

## **THE COUNCIL**

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*Minutes of the Proceedings for the*  
**STATED MEETING**

*of*

Tuesday, March 31, 2015, 2015, 1:45 p.m.

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

### Council Members

Melissa Mark-Viverito, Speaker

Maria del Carmen Arroyo	Vanessa L. Gibson	I. Daneek Miller
Inez D. Barron	David G. Greenfield	Annabel Palma
Fernando Cabrera	Vincent M. Ignizio	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.	Karen Koslowitz	Helen K. Rosenthal
Elizabeth S. Crowley	Rory I. Lancman	Ritchie J. Torres
Laurie A. Cumbo	Bradford S. Lander	Mark Treyger
Chaim M. Deutsch	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	Darlene Mealy	Mark S. Weprin
Daniel R. Garodnick	Carlos Menchaca	Jumaane D. Williams
Vincent J. Gentile	Rosie Mendez	Ruben Wills

Absent: Council Members Dickens and Koo.

The Public Advocate (Ms. James) assumed the Chair as the Acting President Pro Tempore and Presiding Officer.

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

*There were 49 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 Sister Julia Suarez, Saint Jerome's Hands Community Center, 230 Alexander Ave, Bronx, N.Y. 10454.

God, give me faith today to continue forward,  
grant me speed to fortitude, to forgive,  
give me patience to understand and help,  
grant me strength to not fall,  
give me strength to rise if I have fallen,  
grant me love to provide,  
give me what I need and know what I want,  
grant me eloquence to speak what I should speak,  
make me the best example for my children,  
let me be the best friend to my friends,  
make me an instrument of your will,  
give me the strength to withstand adversity.  
Let me know what you want from me.  
Grant me your peace so I can share it  
with those who don't have it.  
Finally, walk with me  
and let me know that it is so.  
Amen.

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

During the Communication from the Speaker segment of this Meeting, The Speaker (Council Member Mark-Viverito) acknowledged two recent tragedies which took place in New York City. First, the March 21, 2015 Midwood fire that claimed the lives of seven children of the Sassoon family in Brooklyn; and secondly, the March 26, 2015 explosion in an East Village restaurant within Council Mendez's district that claimed the lives of two people. The Speaker (Council Member Mark-Viverito) praised Council staffer Walter Algarin of the Community Engagement Division for going above and beyond the call of duty in assisting the community affected by the explosion. She also commended the rest of the Community Engagement Division and everyone else who had helped in this effort. The Speaker (Council Member Mark-Viverito) concluded by saying that everyone's hearts and prayers are with the families of those who lost their loved ones and asked for a Moment of Silence in their memory.

#### **ADOPTION OF MINUTES**

Council Member Vacca moved that the Minutes of the Stated Meeting of February 26, 2015 be adopted as printed.

#### **COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES**

M-254

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Call Threes LLC., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

February 4, 2015

The Honorable Speaker Melissa Mark-Viverito  
Attention: Mr. Gary Altman  
Council of the City of New York  
250 Broadway, 15<sup>th</sup> Floor  
New York, New York 10007

Re: Taxi & Limousine Commission  
For-Hire Vehicle Base License approvals

Dear Speaker Mark-Viverito:

Please be advised that on March 19, 2015, 2015 the Taxi & Limousine Commission voted to approve the following for-hire vehicle base license applications:

<b><u>RENEWAL (3):</u></b>	<b><u>LICENSE #</u></b>	<b><u>COUNCIL DISTRICT</u></b>
Call Threes LLC.	B02491	39
Jupiter Car Service Corp.	B02450	38
La Morenita Car Limo Service Inc	B02315	48
<b><u>RENEWAL &amp; CHANGE OF OWNERSHIP (1)</u></b>	<b><u>LICENSE #</u></b>	<b><u>COUNCIL DISTRICT</u></b>
Ten I Con Corp.	B02481	22
<b><u>RENEWAL/ CHANGE OF OWNERSHIP &amp; BASE NAME (1)</u></b>	<b><u>LICENSE #</u></b>	<b><u>COUNCIL DISTRICT</u></b>
AJ Car And Limo Service Inc	B02316	01
<b><u>CHANGE OF OWNERSHIP AND LOCATION (1):</u></b>	<b><u>LICENSE #</u></b>	<b><u>COUNCIL DISTRICT</u></b>
Towncar Transportation, Inc/ d.b.a. New Topacio Car Service	B01675	34
<b><u>CHANGE OF OWNERSHIP/BASE NAME &amp; LOCATION (1)</u></b>	<b><u>LICENSE #</u></b>	<b><u>COUNCIL DISTRICT</u></b>
Commack Inc./ d.b.a. Barona's Car Svce	B01328	17
<b><u>CHANGE OF LOCATION &amp; ADDING OFFICER(1):</u></b>	<b><u>LICENSE #</u></b>	<b><u>COUNCIL DISTRICT</u></b>
New Elegante Car Svc Inc. /d.b.a. Elegante	B01288	18

The complete application packages compiled for the above bases are available for your review upon request. If you wish to receive a copy please contact Ms. Angelique Meola, Business Licensing Unit, at [businessunit@tlc.nyc.gov](mailto:businessunit@tlc.nyc.gov). Please find enclosed herein the original applications for the approved base stations.

Very truly yours,

Christopher Tormey  
Director of Applicant Licensing  
Licensing and Standards Division

Referred to the Committee on Transportation.

M-255

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Jupiter Car Service Corp., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

**(For text of TLC Letter, please see M-254 printed in this Communication from City, County, and Borough Offices section of these Minutes)**

Referred to the Committee on Transportation.

M-256

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license La Morenita Car Limo Service Inc., Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

**(For text of TLC Letter, please see M-254 printed in this Communication from City, County, and Borough Offices section of these Minutes)**

Referred to the Committee on Transportation.

M-257

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license Ten I Con Corp., Council District 22, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

**(For text of TLC Letter, please see M-254 printed in this Communication from City, County, and Borough Offices section of these Minutes)**

Referred to the Committee on Transportation.

M-258

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal, change of ownership and base name base station license AJ Car And Limo Service Inc., Council District 1, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

**(For text of TLC Letter, please see M-254 printed in this Communication from City, County, and Borough Offices section of these Minutes)**

Referred to the Committee on Transportation.

M-259

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of ownership and change of location base station license Towncar Transportation, Inc./ d.b.a. New Topacio Car Service, Council District 34, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

**(For text of TLC Letter, please see M-254 printed in this Communication from City, County, and Borough Offices section of these Minutes)**

Referred to the Committee on Transportation.

M-260

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of ownership, base name and change of location base station license Commack Inc./ d.b.a. Barona's Car Svce, Council District 17, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

**(For text of TLC Letter, please see M-254 printed in this Communication from City, County, and Borough Offices section of these Minutes)**

Referred to the Committee on Transportation.

M-261

**Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of location and adding officer base station license New Elegante Car Svc Inc./d.b.a. Elegante, Council District 18, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

**(For text of TLC Letter, please see M-254 printed in this Communication from City, County, and Borough Offices section of these Minutes)**

Referred to the Committee on Transportation.

#### **LAND USE CALL UPS**

M-262

By Council Member Garodnick:

**Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 150128 ZSM shall be subject to Council review.**

Coupled on Call – Up Vote.

M-263

By Council Member Garodnick:

**Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 150129 ZSM shall be subject to Council review.**

Coupled on Call – Up Vote.

M-264

By Council Member Garodnick:

**Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 150130(A) ZSM shall be subject to Council review.**

Coupled on Call – Up Vote.

