standards and Appeals**

\* \* \*

**73-622  
Enlargements of single- and two-family detached and semi-detached residences**

The Board of Standards and Appeals may permit an #enlargement# of an existing #single-# or #two-family detached# or #semi-detached residence# within the following areas:

- (a) Community Districts ~~10~~, 11 and 15, in the Borough of Brooklyn; ~~and~~
- (b) R2 Districts within the area bounded by Avenue I, Nostrand Avenue, Kings Highway, Avenue O and Ocean Avenue, Community District 14, in the Borough of Brooklyn; ~~and~~
- (c) within Community District 10 in the Borough of Brooklyn, after (effective date of amendment), only the following applications, Board of Standards and Appeals Calendar numbers 2016-4218-BZ, 234-15-BZ, and 2016-4163-BZ, may be granted a special permit pursuant to this Section. In addition, the provisions of Section 73-70 (Lapse of Permit) and paragraph (f) of Section 73-03 (General Findings Required for All Special Permit Uses and Modifications), shall not apply to such applications and such special permit shall automatically lapse and shall not be renewed if substantial construction, in compliance with the approved plans for which the special permit was granted, has not been completed within two years from the effective date of issuance of such special permit.

\* \* \*

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, October 6, 2016.

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

**GENERAL ORDER CALENDAR****Resolution approving various persons Commissioners of Deeds**

By the Presiding Officer –

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

*Approved New Applicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Daequan Langhorn	555 Kingston Avenue #B4 Brooklyn, N.Y. 11203	41

*Approved Reapplicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Louis Bakalar	435 West 45th Street Ground Floor New York, N.Y. 10036	3
Lavern P. Derespino	484 West 43rd Street #39N New York, N.Y. 10036	3
Jeanette Vargas	510 Main Street #415 New York, N.Y. 10044	5
Alisa Poindexter	55 Lasalle Street #15J New York, N.Y. 10027	7
Mia Phipps	420 East 105th Street #5B New York, N.Y. 10029	8
Marian Daniel-Olin	5700 Arlington Avenue #15G Bronx, N.Y. 10471	11
Lorna Story	3265 Bainbridge Avenue #A13 Bronx, N.Y. 10467	11
Michelle Rene Smith	280-300 East 161st Street #6Y Bronx, N.Y. 10451	16
Loretta Montgomery	1000 Freeman Street #1C Bronx, N.Y. 10459	17
Lisa Ray	920 Westchester Avenue #2E Bronx, N.Y. 10459	17

John D. Givens	1710 Seward Avenue #2A Bronx, N.Y. 10473	18
Epifanio Quintana	73-43 Little Neck Parkway Floral Park, N.Y. 11004	23
Deborah Lowe	111-27 172nd Street Queens, N.Y. 11433	27
Edward S. Lentol II	107-43 113th Street South Richmond Hill, N.Y. 11419	28
Shaneza Shinath	127-02 Sutter Avenue South Ozone Park, N.Y. 11420	28
Mary A. Dunn	309 Lafayette Avenue #1C Brooklyn, N.Y. 11238	35
Bianca E. Gill-Nash	1601 President Street Brooklyn, N.Y. 11213	35
Lynn Gripper	217 Carlton Avenue Brooklyn, N.Y. 11205	35
Ainsley Harris Jr.	469 Quincy Street Brooklyn, N.Y. 11221	36
Nicole Kennedy	306 Macon Street Brooklyn, N.Y. 11216	36
Argentina Batista	220 53rd Street #1R Brooklyn, N.Y. 11220	38
Tasha Jones	25 Stratford Road #B4 Brooklyn, N.Y. 11218	40
Lizzette Sierra	1260 Bat Ridge Parkway Brooklyn, N.Y. 11228	43
Felicia Thornton-Manuel	1168 East 89th Street Brooklyn, N.Y. 11236	46
Inga Toell	1507 Royce Street #3G Brooklyn, N.Y. 11234	46
Albert Decapua	1765 East 15th Street Brooklyn, N.Y. 11229	48
Victoria M. Gillen	74 Winant Street Staten Island, N.Y. 10303	49



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

**ROLL CALL ON GENERAL ORDERS FOR THE DAY**  
**(Items Coupled on General Order Calendar)**

- |      |                               |   |
|------|-------------------------------|---|
| (1)  | <b>M-449 &amp; Res 1268 -</b> | <b>Laurie Hawkinson</b> - As a member of the New York City Art Commission.  |
| (2)  | <b>M-456 &amp; Res 1269 -</b> | <b>Kenneth Mitchell</b> - As a member of the New York City Taxi and Limousine Commission.   |
| (3)  | <b>Int 83-A</b>               | Reports concerning cardiopulmonary resuscitation and automated external defibrillator training.   |
| (4)  | <b>Int 464-A -</b>            | Absentee voting among jailed individuals.   |
| (5)  | <b>Int 796-A -.</b>           | Requiring assistance if requested for individuals signing up to be organ donors as part of the agency-based voter registration program. |
| (6)  | <b>Int 1017-C -</b>           | Protections for freelance workers.  |
| (7)  | <b>Int 1187-A -</b>           | Obtaining government-issued identification for youth.   |
| (8)  | <b>Int 1190-A -</b>           | Educational continuity of children in foster care.  |
| (9)  | <b>Int 1191-A -</b>           | Five-year plan to address barriers to permanency.   |
| (10) | <b>Int 1192-A -</b>           | Foster care task force.   |
| (11) | <b>Int 1197-A -</b>           | Information collected and reported about youth and foster care.   |
| (12) | <b>Int 1199-A -</b>           | Foster care experience surveys.   |
| (13) | <b>Int 1205-A -</b>           | High school graduation rates of youth in foster care.   |

- (14) **Int 1242 -** Greater JFK Business Improvement District
- (15) **Int 1341 -** “Build it Back” disaster recovery program.**(with a Message of Necessity from the Mayor requiring an affirmative vote of at least two-thirds of the Council for passage)**
- (16) **Res 1259 -** Court Square Business Improvement District.
- (17) **Res 1260 -** New and changed designations of certain organizations to receive funding **(Transparency Resolution).**
- (18) **L.U. 428 & Res 1263 -** App. **20175024 HAK**, Real Property Tax Exemption, Brooklyn, Community Board 42, Council District 5.
- (19) **L.U. 470 & Res 1264 -** App. **20175051 TCQ**, 10802 72nd Rest LLC, d/b/a Reef, sidewalk café, Queens, Community Board 6, Council District 29.
- (20) **L.U. 471 & Res 1265 -** App. **20165243 TCM**, Happy Cooking Bistro LLC, sidewalk café, Manhattan, Community Board 2, Council District 3 **(Coupled to be Filed pursuant to a Letter of Withdrawal).**
- (21) **L.U. 475 & Res 1270 -** App. N **160250 ZRX**, Zoning Resolution, Bronx, Community Board 1, Council District 8.
- (22) **L.U. 476 & Res 1271 -** App. C **160251 ZMX**, Zoning Map, Bronx, Community Board 1, Council District 8.
- (23) **L.U. 493 & Res 1266 -** App. **20175059 HKK (N 170058 HKK)**, Williamsburg Trust Company Building, Brooklyn, Community Board 1, Council District 34.

- (24) **L.U. 494 & Res 1267 -** App. C **160332 ZMX**, Zoning Map, Bronx, Community Board 11, Council District 13.
- (25) **L.U. 489 & Res 1272 -** App. N **160377 ZRK**, Zoning Resolution, Brooklyn, Community Board 10, Council District 43 and 38.
- (26) **L.U. 504 & Res 1262 -** Villa Gardens, Bronx, Community District No. 7, Council District No. 11.
- (27) **Resolution approving various persons Commissioners of Deeds.**

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

**Affirmative** – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **51**.

**The General Order vote recorded for this Stated Meeting was 51-0-0 as shown above with the exception of the votes for the following legislative items:**

The following was the vote recorded for **Int No. 464-A**:

**Affirmative** – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **50**.

**Negative** – Matteo – **1**.

The following was the vote recorded for **LU No. 493 & Res No. 1266**:

**Affirmative** – Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **50**.

**Abstention** – Barron- **1**.

*The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 83-A, 464-A, 796-A, 1017-C, 1187-A, 1190-A, 1191-A, 1192-A, 1197-A, 1199-A, 1205-A, 1242, and 1341.*

## 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. 232-A

**Report of the Committee on Governmental Operations in favor of approving, as amended, a resolution calling upon the New York State Legislature to pass, and the Governor to sign into law, A.9108 and S.6452-A, which would amend the election law to consolidate New York's federal, state, and local primaries into one primary which would take place on the fourth Tuesday of June.**

The Committee on Governmental Operations, to which the annexed amended resolution was referred on May 14, 2014 (Minutes, page 1653), respectfully

### REPORTS:

**(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 464-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. 232-A:)**

Res. No. 232-A

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign into law, A.9108 and S.6452-A, which would amend the election law to consolidate New York's federal, state, and local primaries into one primary which would take place on the fourth Tuesday of June.**

By Council Members Kallos, Constantinides, Dickens, Johnson, Levine, Mendez, Rosenthal, Vallone, Menchaca, Lander, Cohen, Van Bramer, Levin and Ulrich.

**Whereas**, This year, the State of New York put voters through another unnecessary and expensive election year by having two non-presidential primaries: one for federal offices in June and another for state and local offices in September; and

**Whereas**, According to the New York Times, the cost of putting on each statewide election is approximately \$50 million; and

**Whereas**, In 2013, U.S. District Court Judge Gary Sharpe designated the fourth Tuesday in June as the date to hold congressional primaries in New York; and

**Whereas**, The reason for this designation was to ensure that the State was compliant with the Military and Overseas Voter Empowerment Act, a 2009 federal law which requires election authorities to ensure that Americans abroad get absentee ballots with enough time to vote and mail them back for an election; and

**Whereas**, Although Judge Sharpe's decision only applies to federal elections, military personnel should receive the same consideration for state and local elections, and taxpayer money should not be wasted on staging two separate primaries when a single primary could be held instead; and

**Whereas**, Voter turnout in the State of New York, and especially in the City of New York, is already very low; and

**Whereas**, Asking voters to go to the polls for two primaries months apart is both confusing and further depresses turnout; and

**Whereas**, A.9108, introduced by Assembly Member Michael Cusick, would create a consolidated primary on the fourth Tuesday of June and was passed overwhelmingly by the New York State Assembly; and

**Whereas**, S.6452-A, introduced by State Senate Minority Leader Andrea Stewart-Cousins, which is the accompanying bill in the New York State Senate, has yet to be voted upon; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign into law, A.9108 and S.6452-A, which would amend the election law to consolidate New York's federal, state, and local primaries into one primary which would take place on the fourth Tuesday of June.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, CARLOS MENCHACA, ANTONIO REYNOSO, RITCHIE J. TORRES, JOSEPH C. BORELLI; Committee on Governmental Operations, October 26, 2016. *Other Council Members Attending: Council Members Lander, Wills and Rodriguez.*

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice-vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted.

The following Council Member formally noted his opposition to the passage of this item:  
Council Member Matteo.

The following 2 Council Members formally noted their abstention on this item:  
Council Members Gentile and Greenfield.

Adopted by the Council by voice-vote.

Report for voice-vote item Res No 281-A

**Report of the Committee on Governmental Operations in favor of approving, as amended, a resolution calling upon the Mayor of the City of New York to create an annual Student Voter Registration Day.**

The Committee on Governmental Operations, to which the annexed amended resolution was referred on June 11, 2014 (Minutes, page 2069), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 464-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. 281-A:)**

Res. No. 281-A

**Resolution calling upon the Mayor of the City of New York to create an annual Student Voter Registration Day.**

By Council Members Rosenthal, Levine, Kallos, Constantinides, Cumbo, Ferreras-Copeland, Gentile, Mendez, Reynoso, Rodriguez, Torres, Richards, Miller, Menchaca, Van Bramer, Cohen and Levin.

**Whereas**, According to the Center for Information and Research on Civic Learning and Engagement, only 19.9% of 18-to 29-year-olds cast ballots in the 2014 elections nationally, the lowest rate in 40 years; and

**Whereas**, An analysis by the New York City Campaign Finance Board (CFB) found that only 11% of 18-to 29-year-old registered New Yorkers cast ballots in the 2013 general elections; and

**Whereas**, According to a report by the Center for American Progress Action Fund, by 2020, the millennial generation will comprise just under 40% of all eligible voters nationwide; and

**Whereas**, Eligible voters who do not register by the age of 18 and do not attend college are the least likely group to vote in their lifetimes, which means that they will not be represented in the political process, and are less likely to have their issues addressed or become involved in their communities; and

**Whereas**, A 2012 CFB report speculated that part of the reason young voters are so underrepresented is because they are generally not engaged by political campaigns, and as a result, do not feel like their vote makes a difference or that voting is important; and

**Whereas**, New York City schools offer the best opportunity to engage students and prepare them for civic engagement as citizens and non-citizens; and

**Whereas**, Schools in New York City should participate in an annual Student Voter Registration Day with voter and civic education, discussion, services and activities for citizen and non-citizen students, and voter registration for eligible 17- and 18-year-olds; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the Mayor of the City of New York to create an annual Student Voter Registration Day.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, CARLOS MENCHACA, ANTONIO REYNOSO, RITCHIE J. TORRES, JOSEPH C. BORELLI; Committee on Governmental Operations, October 26, 2016. *Other Council Members Attending: Council Members Lander, Wills and Rodriguez.*

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

Adopted unanimously by the Council by voice-vote

Report for voice-vote item Res No. 695-A

**Report of the Committee on Governmental Operations in favor of approving, as amended, a resolution calling upon the New York State Legislature to pass, and the Governor to sign, A2529/S857, allowing 16 and 17 year-olds to pre-register to vote.**

The Committee on Governmental Operations, to which the annexed amended resolution was referred on May 14, 2015 (Minutes, page 1761), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 695-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. 695:)**

Res. No. 695

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A2529/S857, allowing 16 and 17 year-olds to pre-register to vote.**

By Council Members Rosenthal, Kallos, Constantinides, Cumbo, Johnson, Richards, Rose, Gentile, Menchaca, Miller, Lander, Cohen, Van Bramer and Levin.

**Whereas**, The U.S. Census Bureau found that in 2010 only 46.6% of eligible New York voters between the ages of 16 and 24 were registered to vote; and

**Whereas**, New York State does not currently allow 16- and 17-year-olds to pre-register to vote; and

**Whereas**, Over one dozen states allow 16- and 17-year-olds to pre-register to vote; and

**Whereas**, Advocates argue that young adults who are engaged in the election process at an early age are more likely to stay engaged in the political process and continue to meet their civic duty to vote; and

**Whereas**, At the age of 16 many youth first interact with the Department of Motor Vehicles, making it an appropriate time and place for collecting information for voter pre-registration; and

**Whereas**, In New York City, school is still compulsory for 16- and 17-year olds, making school an appropriate venue for providing information on and encouraging pre-registration and registration; and

**Whereas**, Submission of voter registration or pre-registration forms would not interfere with the education of students, as it would not be a course requirement or graded assignment for students; and

**Whereas**, A2529/S857, legislation introduced in the New York State Assembly and Senate, respectively, during the 2015-2016 legislative session, would require local boards of education to adopt policies to promote student voter registration and pre-registration; and

**Whereas**, A2529/S857 would allow 16- and 17-year-olds to pre-register to vote; and

**Whereas**, A version of these bills from last session, A2042, passed the Assembly in 2013 and 2014, but its companion bill S1992 died in the Senate both years; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A2529/S857, allowing 16 and 17 year-olds to pre-register to vote.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, CARLOS MENCHACA, ANTONIO REYNOSO, RITCHIE J. TORRES, JOSEPH C. BORELLI; Committee on Governmental Operations, October 26, 2016. *Other Council Members Attending: Council Members Lander, Wills and Rodriguez.*

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice-vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted.

The following 2 Council Members formally noted their opposition to the passage of this item: Council Members Borelli and Matteo.

Adopted by the Council by voice-vote.

Report for voice-vote Res No. 870

**Report of the Committee on Governmental Operations in favor of approving a resolution calling on the New York State Legislature to pass and the Governor to sign A.7634, which would amend both the New York State Election Law and the Correction Law, in relation to voting by convicted felons.**

The Committee on Governmental Operations, to which the annexed resolution was referred on September 30, 2015 (Minutes, page 3596), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 695-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. 870:)**

Res. No. 870

**Resolution calling on the New York State Legislature to pass and the Governor to sign A.7634, which would amend both the New York State Election Law and the Correction Law, in relation to voting by convicted felons.**

By Council Members Rodriguez, Wills, Kallos, Chin, Cumbo, Rose, Menchaca, Lander, Cohen, Van Bramer, Levin and Cornegy.

**Whereas**, The New York State Election Law (“Election Law”) Section 5-106 bars individuals convicted of a state felony from voting or registering to vote, but restores voting rights upon release from parole or arrival of the maximum expiration date of their sentence; and

**Whereas**, The New York State Correction Law (“Correction Law”) Section 75 stipulates that “Upon the discharge from a correctional facility of any person whose maximum sentence of imprisonment has expired or upon a person’s discharge from community supervision, the department shall notify such person of his or her right to vote and provide such person with a form of application for voter registration together with written information distributed by the board of elections on the importance and the mechanics of voting”; and

**Whereas**, A.7634, introduced by New York State Assembly Member Daniel J. O’Donnell and pending in the Assembly, seeks to promote community reintegration and civic engagement by restoring voting rights to parolees, rather than restricting them to waiting until a discharge from parole or an expiration of a sentence; and

**Whereas**, According to The Sentencing Project, as of 2010, only a minority of disenfranchised voters remain in prison, as 75% of the disenfranchised population reside within communities under probation, parole, or a completed sentence; and

**Whereas**, According to The Sentencing Project, the disenfranchisement rate for the United States has increased dramatically as the prison population has grown, with 1.17 million individuals disenfranchised in 1976, to 5.85 million disenfranchised in 2010; and



**Whereas**, This dramatically increasing prison population is disproportionately made up of African-Americans—making up 1 million out of 2.3 million incarcerated, according to the NAACP—thus disproportionately disenfranchising many more African-Americans who have been convicted; and

**Whereas**, the New York State Department of Corrections and Community Supervision (“DOCCS”) reported that in 2013, 50% of inmates were African-American, and 24% of inmates were Hispanic; and

**Whereas**, According to the New York Civil Liberties Union, as of 2010, “an estimated 122,018 people with felony convictions are barred from voting in New York”, with 54% of the disenfranchised in prison or jail and 46% of the disenfranchised on parole; and

**Whereas**, According to a 2010 study conducted by The Sentencing Project, “over 40% of prisoners believe that incarceration causes someone to permanently lose his or her right to vote, and almost 60% of prisoners believe that being on probation makes them ineligible to vote”; and

**Whereas**, A.7634 would amend Election Law Section 5-106 by restoring voting rights to individuals who have been released to community supervision from incarceration; and

**Whereas**, A.7634 would amend Election Law Section 5-106 by extending Section 1 to apply to Federal felony convictions and convictions from other states; and

**Whereas**, A.7634 would amend Correction Law Section 75 by requiring the DOCCS to notify each individual on parole of his or her right to vote, along with the provision of registration forms; and

**Whereas**, Most individuals on parole may be barred from voting despite being in the community for many years after leaving incarceration, awaiting the end of their parole or sentence, and are unaware of their ability to vote even after they become eligible; and

**Whereas**; Voting is a universal right and should not be withheld from individuals who are on the path to reentering society as members of the community, and those who are able to vote post-incarceration should be made aware of their rights to civic participation; and

**Whereas**, Parole is utilized as a means to prevent recidivism and aid to reintegrate someone into society, and disenfranchisement after prison prevents them from exercising constitutional rights and displaying civic responsibility, thus hindering the reintegration process; and

**Whereas**, Individuals who have left prison and are being reintegrated into society should have their voting rights restored and be made aware of their restoration; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A.7634, which would amend both the New York State Election Law and the Correction Law, in relation to voting by convicted felons.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, CARLOS MENCHACA, ANTONIO REYNOSO, RITCHIE J. TORRES, JOSEPH C. BORELLI; Committee on Governmental Operations, October 26, 2016. *Other Council Members Attending: Council Members Lander, Wills and Rodriguez.*

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice-vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted

The following 3 Council Members formally noted their opposition to the passage of this item: Council Members Borelli, Grodenchik, and Matteo.

The following Council Member formally noted his abstention on this item: Council Member Gentile.

Adopted by the Council by voice-vote.

Report for voice-vote item Res No. 1073-A

**Report of the Committee on Governmental Operations in favor of approving a resolution calling upon the New York State Legislature to pass, and the Governor to sign legislation that would increase the amount of housing subsidy from \$300 to \$600 per month, and extend the age eligibility from 21 to 24 for youth who have aged out of foster care.**

The Committee on Governmental Operations, to which the annexed amended resolution was referred on May 25, 2016 (Minutes, page 1489), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Governmental Operations for Int No. 695-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. 1073-A:)**

Res. No. 1073-A

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign legislation that would increase the amount of housing subsidy from \$300 to \$600 per month, and extend the age eligibility from 21 to 24 for youth who have aged out of foster care.**

By Council Members Salamanca, Levin, Dromm, Eugene, Richards, Chin, Grodenchik, Miller, Johnson, Cohen, Mendez, Menchaca, Lander and Van Bramer.

**Whereas**, Several national studies have demonstrated that many youth who age out of foster care are most likely to become homeless, lack a high school diploma, become involved in the criminal justice system, and rely on public assistance; and

**Whereas**, According to the most recent data provided by the Administration for Children's Services ("ACS"), there are 9,748 youth in the New York City foster care system; and

**Whereas**, Youth who are discharged from foster care either reunify with their families, enter legal guardianship by a relative, become adopted, or end up living on their own; and

**Whereas**, In 2015, 4,462 youth in New York City were discharged from the foster care system, of which 652 were discharged to independent living, also known as another planned permanent living arrangement (APPLA), according to ACS data; and

**Whereas**, The Housing Subsidy program administered through ACS provides rental assistance to families who need housing in order to reunify with children in foster care or to prevent children from entering foster care; and

**Whereas**, Young adults ages 18-21 who have no other permanent living arrangement than to live independently after leaving foster care are also eligible for this program; and

**Whereas**, The Housing Subsidy program currently provides a maximum monthly rent allowance of \$300; and

**Whereas**, The subsidy amount has remained the same since 1988, during which rents throughout New York City have dramatically increased; and

**Whereas**, Youth advocates argue that public housing for which foster youth and their families qualify is extremely limited and there are not enough supportive housing units; and

**Whereas,** Of the 652 foster youth discharged to APPLA, less than half received some type of housing assistance, including public housing, ACS housing subsidies, supportive housing, Section 8 vouchers or adult residential care; and

**Whereas,** In fact, only 48 youth who aged out of foster care received an ACS housing subsidy in 2015; and

**Whereas,** Advocates also argue that youth who have aged out of foster care at age 21 do not have enough income to afford housing, and thus, the age eligibility for a housing subsidy should be increased to 24 to cover more young people who have been negatively impacted by the current policy; and

**Whereas,** It is extremely important for the State to enact legislation that would amend the Social Services law to increase the housing subsidy from a maximum of \$300 to \$600 per month, not exceeding three years, for youth up to age 24 who aged out of the foster care system; and

**Whereas,** Such legislation should also allow former foster youth to live with roommates just as other young adults make such living arrangements to afford their rent; and

**Whereas,** In order to reduce the risk of homelessness among youth who have aged out of foster care, New York State must increase the housing subsidy to enable them to achieve self-sufficiency; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign legislation that would increase the amount of housing subsidy from \$300 to \$600 per month, and to extend the age eligibility from 21 to 24 for youth who have aged out of foster care.

BEN KALLOS, *Chairperson*; DAVID G. GREENFIELD, MARK LEVINE, CARLOS MENCHACA, ANTONIO REYNOSO, RITCHIE J. TORRES, JOSEPH C. BORELLI; Committee on Governmental Operations, October 26, 2016. *Other Council Members Attending: Council Members Lander, Wills and Rodriguez.*

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res No. 1181-A

**Report for the Committee on Public Safety in favor of approving, as amended, a resolution calling upon the New York State Legislature to pass, and the Governor to sign, Briana's Law, requiring all police officers to be retrained in cardiopulmonary resuscitation every two years.**

The Committee on Public Safety, to which the annexed amended resolution was referred on August 16, 2016 (Minutes, page 2770), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Public Safety for Int No. 83-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. 1181-A:)**

Res. No. 1181-A

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, Briana's Law, requiring all police officers to be retrained in cardiopulmonary resuscitation every two years.**

By Council Members Levin, Cohen, Richards, Palma, Gentile, Koslowitz, Deutsch, Salamanca, Johnson, Chin, Cabrera, Gibson, Lander, Van Bramer and Menchaca.

**Whereas**, According to the American Heart Association ("AHA"), more than 350,000 out-of-hospital cardiac arrests take place in the United States every year, with almost 90% of the cases resulting in death; and

**Whereas**, If cardiopulmonary resuscitation ("CPR") is performed within the first few minutes of cardiac arrest an individual's chance of survival can be doubled or tripled, as reported by the AHA; and

**Whereas**, In 2010, New York State Assembly Member Félix Ortiz and New York State Senator Eric Adams first introduced Briana's Law, legislation requiring all police officers, including state police officers, to be retrained in CPR and to demonstrate satisfactory completion of such training every two years; and

**Whereas**, The legislation is named after Briana Ojeda, an 11-year-old girl from Brooklyn who died of an asthma attack in 2010, after a police officer claimed he was not qualified to administer CPR on her, according to the *New York Daily News*; and

**Whereas**, Briana's Law is supported by the AHA and the American Red Cross in New York State; and

**Whereas**, Briana's Law has been reintroduced in the New York State Legislature during every session since 2010, and it passed the Assembly in 2013, 2014, and 2015; and

**Whereas**, In November 2014, Akai Gurley, an unarmed man, was killed when the gun of an NYPD officer went off while patrolling the stairwell of a public housing development; and

**Whereas**, The trial of the former officer, Peter Liang, drew public attention to CPR training for NYPD officers; and

**Whereas**, According to various news reports, including the *New York Times*, Liang and his partner testified at trial that they did not attempt to perform CPR on Gurley and that they had been insufficiently trained to do so; and

**Whereas**, Liang's case once again highlighted the importance of effective CPR training for police officers; and

**Whereas**, In April 2016, Briana's Law (A.4364-A) passed the Assembly again with an overwhelming majority of votes; and

**Whereas**, However, the bill has not been called for a floor vote in the Senate, where it is currently sponsored by Senator Jack. M. Martins (S.6717); and

**Whereas**, Because CPR can double or triple the chance of survival of an individual in cardiac arrest, mandating police officers to be retrained in properly administering the procedure would save a significant number of lives in New York every year; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, Briana's Law, requiring all police officers to be retrained in cardiopulmonary resuscitation every two years.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JAMES VACCA, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RAFAEL ESPINAL, Jr., RORY I. LANCMAN, STEVEN MATTEO; Committee on Public Safety, October 21, 2016. *Other Council Members attending: Council Member Lander.*

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

Adopted unanimously by the Council by voice-vote.

**INTRODUCTION AND READING OF BILLS**

Int. No. 1308

By The Speaker (Council Member Mark-Viverito), Council Member Johnsons, and the Public Advocate (Ms. James), Salamanca and Gibson.

**A Local Law to amend the administrative code of the city of New York, in relation to repealing sections of the nuisance abatement law permitting certain forms of injunctive relief**

*Be it enacted by the Council as follows:*

Section 1. Sections 7-709, 7-710, 7-711, 7-712, and 7-713 of the administrative code of the city of New York are REPEALED.

§ 2. Subdivision (a) of section 7-707 of the administrative code of the city of New York is amended to read as follows:

(a) Generally. Pending an action for a permanent injunction as provided for in section 7-706 of this subchapter, the court may grant a preliminary injunction enjoining a public nuisance within the scope of this subchapter and the person or persons conducting, maintaining or permitting the public nuisance from further conducting, maintaining or permitting the public nuisance. An order granting a preliminary injunction shall direct a trial of the issues within three business days after joinder of issue or, if issue has already been joined, within three business days after the entry of the order. Where a preliminary injunction has been granted, the court shall render a decision with respect to a permanent injunction within three business days after the conclusion of the trial. [A temporary closing order may be granted pending a hearing for a preliminary injunction where it appears by clear and convincing evidence that a public nuisance within the scope of this subchapter is being conducted, maintained or permitted and that the public health, safety or welfare immediately requires the granting of a temporary closing order. A temporary restraining order may be granted pending a hearing for a preliminary injunction where it appears by clear and convincing evidence that a public nuisance within the scope of this subchapter is being conducted, maintained or permitted.]

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

Referred to the Committee on Public Safety.

Int. No. 1309

By Council Members Chin, Cohen, Salamanca and Gentile (by request of the Mayor).

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

*Be it enacted by the Council as follows:*

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

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

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

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

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

Referred to the Committee on Aging.

Int. No. 1310

By Council Member Constantinides.

**A Local Law in relation to requiring the department of buildings to report on the efficacy of outdoor reset controls**

*Be it enacted by the Council as follows:*

Section 1. As used in this local law, the term “outdoor reset control” means a device that is capable of (i) monitoring the outside temperature with a sensor located on the exterior of a building, (ii) monitoring the internal building temperature using a sensor located at either the location furthest from the heat source in the building, or in the area of the building that is hardest to heat, and (iii) transmitting the temperature data to the heating plant to control the heat level in the building.

§ 2. By no later than December 31, 2017, the department of buildings shall prepare and file with the mayor and the council, and post on its website, a report analyzing whether outdoor reset controls improve energy efficiency, and, if so, the feasibility of requiring the installation of such controls in all residential buildings.

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1311

By Council Members Deutsch, Salamanca, Johnson, Palma and Maisel.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Transportation to notify emergency service providers about resurfacing, including paving and milling**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York section is amended by adding a new section 19-101.6 to read as follows:

*§ 19-101.6 Resurfacing notification. a. No later than 5 days prior to any street being resurfaced by the department, the department shall notify the police department and the fire department of such resurfacing work. Such notification shall include a description and location of such resurfacing work.*

*b. Nothing in this section shall be construed to require the department to provide notification of resurfacing projects requiring immediate implementation to preserve public safety.*

§ 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Transportation.

Int. No. 1312

By Council Member Dromm.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on the rate of lockdowns**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-146 to read as follows:

*§ 9-146 Lockdown report. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Departmental lockdown. The term “departmental lockdown” means any period of time during which inmates are not permitted to move within any departmental facility.*

*Facility lockdown. The term “facility lockdown” means any period of time during which inmates are not permitted to move within a departmental facility.*

*b. 45 days after the quarter beginning January 1, 2017, and no later than the 45th day after the end of each subsequent quarter, the department shall post on its website a report containing the following information for the preceding quarter:*

*1. the number of departmental lockdowns, in total and disaggregated by the reason for such lockdown, as determined by the department;*

*2. the number of facility lockdowns, in total and disaggregated by the reason for such lockdown, as determined by the department; and*

*3. the number of facility lockdowns disaggregated by facility, in total and disaggregated by the reason for such lockdown, as determined by the department.*

*c. 45 days after January 1, 2017, and no later than the 45th day after the end of each subsequent year, the department shall post on its website a report containing the information from paragraphs 1 through 3 of subdivision b of this section for the preceding year.*

*d. The information required by subdivisions b and c of this section shall be compared to the previous 4 reporting periods, and shall be stored permanently and shall be accessible from the department’s website.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Criminal Justice Services.

## Int. No. 1313

By Council Members Ferreras-Copeland, Salamanca and the Public Advocate (Ms. James) (in conjunction with the Mayor).

**A Local Law to amend the administrative code of the city of New York in relation to safe leave for victims of family offense matters, sexual offenses and stalking and their family members**

*Be it enacted by the Council as follows:*

Section 1. Section 20-911 of the administrative code of the city of New York, as added by local law number 46 for the year 2013, is amended to read as follows:

§ 20-911 Short title. This chapter shall be known and may be cited as the "Earned *Safe and Sick* Time Act."

§ 2. Section 20-912 of the administrative code of the city of New York, as added by local law number 46 for the year 2013, subdivisions b, g and h as amended by local law number 7 for the year 2014, subdivisions t, u and v as added by local law number 7 for the year 2014, subdivision s as amended by local law number 104 for the year 2015, is amended to read as follows:

§ 20-912 Definitions.

When used in this chapter, the following terms shall be defined as follows:

[a.] "Calendar year" shall mean a regular and consecutive twelve month period, as determined by an employer.

[b.] "Chain business" shall mean 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 five.

[c.] "Child" shall mean a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

*"Commissioner" shall mean the head of such office or agency as the mayor shall designate pursuant to section 20-a of the charter.*

*"Department" shall mean such office or agency as the mayor shall designate pursuant to section 20-a of the charter.*

[d.] "Domestic partner" shall mean any person who has a registered domestic partnership pursuant to section 3-240 of the code, a domestic partnership registered in accordance with executive order number 123, dated August 7, 1989, or a domestic partnership registered in accordance with executive order number 48, dated January 7, 1993.

[e.] "Domestic worker" shall mean any "domestic worker" as defined in section 2(16) 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.

[f.] "Employee" shall mean any "employee" as defined in *subdivision 2 of section [190(2)] 190* 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 *section 92 of the general municipal law* [section 92] or *section 207 of the county law* [section 207].

[g.] "Employer" shall mean any "employer" as defined in *subdivision (3) of section [190(3)] 190* of the labor law, but not including (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.

[h.] "Family member" shall mean an employee's child, spouse, domestic partner, parent, sibling, grandchild or grandparent[, or]; the child or parent of an employee's spouse or domestic partner; *any other individual related by blood to the employee; and any other individual whose close association with the employee is the equivalent of a family relationship.*

*"Family offense matter" shall mean acts or threats of disorderly conduct, harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision 1 of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, an attempted assault, identity theft in the first degree, identity theft in the second degree, identity theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree or coercion in the second degree as set forth in subdivisions 1, 2 and 3 of section 135.60 of the penal law between spouses or former spouses, or between parent and child or between members of the same family or household.*

*"Grandchild" shall mean a child of an employee's child.*

*"Grandparent" shall mean a parent of an employee's parent.*

[i.] "Health care provider" shall mean any person licensed under federal or New York state law to provide medical or emergency services, including, but not limited to, doctors, nurses and emergency room personnel.

[j.] "Hourly professional employee" shall mean any individual (i) who is professionally licensed by the New York state education department, office of professions, under the direction of the New York state board of regents under education law sections 6732, 7902 or 8202, (ii) who calls in for work assignments at will determining his or her own work schedule with the ability to reject or accept any assignment referred to them and (iii) who is paid an average hourly wage which is at least four times the federal minimum wage for hours worked during the calendar year.

*"Member of the same family or household" shall mean (i) persons related by consanguinity or affinity; (ii) persons legally married to or in a domestic partnership with one another; (iii) persons formerly married to or in a domestic partnership with one another regardless of whether they still reside in the same household; (iv) persons who have a child in common, regardless of whether such persons have been married or domestic partners or have lived together at any time; and (v) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time.*

[k.] "Paid [sick] *safe/sick* time" shall mean time that is provided by an employer to an employee that can be used for the purposes described in section 20-914 of this chapter and is compensated at the same rate as the employee earns from his or her employment at the time the employee uses such time, except that an employee who volunteers or agrees to work hours in addition to his or her normal schedule will not receive more in paid [sick] *safe/sick* time compensation than his or her regular hourly wage if such employee is not able to work the hours for which he or she has volunteered or agreed even if the reason for such inability to work is one of the

reasons in section 20-914 of this chapter. In no case shall an employer be required to pay more to an employee for paid [sick] *safe/sick* time than the employee's regular rate of pay at the time the employee uses such paid [sick] *safe/sick* time, except that in no case shall the paid [sick] *safe/sick* time hourly rate be less than the hourly rate provided in *subdivision 1 of section [652 (1)] 652* of the labor law.

[l.] "Parent" shall mean a biological, foster, step- or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child.

[m.] "Public disaster" shall mean an event such as fire, explosion, terrorist attack, severe weather conditions or other catastrophe that is declared a public emergency or disaster by the president of the United States, the governor of the state of New York or the mayor of the city of New York.