March 31, 2015

844

M-265

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 140440 MMM shall be subject to Council review. This item is related to Application no. N 150127 ZRM which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

Coupled on Call – Up Vote.

M-266

By Council Member Johnson:

**Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 131 Seventh Avenue South, Borough of Manhattan, Community Board No. 2, Application No. 20155355 TCM shall be subject to review by the Council.**

Coupled on Call – Up Vote.

M-267

By Council Member Johnson:

**Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 137 Seventh Avenue South, Borough of Manhattan, Community Board No. 2, Application No. 20155377 TCM shall be subject to review by the Council.**

Coupled on Call – Up Vote.

M-268

By Council Member Treyger:

**Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City**



**Planning Commission on Uniform Land Use Review Procedure Application  
No. C 140209 ZSK shall be subject to Council review.**

Coupled on Call – Up Vote

**LAND USE 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** – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

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 Speaker segment of the Meeting, the Speaker (Council Member Mark-Viverito) mentioned that certain Council staffers were leaving the Council for other positions: Senior Legislative Financial Analyst, Kate Seely-Kirk; long-time staffer and assistant to the Legislative Counsel, John Waldman; and First Deputy Chief of Staff Elizabeth de Leon Bhargava. The Speaker (Council Member Mark-Viverito) praised them all and wished them well. (At the end of this Communication from the Speaker segment, Council Member Ferreras surprised the Speaker (Council Member Mark-Viverito) by wheeling in a birthday cake from Corona in celebration of The Speaker's upcoming birthday.)

**REPORTS OF THE STANDING COMMITTEES****Reports of the Committee on Civil Rights**

Report for Int. No. 421-A

**Report of the Committee on Civil Rights in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the powers and duties of the commission on human rights.**

The Committee on Civil Rights, to which the annexed amended proposed local law was referred on July 24, 2014 (Minutes, page 2951), respectfully

**REPORTS:****I. Introduction**

On Monday, March 30, 2015, the Committee on Civil Rights (“the Committee”), chaired by Council Member Darlene Mealy, will hold a hearing to vote on Proposed Introductory Bill Number 421-A (“Int. No. 421-A”), a local law to amend the administrative code of the city of New York, in relation to the powers and duties of the commission on human rights; Proposed Introductory Bill Number 690-A (“Int. No. 690-A”), a local law to amend the administrative code of the city of New York, in relation to establishing an employment discrimination testing program; and Proposed Introductory Bill Number 689-A (“Int. No. 689-A”), a local law to amend the administrative code of the city of New York, in relation to establishing a housing discrimination testing program.

**II. Background**

The New York City Human Rights Law (“HRL”), embodied in the New York City Charter and title eight of the New York City Administrative Code, is one of the most expansive and comprehensive human rights laws in the nation. The HRL protects a number of classes of persons from discrimination in the areas of employment, housing, public accommodations, and more.<sup>1</sup> Protected classes covered under the HRL include race, national origin, disability, sexual orientation, alienage or citizenship status, gender, partnership status, age, and others.<sup>2</sup>

Pursuant to the HRL, the New York City Human Rights Commission (“the Commission”) was created “with power to eliminate and prevent discrimination . . .

<sup>1</sup> N.Y.C. Admin Code §8-101.

<sup>2</sup> Id.

and [was] given general jurisdiction and power for such purposes.<sup>3</sup>” The Commission’s powers and duties include, but are not limited to:

- Working with federal, state and city agencies to develop courses for instruction to public and private employers on techniques to promote anti-discrimination policies<sup>4</sup>;
- Studying the problems of prejudice<sup>5</sup>;
- Receiving, investigating and passing upon complaints, and initiating investigations of discriminatory practices<sup>6</sup>;
- Issuing subpoenas and holding hearings under oath regarding alleged discriminatory practices<sup>7</sup>;
- Issuing publications and reports of investigations and research designed to promote good will and minimize discrimination<sup>8</sup>; and
- Recommending to the mayor and the council legislation to aid in carrying out the purposes of the HRL.<sup>9</sup>

The Commission enforces the HRL through its Law Enforcement Bureau (“LEB”) and Community Relations Bureau (“CRB”).<sup>10</sup> As the enforcement arm of the Commission, the LEB is responsible for receiving and investigating complaints of unlawful discrimination and, when warranted, either mediating a resolution or prosecuting the complaint.<sup>11</sup> Any person who claims to be a victim of an unlawful discriminatory practice may file a complaint with the LEB.<sup>12</sup> Additionally, the LEB may file a complaint on its own alleging an individual’s unlawful discriminatory practice.<sup>13</sup> The LEB is responsible for administering the complaint process, which starts with intake, where a complainant is interviewed by staff. At intake, staff attempts to intervene and resolve the issue before initiating a formal complaint.<sup>14</sup> If the issue cannot be resolved through pre-complaint intervention, an official

<sup>3</sup> N.Y.C. Admin Code §8-101.

<sup>4</sup> N.Y.C. Admin Code §8-105(1).

<sup>5</sup> N.Y.C. Admin Code §8-105(3).

<sup>6</sup> N.Y.C. Admin Code §8-105(4).

<sup>7</sup> N.Y.C. Admin Code §8-105(5).

<sup>8</sup> N.Y.C. Admin Code §8-105(7).

<sup>9</sup> N.Y.C. Admin Code §8-105(9).

<sup>10</sup> New York City Charter § 902(b).

<sup>11</sup> New York City Commission on Human Rights, *Fighting for Justice: New York Voices of the Civil Rights Movement*, NYCCHR 2009 Annual Report, 8, available at <http://www.nyc.gov/html/cchr/pdf/annual09.pdf> (hereinafter *Fighting for Justice*).

<sup>12</sup> 47 RCNY §1-11(a)(1).

<sup>13</sup> 47 RCNY §1-11(a)(2).

<sup>14</sup> *Fighting for Justice*, *supra* note 8, at 7.

complaint may be filed.<sup>15</sup> Once a complaint is filed, an investigator or attorney is responsible for interviewing witnesses and reviewing documents.<sup>16</sup> At the conclusion of the investigation, the investigator or attorney is required to make a probable cause determination.<sup>17</sup> If no probable cause is found, the case is dismissed and the complainant has the opportunity to appeal the dismissal to the Commissioner.<sup>18</sup>

If probable cause is found, however, the case is assigned to a staff attorney for prosecution and the complaint is referred to an administrative law judge (“ALJ”).<sup>19</sup> Before the administrative trial, the ALJ will hold a pre-trial conference to determine if the case can be settled.<sup>20</sup> If a case cannot be settled, the ALJ holds a hearing and issues a “Report and Recommendation<sup>21</sup>.” In response to the Report and Recommendation, the Commission issues a “Final Decision and Order<sup>22</sup>.” If no liability is found, the case is dismissed.<sup>23</sup> If liability is found, then the Commission orders relief.<sup>24</sup> Such relief may include hiring, reinstatement or upgrading of employees; awarding back pay; extension of accommodations; or paying of compensatory damages, among other things.<sup>25</sup>

Although the HRL grants the Commission the power to enforce the HRL to protect the City’s residents from discrimination, for years, there has been concern regarding the Commission’s failure to properly execute its powers and duties to enforce the HRL. As such, on February 27, 2014, the Committee on Civil Rights held an oversight hearing regarding the Commission’s implementation of Local Law 2 of 2011, which requires the Commission to include specific information in its annual reports to the Mayor and City Council<sup>26</sup>. During that hearing, advocates expressed concern about the Commission’s lack of enforcement, unwillingness to find probable cause in cases filed with the Commission, and failure to initiate investigations and complaints.<sup>27</sup> It was specifically noted that in 2012, there were more than 5,000 inquiries of discrimination, but only 442 complaints were filed and only 5% of cases resulted in findings of probable cause.<sup>28</sup> Per the Commission’s annual reports, the number of inquiries, complaints, resolutions, and findings of probable cause from 2011 to 2014 are as follows:

<sup>15</sup> Id.