[n.] "Public health emergency" shall mean a declaration made by the commissioner of health and mental hygiene pursuant to *subdivision d of section [3.01(d)] 3.01* of the New York city health code or by the mayor pursuant to section 24 of the executive law.

[o.] "Public service commission" shall mean the public service commission established by section 4 of the public service law.

[p.] "Retaliation" shall mean 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.

*"Safe time" shall mean time that is provided by an employer to an employee that can be used for the purposes described in subdivision b of section 20-914 of this chapter, whether or not compensation for that time is required pursuant to this chapter.*

*"Sexual offense" shall mean an act or threat of an act that may constitute a violation of article 130 of the penal law.*

*"Sibling" shall mean an employee's brother or sister, including half-siblings, step-siblings and siblings related through adoption.*

[q.] "Sick time" shall mean time that is provided by an employer to an employee that can be used for the purposes described in *subdivision a of section 20-914* of this chapter, whether or not compensation for that time is required pursuant to this chapter.

[r.] "Spouse" shall mean a person to whom an employee is legally married under the laws of the state of New York.

*"Stalking" shall mean an act or threat of an act that may constitute a violation of section 120.45, 120.50, 120.55, or 120.60 of the penal law*

[s. "Department" shall mean such office or agency as the mayor shall designate pursuant to section 20-a of the charter.

t. "Grandchild" shall mean a child of an employee's child.

u. "Grandparent" shall mean a parent of an employee's parent.

v. "Sibling" shall mean an employee's brother or sister, including half-siblings, step-siblings and siblings related through adoption.

w. "Commissioner" shall mean the head of such office or agency as the mayor shall designate pursuant to section 20-a of the charter.]

§ 3. Section 20-913 of the administrative code of the city of New York, as added by local law number 46 for the year 2013, subdivision a as amended by local law number 7 for the year 2014, and subdivision h as amended by local law number 6 for the year 2014, is amended to read as follows:

§ 20-913 Right to [sick] *safe/sick* time; accrual.

a. All employees have the right to [sick] *safe/sick* time pursuant to this chapter.

1. All employers that employ five or more employees and all employers of one or more domestic workers shall provide paid [sick] *safe/sick* to their employees in accordance with the provisions of this chapter.

2. All employees not entitled to paid [sick] *safe/sick* pursuant to this chapter shall be entitled to unpaid [sick] *safe/sick* time in accordance with the provisions of this chapter.

b. All employers shall provide a minimum of one hour of [sick] *safe/sick* time for every thirty hours worked by an employee, other than a domestic worker who shall accrue [sick] *safe/sick* time pursuant to

paragraph 2 of subdivision d of this section. Employers shall not be required under this chapter to provide more than forty hours of [sick] *safe/sick* time for an employee in a calendar year. For purposes of this subdivision, any paid days of rest to which a domestic worker is entitled pursuant to *subdivision 1* of section [161(1)] *161* of the labor law shall count toward such forty hours. Nothing in this chapter shall be construed to discourage or prohibit an employer from allowing the accrual of [sick] *safe/sick* time at a faster rate or use of sick time at an earlier date than this chapter requires.

c. An employer required to provide paid [sick] *safe/sick* time pursuant to this chapter who provides an employee with an amount of paid leave, including paid time off, paid vacation, paid personal days or paid days of rest required to be compensated pursuant to *subdivision 1* of section [161(1)] *161* of the labor law, sufficient to meet the requirements of this section and who allows such paid leave to be used for the same purposes and under the same conditions as [sick] *safe/sick* time required pursuant to this chapter, is not required to provide additional paid [sick] *safe/sick* time for such employee whether or not such employee chooses to use such leave for the purposes included in subdivision a of section 20-914 of this chapter. An employer required to provide unpaid [sick] *safe/sick* time pursuant to this chapter who provides an employee with an amount of unpaid or paid leave, including unpaid or paid time off, unpaid or paid vacation, or unpaid or paid personal days, sufficient to meet the requirements of this section and who allows such leave to be used for the same purposes and under the same conditions as [sick] *safe/sick* time required pursuant to this chapter, is not required to provide additional unpaid [sick] *safe/sick* time for such employee whether or not such employee chooses to use such leave for the purposes set forth in subdivision a of section 20-914 of this chapter.

d. 1. For an employee other than a domestic worker, [sick] *safe/sick* time as provided pursuant to this chapter shall begin to accrue at the commencement of employment or on the effective date of this local law, whichever is later, and an employee shall be entitled to begin using [sick] *safe/sick* time on the one hundred twentieth calendar day following commencement of his or her employment or on the one hundred twentieth calendar day following the effective date of this local law, whichever is later. After the one hundred twentieth calendar day of employment or after the one hundred twentieth calendar day following the effective date of this local law, whichever is later, such employee may use [sick] *safe/sick* time as it is accrued.

2. In addition to the paid day or days of rest to which a domestic worker is entitled pursuant to *subdivision 1* of section [161(1)] *161* of the labor law, such domestic worker shall also be entitled to two days of paid [sick] *safe/sick* time as of the date that such domestic worker is entitled to such paid day or days of rest and annually thereafter, provided that notwithstanding any provision of this chapter to the contrary, such two days of paid [sick] *safe/sick* time shall be calculated in the same manner as the paid day or days of rest are calculated pursuant to the provisions of *subdivision 1* of section [161(1)] *161* of the labor law.

e. Employees who are not covered by the overtime requirements of New York state law or regulations, including the wage orders promulgated by the New York commissioner of labor pursuant to article 19 or 19-A of the labor law, shall be assumed to work forty hours in each work week for purposes of [sick] *safe/sick* time accrual unless their regular work week is less than forty hours, in which case sick time accrues based upon that regular work week.

f. The provisions of this chapter do not apply to (i) work study programs under 42 U.S.C. section 2753, (ii) employees for the hours worked and compensated by or through qualified scholarships as defined in 26 U.S.C. section 117, (iii) independent contractors who do not meet the definition of employee under *subdivision 2* of section [190(2)] *190* of the labor law, and (iv) hourly professional employees.

g. Employees shall determine how much earned [sick] *safe/sick* time they need to use, provided that employers may set a reasonable minimum increment for the use of [sick] *safe/sick* time not to exceed four hours per day.

h. Except for domestic workers, up to forty hours of unused [sick] *safe/sick* time as provided pursuant to this chapter shall be carried over to the following calendar year; provided that no employer shall be required to (i) allow the use of more than forty hours of [sick] *safe/sick* time in a calendar year or (ii) carry over unused paid [sick] *safe/sick* time if the employee is paid for any unused [sick] *safe/sick* time at the end of the calendar year in which such time is accrued and the employer provides the employee with an amount of paid [sick] *safe/sick* time that meets or exceeds the requirements of this chapter for such employee for the immediately subsequent calendar year on the first day of such year.

i. Nothing in this chapter shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued sick time that has not been used.

j. If an employee is transferred to a separate division, entity or location in the city of New York, but remains employed by the same employer, such employee is entitled to all [sick] *safe/sick* time accrued at the prior division, entity or location and is entitled to retain or use all [sick] *safe/sick* time as provided pursuant to the provisions of this chapter. When there is a separation from employment and the employee is rehired within six months of separation by the same employer, previously accrued [sick] *safe/sick* time that was not used shall be reinstated and such employee shall be entitled to use such accrued [sick] *safe/sick* time at any time after such employee is rehired, provided that no employer shall be required to reinstate such [sick] *safe/sick* time to the extent the employee was paid for unused accrued [sick] *safe/sick* time prior to separation and the employee agreed to accept such pay for such unused [sick] *safe/sick* time.

§ 4. Sections 20-914, 20-915 and subdivision a of 20-916 of the administrative code of the city of New York, as added by local law number 46 for the year 2013, are amended to read as follows:

§ 20-914 Use of [sick] *safe/sick* time.

a. *Sick time.*

1. An employee shall be entitled to use [sick] *safe/sick* time for absence from work due to:

[1.](a) such employee's mental or physical illness, injury or health condition or need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care; or

[2.](b) care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventive medical care; or

[3.](c) closure of such employee's place of business by order of a public official due to a public health emergency or such employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency.

2. *For an absence of more than three consecutive work days for sick time, an employer may require reasonable documentation that the use of sick time was authorized by this subdivision. For sick time used pursuant to subparagraphs (a) and (b) of paragraph 1 of this section, documentation signed by a licensed health care provider indicating the need for the amount of sick time taken shall be considered reasonable documentation and an employer shall not require that such documentation specify the nature of the employee's or the employee's family member's injury, illness or condition, except as required by law.*

b. *Safe time.*

1. *An employee shall be entitled to use safe/sick time for absence from work due to any of the following reasons when the employee or a family member has been the victim of a family offense matter, sexual offense or stalking:*

*(a) to obtain services from a domestic violence shelter, rape crisis center, or other services program for relief from a family offense matter, sexual offense, or stalking;*

*(b) to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future family offense matters, sexual offenses, or stalking;*

*(c) to meet with a civil attorney or other social service provider to obtain information and advice on matters related to custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing or consumer credit;*

*(d) to file a domestic incident report with law enforcement;*

*(e) to meet with a district attorney's office;*

*(f) to enroll children in a new school; or*

*(g) to take other actions necessary to restore the physical, psychological, or economic health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.*

2. *For an absence of more than three consecutive work days for safe time, an employer may require reasonable documentation that the use of safe time was authorized by this subdivision. Documentation signed by an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional service provider from whom the individual or that individual's family or household member has sought assistance in addressing family offense matters, sex offenses or stalking and their effects; a police or court record; or a notarized letter from the employee explaining the need for leave shall be considered reasonable documentation and an employer shall not require that such documentation specify the details of the family offense matter, sexual offense or stalking.*

c. An employer may require reasonable notice of the need to use [sick] *safe/sick* time. Where such need is foreseeable, an employer may require reasonable advance notice of the intention to use such [sick] *safe/sick* time, not to exceed seven days prior to the date such [sick] *safe/sick* time is to begin. Where such need is not foreseeable, an employer may require an employee to provide notice of the need for the use of [sick] *safe/sick* time as soon as practicable.

[c. For an absence of more than three consecutive work days, an employer may require reasonable documentation that the use of sick time was authorized by subdivision a of this section. For sick time used pursuant to paragraphs 1 and 2 of subdivision a of this section, documentation signed by a licensed health care provider indicating the need for the amount of sick time taken shall be considered reasonable documentation and an employer shall not require that such documentation specify the nature of the employee's or the employee's family member's injury, illness or condition, except as required by law.]

d. Nothing herein shall prevent an employer from requiring an employee to provide written confirmation that an employee used [sick] *safe/sick* time pursuant to this section.

e. An employer shall not require an employee, as a condition of taking [sick] *safe/sick* time, to search for or find a replacement worker to cover the hours during which such employee is utilizing time.

f. Nothing in this chapter shall be construed to prohibit an employer from taking disciplinary action, up to and including termination, against a worker who uses [sick] *safe/sick* time provided pursuant to this chapter for purposes other than those described in this section.

#### § 20-915 Changing schedule.

Upon mutual consent of the employee and the employer, an employee who is absent for a reason listed in subdivision a of section 20-914 of this chapter may work additional hours during the immediately preceding seven days if the absence was foreseeable or within the immediately subsequent seven days from that absence without using [sick] *safe/sick* time to make up for the original hours for which such employee was absent, provided that an adjunct professor who is an employee at an institute of higher education may work such additional hours at any time during the academic term. An employer shall not require such employee to work additional hours to make up for the original hours for which such employee was absent or to search for or find a replacement employee to cover the hours during which the employee is absent pursuant to this section. If such employee works additional hours, and such hours are fewer than the number of hours such employee was originally scheduled to work, then such employee shall be able to use [sick] *safe/sick* time provided pursuant to this chapter for the difference. Should the employee work additional hours, the employer shall comply with any applicable federal, state or local labor laws.

#### § 20-916 Collective bargaining agreements.

a. The provisions of this chapter shall not apply to any employee covered by a valid collective bargaining agreement if (i) such provisions are expressly waived in such collective bargaining agreement and (ii) such agreement provides for a comparable benefit for the employees covered by such agreement in the form of paid days off; such paid days off shall be in the form of leave, compensation, other employee benefits, or some combination thereof. Comparable benefits shall include, but are not limited to, vacation time, personal time, [sick] *safe/sick* time, and holiday and Sunday time pay at premium rates.

§ 5. Subdivisions a and b of section 20-919 of the administrative code of the city of New York, as added by local law number 46 for the year 2013, subdivision a as amended by local law number 6 for the year 2014, are amended to read as follows:

§ 20-919 Notice of rights

a. 1. An employer shall provide an employee either at the commencement of employment or within thirty days of the effective date of this section, whichever is later, with written notice of such employee's right to sick time pursuant to this chapter, including the accrual and use of [sick] *safe/sick* time, the calendar year of the employer, and 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. Such notice may also be conspicuously posted at an employer's place of business in an area accessible to employees.

2. *Notices provided to employees pursuant to this section on and after the effective date of this paragraph shall in addition inform employees of their right to safe time under this chapter. Employers shall give employees who have already received notice of their right to sick time pursuant to this section notice of their right to safe leave within thirty days of the effective date of this paragraph.*

b. The department shall create and make available notices that contain the information required pursuant to subdivision a of this section *concerning sick time and safe time* and such notices shall allow for the employer to fill in applicable dates for such employer's calendar year. Such notices shall be posted in a downloadable format on the department's website in Chinese, English, French-Creole, Italian, Korean, Russian, Spanish and any other language deemed appropriate by the department.

§ 6. Sections 20-921 and 20-922 and subdivision a of 20-923 of the administrative code of the city of New York, as added by local law number 46 for the year 2013, are amended to read as follows:

§ 20-921 Confidentiality and nondisclosure.

a. [No person or entity] *An employer may not require the disclosure of details relating to an employee's or his or her family member's medical condition or require the disclosure of details relating to an employee's or his or her family member's status as a victim of family offenses, sexual offenses or stalking as a condition of providing [sick] safe/sick time under this chapter. Health information about an employee or an employee's family member, and information concerning an employee's or his or her family member's status or perceived status as a victim of family offenses, sexual offenses or stalking obtained solely for the purposes of utilizing [sick] safe/sick time pursuant to this chapter, shall be treated as confidential and shall not be disclosed except by the affected employee, with the written permission of the affected employee or as required by law. Provided, however, that nothing in this section shall preclude an employer from considering information provided in connection with a request for safe leave in connection with a request for reasonable accommodation pursuant to section 8-107.1 of the administrative code.*

§ 20-922 Encouragement of more generous policies; no effect on more generous policies.

a. Nothing in this chapter shall be construed to discourage or prohibit the adoption or retention of a *safe time or sick time* policy more generous than that which is required herein.

b. Nothing in this chapter shall be construed as diminishing the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan or other agreement providing more generous *safe time or sick time* to an employee than required herein.

c. Nothing in this chapter shall be construed as diminishing the rights of public employees regarding *safe time or sick time* as provided pursuant to federal, state or city law.

§ 20-923 Other legal requirements.

a. This chapter provides minimum requirements pertaining to *safe time and sick time* and shall not be construed to preempt, limit or otherwise affect the applicability of any other law, regulation, rule, requirement, policy or standard that provides for greater accrual or use by employees of *safe leave or time or sick leave or time*, whether paid or unpaid, or that extends other protections to employees.

§ 7. This local law takes effect 120 days after it becomes law, provided that in the case of employees covered by a valid collective bargaining agreement in effect on such date, this local law takes effect on the date of the termination of such agreement, and provided further that the director of the office of labor standards may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Civil Service and Labor.

Int. No. 1314

By Council Member Ferreras-Copeland (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Queens Plaza/Court Square business improvement district, an extension of the Queens Plaza/Court Square business improvement district, and a change in the method of assessment upon which the district charge in the Queens Plaza/Court Square business improvement district is based**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 25-467.1 of the administrative code of the city of New York, as added by local law number 93 for the year 2009, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Queens Plaza/Court Square business improvement district beginning on July 1, [2009] 2016, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [four hundred fifty thousand dollars (\$450,000)] *eight hundred thousand dollars (\$800,000)*.

§ 2. The administrative code of the city of New York is amended by adding a new section 25-467.2 to read as follows:

§ 25-467.2 *Queens Plaza/Court Square business improvement district; extension of district.* a. *The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, the Queens Plaza/Court Square business improvement district in the borough of Queens is hereby extended. Such district is extended in accordance with the amended district plan required to be filed with the city clerk pursuant to subdivision b of this section.*

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

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

§ 3. The administrative code of the city of New York is amended by adding a new section 25-467.3 to read as follows:

§ 25-467.3 *Queens Plaza/Court Square business improvement district; amendment of the district plan.* a. *The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize a change in the method of assessment upon which the district charge in the Queens Plaza/Court Square business improvement district is based, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in such district such change as is set forth in the amended district plan required to be filed with the city clerk pursuant to subdivision b of this section.*

b. *Immediately upon adoption of this local law, the council shall file with the city clerk the amended district plan containing the change in the method of assessment authorized by subdivision a of this section.*

§ 4. This local law takes effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York, provided that the change in the method of assessment relating to the north sub-district of the Queens Plaza/Court Square business improvement district, as described in the amended district plan, shall first apply to charges imposed in the fiscal year that begins July 1, 2017, and provided, further, that the method of assessment relating to the Queens Plaza/Court Square business improvement district that existed before the effective date of this local law shall continue to apply to charges imposed in the fiscal year that began July 1, 2016.

Referred to the Committee on Finance.

Preconsidered Res. No. 1259

**Resolution authorizing an increase in the amount to be expended annually in the Queens Plaza/Court Square Business Improvement District in the Borough of Queens, an extension of the Queens Plaza/Court Square Area Business Improvement District, and a change in the method of assessment upon which the district charge in the Queens Plaza/Court Square Business Improvement District is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Queens Plaza/Court Square Business Improvement District.**

By Council Member Ferreras-Copeland.

**Whereas**, Pursuant to the authority formerly granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated April 28, 2016, provided for the preparation of an amended district plan (“the Amended Plan”) for the Queens Plaza/Court Square Business Improvement District (“the District”) in the Borough of Queens; and

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

**Whereas**, Pursuant to authority granted by the Law, the District was established by Local Law No. 62 for the year 2004; and

**Whereas**, Pursuant to Section 25-410(b) of the Law, an amendment to the District Plan that provides for any change in the method of assessment upon which the district charge is based or an increase in the amount to be expended annually may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such changes and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such changes; and

**Whereas**, The District wishes to increase the amount to be expended annually in the District to \$800,000, to extend the District, and to amend the District Plan in order to change the method of assessment upon which the district charge is based; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Amended Plan for the District to the City Planning Commission (“the CPC”) on May 5, 2016; and



**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the City Council on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Council Member representing the council district in which the district is located on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to Queens Community Board 1 and Queens Community Board 2, in which the proposed extended district is located, on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Queens Borough President on May 9, 2016; and

**Whereas**, Pursuant to section 25-405(c) of the Law, the Community Boards notified the public of the Amended Plan in accordance with the requirements established by the CPC; and

**Whereas**, Pursuant to section 25-405(c) of the Law, Community Board 1 conducted a public hearing on May 17, 2016; and

**Whereas**, On May 17, 2016, Community Board 1 voted to approve the extension of the District; and

**Whereas**, Pursuant to section 25-405(c) of the Law, Community Board 2 conducted a public hearing on June 2, 2016; and

**Whereas**, On June 2, 2016, Community Board 2 voted to approve the extension of the District; and

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

**Whereas**, Pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Queens Borough President, to the City Council and to the Council Member representing the council district in which the district is located; and

**Whereas**, Pursuant to section 25-405(c) of the Law, a copy of the CPC's report, the Original Plan, and the Amended Plan were transmitted for filing with the City Clerk on August 4, 2016; and

**Whereas**, Pursuant to section 25-406(a) of the Law, a copy of the Amended Plan and the CPC's report are annexed hereto and are made part of this Resolution; and

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

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

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

**Resolved**, That the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that November 16, 2016 is the date and the City Council Committee Meeting Room, 2nd Floor, City Hall is the place and 10:00a.m. is the time for a public hearing ("the Public Hearing") to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually in the District, extension of the District, and a change in the method of assessment upon which the district charge in the District is based; and be it further

**Resolved**, That the Queens Plaza/Court Square District Management Association shall, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed extended district at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed extended district, and to the tenants of each building within the proposed extended district; and be it further

**Resolved**, That SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing; and be it further

**Resolved,** That in the event that the Queens Plaza/Court Square District Management Association mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law; and be it further

**Resolved,** That on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the Queens Plaza/Court Square District Management Association is hereby authorized to publish in a newspaper having general circulation in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the increase in the amount to be expended annually in the District.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 1260

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

By Council Member Ferreras-Copeland.

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

**Whereas,** On June 26, 2015 the City Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 Expense Budget”); and

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

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017 and Fiscal 2016 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

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

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

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

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

**Resolved,** That the City Council approves the allocation of funds to the administering agency receiving funding pursuant to the SU CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2017 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 Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 8; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

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

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 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 NYC Cleanup Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the removal of funds from the administering agency receiving funding pursuant to the Power Action Change Empowerment (PACE) Initiative for Young Adults in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the allocation of funds to the administering agency receiving funding pursuant to the HRA Teen RAPP Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Senior Centers for Immigrant Populations Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2017 Expense Budget, as well as the removal of funds from a certain organization, as set forth in Chart 20; and be it further

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

**Resolved,** That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the City's First Readers Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Viral Hepatitis Prevention Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 23; and be it further

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

**Resolved,** That the City Council approves the new designation of a certain organizations receiving funding pursuant to the Veterans Community Development Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Enhancement Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Access Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Child Health and Wellness Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 28; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 29; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 30; and be it further

**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 2016 Expense Budget, as set forth in Chart 31; and be it further

**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 2015 Expense Budget, as set forth in Chart 32; 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 Children Under Five Initiative in accordance with the Fiscal 201 Expense Budget, as set forth in Chart 33; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 34; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organization receiving local discretionary funding and funding for a certain initiative accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 35; and be it further

**Resolved,** That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 36.

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. 1260 printed in these Minutes).

Int. No. 1315

By Council Member Garodnick, The Speaker (Council Member Mark-Viverito), Salamanca and Gibson.

**A Local Law to amend the administrative code of the city of New York, in relation to resolving conflicts between the nuisance abatement law and related proceedings**

*Be it enacted by the Council as follows:*

Section 1. Section 7-706 of the administrative code of the city of New York is amended by adding a new subdivision (a-1) to read as follows:

*(a-1) Conflicting proceedings.*

*a. The corporation counsel shall review any action for permanent injunction pursuant to subdivision (h) of section 7-703 to determine whether similar legal proceedings pursuant to the alcoholic beverage control law have been conducted or are being conducted, and shall not file such action in any such instance.*

*b. The corporation counsel shall review any action for permanent injunction pursuant to this chapter to determine whether similar legal proceedings have been conducted or are being conducted in other venues, including but not limited to New York city civil court, New York city criminal court, and the supreme court of the state of New York, and shall not file such action in any such instance.*

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

Referred to the Committee on Public Safety.

Int. No. 1316

By Council Members Garodnick, Johnson, Rosenthal and Salamanca.

**A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to contracts between the department of small business services and entities that administer economic development benefits on behalf of the city**

*Be it enacted by the Council as follows:*

Section 1. Subdivision 1 of section 1301 of the New York city charter is amended by adding a new paragraph b-2 to read as follows:

*b-2. to ensure that any contract, executed on or after the effective date of the local law adding this paragraph between the department and a local development corporation or not-for-profit corporation of which a majority of its members are appointed by the mayor, under which such contracted entity is engaged in providing or administering economic development benefits on behalf of the city and expending city capital appropriations in connection therewith, contains the following:*

*(1) A provision requiring that:*

*(i) the city comptroller or an appointee of the city comptroller shall be a member of the board of directors of such contracted entity; and*

*(ii) the certificate of incorporation, bylaws or other governing instrument of such contracted entity shall be amended to reflect the requirements set forth in this subparagraph;*

*(2) A provision requiring that where such contracted entity provides assistance to a person, corporation or other business entity in connection with a project undertaken for the purpose of creating or retaining jobs, or other economic development, such contracted entity shall, no later than thirty days before the commencement of such assistance, submit to the mayor, the council, the public advocate, the borough presidents, the department of information technology and telecommunications and the city comptroller a fiscal impact statement including, at a minimum:*

*(i) an estimate of the fiscal impact of such assistance upon the revenues and expenditures of the city during (A) the fiscal year in which such assistance commences, (B) the succeeding fiscal year, and (C) the first fiscal year in which the full fiscal impact of the economic development project is expected to occur;*

*(ii) an estimate of the social and environmental impact of such assistance upon the communities affected by such assistance including the impact upon (A) existing wage standards, (B) low-wage workers, (C) public expenditures relating to education, public works, public safety, parks and recreation and public health and (D) the carbon emissions of the city; and*

(3) A provision requiring that, when required by the commissioner, such contracted entity shall hold a public hearing concerning a project undertaken for the purpose of creating or retaining jobs, or other economic development, for which assistance has been provided by such contracted entity and further requiring that such hearing be held in a community anticipated to be affected by such project or in another location designated by the commissioner.

§ 2. Section 23-502 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

*g. Such public data sets shall include information provided to the department under subparagraph (2) of paragraph b-2 of subdivision 1 of section 1301 of the charter.*

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner of small business services shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Economic Development.

Int. No. 1317

By Council Members Gibson, The Speaker (Council Member Mark-Viverito), Salamanca and Palma.

**A Local Law to amend the administrative code of the city of New York, in relation to excluding possession of a controlled substance or marihuana from the nuisance abatement law and increasing the number of sales of controlled substances sufficient to create a nuisance**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (g) of section 7-703 of the administrative code of the city of New York, as amended by local law number 96 for the year 2015, is amended to read as follows:

(g) Any building, erection or place, including one- or two-family dwellings, wherein, within the period of one year prior to the commencement of an action under this chapter, there have occurred [three] *four* or more violations of one or any combination of the provisions of article [two hundred twenty] *220 except for section 220.03*, [two hundred twenty-one] *221 except for sections 221.05, 221.10, 221.15, 221.35, or 221.40*, or [two hundred twenty-five] *225* of the penal law, or section 10-203 of this code;

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

Referred to the Committee on Public Safety.

Int. No. 1318

By Council Member Grodenchik, Johnson, The Speaker (Council Member Mark-Viverito), Salamanca and Gibson.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring verification of a nuisance prior to enforcing injunctive relief pursuant to the nuisance abatement law**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (b) of section 7-707 of the administrative code of the city of New York, as amended by local law number 6 for the year 1989, is amended to read as follows:

(b) Enforcement of preliminary injunction. A preliminary injunction shall be enforced by the city agency at whose request the underlying action is being brought. In the event the underlying action is being brought at

the direction of the mayor, or at the request of several city agencies or by the corporation counsel, on his or her own initiative, or upon the request of a district attorney, or a member of the city council, the order shall be enforced by the agency designated by the mayor. The police department shall, upon the request of the agency involved or upon the direction of the mayor, assist in the enforcement of the preliminary injunction. *Any agency enforcing a preliminary injunction must verify the ongoing nature of the nuisance underlying such injunction, including but not limited to verifying the continuing presence of any person or persons causing such nuisance, no more than 15 days prior to the enforcement therein.*

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

Referred to the Committee on Public Safety.

Int. No. 1319

By Council Members Grodenchik and Lander.

**A Local Law to amend the administrative code of the city of New York, in relation to inactive construction sites**

*Be it enacted by the Council as follows:*

Section 1. Article 116 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-105.13 to read as follows:

**§ 28-105.13 Inactive construction site registry.** *The commissioner shall establish and maintain a registry identifying inactive construction sites, as defined in this section. Such registry shall be made publicly available on the website of the department.*

**§ 28-105.13.1 Inactive construction site.** *As used in section 28-105.13, the term “inactive construction site” means a construction site for which a permit has expired or a construction site for which there is an unexpired permit but no construction activity is visible on the site on two consecutive inspections by the department within a 30 day period, where such inspections occur between Monday and Friday, during the hours of 8:00 a.m. to 3:00 p.m., not including a major holiday.*

**§ 28-105.13.2 Inspection; safety conditions.** *Upon identifying an inactive construction site:*

1. *The commissioner shall notify the owner of such construction site within seven days after such site has been identified as an inactive construction site. Such notice shall (i) inform the owner that the owner may appeal such identification, (ii) describe the process for making such an appeal and (iii) set forth the date by which such an appeal must be made, which shall be no less than 30 days after such notice and no more than 60 days after such notice.*
2. *Within 30 days after expiration of the time for making such an appeal, the commissioner shall conduct an inspection of such site to identify any safety conditions at such site and whether such site poses a safety risk to the public or a risk of damage to adjacent properties. If the commissioner is unable to obtain access to such site from the owner after making at least two attempts on separate days, where such attempts occur between Monday and Friday, during the hours of 8:00 a.m. to 3:00 p.m., not including a major holiday, the commissioner shall prepare an affidavit documenting each unsuccessful attempt to gain such access and the amount of time which has passed since such site was last inspected and shall transmit such affidavit to the corporation counsel together with any additional documents the commissioner deems relevant and a request that the corporation counsel seek an order from a court of competent jurisdiction directing that appropriate access to such site be granted to the commissioner. The corporation*

*counsel shall promptly consider such request and, where the corporation counsel determines that there is appropriate basis to obtain such an order, shall seek such an order. The commissioner shall promptly execute any such order in accordance with its terms.*

3. *Within seven days after completion of such inspection, the commissioner shall notify the owner of the results of such inspection and shall order the correction of any unsafe condition identified that poses a safety risk to the public or a risk of damage to adjacent properties, provided that, if the commissioner identifies any conditions that pose an immediate risk to property or safety during such inspection, the commissioner shall immediately notify the owner and order correction of such conditions.*

**§ 28-105.13.3 Fees.** *The commissioner shall establish and impose fees upon owners of inactive construction sites to cover the cost of administering section 28-105.13, including but not limited to costs associated with conducting site inspections, providing appropriate notices, seeking access orders and maintaining the inactive inspection site registry.*

**§ 28-105.13.4 Removal from inactive construction site registry.** *The owner of any site identified by the commissioner as an inactive construction site pursuant to section 28-105.13.2 which does not pose a safety risk to the public or a risk of damage to adjacent properties may apply to the commissioner to determine that such site is no longer an inactive construction site and to remove such site from the registry required by section 28-105.13. Such application shall be in a form and manner determined by the commissioner. Within 60 days after receipt of a valid application, the commissioner shall conduct two inspections to confirm that construction activity has commenced. Such inspections shall not be on consecutive days and shall occur between Monday and Friday, during the hours of 8:00 a.m. to 3:00 p.m., and not including a major holiday. If the commissioner finds construction activity occurring at each such inspection, the commissioner shall remove such site from such registry.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1320

By Council Members Johnson, The Speaker (Council Member Mark-Viverito), Salamanca, Gibson and Palma.

**A Local Law to amend the administrative code of the city of New York, in relation requiring laboratory reports in drug-related nuisance abatement cases**

*Be it enacted by the Council as follows:*

Section 1. Section 7-708 of the administrative code of the city of New York is amended to read as follows:  
§ 7-708. Motion papers for preliminary injunction.

The corporation counsel shall show, by affidavit and such other evidence as may be submitted, *which for an allegation of any public nuisance defined in subdivision (g) of section 7-703 for a violation of sections 221 or 220 of the penal law shall include laboratory reports or similar objective indicia of the presence of marihuana or a controlled substance*, that there is a cause of action for a permanent injunction abating a public nuisance within the scope of this subchapter.

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

Referred to the Committee on Public Safety.



## Int. No. 1321

By Council Members Johnson, The Speaker (Council Member Mark-Viverito), Salamanca, Gibson and Palma.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring a police or peace officer to personally witness a drug violation to file an action under the nuisance abatement law**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (g) of section 7-703 of the administrative code of the city of New York, as amended by local law number 96 for the year 2015, is amended to read as follows:

(g) Any building, erection or place, including one- or two-family dwellings, wherein, within the period of one year prior to the commencement of an action under this chapter, there have occurred three or more violations of one or any combination of the provisions of article two hundred twenty, two hundred twenty-one or two hundred twenty-five of the penal law, or section 10-203 of this code, *in which at least one such violation was personally witnessed by a police or peace officer;*

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

Referred to the Committee on Public Safety.

## Int. No. 1322

By Council Members Johnson, Garodnick and Rosenthal.

**A Local Law to amend the New York city charter, in relation to the recovery of financial assistance for economic development in cases of noncompliance with the terms of such assistance**

*Be it enacted by the Council as follows:*

Section 1. Subdivision 1 of section 1301 of the New York city charter is amended by adding a new paragraph b-2 to read as follows:

*b-2. to ensure that any contract, executed on or after the effective date of the local law adding this paragraph, between the department and a local development corporation or not-for-profit corporation of which a majority of its members are appointed by the mayor under which such contracted entity is engaged in providing or administering economic development benefits on behalf of the city and expending city capital appropriations in connection therewith contains a provision requiring that where a person, corporation or other business entity receives assistance from such contracted entity in connection with a project undertaken for the purpose of creating or retaining jobs, or other economic development, and such recipient defaults on one or more material terms of the agreement under which such assistance was provided, then:*

*(1) no later than thirty days after such contracted entity discovers such default, such contracted entity shall serve such recipient with a notice demanding that each such default be immediately remedied, and shall furnish a copy of such notice to the department and to the council member in whose district the project is located;*

*(2) no later than ninety days after receipt of such notice, such recipient shall provide a response to such contracted entity containing the following for each such default:*

*(i) a statement that such default either does not exist or has been remedied, along with relevant supporting information, including any information that such contracted entity may demand; or*

*(ii) a summary of remedial actions to be taken by such recipient and the anticipated start and completion dates of such actions;*

(3) such contracted entity shall furnish a copy of such recipient's response under subparagraph two of this paragraph to the department and to the council member in whose district the project is located;

(4) if such recipient provides a summary of remedial actions under item ii of this subparagraph for a default, such recipient shall:

(i) take such remedial actions as are necessary; and

(ii) every ninety days thereafter provide to such contracted entity an update regarding such actions, including any additional information that such contracted entity may demand, until such contracted entity determines that such default has been remedied; and

(5) if such recipient fails to provide a response under subparagraph two of this paragraph or, if applicable, an update under subparagraph four of this paragraph or fails to take remedial actions to correct a default, such contracted entity shall:

(i) provide notice to the department and the council member in whose district the project is located of such failure; and

(ii) promptly take all reasonable actions to recover any assistance provided in connection with such project, together with any applicable interest, costs and other expenses; and

(6) if such contracted entity fails to promptly act under item ii of subparagraph five of this paragraph, the department may suspend or rescind, in whole or in part, the contract between the department and such contracted entity.

§2. This local law shall take effect immediately.

Referred to the Committee on Economic Development.

Int. No. 1323

By Council Members Koslowitz, The Speaker (Council Member Mark-Viverito), Salamanca, Gibson and Palma

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting permanent exclusions pursuant to the nuisance abatement law**

*Be it enacted by the Council as follows:*

Section 1. Chapter 7 of title 7 of the administrative code of the city of New York is amended by adding a new subchapter 4 to read as follows:

SUBCHAPTER 4  
AUTHORIZED DISPOSITIONS

*§ 7-723 Authorized dispositions. No disposition reached pursuant to an action brought under this chapter may permit the exclusion of any individual from any property for more than 1 year, unless the corporation counsel can demonstrate through clear and convincing evidence that unique circumstances exist such that a greater period of exclusion is required to abate the relevant nuisance. In no case shall such period of exclusion exceed 3 years.*

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

Referred to the Committee on Public Safety.

Int. No. 1324

By Council Members Lander, Vacca, Palma and Menchaca

**A Local Law to amend the New York city charter, in relation to requiring information about city**

**contracts and contractors to be available online for public access**

*Be it enacted by the Council as follows:*

Section 1. Subdivision d of Section 1064 of the New York city charter is amended to read as follows:

d. The information on contracts and contractors shall be computerized to the extent feasible. The computerized information shall be stored in a manner which allows for meaningful read-only access to such information by the agency name, contractor name, contract category, and contract number included in prior notices published in the City Record pursuant to section three hundred twenty-five. At least one computer terminal shall be available for such access in the central place established by the mayor pursuant to subdivision a of this section, *and such access shall also be provided to the public through the City's website.*

§2. This local law takes effect 120 days after enactment.