<sup>16</sup> Id.

<sup>17</sup> *Fighting for Justice*, supra note 8, at 7.

<sup>18</sup> Id.

<sup>19</sup> Id.; Admin. Code §8-116(c).

<sup>20</sup> Id.

<sup>21</sup> Id.

<sup>22</sup> *Fighting for Justice*, supra note 8, at 7; Admin. Code §8-120(a).

<sup>23</sup> Id.

<sup>24</sup> Id.

<sup>25</sup> Admin. Code §8-120(a).

<sup>26</sup> Local Law 2 of 2011.

<sup>27</sup> Testimony of Nicole Salk on behalf of South Brooklyn Legal Services, *Oversight: The Commission on Human Rights Implementation of Local Law 2 of 2011*, February 27, 2014, Committee of Civil rights, at 58-65.

<sup>28</sup> Id. at 63-64.

Year	Total Number of Inquiries of Discrimination	Number of Inquiries Resolved with Pre-complaint intervention	Number of New Cases Filed by the Commission	Number of Filed Cases Resolved (includes cases filed in previous years)	Percent of Resolved Cases Resulting in a Finding of Probable Cause
2014 <sup>29</sup>	4,975	191	633	568	10%
2013 <sup>30</sup>	4,763	199	564	591	9%
2012 <sup>31</sup>	5,035	182	442	403	5%
2011 <sup>32</sup>	6,135	184	332	464	9%

The Commission's lack of enforcement has an especially significant impact on low income New Yorkers because they often do not have the resources to bring a discrimination claim in court.<sup>33</sup> Additionally, it is important to note that the Commission has the ability to issue penalties of \$125,000 for each instance of discrimination and up to \$250,000 for willful or malicious acts. However, in 2014 the Commission assessed 62 fines totaling \$189,750 and 77 complainants received \$1,090,924 in settlements.<sup>34</sup>

Advocates have also expressed concern regarding the Commission's poor funding and inadequate staffing.<sup>35</sup> The lack of sufficient funding is demonstrated by the change in budget allocated to the Commission since 1992, at which time the Commission had an annual budget of approximately \$5.6 million<sup>36</sup>. According to the Office of Management and Budget, the 2015 adopted budget for the Commission is \$1.1 million, which represents an 80% decrease.<sup>37</sup> As it pertains to staff, the Commission's city-funded staffing numbers have decreased from 173 positions in

<sup>29</sup> NYC Commission on Human Rights 2014 Annual Report.

<sup>30</sup> NYC Commission on Human Rights 2013 Annual Report, available at <http://www.nyc.gov/html/cchr/downloads/pdf/annual13.pdf> (last visited February 24, 2015).

<sup>31</sup> *Id.*

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

<sup>33</sup> Testimony of Nicole Salk on behalf of South Brooklyn Legal Services, *Oversight: The Commission on Human Rights Implementation of Local Law 2 of 2011*, February 27, 2014, Committee of Civil rights, at 67.

<sup>34</sup> NYC Commission on Human Rights 2014 Annual Report, p. 5.

<sup>35</sup> *Id.* at 60-62, 65.

<sup>36</sup> Fiscal 1992 Executive Budget - Departmental Estimates, Office of Management and Budget, pg. 1653

<sup>37</sup> Fiscal 2015 Adopted Budget: Supporting Schedules, Office of Management and Budget, at p. 1643.

1992<sup>38</sup> to a mere 11 in 2015<sup>39</sup>, a 90% decrease. In considering these insufficiencies and the various issues with the Commission's lack of enforcement, Mayor Bill De Blasio appointed a new Chair and eight new Commissioners to demonstrate his commitment to promote the City's progressive HRL.<sup>40</sup>

With new leadership in place, on March 3, 2015 the Council's Committee on Civil Rights held a hearing and discussed how the Commission would address these issues moving forward. At that hearing the Committee also considered Int. No. 421, Int. No. 689, and Int. No. 690, which collectively seek to address the lack of proactive enforcement by the Commission in recent years by requiring the Commission to report to the Council on its investigations, and establish employment and housing discrimination testing programs.

<sup>38</sup> Fiscal 1992 Executive Budget: Departmental Estimates, Office of Management and Budget, at p. 1653.

<sup>39</sup> Fiscal 2015 Adopted Budget: Supporting Schedules, Office of Management and Budget, at p. 1643.

<sup>40</sup> "Mayor de Blasio Appoints Carmelyn P. Malalis as Chair of the City's Commission on Human Rights, Names Eight new Commissioners," available at <http://www1.nyc.gov/office-of-the-mayor/news/526-14/mayor-de-blasio-appoints-carmelyn-p-malalis-chair-the-city-s-commission-human-rights-> (last visited February 27, 2015).

### **Summary of Proposed Legislation**

#### *a. Int. No. 421-A*

Int. No. 421-A seeks to ensure that the HRL is enforced appropriately and sufficiently by establishing additional reporting requirements for the Commission.<sup>41</sup> Currently, the Commission is required to report on information regarding (i) the number of inquiries it receives from the public; (ii) complaints filed with the Commission; and (iii) the Commission's education and outreach efforts.<sup>42</sup> Int. No. 421-A would amend section 8-105(10) of the administrative code to require the Commission to report on investigations initiated by the Commission in its annual report.<sup>43</sup>

Specifically, Int. No. 421-A would require the Commission to report the following information regarding investigations:

- The total number of investigations initiated by the commission;
- The total number of commission-initiated complaints filed after an investigation finding a person or group of persons may be engaged in a pattern or practice of discrimination;
- The total number of investigations referred to Corporation Counsel to commence a civil action; and
- The total number of publications and reports of investigations designed to promote good will and eliminate discrimination.<sup>44</sup>

The reports from the Commission would not be limited to the information listed, but instead the required information would serve as a minimum of what should be reported.

The bill would take effect on March 1, 2017.<sup>45</sup>

#### *b. Int. No. 690-A*

Int. No. 690-A would require the Commission, for a period of one year, to organize and conduct no fewer than five investigations of discrimination in employment. Such investigations would include, but not be limited to, a matched pair testing program.<sup>46</sup> The program would require the Commission to send out pairs of testers who would apply for the same job. The testers would be assigned similar

<sup>41</sup> Int. No. 421-A.

<sup>42</sup> N.Y. Admin. Code §8-105(10).

<sup>43</sup> Int. No. 421-A(b).

<sup>44</sup> Int. No. 421-A §10(b).

<sup>45</sup> Int. No. 421-A §2.