Referred to the Committee on Contracts.

Int. No. 1325

By Council Members Levin and Palma

**A Local Law to amend the New York city administrative code, in relation to requiring that the roofs of city-owned buildings be partially covered in source control measures**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-209 to read as follows:

§ 4-209 *Installation of source control measures. The commissioner shall cause to be installed on the roofs of all real property owned by the city, a green roof system, as defined in section 1502 of the New York city building code, or a detention system, as defined in section 202 of the New York city plumbing code, or a combination of both. Such green roof system or detention system, or combination thereof, shall cover at least 50 percent of available roof top space, excluding any space required to be kept open or unobstructed by the New York city fire code or any space occupied by mechanical equipment, and shall be designed and installed in accordance with chapter 15 of the New York city building code.*

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of citywide administrative services may take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Environmental Protection.

Int. No. 1326

By Council Members Levin, Torres, Williams, The Speaker (Council Member Mark-Viverito), Gibson and Palma.

**A Local Law to amend the administrative code of the city of New York, in relation to repealing the padlock law**

*Be it enacted by the Council as follows:*

Section 1. Sections 10-155 and 10-156 of the administrative code of the city of New York are REPEALED.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 1327

By Council Members Levine, Gibson, Johnson, The Speaker (Council Member Mark-Viverito) and Salamanca

**A Local Law to amend the administrative code of the city of New York, in relation to requiring reporting on the use of the nuisance abatement law**

*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 14-161 to read as follows:

*§ 14-161 Reporting on nuisance abatement actions.*

*a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Action. The term “action” means a nuisance abatement action.*

*Nuisance abatement action. The term “nuisance abatement action” means any legal proceeding in which the department acts as a “department or agency” pursuant to subdivision (a) of section 7-706.*

*Type of nuisance. The term “type of nuisance” means the subdivision of section 7-703 under which a nuisance abatement action is brought.*

*b. Reporting. No later than January 31, 2017 and no later than each July 31 and January 31 thereafter, the department shall post on its website, and provide notification of such posting to the council and the mayor, a report regarding the use of the nuisance abatement law for the 6 month period ending in the month prior to the month during which such report is due. This report shall include, but not be limited to, the information in the following paragraphs:*

*1. For all actions, in total and disaggregated by the type of nuisance: the number of actions filed and the number of actions settled.*

*2. For all actions, in total and disaggregated by the type of nuisance: (a) the number of temporary closing orders and temporary restraining orders sought and the number granted, in total and disaggregated by the type of order; (b) the percentage of actions including an application for a temporary closing orders or temporary restraining order; (c) the percentage of applications for temporary closing orders and temporary restraining orders denied, in total and disaggregated by the type or order; (d) the number of applications for preliminary injunctions and the number granted; (e) the percentage of actions including an application for a preliminary injunction; and (f) the percentage of applications for preliminary injunctions that are denied.*

*3. For all actions in which an application for a temporary closing or temporary restraining order is denied, the percentage in which the department withdraws the action.*

*4. For all actions in which an application for a preliminary injunction is denied, the percentage in which the department withdraws the action.*

*5. The number and percentage of actions in which a search warrant had previously been executed for conduct substantially similar to the nuisance that formed the basis of an action. For all such cases, the number and percentage of actions filed alleging nuisances that occurred subsequent to such warrant being executed, in total and disaggregated by type of nuisance, provided that for any type of nuisance requiring multiple instances of a nuisance occurring, the report shall include the number and percentage of actions filed alleging nuisances in which the most recent such nuisance occurred subsequent to such warrant being executed.*

*6. The mean and median amount of time between which a nuisance occurs and an application for an action is filed, in total and disaggregated by type of offense, provided that for any type of nuisance requiring multiple instances of a nuisance occurring, the report shall include the mean and median amount of time between both the first and last such instance.*

7. *The mean and median amount of time between which an application for a temporary restraining order or temporary closing order is granted and such order is executed;*

8. *The number of actions filed at such time as a proceeding pursuant to section 715 of the real property actions and proceedings law is either pending or completed and such proceeding is or was based on allegations of a nuisance substantially related to that forming the basis of such action.*

9. *The number, in total and disaggregated by type of nuisance: (a) 311, 911, and other complaints of nuisances substantially similar to types of action disaggregated by precinct; (b) actions filed disaggregated by precinct; and (c) such complaints per precinct divided by such actions per such precinct.*

10. *A map of New York city indicating the location and boundaries of each precinct, and the information required by sub-paragraph (c) of paragraph 9 of this subdivision.*

c. *The information required pursuant to subdivision b for each reporting period shall be stored permanently on the department's website and shall be provided in a format that permits automated processing. Each report shall include a comparison of the current reporting period to the prior 4 reporting period, where such information is available.*

§ 2. Chapter 1 of title 7 of the administrative code of the city of New York is amended by adding a new section 7-112 to read as follows:

§ 7-112 *Reporting on nuisance abatement actions.*

a. *Definitions. For the purposes of this section, the following terms have the following meanings:*

*Action. The term "action" means a nuisance abatement action.*

*Agency. The term "agency" means a "department or agency" pursuant to subdivision (a) of section 7-706.*

*Nuisance abatement action. The term "nuisance abatement action" means any legal proceeding brought pursuant to chapter 7 of title 7.*

*Type of nuisance. The term "type of nuisance" means the subdivision of section 7-703 under which a nuisance abatement action is brought.*

b. *No later than January 31, 2017 and no later than each July 31 and January 31 thereafter, the law department shall post on its website, and provide notification of such posting to the council and the mayor, a report regarding the use of the nuisance abatement law for the 6 month period ending in the month prior to the month during which such report is due. This report shall include, but not be limited to, the information in the following paragraphs:*

1. *For all actions, in total and disaggregated by the type of nuisance: the number of actions filed and the number of actions settled.*

2. *For all actions, in total and disaggregated by the type of nuisance: (a) the number of temporary closing orders and temporary restraining orders sought and the number granted, in total and disaggregated by the type of order; (b) the percentage of actions including an application for a temporary closing orders or temporary restraining order; (c) the percentage of applications for temporary closing orders and temporary restraining orders denied, in total and disaggregated by the type or order; (d) the number of applications for preliminary injunctions and the number granted; (e) the percentage of actions including an application for a preliminary injunction; and (f) the percentage of applications for preliminary injunctions that are denied.*

3. *For all actions in which an application for a temporary closing or temporary restraining order is denied, the percentage in which the department withdraws the action.*

4. *For all actions in which an application for a preliminary injunction is denied, the percentage in which the department withdraws the action.*

5. *The mean and median amount of time between which a nuisance occurs and an application for an action is filed, in total and disaggregated by type of offense, provided that for any type of nuisance requiring multiple instances of a nuisance occurring, the report shall include the mean and median amount of time between both the first and last such instance.*

6. *The mean and median amount of time between which an application for a temporary restraining order or temporary closing order is granted and such order is executed;*

7. *The number of actions filed at such time as a proceeding pursuant to section 715 of the real property actions and proceedings law is either pending or completed and such proceeding is or was based on allegations of a nuisance substantially related to that forming the basis of such action.*

*c. The information required pursuant to subdivision b of this section shall be reported in total and disaggregated by the entity requesting an action pursuant to subdivision (a) of section 7-706, as applicable, including the law department.*

*d. The information required pursuant to subdivisions b and c for each reporting period shall be stored permanently on the department's website and shall be provided in a format that permits automated processing. Each report shall include a comparison of the current reporting period to the prior 4 reporting period, where such information is available.*

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

Referred to the Committee on Public Safety.

Int. No. 1328

By Council Members Maisel and Vacca

**A Local Law to amend the administrative code of the city of New York, in relation to resource and training assistance to New York City's community based volunteer ambulance companies.**

*Be it enacted by the Council as follows:*

Section 1. Chapter one of title 15 of the administrative code of the city of New York is amended by adding a new paragraph (3) to subdivision a of section 15-101 to read as follows:

*(3) "Voluntary ambulance service" shall mean a voluntary ambulance service as such term is defined in section three thousand one of the public health law that is registered or certified in compliance with section three thousand five of the public health law.*

§2. Chapter one of title 15 of the administrative code of the city of New York is amended by adding a new section 15-131 to read as follows:

*§ 15-131 Volunteer ambulance service resources.*

*a. The department shall provide vehicle insurance and access to medical supplies for any volunteer ambulance service operating within the city of New York.*

*b. The department shall provide ambulance driver training for any person who meets criteria established by the commissioner and wishes to become a driver for any volunteer ambulance service operating within the city of New York.*

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

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1329

By Council Members Matteo, Johnson, Levin and Palma

**A Local Law to amend the administrative code of the city of New York, in relation to requiring defibrillators at softball fields where youth leagues play**

*Be it enacted by the Council as follows:*

Section 1. Section 4-209 of the administrative code of the city of New York, as amended by local law number 57 of 2016, is amended to read as follows:

§ 4-209 Automated external defibrillators at youth baseball *and youth softball* games and practices on city land leased to youth leagues. a. Definitions. As used in this section, the following terms have the following meanings:

Automated external defibrillator. The term “automated external defibrillator” means a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and (iv) upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

Department. The term “department” means the department of citywide administrative services or any successor of such department.

Training course. The term “training course” means a course approved by a nationally-recognized organization or the state emergency medical services council in the operation of automated external defibrillators.

Youth baseball league. The term “youth baseball league” means baseball leagues with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants, other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.

*Youth softball league. The term “youth softball league” means softball leagues with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants, other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.*

b. Subject to the provision of a sufficient number of automated external defibrillators and training courses by the department pursuant to subdivision c, a youth baseball league *or youth softball league* using a [baseball] field for which the department is the lessor shall:

1. make available an automated external defibrillator at every baseball *or softball* game and practice occurring at such field in which a team of such league participates; and
2. where practicable, ensure that there is at least one coach, umpire or other qualified adult who is present at each such game and practice who has successfully completed a training course within 24 months of each such game and practice.

c. The department shall provide to youth baseball leagues *and youth softball leagues* subject to the requirements of subdivision b a sufficient number of automated external defibrillators and training courses at no cost to such leagues. Any defibrillator provided by the department to such a league shall be returned in satisfactory condition at the end of the lease or upon request of such department.

d. The department shall not lease a ballfield to a youth baseball league *or a youth softball league* unless such lease requires that the lessee comply with subdivision b.

e. Any person who voluntarily and without expectation of monetary compensation renders first aid or emergency treatment using an automated external defibrillator that has been made available pursuant to this section, to a person who is unconscious, ill or injured, and any individual or entity that purchases or makes available an automated external defibrillator as required by this section, is entitled to the limitation of liability provided in section 3000-a of the New York state public health law.

f. Nothing contained in this section imposes any duty or obligation on any person to provide assistance with an automated external defibrillator to a victim of a medical emergency.

g. Nothing contained in this section affects the obligations or liability of emergency health providers pursuant to section 3000-b of the New York state public health law.

h. Any youth baseball league *or youth softball league* that violates the provisions of subdivision b shall receive a warning for a first violation, and shall be liable for a civil penalty of \$500 for each subsequent violation, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings. Any youth baseball league *or softball league* that violates the provisions of subdivision c shall be liable for a civil penalty of no more than \$2,500 for each automated external defibrillator that is not returned in satisfactory condition,

recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings.

i. The provision of automated external defibrillators and training courses authorized by this section shall be limited to the appropriation of funds available for this program. To the extent the department anticipates that the number of automated external defibrillators and training courses requested by youth baseball leagues and *youth softball leagues* will exceed the funds available, the department shall provide such defibrillators and training courses authorized by subdivision c on an equitable basis until such funds are exhausted.

j. The commissioner of the department shall promulgate any rules as may be necessary for the purposes of carrying out the provisions of this section.

§ 2. Section 18-146 of the administrative code of the city of New York, as added by local law number 57 of 2016, is amended to read as follows:

§ 18-146 Defibrillators at youth baseball games *and youth softball games* and practices in parks. a. Definitions. As used in this section, the following terms have the following meanings:

Automated external defibrillator. The term “automated external defibrillator” means a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and (iv) upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

Department. The term “department” means the department of parks and recreation or any successor of such department.

Training course. The term “training course” means a course approved by a nationally-recognized organization or the state emergency medical services council in the operation of automated external defibrillators.

Youth league. The term “youth league” means youth recreation sports leagues other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.

Youth recreation. The term “youth recreation” means athletic activity with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants.

b. Subject to the provision of a sufficient number of automated external defibrillators and training courses by the department pursuant to subdivision c, a youth league using a ballfield under the jurisdiction and management of the department to play or practice baseball *or softball* shall:

1. make available an automated external defibrillator at every baseball *or softball* game and practice in which any team in such league participates; and

2. where practicable, ensure that there is at least one coach, umpire or other qualified adult who is present at each such game and practice who has successfully completed a training course within 24 months of every such game and practice.

c. The department shall provide to youth leagues subject to the requirements of subdivision b a sufficient number of automated external defibrillators and training courses at no cost to such leagues. Any defibrillator provided by the department to such a league shall be returned in satisfactory condition upon request of the department.

d. The department shall not issue a permit to a youth league for the use of a ballfield under its jurisdiction and management to play baseball *or softball* unless, for the duration of the season for which the permit is sought, such league certifies that it will comply with subdivision b.

e. Each league shall maintain records that it possesses a sufficient number of automated external defibrillators to meet the requirements of subdivision b for three years from the date such league receives the permit that was the subject of the application.

f. Any person who voluntarily and without expectation of monetary compensation renders first aid or emergency treatment using an automated external defibrillator that has been made available pursuant to this section, to a person who is unconscious, ill or injured, and any individual or entity that purchases or makes



available an automated external defibrillator as required by this section, is entitled to the limitation of liability provided in section 3000-a of the New York state public health law.

g. Nothing contained in this section imposes any duty or obligation on any person to provide assistance with an automated external defibrillator to a victim of a medical emergency.

h. Nothing contained in this section affects the obligations or liability of emergency health providers pursuant to section 3000-b of the New York state public health law.

i. 1. The ballfield permit holder of any league that violates the provisions of subdivisions b or e shall receive a warning for a first violation, and shall be liable for a civil penalty of \$500 for each subsequent violation, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings.

2. The ballfield permit holder of any league that violates the provisions of subdivision c shall be liable for a civil penalty of no more than \$2,500 for each automated external defibrillator that is not returned in satisfactory condition to the department, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings.

j. No ballfield permit shall be issued to any youth league that has a past due outstanding penalty for a violation issued pursuant to paragraph 2 of subdivision i.

k. The provision of automated external defibrillators and training courses authorized by this section shall be limited to the appropriation of funds available for this program. To the extent the department anticipates that the number of automated external defibrillators and training courses requested by youth leagues will exceed the funds available, the department shall provide such defibrillators and training courses authorized by subdivision c on an equitable basis until such funds are exhausted.

l. The commissioner of the department shall promulgate any rules as may be necessary for the purposes of carrying out the provisions of this section.

§ 3. This local law takes effect on January 1, 2017.

Referred to the Committee on Health.

Int. No. 1330

By Council Members Menchaca, Levin, Richards, Rose and Palma

**A Local Law to amend the New York city charter, in relation to requiring immediate access to food and water to communities affected by emergencies**

*Be it enacted by the Council as follows:*

Section 1. Section 497 of the New York city charter is amended to read as follows:

§ 497 Powers and duties of the commissioner. The commissioner shall have cognizance and control of the government, administration, disposition and discipline of the department. The commissioner shall have the powers and duties to:

a. coordinate the city's response to all emergency conditions and potential incidents which require a multi-agency response, including but not limited to severe weather, threats from natural hazards and natural disasters, power and other public service outages, labor unrest other than the keeping of the peace, water main breaks, transportation and transit incidents, hazardous substance discharges, building collapses, aviation disasters, explosions, acts of terrorism and such other emergency conditions and incidents which affect public health and safety;

b. monitor on a constant basis all potential emergency conditions and potential incidents which may require a multi-agency response;

c. coordinate and implement training programs for public safety and health, including emergency response drills, to prepare for emergency conditions and potential incidents which may require a multi-agency response;

- d. prepare plans for responding to emergency conditions and potential incidents, including but not limited to plans for the implementation of such emergency orders as may be approved by the mayor to protect public safety and facilitate the rapid response and mobilization of agencies and resources;
- e. make recommendations to the mayor concerning the city's emergency response capabilities and concerning the city's capacity to address potential emergency conditions and potential incidents;
- f. increase public awareness as to the appropriate responses by members of the public to emergency conditions and potential incidents, and review the city's systems for disseminating information to the public;
- g. operate an emergency operations center to assist the city in managing emergency conditions and potential incidents that may require a multi-agency response;
- h. hold regular and frequent meetings of designated emergency response personnel of all city agencies that are determined by the commissioner to have a direct or support role in the city's management of emergency conditions and potential incidents which may require a multi-agency response;
- i. acquire federal and other funding for emergency management, including but not limited to disaster relief, and civil defense, and assist other agencies in obtaining such funding;
- j. coordinate with all city agencies to ensure that all such agencies develop and implement emergency response plans in connection with planning major city events;
- k. coordinate with state, federal and other governmental bodies to effectuate the purposes of the department;
- l. coordinate the operation of the local emergency planning committee established pursuant to Title III of the federal Superfund Amendments and Reauthorization Act;
- m. coordinate New York city's civil defense effort in accordance with the provisions of the Defense Emergency Act of New York state and the city's civil defense emergency operations plan, as such plan may be amended from time to time;
- n. perform all other functions previously performed by the former office of emergency management and the emergency control board; [and]
- o. *take all measures necessary ensure the immediate availability of food and water, as practicable, in areas the department should reasonably expect the availability of such supplies would be significantly reduced in an emergency, including but not limited to entering contracts to procure such supplies and the direct procurement of such supplies, where appropriate. The commissioner shall submit to the council and post to the department's website a report containing a list of the food and water available to the city pursuant to this subdivision, and shall update such report within 30 days of any significant change to such list; and*
- [o.] p. promulgate such rules and regulations as may be necessary to implement the provisions of this chapter.

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

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1331

By Council Members Menchaca, Borelli, Lander, Rosenthal and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring that construction documents include a plan for protecting adjacent properties**

*Be it enacted by the Council as follows:*

Section 1. Article 104 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-104.8.5 to read as follows:

**§ 28-104.8.5 Adjacent property protection plan.** *Construction documents for construction or demolition operations shall include a plan, certified by a registered design professional, for protecting adjacent public*

*and private property. Such plan shall include a list of all adjacent properties and a description of the means and methods that will be implemented to prevent damage to such properties.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 1332

By Council Members Menchaca, Rose, Cabrera, Levine, Espinal, Reynoso, Richards, Gentile, Salamanca, Wills, Koo, Barron, Levin, Chin, Mendez, Miller and Vacca

**A Local Law to amend the New York city charter, in relation to requiring that the preliminary mayor's management report and the mayor's management report be made available online and in hard copy in multiple languages**

*Be it enacted by the Council as follows:*

Section 1. Section 12 of chapter 1 of the New York city charter is amended by adding a new subdivision e to read as follows:

*e. The preliminary management report and management report shall be made available on the city's website in english and in the top six limited english proficiency languages spoken by the population of New York city as determined by the department of city planning, based on United States census data. At least 400 copies of such reports shall be printed in hard copy in each such language and made available for use by the public at locations including, but not limited to public libraries and district offices of council members.*

§ 2. This local law takes effect immediately

Referred to the Committee on Governmental Operations.

Res. No. 1261

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation requiring trucks to be equipped with windows on the lower portions of their side doors in order to increase the driver's visibility.**

By Council Members Menchaca, Salamanca, Reynoso, Richards, Levin, Lander and Vacca.

**Whereas**, In 2015, 136 pedestrians and 14 bicyclists were killed in traffic crashes in New York City; and

**Whereas**, The City has committed to Vision Zero, a multi-faceted plan to eliminate traffic fatalities through better enforcement and education, improved street design, and new street safety legislation; and

**Whereas**, According to the John A. Volpe National Transportation Systems Center, large truck crashes are more likely to result in a pedestrian or bicyclist fatality than crashes involving passenger vehicles; and

**Whereas**, Large truck incidents are also more likely to involve side-impact crashes; and

**Whereas**, Trucks account for 3.6 percent of vehicles on the road in New York City but are responsible for an average of 12.3 percent of pedestrian fatalities and 32 percent of bicyclist fatalities; and

**Whereas**, In January 2016, the Mayor of London, Boris Johnson, announced a proposal to require trucks in London to have windows installed in the lower half of cab doors in order to improve driver visibility, reduce blind spots, and enhance safety for pedestrians and cyclists; and

**Whereas**, In 2011, New York State adopted a law requiring convex mirrors to be placed on the front of large trucks being driven in New York City in order to reduce blind spots and protect pedestrians; and

**Whereas**, The State should build on this law by requiring all trucks of model year 2017 and newer, as well as any trucks that require the installation of a new side door as a result of a collision, to be equipped with transparent panels in the lower portion of their side doors in order to improve driver visibility and crash avoidance; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation requiring trucks to be equipped with windows on the lower portions of their side doors in order to increase the driver's visibility.

Referred to the Committee on Transportation.

Int. No. 1333

By Council Member Richards, The Speaker (Council Member Mark-Viverito) and Council Members Levine, Johnson and Salamanca.

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a statute of limitations for the nuisance abatement law and repealing provisions of the nuisance abatement law that define some types of nuisances**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (a) of section 7-706 of the administrative code of the city of New York, as amended by local law number 6 for the year 1989, is amended to read as follows:

(a) Generally. Upon the direction of the mayor, or at the request of the head of a department or agency of the city, or at the request of a district attorney of any county within the city, or at the request of a member of the city council with respect to the public nuisances defined in subdivisions (a), (b), (c), (g), and (h) and section 7-703 of this chapter, or upon his or her own initiative, the corporation counsel may bring and maintain a civil proceeding in the name of the city in the supreme court to permanently enjoin a public nuisance within the scope of this subchapter, and the person or persons conducting, maintaining or permitting the public nuisance from further conducting, maintaining or permitting the public nuisance. The owner, lessor and lessee of a building, erection or place wherein the public nuisance as being conducted, maintained or permitted shall be made defendants in the action. The venue of such action shall be in the county where the public nuisance is being conducted, maintained or permitted. The existence of an adequate remedy at law shall not prevent the granting of temporary or permanent relief pursuant to this subchapter. *An action for permanent injunction must allege the existence of a public nuisance occurring within four months of the commencement of such action.*

§ 2. Subdivision (g) of section 7-703 of the administrative code of the city of New York, as amended by local law number 96 for the year 2015, is amended to read as follows:

(g) Any building, erection or place, including one- or two-family dwellings, wherein, within the period of [one year] *90 days* prior to the commencement of an action under this chapter, there have occurred three or more violations of one or any combination of the provisions of article two hundred twenty, two hundred twenty-one or two hundred twenty-five of the penal law, or section 10-203 of this code;

§ 3. Subdivision (b) of section 7-707 of the administrative code of the city of New York, as amended by local law number 6 for the year 1989, is amended to read as follows:

(b) Enforcement of preliminary injunction. A preliminary injunction shall be enforced by the city agency at whose request the underlying action is being brought. In the event the underlying action is being brought at the direction of the mayor, or at the request of several city agencies or by the corporation counsel, on his or her own initiative, or upon the request of a district attorney, or a member of the city council, the order shall be enforced by the agency designated by the mayor. The police department shall, upon the request of the agency involved or upon the direction of the mayor, assist in the enforcement of the preliminary injunction. *All preliminary injunctions shall be enforced within 15 days of a court granting such injunction.*

§ 4. Subdivisions (b), (c), (d), (i), (j), and (k) of section 7-703, subdivision b of section 7-704 and subchapter 3 of chapter 7 of title 7 of the administrative code of the city of New York are REPEALED.

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

Referred to the Committee on Public Safety.

Preconsidered Int. No. 1334

By Council Member Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to permitting street vendors to vend within three feet from the curb**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 17-315 of subchapter 2 of chapter 3 of title 17 of the administrative code of the city of New York is amended to read as follows:

a. No pushcart shall be placed upon any sidewalk unless said sidewalk has at least a twelve foot clear pedestrian path to be measured from the boundary of any private property to any obstruction in or on the sidewalk, or if there are no obstructions, to the curb. [In no event shall any pushcart be placed on any part of a sidewalk other than that which abuts the curb.] *All pushcarts on the sidewalk must be placed within three feet from where the sidewalk meets the curb.*

§ 2. Subdivision a of section 20-465 of subchapter 27 of chapter 2 of title 20 of the administrative code of the city of New York is amended to read as follows:

a. No general vendor shall engage in any vending business on any sidewalk unless such sidewalk has at least a twelve-foot wide clear pedestrian path to be measured from the boundary of any private property to any obstructions in or on the sidewalk, or if there are no obstructions, to the curb. [In no event shall any pushcart be placed on any part of a sidewalk other than that which abuts the curb.] *All pushcarts on the sidewalk must be placed within three feet from where the sidewalk meets the curb.*

§ 3. This law shall take effect 120 days after its enactment.

Referred to the Committee on Consumer Affairs (preconsidered but laid over by the Committee on Consumer Affairs).

Preconsidered Int. No. 1335

By Council Member Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to permitting street vendors to vend 25 feet from a bus stop or taxi stand, and 5 feet from any driveway, subway entrance or crosswalk**

*Be it enacted by the Council as follows:*

Section 1. Subdivision e of section 17-315 of subchapter 2 of chapter 3 of title 17 of the administrative code of the city of New York is amended to read as follows:

e. No food vendor shall vend within *25 feet of the sign identifying any bus stop [,] or taxi stand, in the direction of the bus stop or taxi stand*, within the portion of the sidewalk abutting any no standing zone adjacent to a hospital as defined in subdivision one of section 2801 of the New York state public health law, *or within [ten] five feet of any driveway, any subway entrance or exit, or any crosswalk at any intersection.*

§ 2. Subdivision e of section 20-465 of subchapter 27 of chapter 2 of title 20 of the administrative code of the city of New York is amended to read as follows:

e. No general vendor shall vend within *25 feet of the sign identifying* any bus stop [,] or taxi stand, *in the direction of the bus stop or taxi stand*, within the portion of the sidewalk abutting any no standing zone adjacent to a hospital as defined in subdivision one of section 2801 of the New York state public health law, or within [ten] *five* feet of any driveway, any subway entrance or exit, or any corner. For the purposes of this subdivision, [ten] *five* feet from any corner shall be measured from a point where the property line on the nearest intersecting block face, when extended, meets the curb.

§ 3. This law shall take effect 120 days after its enactment.

Referred to the Committee on Consumer Affairs (preconsidered but laid over by the Committee on Consumer Affairs).

Preconsidered Int. No. 1336

By Council Member Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to permitting food vendors to place items on their vending vehicle or pushcart**

*Be it enacted by the Council as follows:*

Section 1. Subdivision c of section 17-315 of subchapter 2 of chapter 3 of title 17 of the administrative code of the city of New York is amended to read as follows:

c. All items relating to the operation of a food vending business shall be kept in, *on* or under the vending vehicle or pushcart [, except that samples of the non-perishable items sold may be displayed on the vending vehicle or pushcart]. No items relating to the operation of a food vending business other than an adjoining acceptable waste container shall be placed upon any public space adjacent to the vending vehicle or pushcart, and no food shall be sold except from an authorized vehicle or pushcart.

§ 2. This law shall take effect 120 days after its enactment.

Referred to the Committee on Consumer Affairs (preconsidered but laid over by the Committee on Consumer Affairs).

Int. No. 1337

By Council Members Rosenthal, Garodnick and Johnson.

**A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the department of small business services to require in its contracts with certain not-for-profit corporations that provide economic development services for the city of New York that, before any economic development project is commenced or submitted for approval, such corporations must submit a project description and budget to local officials and borough and community boards; including reporting requirements in such contracts; and repealing paragraphs b and b-1 of subdivision 1 of section 1301 of the New York city charter**

*Be it enacted by the Council as follows:*

Section 1. The title of Chapter 8 of title 22 of the administrative code of the city of New York is amended to read as follows:

CHAPTER 8

[REPORTING BY] ENTITIES CONTRACTED TO PROVIDE ECONOMIC DEVELOPMENT BENEFITS ON BEHALF OF THE CITY

§ 2. Chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new subchapter 1 as follows:

*SUBCHAPTER 1*

*LOBBYING ACTIVITIES BY ENTITIES CONTRACTED TO PROVIDE ECONOMIC DEVELOPMENT BENEFITS ON BEHALF OF THE CITY*

§ 3. Sections 22-801 and 22-802 of chapter 8 of title 22 of the administrative code of the city of New York are redesignated as sections 22-801 and 22-802 of subchapter 1 of such chapter.

§ 4. Chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new subchapter 2 to read as follows:

*SUBCHAPTER 2*

*CONTRACT REQUIREMENTS FOR ENTITIES CONTRACTED TO PROVIDE ECONOMIC DEVELOPMENT BENEFITS ON BEHALF OF THE CITY*

§ 22-821 *Definitions. As used in this subchapter:*

*Commissioner.* The term “commissioner” means the commissioner of small business services.

*Contracted entity.* The term “contracted entity” means a local development corporation or other not-for-profit corporation, a majority of whose members are appointed by the mayor, that contracts with the city to provide or administer economic development benefits on behalf of the city and expending city capital appropriations in connection therewith.

*Covered contract.* The term “covered contract” means a contract under which a contracted entity is engaged in providing or administering economic development benefits on behalf of the city.

*Project agreement.* The term “project agreement” means the contract or agreement providing for or covering any project carried out pursuant to a covered contract.

§ 22-822 *Public comment before project approval.* In each covered contract executed on or after the effective date of the local law that added this section, the commissioner shall require, for each project carried out pursuant to such contract:

a. That the contracted entity prepare a description of such project, including an estimated project budget and an explanation of how any funding, benefits or financial assistance provided or allocated by the city for such project will be used;

b. That the contracted entity, unless chapter 8 of the New York city charter or any other law requires such project to be submitted for consideration to a community board or borough board before commencement, submit such description to the speaker of the council, the borough president, borough boards, community boards and council members in whose borough, community districts or district, respectively, such project is to be located. Such description shall specify a contact person to whom such speaker, borough presidents, borough boards, community boards or council members may submit recommendations regarding the project within 30 days of receiving the description. Such description must be submitted on or before the earlier of:

1. Ninety days before the project agreement is executed; or

2. Thirty days before seeking approval from the mayor or designee thereof, where the covered contract requires such approval before such project commences; and

c. That the contracted entity, for any recommendation relating to such project that it receives from such speaker, borough presidents, borough boards, community boards or council members within 30 days after submission in accordance with subdivision b, consider and respond to such person or board within 15 days after receiving the recommendation and simultaneously provide a copy or summary of the recommendation and the contracted entity’s response, to the mayor or designee thereof.

§ 22-823 *Annual report.* a. *Report required.* In each covered contract executed on or after the effective date of the local law that added this section, the commissioner shall require the contracted entity to submit each year to the mayor, the council, the city comptroller, the public advocate, the borough presidents and community planning boards a report for the prior fiscal year about projected and actual jobs created and retained in connection with projects described by this section.

*b. Projects receiving financial assistance in excess of \$150,000. 1. (a) This subdivision applies to projects undertaken by a contracted entity for the purpose of creating or retaining jobs and in connection with which the contracted entity provided a person project assistance in the form of a loan, grant or tax benefit valued in excess of \$150,000, regardless of whether such project involves the expenditure of city capital appropriations.*

*(b) For purposes of this subdivision, "assistance" to be reported includes (i) a loan, grant or tax benefit, (ii) savings due to payments in lieu of taxes, calculated as the difference between such payments and the property tax that would have been owed without an agreement to make such payments, (iii) waived mortgage recording fees, (iv) related property tax abatements, (v) sales tax abatements, (vi) energy benefits and (vii) an estimated range of costs to the city of foregone income tax revenues due to the issuance of tax exempt bonds;*

*2. Except as otherwise provided in this section, the annual report required by this section shall contain for each such project the following information for the prior fiscal year, including an indication of the sources of all data relating to numbers of jobs:*

*(a) The project's name;*

*(b) The project's location;*

*(c) The time period during which such project is to receive any assistance from the contracted entity;*

*(d) The type of such assistance provided, including where applicable the name of any program through which such assistance is provided;*

*(e) (1) For projects that involve a specified limit on cumulative assistance available over the duration of the project agreement, a statement of such limit; and*

*(2) For all other projects, the estimated amount of assistance over the duration of such project agreement, the amount of tax exempt bonds issued during the reporting year and the range of potential costs of such bonds;*

*(f) The amount of assistance received for the project during the reporting year, the amount of such assistance received since execution of the project agreement, and the present value of future assistance estimated to be given for the duration of the project agreement;*

*(g) The total number of employees at all sites covered by the project on the date of execution of the project agreement, including the number of permanent full-time jobs, the number of permanent part-time jobs, the number of full-time equivalents, and the number of contract employees if, pursuant to the project agreement, contract employees may be included in determining compliance with job creation or retention requirements;*

*(h) (1) The number of jobs that each person receiving assistance from such contracted entity is contractually obligated to retain and create over the duration of the project agreement or, in the case of a project agreement that contains annual job retention or creation requirements, the annual job retention or creation requirement for the reporting year;*

*(2) The base employment level such entity agrees to retain over the duration of the project agreement;*

*(3) Any job creation scheduled to take place as a result of such project; and*

*(4) Where applicable, any job creation targets for the reporting year;*

*(i) For the reporting year:*

*(1) The total number of employees at all sites covered by the project, including the number of permanent full-time jobs, the number of permanent part-time jobs, and the number of contract jobs; and*

*(2) For each person that receives assistance from the contracted entity in connection with such project and employs 250 or more persons, (i) the percentage of total employees within the "exempt" and "non-exempt" categories, respectively, as those terms are defined under the United States fair labor standards act, and (ii) for employees within the "non-exempt" category, the percentage of employees earning \$25,000 per year or less, the percentage of employees earning more than \$25,000 per year but less than or equal to \$40,000 per year and the percentage of employees earning more than \$40,000 per year but less than or equal to \$50,000 per year;*

*(j) The estimated amount of retained or additional tax revenue derived from the project, excluding real property tax revenue other than revenue generated by property tax improvements,*

*(1) Cumulatively to the date that the annual report is prepared;*

*(2) For the reporting year, and*

*(3) Projected to be derived over the duration of the project agreement;*



(k) A statement of whether, throughout the reporting year, each person that received assistance from the contracted entity in connection with the project offered health benefits to all full-time employees and to all part-time employees at all sites covered by the project;

(l) For the reporting year, for employees at each site covered by the project, including all permanent and temporary full-time employees, permanent and temporary part-time employees, and contract employees, the number and percentage of employees earning less than a living wage, as that term is defined in section 6-134, disaggregated by job category, including industrial jobs, food service jobs, retail jobs and other jobs; except that, for projects for which assistance was received prior to July 1, 2012, the information required by this subparagraph need only be provided to the extent it can be reasonably obtained from available sources, including the city and the person to which such assistance was provided;

(m) For the reporting year, with respect to the persons receiving assistance for such project and their affiliates, the number and percentage of employees at all sites covered by the project who reside in the city. For purposes of this paragraph, the term "affiliate" means (i) a business entity in which more than 50 percent is owned by, or is subject to a power or right of control of, or is managed by, a person that is a party to an active project agreement, or (ii) a person that owns more than 50 percent of a business entity that is party to an active project agreement or that exercises a power or right of control of a person that is a party to an active project agreement;

(n) A list of all commercial expansion program benefits, industrial and commercial incentive program benefits received by persons receiving assistance or their affiliates through the project agreement and relocation and employment assistance program benefits such persons and affiliates received and the estimated total value of each such benefit for the reporting year;

(o) A statement of compliance indicating whether, during the reporting year, the contracted entity has reduced, cancelled or recaptured assistance provided to a person in connection with such project, and, if so, the total amount of such reductions, cancellations or recaptures, and any penalty assessed and the reasons therefor.

c. Projects receiving financial assistance of \$150,000 or less. For projects undertaken by a contracted entity for the purpose of creating or retaining jobs that do not meet the financial threshold in paragraph 1 of subdivision b, such report shall include, at a minimum:

1. For each such project, the information required by subparagraphs (a), (b), (c), (d), (e), (f) and (o) of paragraph 2 of subdivision b;

2. For such projects in aggregate, the information required by subparagraphs (g), (h), (i), (j), (l), (m) and (n) of such paragraph; and

3. The number of persons that received a loan, grant or tax benefit from such contracted entity in connection with such a project and that offered health benefits to (i) all full-time employees and (ii) all part-time employees of such entity employed at any project site throughout the prior fiscal year.

d. Sales or leases of city-owned land. 1. For projects undertaken by a contracted entity for the purpose of creating or retaining jobs (i) for which a contracted entity sold or leased city-owned land to a person, and (ii) that are estimated to create or retain at least 25 jobs, regardless of whether such project involves the expenditure of city capital appropriations, the annual report shall include, at a minimum:

(a) A list of each lease that has not terminated before the reporting year commences, regardless of when such lease commenced, and for each such lease, any terms or restrictions on the use of the leased land, including the rent received for such land in the reporting year;

(b) A list of each sale of city-owned land that closed within 15 years of the report, and for each such sale, any terms or restrictions on the use of the sold land, including the price for which such land was sold and any terms or restrictions on the resale of such land; except that such list need not include sales that closed before January 1, 2005.

e. Years covered. Except as provided in subdivision d, the report shall include each project from the date the project agreement is executed and any other documents applicable to such project through and including the final year that the contracted entity provides assistance for such project.

f. Job-creation projects under prior rules. 1. For projects undertaken by a contracted entity for the purpose of creating or retaining jobs and for which the contracted entity provided a loan, grant or tax or other benefit before July 1, 2005, the information required by this section need only be provided to the extent it can be reasonably derived from available sources, including the city and persons who received such assistance.