<sup>46</sup> Int. No. 690-A §1.

credentials and present different actual or perceived, age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status, or other protected characteristics.<sup>47</sup> Int. No. 690-A would require the testing to begin on or before October 1, 2015.<sup>48</sup>

Int. No. 690-A would require the Commission to submit a report to the Speaker including, but not limited to, the following information regarding the prior 12 month investigation period: (i) the number of matched pair tests completed; (ii) the identification of the industry of the employer where each completed matched pair test was conducted; (iii) the protected class variable used in each matched pair test; (iv) the number of incidents of actual or perceived discrimination by protected class for each such investigation; and (v) a description of any incidents of discrimination detected in the course of such investigations, provided that the commission shall not be required to report information that would compromise any ongoing or prospective investigation or prosecution.<sup>49</sup> The commission would be required to submit the report on or before March 1, 2017.<sup>50</sup> Int. No. 690-A would also require that any incidents of actual or perceived discrimination during the investigation be referred to the Commission's law enforcement bureau.<sup>51</sup>

The bill would take effect immediately after its enactment into law.<sup>52</sup>

*c. Int. No. 689-A*

Similar to Int. No. 690-A, Int. No. 689-A would require the Commission, for a period of one year, to organize and conduct no fewer than five investigations of housing discrimination that would include, but not be limited to a matched pair testing program.<sup>53</sup> The testing would require sending out pairs of testers who would apply for the same housing accommodations. The testers would be assigned similar credentials and different actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, alienage or citizenship status, lawful source of income, number of children who will be residing with such person(s), or other protected classes.<sup>54</sup> Int. No. 689-A would require the program to begin on or before October 1, 2015.<sup>55</sup>

Int. No. 689-A would require the Commission to submit a report to the Speaker including, but not limited to, the following information regarding the prior 12 month investigation period: (i) the number of matched pair tests completed; (ii) the protected class variable used in each matched pair test; and (iii) the number of incidents of actual or perceived discrimination on each protected class, including a description of any incidents of discrimination detected in the course of such investigations, provided that the commission shall not be required to report

<sup>47</sup> Id.

<sup>48</sup> Id.

<sup>49</sup> Int. No. 690-A §1(b).

<sup>50</sup> Id.

<sup>51</sup> Int. No. 690-A §1(c).

<sup>52</sup> Int. No. 690-A §2.

<sup>53</sup> Int. No. 689-A §1.

<sup>54</sup> Id.

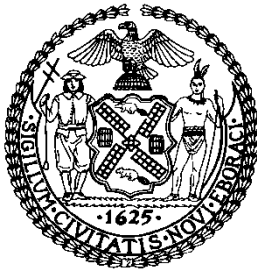
<sup>55</sup> Id.



information that would compromise any ongoing or prospective investigation or prosecution.<sup>56</sup> The commission would be required to submit the report on or before March 1, 2017.<sup>57</sup> Int. No. 689-A would also require that any incidents of actual or perceived discrimination during the investigation be referred to the Commission's law enforcement bureau.<sup>58</sup>

The bill would take effect immediately after its enactment into law.<sup>59</sup>

**(The following is the text of the Fiscal Impact Statement for Int. No. 421-A:)**



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO. 421-A**

**COMMITTEE:** Civil  
Rights

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the powers and duties of the commission on human rights.

**SPONSORS:** Mealy, Rodriguez, Rosenthal, Garodnick, Constantinides, Chin, Rose, Williams, Levine, Van Bramer, Miller, Lancman, and Barron.

**SUMMARY OF LEGISLATION:** The legislation would require the New York City Human Rights Commission (the "Commission") to include information related to investigations initiated by the Commission in its annual report to the Mayor and the Council. The bill would require the Commission to provide data on the number of investigations that it conducts each year and include such information in its annual report. The Commission would be required to include the following information in its report: (i) the total number of investigations initiated by the Commission disaggregated by the category of unlawful discriminatory practice; (ii) the total number of Commission-initiated complaints filed after an investigation finding that a person or group of persons may be engaged in a pattern or practice of discrimination; (iii) the total number of investigations referred to the corporation counsel for the purpose of commencing a civil action; and (iv) the total number of publications and

<sup>56</sup> Int. No. 689-A §1(b).

<sup>57</sup> *Id.*

<sup>58</sup> Int. No. 689-A §1(c).

<sup>59</sup> Int. No. 689-A §2.

reports of investigations designed to promote good will and minimize or eliminate prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby.

The Commission is scheduled to submit an annual report to the Mayor and the Council by March 1<sup>st</sup> of each year. The information required by this law would first be included in its March 2017 report and then in each annual report thereafter.

**EFFECTIVE DATE:** This local law would take effect on March 1, 2017.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** March 1, 2017.

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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:** Since the Commission already publishes an annual report, the Commission could comply with the requirements of this proposed legislation using existing resources. There would be no impact on expenditures as a result of the enactment of this legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** NA

**SOURCES OF INFORMATION:** New York City Commission on Human Rights

**ESTIMATE PREPARED BY:** Eisha Wright, Unit Head, Finance Division

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director, Finance Division  
 Rebecca Chasan, Assistant Counsel, Finance Division  
 Tanisha Edwards, Chief Counsel, Finance Division

**LEGISLATIVE HISTORY:** Intro. 421 was introduced by the Council on July 24, 2014 and referred to the Committee on Civil Rights. The Committee considered the legislation at a hearing on March 3, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 421-A, will be voted on by the Committee at a hearing on March 30, 2015. Upon successful vote of the Committee, Proposed Intro. 421-A will be submitted to the full Council for a vote on March 31, 2015.

**DATE PREPARED:** March 30, 2015

**(For text of bills and Fiscal Impact Statements for Int Nos. 689-A and 690-A, please see, respectively, the Reports of the Committee on Civil Rights for Int Nos. 689-A and 690-A printed in these Minutes)**

*Accordingly, this Committee recommends the adoption of Int Nos. 421-A, 689-A, and 690-A.*

**(The following is the text of Int. No. 421-A:)**

Int. No. 421-A

By Council Members Mealy, Rodriguez, Rosenthal, Garodnick, Constantinides, Chin, Rose, Williams, Levine, Van Bramer, Miller, Lancman, Barron, Dromm, Eugene, King, Kallos, Lander and Levin.

**A Local Law to amend the administrative code of the city of New York, in relation to the powers and duties of the commission on human rights.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision 10 of section 8-105 of the administrative code of the city of New York, as amended by local law 39 of 1991, is amended to read as follows:

(10) To submit an annual report by March 1 to the mayor and the council which shall be published in the City Record. Such annual report shall include information for the calendar year that is the subject of the report regarding: (i) inquiries received by the commission from the public; provided that such information for calendar years 2009 and 2010 must only be included in the annual report submitted by March 1, 2012, (ii) *investigations initiated by the commission*; (iii) complaints filed with the commission, and [(iii)](iv) education and outreach efforts made by the commission.

(a) The information regarding inquiries received by the commission from the public shall include, but not be limited to: (i) the total number of inquiries; (ii) the number of inquiries made by limited English proficient persons disaggregated by language; (iii) the subject matter of inquiries disaggregated by the alleged category of

unlawful discriminatory practice as set forth by sections 8-107 and 8-107.1(2) of this chapter and the protected class of person, and (iv) the number of inquiries resolved by pre-complaint intervention.

(b) *The information regarding investigations initiated by the commission shall include, but not be limited to: (i) the total number of investigations initiated by the commission disaggregated by the category of unlawful discriminatory practice as set forth by sections 8-107 and 8-107.1(2) of this chapter and the protected class at issue; (ii) the total number of commission-initiated complaints filed pursuant to section 8-109 of this chapter after an investigation finding that a person or group of persons may be engaged in a pattern or practice of discrimination; (iii) the total number of investigations referred to the corporation counsel for the purpose of commencing a civil action pursuant to chapter four of this title; and (iv) the total number of publications and reports of investigations designed to promote good will and minimize or eliminate prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby.*

(c) The information regarding complaints filed with the commission shall include, but not be limited to, the number of complaints filed with the commission and shall be disaggregated by: (i) the category of unlawful discriminatory practice, as set forth by sections 8-107 and 8-107.1(2) of this chapter, alleged; (ii) the basis of the alleged discriminatory practice based on protected class of the complainant; (iii) whether the complaint was resolved by mediation and conciliation, as set forth in section 8-115 of this chapter; a determination of no probable cause, as set forth in section 8-116 of this chapter; or a hearing, as set forth by section 8-119 of this chapter; (iv) the number of days the complaint was outstanding at the time such resolution occurred; and (v) whether a fine, penalty, or cash award was imposed and, if so, the dollar amount of such fine, penalty or cash award.

[(c)](d) The information regarding the commission's education and outreach efforts as required by sections 8-105(1) and 8-105(2) of this chapter shall include, but not be limited to: (i) the types of outreach initiated; (ii) the number of people with whom the commission made contact as a result of outreach; (iii) the number of limited English proficient persons served; and (iv) the languages in which such outreach was conducted.

§2. This local law shall take effect on March 1, 2017.

DARLENE MEALY, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, DEBORAH L. ROSE, ANDREW L. KING; Committee on Civil Rights, March 30, 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).

Report for Int. No. 689-A

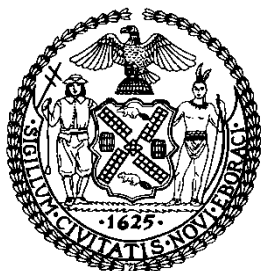
**Report of the Committee on Civil Rights in favor of approving and adopting, as amended, a Local Law in relation to establishing a housing discrimination testing program.**

The Committee on Civil Rights, to which the annexed amended proposed local law was referred on February 26, 2015 (Minutes, page 632), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Finance for Int. No. 421-A printed in the Reports of the Standing Committees section of these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 689-A:*



**THE COUNCIL OF THE CITY OF  
NEW YORK  
FINANCE DIVISION  
LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT  
PROPOSED INTRO. NO. 689-A**

**COMMITTEE:** Civil  
Rights

**TITLE:** A Local Law in relation to establishing a housing discrimination testing program.

**SPONSORS:** Lander, Garodnick, Mealy, Chin, Crowley, Lancman, Rose, Constantinides, and Rosenthal.

**SUMMARY OF LEGISLATION:** This legislation would require the New York City Human Rights Commission (the "Commission") to conduct no less than five investigations of discrimination in housing accommodations over a period of one year. The Commission would be required to use pairs of testers to investigate local housing accommodation providers or other persons having the right to sell, rent or lease housing accommodations in the City. Each investigation would include, but not be limited to, matched pair testing where testers would present similar credentials, but differ based on one or more of the protected classes under the Human Rights Law. For example, the testers would differ in actual or perceived race, gender, sexual

orientation, or national origin. The first of these investigations must begin on or before October 1, 2015.

In addition, the legislation would require that the Commission submit to the speaker a report related to the housing accommodation investigations on or before March 1, 2017. This legislation would also require that any incidents of actual or perceived discrimination be referred to the Commission’s Law Enforcement Bureau. The report would include: (i) the number of matched pair tests completed; (ii) the protected class variable used in each matched pair test; and (iii) the number of incidents of actual or perceived discrimination on each protected class, including a description of any incidents of discrimination detected in the course of such investigations, provided that the Commission would not be required to report information that would compromise any ongoing or prospective investigation or prosecution.

**Effective Date:** This local law would take effect immediately upon enactment.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** 2016

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY15</b>	<b>FY Succeeding Effective FY16</b>	<b>Full Fiscal Impact FY16</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$528,108	\$528,108
<b>Net</b>	\$0	\$528,108	\$528,108

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

**IMPACT ON EXPENDITURES:** The legislation would require the Commission to establish a housing discrimination testing program, which the Commission currently does not have. In order to launch a testing program the Commission would need to create a new investigation unit to conduct the testing. According to the Commission, the new investigation unit would require resources for both Personal Services (PS) and Other Than Personal Services (OTPS) so that the Commission can hire additional staff to facilitate both the testing program and the collection of data to be included in the annual report.

In total, the Commission would need \$528,108 for five full-time and eight part-time staff and associated OTPS costs. The PS cost of \$523,108 would be for one Assistant

Commissioner to oversee the testing program and supervise the staff, three supervising investigators who would conduct investigations and train and supervise the part-time employees conducting the testing, eight part-time testers who would work 20 hours per week conducting the testing, and one Principal Administrative Associate to support the unit and to log and track data from each test. The OTPS component would include \$5,000 annually for recording and other equipment. This estimate includes the cost of fringe benefits. At present, the Commission has only two human rights specialists that serve as investigators, but have several other duties at the Commission. The Council is considering a similar bill, Proposed Intro. 690-A, which requires the Commission to establish an employment discrimination testing program. The resources required to implement Proposed Intro. 689-A would also be used to comply with the requirements of Proposed Intro. No. 690-A.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** New York City Commission on Human Rights

**SOURCES OF INFORMATION:** New York City Commission on Human Rights

**ESTIMATE PREPARED BY:** Eisha Wright, Unit Head, Finance Division

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director, Finance Division  
Rebecca Chasan, Assistant Counsel, Finance Division  
Tanisha Edwards, Chief Counsel, Finance Division

**LEGISLATIVE HISTORY:** Intro. No. 689 was introduced by the Council on February 26, 2015 and referred to the Committee on Civil Rights. The Committee considered the legislation at a hearing on March 3, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 689-A, will be voted on by the Committee at a hearing on March 30, 2015. Upon successful vote of the Committee, Proposed Intro. No. 689-A will be submitted to the full Council for a vote on March 31, 2015.

**DATE PREPARED:** March 30, 2015

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

**(The following is the text of Int. No. 689-A:)**

Int. No. 689-A

By Council Members Lander, Garodnick, Mealy, Chin, Crowley, Lancman, Rose, Constantinides, Rosenthal, Dromm, Eugene, King, Kallos, Levin, Van Bramer, Williams, Rodriguez and Barron.

**A Local Law in relation to establishing a housing discrimination testing program.**

*Be it enacted by the Council as follows:*

Section 1. Investigation of discrimination in housing accommodations using testers. a. For a period of one year, the commission on human rights shall organize and conduct no fewer than five investigations of discrimination in housing accommodation services, during which the commission shall use pairs of testers to investigate local housing accommodation providers, the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease or approve the sale, rental or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof. Such investigations shall include but not be limited to using matched pairs of testers who shall apply for, inquire about or express interest in the same housing accommodations and who shall be assigned similar credentials but who shall differ in one of the following characteristics: actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, alienage or citizenship status, lawful source of income, number of children who will be residing with such person or persons, or other characteristic protected pursuant to subdivision 5 of section 8-107 of the administrative code of the city of New York. The first of the investigations shall commence on or before October 1, 2015.

b. On or before March 1, 2017, the commission shall submit to the speaker of the Council a report related to such housing accommodation investigations conducted during the 12 month period commencing on October 1, 2015. Such report shall include, but not be limited to: (i) the number of matched pair tests completed; (ii) the protected class variable used in each matched pair test; and (iii) the number of incidents of actual or perceived discrimination on each protected class, including a description of any incidents of discrimination detected in the course of such investigations, provided that the commission shall not be required to report information that would compromise any ongoing or prospective investigation or prosecution.

c. Any incidents of actual or perceived discrimination that occur during such investigations shall be referred to the commission's law enforcement bureau.



d. Nothing herein shall preclude the commission from conducting other such discrimination testing programs or investigations pursuant to the commissioner's authority under this Code and the New York city charter.