2. For projects that such contracted entity undertakes for the purpose of creating or retaining jobs and for which the project agreement was executed before June 6, 2011, the annual report need not contain information that persons were not required to report to the contracted entity at the time that the project agreement and any other documents applicable to the project were executed.

g. *Submission and publication.* 1. The report required by this section shall be submitted by January 31 of each year and shall bear the date that such report was submitted. Such report shall include a statement explaining any delay in its submission past the required due date.

2. Upon its submission, the report shall simultaneously be made available in electronic form on the website of the contracted entity or, if no such website is maintained, on the website of the city. The report shall simultaneously be made available in a non-proprietary format that permits automated processing on the website of the contracted entity or, if no such website is maintained, on the website of the city. Such non-proprietary database format need not include terms and restrictions on the use or resale of city-owned land.

h. *Methodology study.* By March 1, 2007, and by March 1 of every second year thereafter, the contracted entity, in consultation with the speaker of the council and with other persons selected jointly by the mayor and the speaker of the council who have extensive experience and knowledge in the fields of finance, economics, and public policy analysis, shall evaluate the methodology employed for making the determinations required for the report and shall generate recommendations, where appropriate, on the methodology for evaluating projects receiving economic development subsidies. The commissioner shall present to the mayor and the speaker of the council a report containing such recommendations no later than October 1 of every year in which such evaluation is required.

§ 5. Paragraph b of subdivision 1 of section 1301 of the New York city charter is REPEALED and a new paragraph b is added to read as follows:

*b. to serve as liaison for the city with local development corporations, other not-for-profit corporations and all other entities involved in economic development within the city. In furtherance of this function, the department shall include in any contract with a local development corporation or not-for-profit corporation of which a majority of its members are appointed by the mayor, under which such contracted entity is engaged in providing or administering economic development benefits on behalf of the city and expending city capital appropriations in connection therewith, the provisions required by subchapter 2 of chapter 8 of title 22 of the administrative code.*

§ 6. Paragraph b-1 of subdivision 1 of section 1301 of the New York city charter is REPEALED.

§ 7. This local law takes effect 45 days after it becomes law.

Referred to the Committee on Economic Development.

Int. No. 1338

By Council Members Salamanca, Johnson, The Speaker (Council Member Mark-Viverito) and Gibson.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring procedures for the corporation counsel when filing actions under the nuisance abatement law**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (a) of section 7-706 of the administrative code of the city of New York, as amended by local law number 6 for the year 1989, is amended to read as follows:

(a) Generally. Upon the direction of the mayor, or at the request of the head of a department or agency of the city, or at the request of a district attorney of any county within the city, or at the request of a member of the city council with respect to the public nuisances defined in subdivisions (a), (b), (c), (g), and (h) and section 7-703 of this chapter, or upon his or her own initiative, the corporation counsel may bring and maintain

a civil proceeding in the name of the city in the supreme court to permanently enjoin a public nuisance within the scope of this subchapter, and the person or persons conducting, maintaining or permitting the public nuisance from further conducting, maintaining or permitting the public nuisance. *The corporation counsel shall ensure that records sealed pursuant to the criminal procedure law are not used in any action filed pursuant to this section.* The owner, lessor and lessee of a building, erection or place wherein the public nuisance as being conducted, maintained or permitted shall be made defendants in the action. The venue of such action shall be in the county where the public nuisance is being conducted, maintained or permitted. The existence of an adequate remedy at law shall not prevent the granting of temporary or permanent relief pursuant to this subchapter.

§ 2. Subdivision (d) of section 7-706 of the administrative code of the city of New York is amended to read as follows:

(d) Service of summons on other defendants. Defendants, other than the building, erection or place wherein the public nuisance is being conducted, maintained or permitted, shall be served with the summons as provided in the civil practice law and rules, *provided that defendants who reside in such building, erection or place must be provided with personal service upon a natural person as provided in the civil practice law and rules.*

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

Referred to the Committee on Public Safety.

Int. No. 1339

By Council Members Torres, The Speaker (Council Member Mark-Viverito), Salamanca and Gibson.

**A Local Law to amend the administrative code of the city of New York, in relation to restricting certain orders and dispositions pursuant to the nuisance abatement law**

*Be it enacted by the Council as follows:*

Section 1. Chapter 7 of title 7 of the administrative code of the city of New York is amended by adding a new subchapter 4 to read as follows:

**SUBCHAPTER 4  
AUTHORIZED DISPOSITIONS AND ORDERS**

*§ 7-723 Authorized dispositions and orders.*

*a. No disposition reached or order issued pursuant to an action brought under this chapter is permitted unless such order or disposition is the least restrictive means of ensuring the cessation of the relevant nuisance.*

*b. No disposition reached or order issued pursuant to an action brought under this chapter may permit the closure of any business if the owner or proprietor of such business was not directly involved with, was not aware of, and had no reason to be aware of the public nuisance addressed by such order or disposition.*

*c. No disposition reached or order issued pursuant to an action brought under this chapter may not deprive any individual of property rights to which such individual is otherwise entitled if such individual was neither aware of nor had reason to be aware of the public nuisance addressed by such order or disposition.*

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

Referred to the Committee on Public Safety.

## Int. No. 1340

By Council Members Torres, Treyger, Levine, Salamanca, Palma, Koslowitz, Kallos, Rose, Barron, Deutsch, Koo, Miller, Vallone, Constantinides, Grodenchik, Gentile, King, Crowley, Dromm, Espinal and Ulrich.

**A Local Law to amend the administrative code of the city of New York, in relation to work performed on parks department capital projects**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-146 to read as follows:

§ 18-146 *Notice for updates to council funded capital projects.* a. For any capital project, as defined in section 5-101 of the code, under the jurisdiction of the department, the department shall regularly notify each council member who allocated funds for such capital project with updated information on the progress made on such capital project by facsimile, regular mail, electronic mail or by personal delivery. Such notification shall be issued at least quarterly and include, but not be limited to (i) the actual or estimated starting date and actual or estimated completion date of the design phase, procurement phase and construction phase of such project; (ii) a description of any reason for delay to any phase of such project and the efforts being undertaken to correct such reason for delay; (iii) a description of any proposed alterations to the design phase of such project; (iv) the identification of each contractor who has been awarded a contract to perform construction work on such project and a description of whether each contractor has ever failed in any respect to fulfill the requirements of any prior contract with the department for construction work on a capital project.

b. For any denial of payment after an invoice for payment is submitted by a contractor for work completed on a capital project, as defined in section 5-101 of the code, under the jurisdiction of the department, within 20 days from the date such invoice was submitted the department shall provide written notification of such denial by facsimile, regular mail, electronic mail or by personal delivery to such contractor and each council member, if any, who allocated funds for such capital project. Such notice shall include (i) The date that such denial was determined; (ii) An explanation detailing why such payment was denied; (iii) The procedure that such contractor should follow in order to correct the cause that led to the denial of payment by the department; and (iv) The contact information for a department employee who can provide direction to such contractor in understanding the reasons for denial and the process for completing such work in a manner that is satisfactory to the department.

§ 2. This local law takes effect 180 days after it becomes law.

Referred to the Committee on Parks and Recreation.

## Preconsidered Int. No. 1341

By Council Members Treyger and Kallos (by request of the Mayor).

**A Local Law in relation to special provisions for approval of demolition and construction work by city contractors under the “build it back” disaster recovery program**

*Be it enacted by the Council as follows:*

Section 1. **Intent.** The city has implemented a disaster recovery program known as the build it back program for the recovery of residential property damaged or destroyed in the severe storm known as Sandy that occurred on October 29 and October 30 in 2012. The purpose of this local law is to expedite such recovery

by implementing special procedures for the review and approval of demolition and construction work by city contractors under such program, consistent with public safety.

§ 2. **Definitions.** a. Unless otherwise indicated in subdivision b of this section, the terms used in this local law have the meanings ascribed to such terms in title 28 of the administrative code of the city of New York.

b. As used in this local law:

**Build it back program.** The term “build it back program” means the disaster recovery program funded by a community development block grant pursuant to the disaster relief appropriations act of 2013 and implemented by the city for recovery of residential property damaged or destroyed in the severe storm known as Sandy that occurred on October 29 and October 30 in 2012.

**Contracting agency.** The term “contracting agency” means, with respect to work performed under the build it back program, and funded through (i) a contract held by the department of environmental protection, (ii) a contract held by the department of design and construction or (iii) a disbursement agreement held by the department of housing preservation and development, the agency holding such contract or disbursement agreement.

§ 3. **Applicability.** This local law applies only to one- to four-family dwellings enrolled in the build it back program, where work on such dwellings is funded through a contract or disbursement agreement held by a contracting agency.

§ 4. **Full demolition of detached one- to four-family dwellings.** Notwithstanding any inconsistent provision of sections 28-104.1 and 28-105.1 of the administrative code, the full demolition of a detached one- to four-family dwelling funded through a contract or disbursement agreement held by a contracting agency under the build it back program, which would otherwise require construction document approval and a permit, may be performed without such approval and permit, consistent with public safety, subject to the following conditions:

(1) A complete application for approval of construction documents and issuance of a permit, including all required submittal documents, shall be submitted to the department of buildings as soon as practicable after the completion of the demolition work. The department of buildings will not issue a new building permit for the site of the demolition until a complete application for the demolition is submitted.

(2) The work is performed under the supervision of a registered design professional designated by the contracting agency.

(3) For demolition by hand held devices, or where mechanical equipment is used only for foundation removal, such registered design professional, or a qualified individual with experience in demolition operations designated by the contracting agency under the supervision of such registered design professional is at the site to monitor the demolition from the commencement of the work until its completion. In all other instances where mechanical demolition equipment, other than hand held devices, is being used, such registered design professional shall be at the site to monitor the demolition from the commencement of the work until its completion.

(4) The registered design professional ensures that all required documentation and certifications relating to compliance with the provisions of title 28 of the administrative code and other applicable law have been obtained before commencement of demolition work, except where such documentation or certification is waived by the certifying authority. Such documentation and certifications shall be maintained at the site and available for inspection by the department of buildings.

(5) Where section 3306.5.1 of the New York city building code applies to such demolition, documents complying with such section shall be prepared and professionally certified by a registered design professional for compliance with the New York city construction codes, including the certification that any alternate means of protection of adjoining properties are equally safe as those required by such codes, before commencement of the demolition and shall be available at the site for inspection by the department of buildings.

§ 5. **Option for buildings with outstanding pre-existing violations or pre-existing permits not signed off.** Notwithstanding any inconsistent provision of sections 28-118.3.2 or 28-118.3.3 of the administrative code at the option of the owner and subject to the discretion of the mayor’s office of housing recovery, the elevation of a one- to four-family dwelling funded through a contract or disbursement agreement held by a contracting agency under the build it back program that would otherwise require the issuance of a certificate of occupancy by the department of buildings before re-occupancy of such dwelling, may be performed under a permit that will allow such dwelling to be occupied by the owner without a new certificate of occupancy or under its last

issued certificate of occupancy, if any. Under this option, the owner may re-occupy the building after the issuance of a letter of completion for such work. Such letter of completion may be issued notwithstanding pre-existing violations or pre-existing permits that have not been signed off. The contracting agency must notify the owner before undertaking the elevation of a one- to four-family dwelling under this option, that although such dwelling may be occupied by the owner without the issuance of a new certificate of occupancy or under the last issued certificate of occupancy, if any, any inconsistency with such last issued certificate of occupancy or not obtaining a new certificate of occupancy may have an impact on the ability of such owner to obtain a mortgage or sell such dwelling and that all pre-existing violations and pre-existing permits that have not been signed off will remain in effect and must be remedied before the department of buildings will issue a new certificate of occupancy for such dwelling. The mayor's office of housing recovery shall establish guidelines for the exercise of its discretion pursuant to this section to exclude the use of this option where the pre-existing violations consist of work without a permit that substantially increased the square footage of the dwelling or where the pre-existing violations are of such a nature that there is no reasonable expectation that the violations will be corrected in the future.

§ 6. **Letter of completion where no certificate of occupancy is required.** Where a letter of completion is required for the alteration of a one- to four-family dwelling funded through a contract or disbursement agreement held by a contracting agency under the build it back program, such letter may be issued notwithstanding pre-existing violations or pre-existing permits that have not been signed off. This section shall not apply where, in accordance with sections 28-118.3.2 or 28-118.3.3 of the administrative code, such work would require the issuance of a new certificate of occupancy.

§ 7. **Waiver of penalties by the department of buildings.** Notwithstanding the provisions of sections 28-213.1.1, 28-213.1.2 and 28-213.3 of the administrative code, civil penalties that may be imposed for pre-existing violations for work without a permit which would otherwise be required to be paid before the issuance of a permit shall be waived by the department of buildings with respect to permits for work on one- to four-family dwellings funded through contracts or disbursement agreements with contracting agencies under the build it back program. Any necessary permits for such work shall be issued, provided all other requirements for such permits are met.

§ 8. Except as specifically provided, nothing in this local law is intended to grant authorization for any work to be done in any manner in violation of the provisions of the New York city construction codes, the zoning resolution or any other law or rules.

§ 9. This local law takes effect immediately.

Adopted by the Council (preconsidered and approved by the Committee on Recovery and Resiliency).

Int. No. 1342

By Council Members Vacca and Palma.

**A Local Law to amend the New York city charter, in relation to an online list of required reports**

*Be it enacted by the Council as follows:*

Section 1. Subdivisions b, c and d of section 1133 of the New York city charter are relettered subdivision d, e and f, respectively.

§ 2. Section 1133 of the New York city charter is amended by adding new subdivisions b and c to read as follows:

*b. The department of records and information services, or its successor agency, shall maintain a list on its website of all reports, documents, studies and publications required by local law, executive order, or mayoral directive to be published, issued, or transmitted to the council or mayor. Such list shall indicate for each such report, document, study and publication:*

*1. the frequency of required publishing, issuance, or transmittal for such report, document, study or publication;*

2. the date that the last such report, document, study or publication was received by the department, along with a link to such report, document or publication; and

3. the date that the next such report, document, study or publication is due to the department pursuant to subdivision a of this section.

c. The department of records and information services, or its successor agency, shall send a request by physical or electronic mail for transmission pursuant to the requirements of this section to the head of any agency required by local law, executive order, or mayoral directive to publish, issue, or transmit to the council or mayor any report, document, study or publication that is not received by the department, or its successor agency, within ten business days of the due date for such report pursuant to the local law, executive order, or mayoral directive that requires the publishing, issuance or transmittal of such report. The department, or its successor agency, shall make such request available on or through its website in place of the report, document, study or publication that has not been received until such time as such report, document, study or publication is received and made available on or through such website.

§ 3. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Technology.

Int. No. 1343

By Council Members Vacca and Palma.

**A Local Law to amend the New York city charter, in relation to the format of data in agency reports**

*Be it enacted by the Council as follows:*

Section 1. Section 1134 of the New York city charter is amended to read as follows:

§ 1134. The head of each agency shall promptly transmit to the council copies of all final reports or studies which the charter or other law requires the agency or any official thereof to prepare. The head of each agency shall also promptly transmit to the council copies of all final audits, audit reports and evaluations of such agency prepared by state or federal officials or by private parties. *For every report, study, audit or evaluation which the charter or other law requires an agency or official to prepare and which contains data in a list, table, graph, chart or other non-narrative form, the head of each agency shall also transmit such data to the council in a non-proprietary format that permits automated processing, provided that it shall not be necessary to transmit data that has already been made available pursuant to chapter 5 of title 23 of the administrative code of the city of New York.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 1344

By Council Members Williams, The Speaker (Council Member Mark-Viverito), Gibson and Palma.

**A Local Law to amend the administrative code of the city of New York, in relation to reforming the nuisance abatement law regarding the alcoholic beverage control law**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (h) of section 7-703 of the administrative code of the city of New York is amended to read as follows:

(h) Any building, erection or place, including one- or two-family dwellings, *wherein, within the period of four months prior to the commencement of an action under this chapter, there have occurred at least four*

*instances of [used for any of] the unlawful activities described in section one hundred twenty-three of the alcoholic beverage control law, where such unlawful activity was such that a reasonable person in the position of the person violating such law would be aware that such violation was occurring;*

§ 2. Subdivision (n) of section 7-703 of the administrative code of the city of New York, as amended by local law number 8 for the year 2007, is amended to read as follows:

(n) Any building, erection or place, including one- or two-family dwellings, in which a security guard, as defined in subdivision six of section eighty nine-f of the general business law, is employed, *in which there has been at least four\_[in] violations* of one or more of the following provisions: the alcoholic beverage control law or sections 20-360.1 or 27-525.1 of this code;

§ 3. Chapter 7 of title 7 of the administrative code of the city of New York is amended by adding a new subchapter 4 to read as follows:

#### SUBCHAPTER 4 AUTHORIZED DISPOSITIONS AND ORDERS

*§ 7-723 Authorized dispositions and order. No disposition reached or order issued pursuant to an action brought under subdivision (h) of section 7-703 may permit the closure of any business unless the corporation counsel can demonstrate through clear and convincing evidence a continued, willful, and flagrant violation of the alcohol beverage control law.*

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

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 504

By Council Member Ferreras-Copeland:

**Villa Gardens, Block 3321, Lot 38; Bronx, Community District No. 7, Council District No. 11.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

L.U. No. 505

By Council Member Greenfield:

**Application No. 20175115 PNK pursuant to §1301(2)(f) of the New York City Charter concerning a proposed maritime lease between the New York City Department of Small Business Services and Ferrara Bros. LLC for approximately 103,000 square feet of land located at Block 644, Lot 50 along the waterfront and 3<sup>rd</sup> Avenue at 24<sup>th</sup> Street, Borough of Brooklyn, Community Board 7, Council District 38.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses.