§ 2. This local law shall take effect immediately upon enactment.

DARLENE MEALY, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, DEBORAH L. ROSE, ANDREW L. KING; Committee on Civil Rights, March 30, 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).

Report for Int. No. 690-A

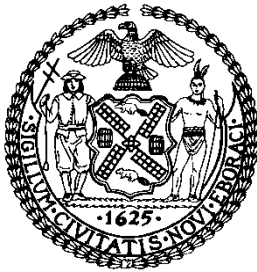
**Report of the Committee on Civil Rights in favor of approving and adopting, as amended, a Local Law in relation to establishing an employment discrimination testing program.**

The Committee on Civil Rights, to which the annexed amended proposed local law was referred on February 26, 2015 (Minutes, page 634), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Finance for Int. No. 421-A printed in the Reports of the Standing Committees section of these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 690-A:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO. 690-A**

**COMMITTEE:** Civil  
Rights

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**TITLE:** A Local Law in relation to establishing an employment **SPONSORS:** Mealy, Arroyo, Chin, Crowley, Lancman, Rose, Williams,

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discrimination testing program. Cabrera, King, Lander, Miller, Garodnick, and Constantinides, Van Bramer, Levine, and Barron.

**SUMMARY OF LEGISLATION:** This legislation would require the New York City Human Rights Commission (the “Commission”) to conduct no less than five investigations of employment discrimination over a period of one year. The Commission would be required to use pairs of testers to investigate local employers, labor organizations, and employment agencies. Investigations by the Commission would include matched pairs of testing where testers present similar credentials but differ based on one or more of the protected classes under the Human Rights Law, apply for, inquire about, or express interest in the same job. For example, two people that have the same credentials but differ in actual or perceived age, race, national origin, or gender. The first of these investigations would begin on or before October 1, 2015.

In addition, the legislation would require that by March 1, 2017, the Commission would submit to the speaker a report related to the employment investigations conducted pursuant to the law. Such report would include: (i) the number of matched pair tests completed; (ii) identification of the industry of the employer where each completed matched pair test was conducted; (iii) the protected class variable used in each matched pair test; (iv) the number of incidents of actual or perceived discrimination by protected class for each such investigation; and (v) a description of any incidents of discrimination detected in the course of such investigations, provided that the Commission would not be required to report information that would compromise any ongoing or prospective investigation or prosecution.

**Effective Date:** This local law would take effect immediately upon enactment.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** 2016

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY15</b>	<b>FY Succeeding Effective FY16</b>	<b>Full Fiscal Impact FY16</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$528,108	\$528,108
<b>Net</b>	\$0	\$528,108	\$528,108

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

**IMPACT ON EXPENDITURES:** This legislation would require the Commission to establish an employment testing program, which the Commission currently does not have. In order to launch a testing program, the Commission would need to create a new investigation unit to conduct the testing. According to the Commission, the new investigation unit would require resources for both Personal Services (PS) and Other Than Personal Services (OTPS) so that the Commission can hire additional staff to facilitate both the testing program and the collection of data to be included in the annual report.

In total, the Commission would need \$528,108 for five full-time and eight part-time staff and associated OTPS costs. The PS cost of \$523,108 would be for one Assistant Commissioner to oversee the testing program and supervise the staff, three supervising investigators who would conduct investigations and train and supervise the part-time employees conducting the testing, eight part-time testers who would work 20 hours per week conducting the testing, and one Principal Administrative Associate to support the unit and to log and track data from each test. The OTPS component would include \$5,000 annually for recording and other equipment. This estimate includes the cost of fringe benefits. At present, the Commission has only two human rights specialists that serve as investigators, but have several other duties at the Commission. The Council is considering a similar bill, Proposed Intro. 689-A, which requires the Commission to establish a housing discrimination testing program. The resources required to implement Proposed Intro. 690-A would also be used to comply with the requirements of 689-A.

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

**SOURCES OF INFORMATION:** New York City Commission on Human Rights

**ESTIMATE PREPARED BY:** Eisha Wright, Unit Head, Finance Division

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director, Finance Division  
Rebecca Chasan, Assistant Counsel, Finance Division  
Tanisha Edwards, Chief Counsel, Finance Division

**LEGISLATIVE HISTORY:** Intro. 690 was introduced by the Council on February 26, 2015 and referred to the Committee on Civil Rights. The Committee considered the legislation at a hearing on March 3, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No.

March 31, 2015

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690-A, will be voted on by the Committee at a hearing on March 30, 2015. Upon successful vote of the Committee, Proposed Intro. 690-A will be submitted to the full Council for a vote on March 31, 2015.

**DATE PREPARED:** March 30, 2015

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

**(The following is the text of Int. No. 690-A:)**

Int. No. 690-A

By Council Members Mealy, Arroyo, Chin, Crowley, Lancman, Rose, Williams, Cabrera, King, Lander, Miller, Garodnick, Constantinides, Van Bramer, Levine, Barron, Dromm, Eugene, Kallos, Levin, Rosenthal and Rodriguez.

**A Local Law in relation to establishing an employment discrimination testing program.**

*Be it enacted by the Council as follows:*

Section 1. Investigation of discrimination in employment using testers. a. For a period of one year, the commission on human rights shall organize and conduct no fewer than five investigations of discrimination in employment during which the commission shall use pairs of testers to investigate local employers, labor organizations or employment agencies and employees or agents thereof. Such investigations shall include but not be limited to using matched pairs of testers who shall apply for, inquire about or express interest in the same job and who shall be assigned similar credentials but who shall differ in one of the following characteristics: actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status, or other characteristic protected pursuant to title 8 of the administrative code of the city of New York. The first of the investigations shall commence on or before October 1, 2015.

b. On or before March 1, 2017, the commission shall submit to the speaker of the council a report related to employment investigations conducted during the prior 12 month period commencing on October 1, 2015. Such report shall include, but not be limited to: (i) the number of matched pair tests completed; (ii) identification of the industry of the employer where each completed matched pair test was conducted; (iii) the protected class variable used in each matched pair test; (iv) the number of incidents of actual or perceived discrimination by protected class for each such investigation; and (v) a description of any incidents of discrimination detected in the course of such investigations, provided that the commission shall not be required to report information that would compromise any ongoing or prospective investigation or prosecution.

c. Any incidents of actual or perceived discrimination that occur during such investigations shall be referred to the commission's law enforcement bureau.

d. Nothing herein shall preclude the commission from conducting other such discrimination testing programs or investigations pursuant to the commission's authority under this Code and the New York city charter.

§ 2. This local law shall take effect immediately upon enactment.

DARLENE MEALY, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, DEBORAH L. ROSE, ANDREW L. KING; Committee on Civil Rights, March 30, 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).

### **Reports of the Committee on Finance**

Report for Int. No. 497-B

**Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York and the New York City Charter, in relation to the interest rate and discount rate recommendations provided by the New York City Banking Commission.**

The Committee on Finance, to which the annexed amended proposed local law was referred on October 7, 2014 (Minutes, page 3619), respectfully

### **REPORTS:**

#### **I. Background**

The Banking Commission, which is established by section 1524 of the New York City Charter, consists of the Mayor, who serves as Chair, the Comptroller, and the Commissioner of the Department of Finance ("DOF").<sup>1</sup> The administrative duties of the Banking Commission are performed by DOF.<sup>2</sup> The Banking Commission is charged with three responsibilities: 1) designating the banks in which the City will deposit its money;<sup>3</sup> 2) recommending to the City Council the interest rate to be charged for delinquent property tax and water/sewer payments and the discount rate for early payment of property taxes;<sup>4</sup> and 3) administering the City's Banking Development District ("BDD") Program.<sup>5</sup>

#### **II. Late Payment Interest Rates**

The Administrative Code requires that the Banking Commission recommend to the Council an interest rate that will be charged for late payments of property taxes, water rents, or sewer rents.<sup>6</sup>

A. Property Taxes

Section 11-224.1 of the Administrative Code sets forth the procedure of payment of property taxes and the consequences of delinquent payments. Taxpayers owning properties with an assessed value of \$250,000 or less pay property taxes on a quarterly basis. Installments are due on July 1<sup>st</sup>, October 1<sup>st</sup>, January 1<sup>st</sup>, and April 1<sup>st</sup> of each fiscal year.<sup>7</sup> Taxpayers owning properties with an assessed value of more than \$250,000 pay property taxes on a semi-annual basis. Installments are due on July 1<sup>st</sup> and January 1<sup>st</sup> of each fiscal year.<sup>8</sup> Any installment paid after the 15<sup>th</sup> of those due dates is considered delinquent and interest will begin to accrue on the amount owed.<sup>9</sup>

The Banking Commission is required, by May 25<sup>th</sup> of each year, to provide the Council with a written recommendation as to what the late payment interest rate should be for properties with an assessed value of \$250,000 or less and properties with an assessed value of more than \$250,000, respectively.<sup>10</sup> In the case of cooperatives, the assessed value is determined per unit. In doing so, the Commission must consider the prevailing interest rates charged for commercial loans extended to prime borrowers by commercial banks operating within the City.<sup>11,12</sup> For properties with an assessed value of \$250,000 or less, the Banking Commission must recommend a late payment interest rate at least equal to such prevailing rate and for properties with an assessed value of more than \$250,000, the Banking Commission must recommend a late payment interest rate of at least 6 percentage points greater than such prevailing rate.<sup>13</sup>

The Council is authorized to adopt a late payment interest rate, either the percentage recommended to it by the Banking Commission or another percentage.<sup>14</sup> If the Council does not act to adopt a late payment interest rate for delinquent property tax payments, then the default rate is 7% for properties with an assessed value of \$250,000 or less and 15% for properties with an assessed value of more than \$250,000.<sup>15</sup>

B. Water and Sewer Rents

Sections 11-312 and 11-313 of the Administrative Code set forth the procedure of payment of water and sewer rents, respectively, and the consequences of delinquent payments. The Banking Commission is required, by May 25<sup>th</sup> of each year, to provide the Council with a written recommendation as to what the late payment interest rate should be for late payment of water and sewer rents. The Council is given the authority to adopt such a late payment interest rate pursuant to Section 11-224.1, described above, which relates to the late payment interest rate for the late payment of property taxes.<sup>16</sup> Accordingly, the Council may adopt the Banking Commission's recommendation, adopt its own interest rate, or not take any action, in which case the default rate would be 7% for properties with an assessed

value of \$250,000 or less and 15% for properties with an assessed value of more than \$250,000.

### **III. Early Payment Discount Percentage**

Pursuant to section 1519-a(7) of the New York City Charter, the City provides a discount for property owners who pay their property tax bills early. The Banking Commission is required, by May 25<sup>th</sup> of each year, to provide the Council with a written recommendation as to what the discount percentage should be for the ensuing fiscal year.<sup>17</sup> The Council is given the authority to adopt a discount percentage, either the percentage recommended to it by the Banking Commission or another percentage, on June 5<sup>th</sup> or any time thereafter.<sup>18</sup> If the Council does not adopt a discount percentage before the property tax bill is prepared, which is usually in the first week of June, then a default discount percentage of 1.5% is used to calculate the discount until the Council acts to adopt a discount percentage.<sup>19</sup>

For a taxpayer to receive a discount on his or her entire tax bill, both semi-annual and quarterly taxpayers have to pay the entire tax bill prior to the date the July 1<sup>st</sup> installment could be paid without interest.<sup>20</sup> For quarterly taxpayers, if the taxpayer does not pay the entire tax bill upfront, but instead pays the last three quarters in full on or before October 15<sup>th</sup>, the discount is calculated at a rate of two-thirds of the discount percentage. If the last two quarters (due in January and April) are paid in full on or before January 15<sup>th</sup>, the taxpayer receives a discount equal to one-third of the discount percentage. A tax installment paid after the January 15<sup>th</sup> due date is not eligible for a discount.

### **IV. Historical Summary of Interest Rate and Discount Rate Recommendations**

#### **A. Interest Rates for Delinquent Property Taxes and Water/Sewer Charges**

The interest rate for the delinquent or non-payment of property taxes and water/sewer charges has remained steady since 1991. From 1976 to 1990, the interest rate for non-payment of property taxes was at times as high as 25.5%, and at times as low as 15.5%.<sup>21</sup> Prior to 2005, for water and sewer charges, there was no distinction between properties with a higher or lower assessed values. Similarly, prior to 1991, for property taxes, there was no distinction between properties with a higher or lower assessed values. All property owners paid the same interest rate on either delinquent property taxes or on water/sewer charges regardless of the assessed value of their properties.

Many changes have occurred in the interest rate structure since 1976. Currently, the rate of interest charged is solely dependent upon the assessed value of property, while in the past, the rate of interest was dependent on factors such as the amount of an individual's property tax bill, the incorporation of charges pursuant to a lien issued by the Department of Health and Mental Hygiene onto the property tax bill,

and whether property taxes were paid by a mortgage agent or through an escrow account.<sup>22</sup>

**B. Discount Percentage for Property Taxes**

Historically, the discount percentage recommended by the Banking Commission has been on the decline since Fiscal Year 1976. It is commonly understood that the provision of the discount percentage is rooted in the City's fiscal crisis that occurred in the 1970's. The City was in dire need of cash and, therefore, wanted to incentivize taxpayers to pay their property tax bills upfront by providing them with a discount for doing so. Accordingly, in the late 1970's and early 1980's the discount percentage recommendation made by the Banking Commission was relatively high around 6%. However, since that time, the recommended discount percentage has dropped to the most recent recommendation of 1%.