## L.U. No. 506

By Council Member Greenfield:

**Application No. N 160308 ZRM submitted by the 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 VIII, Chapter 9 (Special Hudson River Park District) to establish the Special Hudson River Park District within Borough of Manhattan, Community Board 2, Council District 3.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 507

By Council Member Greenfield:

**Application No. C 160309 ZMM submitted by SJC 33 Owner 2015 LLC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12a, changing M1-5, M2-4 Districts to a C6-4, C6-3 and M1-5 Districts, and establishing a Special Hudson River Park District on property to the West of Washington Street between Spring Street and Clarkson Street, Borough of Manhattan, Community Board 2, Council District 3.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 508

By Council Member Greenfield:

**Application No. C 160310 ZSM submitted by SJC 33 Owner 2015 LLC pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 89-21 of the Zoning Resolution to allow to allow for a floor area transfer of 200,000 square feet, and modify height and setback requirements, height factor requirements, and rear yard requirement, on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District, Borough of Manhattan, Community Board 2, Council District 3.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 509

By Council Member Greenfield:

**Application No. C 160311 ZSM submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 236 spaces on portions of the ground floor and cellar of a proposed mixed use development, on property located at 550 Washington Street (Block 596, Lot 1), Borough of Manhattan, Community Board 2, Council District 3.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 510

By Council Member Greenfield:

**Application No. C 160312 ZSM submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 372 spaces on portions of the ground floor and cellar of a proposed mixed use development (Center Site), on property located at 550 Washington Street (Block 596, Lot 1), Borough of Manhattan, Community Board 2, Council District 3.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 511

By Council Member Greenfield:

**Application No. C 160313 ZSM submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 164 spaces on portions of the ground floor and cellar of a proposed mixed use development (South Site), on property located at 550 Washington Street (Block 596, Lot 1), Borough of Manhattan, Community Board 2, Council District 3.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 512

By Council Member Greenfield:

**Application No. 20175110 HHQ submitted by New York City Health and Hospitals Corporation, pursuant to Section 7385(6) of the HHC Enabling Act, for approval to lease a parcel of land on the campus of Queens Hospital Center to Dunn Development and NYC Partnership Housing Development Fund Company, Inc. for the development of approximately 206 units of affordable housing, Borough of Queens, Community Board 8, Council District 24.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses.

## L.U. No. 513

By Council Member Greenfield:

**Application No. 20175111 HAK submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412.1 of the Administrative Code of the City of New York, Article 16 of the General Municipal Law, and Article XI of the Private Housing Finance Law for the transfer of property and tax exemptions for property located in the Borough of Brooklyn, Community Board 5, Council District 42.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

## L.U. No. 514

By Council Member Greenfield:

**Application No. 20175112 HAM submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412.1 of the Administrative Code of the City of New York, Article 16 of the General Municipal Law, and Article XI of the Private Housing Finance Law for the transfer of property and tax exemptions for property located in the Borough of Manhattan, Community Board 12, Council District 10.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

## L.U. No. 515

By Council Member Greenfield:

**Application No. C 160336 ZMM submitted by Lexington Gardens Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3b, changing existing R7-2 and C8-4 Districts to an R9 and C2-4 District, on property bounded by Park Avenue, East 108th Street, Lexington Avenue, and East 107th Street, Borough of Manhattan, Community Board 11, Council District 8.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

## L.U. No. 516

By Council Member Greenfield:

**Application No. N 160337 ZRM submitted by New York City Department of Housing Preservation and Development and Lexington Gardens Owners, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community Board 11, Council District 8.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

## L.U. No. 517

By Council Member Greenfield:

**Application No. C 160338 ZSM submitted by Lexington Gardens Owners 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 requirements for height, setback, and street wall location in connection with a proposed mixed-use development on property bounded by Park**

**Avenue, East 108th Street, Lexington Avenue, and East 107th Street, Borough of Manhattan, Community Board 11, Council District 8.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 518

By Council Member Greenfield:

**Application No. C 160339 ZSM submitted by Lexington Gardens Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive 103 required off-street parking spaces, in connection with a proposed mixed-use development on property bounded by Park Avenue, East 108th Street, Lexington Avenue, and East 107th Street, Borough of Manhattan, Community Board 11, Council District 8.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 519

By Council Member Greenfield:

**Application No. C 160340 HAM submitted by The Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 197-c of the New York City Charter for the designation of property as an urban development action area, approval of an urban development action area project, and the disposition of City-owned property to facilitate an affordable housing development containing approximately 390 dwelling units, on property bounded by Park Avenue, East 108th Street, Lexington Avenue, and East 107th Street, Borough of Manhattan, Community Board 11, Council District 8.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) acknowledged the use of digital surface tablets at this Meeting. This tablet pilot program allows members of the Council to view and search documents that typically reach or pass a stack of fifty pages or more per meeting. She thanked Microsoft and their representative, John Paul Farmer, for loaning the tablets and other equipment to the Council and for making this historic digital Stated Meeting possible. The Speaker (Council Member Mark-Viverito) thanked the Council's Laurie Quinones for her technical assistance and she also thanked the Public Technology Team, the IT Division, the Sergeant-at-Arms and other legislative staff for their help with the pilot program as well.

At this point, the Speaker (Council Member Mark-Viverito) referred to the following announcements:

<http://legistar.council.nyc.gov/Calendar.aspx>

## ANNOUNCEMENTS

### Friday, October 28, 2016

[Committee on Environmental Protection](#) ..... 10:00 a.m.  
**Int 835** - By Council Members Constantinides, Cornegy, Espinal, Koo and Mendez - **A Local Law** to amend the building code of the city of New York, in relation to establishing requirements for the selection, installation and maintenance of plants for green roof systems.  
 Committee Room – City Hall Costa Constantinides, Chairperson

[Committee on Transportation](#) ..... 10:00 a.m.  
**Oversight** - The Future of Driverless Vehicles in New York City  
 Council Chambers – City Hall Ydanis Rodriguez, Chairperson

[Committee on Sanitation and Solid Waste Management](#) ..... 1:00 p.m.  
**Oversight** - New York City Department of Sanitation’s 2016-2017 Snow Plan  
**Int 1023** - By Council Members Van Bramer, Greenfield, Chin, Constantinides, Johnson, Rose and Rodriguez - **A Local Law** to amend the administrative code of the city of New York, in relation to the removal of snow and ice from bicycle paths and greenways.  
 Council Chambers – City Hall Antonio Reynoso, Chairperson

[Committee on Veterans](#) ..... 1:00 p.m.  
**Res 1196** - By Council Members King and Gentile - **Resolution** calling on the United States Congress to pass, and the President to sign into law, the Fairness for Veterans Act of 2016, H.R. 4683/S. 1567.  
 Committee Room – City Hall Eric Ulrich, Chairperson

### Monday, October 31, 2016

[Committee on General Welfare](#) ..... 10:00 a.m.  
**Oversight** - Child Abuse Cases and the Various City Touchpoints for Families  
 Council Chambers – City Hall Stephen Levin, Chairperson

**★ Note Location Change**

**★★ Note Topic Deferred**

[Committee on Housing and Buildings](#) ..... 10:00 a.m.  
**Int 930** - By Council Members Kallos, Chin, Johnson, Levin, Levine, Menchaca, Mendez, Reynoso, Rosenthal, Rose, Lander, Rodriguez and Richards - **A Local Law** to amend the administrative code of the city of New York, in relation to distressed buildings subject to foreclosure by action in rem.

**Int 967** - By Council Members Rosenthal, the Speaker (Council Member Mark-Viverito), Chin, Crowley, Johnson, Koo, Rose, Lancman, Rodriguez, Dickens, Torres, Levine, Constantinides, Reynoso and Richards - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to construction conditions in housing development projects.

**Int 1210** - By Council Members Torres, Garodnick, Williams, Chin, Rosenthal and Mendez - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a predatory equity owner watch list.

**Int 1211** - By Council Members Torres, Garodnick, Williams, Mendez and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to creating a rebuttable presumption regarding harassment.

~~★★ **Int 1212** - By Council Members Torres, Garodnick, Williams, Chin, Rosenthal and Mendez - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a predatory equity lender watch list.~~

**Int 1218** - By Council Members Gentile, Williams, Grodenchik, Kallos, Rosenthal, Miller, Koo, Rose, Salamanca, King, Dromm, Levin, Treyger and Ulrich (at the request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to illegal conversions.

★Committee Room – 250 Broadway, 16<sup>th</sup> Floor Jumaane D. Williams, Chairperson

**Tuesday, November 1, 2016**

[Subcommittee on Zoning & Franchises](#)..... 9:30 a.m.

[See Land Use Calendar](#)

Council Chambers – City Hall

Donovan Richards, Chairperson

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#)..... 11:00 a.m.

[See Land Use Calendar](#)

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

Peter Koo, Chairperson

[Subcommittee on Planning, Dispositions & Concessions](#)..... 1:00 p.m.

[See Land Use Calendar](#)

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

Inez Dickens, Chairperson

[Committee on Small Business](#)..... 2:00 p.m.

**Tour:** The Pfizer Building

**Location:** 630 Flushing Avenue  
Brooklyn, NY 11206

Details Attached.....Robert Cornegy, Chairperson

**Wednesday, November 2, 2016**

[Committee on Public Safety](#)..... 10:00 a.m.

**Int 1308** - By The Speaker (Council Member Mark-Viverito), Council Member Johnson, and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to repealing sections of the nuisance abatement law permitting certain forms of injunctive relief.

**Int 1315** - By Council Member Garodnick and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to resolving conflicts between the nuisance abatement law and related proceedings.

**Int 1317** - By Council Member Gibson and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to excluding possession of a controlled substance or marihuana from the nuisance abatement law and increasing the number of sales of controlled substances sufficient to create a nuisance.

**Int 1318** - By Council Members Grodenchik, Johnson, and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring verification of a nuisance prior to enforcing injunctive relief pursuant to the nuisance abatement law.

**Int 1320** - By Council Member Johnson and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation requiring laboratory reports in drug-related nuisance abatement cases.

**Int 1321** - By Council Member Johnson and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring a police or peace officer to personally witness a drug violation to file an action under the nuisance abatement law.

**Int 1323** - By Council Member Koslowitz and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting permanent exclusions pursuant to the nuisance abatement law.

**Int 1326** - By Council Members Levin, Torres, Williams, and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to repealing the padlock law.

**Int 1327** - By Council Members Levine, Gibson, Johnson, and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring reporting on the use of the nuisance abatement law.

**Int 1333** - By Council Member Richards, The Speaker (Council Member Mark-Viverito) and Council Members Levine and Johnson - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a statute of limitations for the nuisance abatement law and repealing provisions of the nuisance abatement law that define some types of nuisances.

**Int 1338** - By Council Members Salamanca, Johnson, and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring procedures for the corporation counsel when filing actions under the nuisance abatement law.

**Int 1339** - By Council Member Torres and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to restricting certain orders and dispositions pursuant to the nuisance abatement law.

**Wednesday, November 2, 2016**

[Committee on Public Safety](#) (Cont.)

**Int 1344** - By Council Member Williams and The Speaker (Council Member Mark-Viverito) - **A Local Law** to amend the administrative code of the city of New York, in relation to reforming the nuisance abatement law regarding the alcoholic beverage control law.

Council Chambers – City Hall

Vanessa L. Gibson, Chairperson

**Thursday, November 3, 2016**

[Committee on Land Use](#) ..... 11:00 a.m.  
**All items reported out of the Subcommittees**  
 AND SUCH OTHER BUSINESS AS MAY BE NECESSARY  
 Committee Room – City Hall David G. Greenfield, Chairperson

**Monday, November 7, 2016**

[Committee on Contracts](#) ..... 1:00 p.m.  
**Oversight** - Reforming the VENDEX System  
**Int 1224** - By Council Members Rosenthal and Chin - **A Local Law** to amend the administrative code of the city of New York, in relation to increasing the contract award threshold requiring a vendor doing business with the city to complete a VENDEX questionnaire.  
**Int 1271** - By Council Members Rosenthal, Levin, Cohen and Dromm - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring contractors and subcontractors to submit information to VENDEX electronically.  
**Int 1324** - By Council Member Lander - **A Local Law** to amend the New York city charter, in relation to requiring information about city contracts and contractors to be available online for public access.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Helen Rosenthal, Chairperson

**Monday, November 14, 2016**

[Committee on Fire and Criminal Justice Services](#) ..... 10:00 a.m.  
**Oversight** - Examining the Implementation of Nunez Settlement in City Jails  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor .... Elizabeth Crowley, Chairperson

[Committee on Waterfronts](#) ..... 1:00 p.m.  
**Oversight** - Update on Governors Island  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Deborah Rose, Chairperson

**Tuesday, November 15, 2016**

[Committee on Governmental Operations](#) ..... 10:00 a.m.  
**Oversight** - The 2016 Mayor’s Management Report  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor Ben Kallos, Chairperson

[Committee on Transportation](#) ..... 10:00 a.m.  
**Oversight** - Making cycling and walking safer and more efficient.  
**Int 401** - By Council Members Menchaca, Koo, Mendez, Rose and Rodriguez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of parks and recreation and the department of transportation to study the installation of bike share stands in or near parks.  
**Int 1072** - By Council Members Menchaca, Reynoso, Lander, Levin, Dickens and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to bicyclists following pedestrian control signals.  
**Int 1117** - By Council Members Van Bramer, Rodriguez, Rosenthal, Kallos, Constantinides, Chin and Cohen - **A Local Law** to amend the administrative code of the city of New York, in relation to operating a bicycle for a commercial purpose.



Committee on Transportation (Cont.)

**Int. 1177** - By Council Members Rosenthal, Eugene, Rodriguez, Chin, Gentile, Cohen and Johnson - **A Local Law** in relation to requiring a study on the feasibility of implementing Barnes dance pedestrian crossing systems in dangerous intersections.

**Int 1285** - By Council Members Rodriguez and Chin - **A Local law** in relation to requiring a study on reducing crowding in locations with heavy pedestrian volume.

Council Chambers – City Hall

Ydanis Rodriguez, Chairperson

Committee on Technology.....1:00 p.m.

**Oversight** - LinkNYC

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

James Vacca, Chairperson

Committee on Veterans jointly with the

Committee on Higher Education.....1:00 p.m.

**Oversight** - Veterans in the CUNY System

Council Chambers – City Hall

Eric Ulrich, Chairperson

Inez Barron, Chairperson

**Wednesday, November 16, 2016**

Committee on Finance..... 10:00 a.m.

**Int 1314** - By Council Member Ferreras-Copeland (by request of the Mayor) - **A local law** to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Queens Plaza/Court Square business improvement district, an extension of the Queens Plaza/Court Square business improvement district, and a change in the method of assessment upon which the district charge in the Queens Plaza/Court Square business improvement district is based.

**Preconsidered L.U. \_\_\_\_** – By Council Member Ferreras-Copeland – 2178 Atlantic Avenue, Block 1433, Lot 35; Brooklyn, Community District No. 16, Council District No. 41

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall

Julissa Ferreras-Copeland, Chairperson

Stated Council Meeting.....*Ceremonial Tributes – 1:00 p.m.*

.....*Agenda – 1:30 p.m.*

**M E M O R A N D U M**

October 18, 2016

**TO:** ALL COUNCIL MEMBERS**RE:** TOUR BY THE COMMITTEE ON SMALL BUSINESS

Please be advised that all Council Members are invited to attend a tour to:

**The Pfizer Building  
630 Flushing Avenue  
Brooklyn, N.Y. 11206**

The Tour will be on **Tuesday, November 1, 2016 beginning at 2:00 p.m.** A van will be leaving City Hall at **1:15 p.m. sharp.**

Council Members interested in riding the van should call Michael Kurtz at **212-482-5445.**

Robert Cornegy, Chairperson  
Committee on Small Business

Melissa Mark-Viverito  
Speaker of the Council

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) expressed solidarity with the Standing Rock Sioux Tribe and its chairman, Dave Archambault. She acknowledged the Council proclamation given to the Chairman earlier in the day that supported the autonomy of the Standing Rock Sioux and their efforts to keep the Dakota Access pipeline off their tribal lands. In addition, the Speaker (Council Member Mark-Viverito) spoke about the song *Lift Every Voice and Sing* that the Council came together to sing earlier in the Meeting. The song is considered the black national anthem and was written by James Weldon Johnson who was a poet, an activist, and a member of the Harlem Renaissance. She noted that the lyrics express hope, struggle, and resilience. The Speaker (Council Member Mark-Viverito) thanked the Black, Latino and Asian Caucus and Council Members Cornegy and Torres for their help in bringing the Council together in a meaningful way through song.

Additionally during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) thanked a number of individuals in the Chambers who participated in the foster youth Shadow Day held in October 2015. She noted that these young people provided insight for a package of legislation dealing with foster youth that was before the Council at this Meeting (please see, respectively, the

Reports of the Committee on General Welfare for Int Nos. 1187-A, 1190-A, 1191-A, 1192-A, 1197-A, 1199-A, and 1205-A printed in these Minutes).

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, November 16, 2016.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Local Law Note: Int Nos. 642-A, 899-A, 1014-A, 1064-A, 1144-A, 1183-A, and 1277-A, all adopted by the Council at the September 28, 2016 Stated Meeting, were signed into law by the Mayor on October 18, 2016 as, respectively, Local Law Nos. 119, 120, 121, 122, 123, 124, and 125 of 2016.*