Below is a chart summarizing the interest rate and discount rate percentages adopted by the City Council since 1976:



Interest Rate Recommendations 1976 through 2014								
FY YEAR	Discount Rate	Prime Rate	Delinquent Property Tax Large Properties	Delinquent Water/Sewer Large Prop.	Delinquent Water/Sewer Small Prop.	Bd and/or Dept. of Health Orders	Delinquent Prop. Tax Small Prop Paid by Mortgage Agent	Delinquent Property Tax Small Prop.
Large Property Threshold = \$2000								
1976	6.50%	6.75%	N/A	N/A	N/A	N/A	N/A	N/A
1977	6.00%	6.50%	15.00%	15.00%	N/A	N/A	N/A	N/A
1978	6.00%	8.25%	15.00%	15.00%	N/A	N/A	N/A	N/A
1979	6.00%	11.75%	18.00%	18.00%	N/A	18.00%	N/A	N/A
1980	6.00%	16.50%	22.00%	22.00%	N/A	22.00%	N/A	N/A
1981	6.00%	20.00%	25.50%	25.50%	N/A	25.50%	N/A	N/A
1982	6.00%	16.50%	25.50%	25.50%	N/A	25.50%	N/A	N/A
1983	6.00%	10.50%	25.00%	23.00%	N/A	23.00%	N/A	N/A
1984	2.00%	12.50%	16.50%	16.50%	N/A	16.50%	N/A	N/A
Large Property Threshold = \$2750								
1985	2.00%	10.50%	18.50%	18.50%	N/A	18.50%	N/A	N/A
1986	2.00%	8.50%	16.00%	16.00%	N/A	16.00%	N/A	N/A
1987	2.00%	8.25%	15.00%	15.00%	N/A	15.00%	N/A	N/A
1988	2.00%	9.00%	15.50%	15.50%	N/A	15.50%	N/A	N/A
1989	2.00%	11.50%	19.00%	19.00%	N/A	19.00%	N/A	N/A
1990	2.00%	10.00%	19.00%	19.00%	N/A	19.00%	N/A	N/A
Local Law 47 of 1990 provided for delinquent payments on properties with value less than (<) \$2750 and and further distinguished those paid by an mortgage agent.								
1991	2.00%	8.50%	18.00%	Not Cited	N/A	18.00%	18.00%	9.00%
1992	2.00%	6.50%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
1993	2.00%	6.00%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
1994	2.00%	7.25%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
1995	2.00%	9.00%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
1996	2.00%	8.25%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
1997	2.00%	8.50%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
1998	2.00%	8.50%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
1999	2.00%	7.75%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
2000	2.00%	9.50%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
2001	2.00%	7.00%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
2002	2.00%	4.25%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
2003	2.00%	4.25%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
2004	2.00%	4.00%	18.00%	18.00%	N/A	18.00%	18.00%	9.00%
Thresholds were changed from </> \$2750 to </> \$80,000. References to Bd/DOH order and escrow agents eliminated. Water & sewer were divided determined by the new thresholds.								
Delinquent Water/Sewer < \$80,000								
2005	2.00%	6.00%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2006	1.50%	8.00%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2007	1.50%	8.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2008	1.50%	5.00%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
Large Property Threshold = \$250,000								
2009	1.50%	3.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2010	1.50%	3.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2011*	1.50%	3.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2012	1.00%	3.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2013	1.00%	3.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2014	1.00%	3.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%
2015	1.00%	3.25%	18.00%	18.00%	9.00%	N/A	N/A	9.00%

\*1.00% Discount as of July 1, 2011

Source: New York City Banking Commission<sup>23</sup>

## V. Banking Commission's Recommendations

As mentioned above, as required by law, each year the Banking Commission provides the Council with its recommendations for the interest rate applied to

delinquent payment of property taxes and water and sewer charges, as well as the recommended discount rate for early payment of property taxes. As a supplement to their recommendations, the Banking Commission provides the Council with a "Models and Impact Summary." This summary outlines the effect of the interest rates and discount rates on taxpayers in prior years, as well as the expected impact on taxpayers for the ensuing year. The information provided in the summary includes:

- the total tax collected from all properties from the three previous fiscal years, disaggregated by fiscal year;
- the total number of properties for which an installment of tax due and payable was not paid by the applicable due date;
- the number of delinquent taxpayers for the three previous fiscal years, disaggregated by fiscal year, and the estimated number of delinquent taxpayers for the succeeding fiscal year;
- the delinquency rate of such delinquent taxpayers in such fiscal years;
- the total amount of delinquent debt accrued by such delinquent taxpayers in such fiscal years;
- the average amount of delinquent debt accrued by such delinquent taxpayers in such fiscal years;
- the total amount of accrued interest on such delinquent debt in such fiscal years;
- the average amount of accrued interest for such delinquent debt in such fiscal years;
- the net interest earned by the City in the in such fiscal years; and
- the interest rate charged for nonpayment of taxes on real property in comparable cities for the two previous fiscal years.

For Fiscal Year 2015, the Models and Impact Summary provided the following information:

**LATE PAYMENT SUMMARY (FY14 DATA)**

Total Number of Properties Taxed: 1,038,768

Total Number of Properties with Delinquent Payments: 99,488

	<b>18% Interest Rate (Paid by owners of Large Properties)</b>	<b>9% Interest Rate (Paid by owners of Small Properties)</b>
<b>Number of Late Payers</b>	4,445	95,043
<b>Delinquency Rate</b>	6.83%	9.76%
<b>Total delinquency amount including interest (\$598,791,999)</b>	\$263,020,980	\$335,771,019
<b>Average Delinquency</b>	\$39,701	\$3,114
<b>Average Accrued Interest</b>	\$2,931	\$67

Revenue to the City from Interest Collected on Late Payments: \$18,977,821

Taxpayer demographic:

- 95% of all properties pay quarterly and are subject to the 9% interest rate:
  - Class 1: approximately 98%
  - Class 2 co-ops and condos: approximately 90%
  - Class 4: approximately 45% of commercial properties

Interest Rates in Comparable Cities:

- LA: 18% per annum
- Philadelphia: 18% per annum
- Chicago: 18% per annum
- San Francisco: 20% per annum

**EARLY PAYMENT DISCOUNT SUMMARY**

	<b>FY14 (Actual)</b>
<b>Discount Rate</b>	1.00%
<b>Fiscal Impact to City</b>	\$18.5M
<b><i>Total Number of Early Payers:</i></b>	
<b>Owners of Large properties</b>	6,013
<b>Owners of Small properties</b>	168,542
Total	174,555
<b><i>Average Annual Savings for Early Payers:</i></b>	
<b>Owners of Large properties</b>	\$2,232
<b>Owners of Small properties</b>	\$82

While the Models and Impact Summary details the potential affect the recommendations would have on taxpayers, the summary does not specify the factors that were considered when determining the recommendations or the rationale for the use of such factors. Furthermore, now that the City is not apparently in need of cash upfront each fiscal year, the need for which precipitated the creation of a discount on the early payment of property taxes in the 1970’s, it is unclear to the Committee why the default discount percentage should remain set at its current level of 1.5%.

**VI. Hearing on January 15, 2015**

On January 15, 2015, the Committee considered Proposed Intro. 497-A, a local law to amend the administrative code of the city of New York and the New York City Charter, in relation to the interest rate and discount percentage recommendations provided by the New York City Banking Commission. At the hearing representatives from DOF and the Banking Commission testified.

In their testimonies, they stated that DOF and the Banking Commission support the legislation’s goal of making the Banking Commission’s recommendations for the property tax late payment interest rate and the early payment discount rate more transparent and of providing the Council with more information to make an informed decision.

However, DOF and the Banking Commission expressed concern that date set forth in Proposed Intro. 497-A by which the Banking Commission would have to provide its recommendations to the Council was too early. In addition, with respect to the default early discount rate, while the Administration agreed that providing a formula that would reflect market rates was worthwhile, they expressed concern that there had been insufficient time to consider the formula set forth in the bill.

Proposed Intro. 497-A would have:

1. Changed the date by which all the Banking Commission's recommendations are due to the Council from May 25<sup>th</sup> to May 7<sup>th</sup> thereby allowing more time for the Council to consider the Banking Commission's recommendations before DOF sends out its property tax bills;
2. Removed the provision that required the Council to act on the discount percentage on June 5<sup>th</sup> or after. In the current law, if a discount rate is not adopted by the Council by the time DOF mails out its property tax bills, then the default discount rate sets in. DOF usually mails out its property tax bills in the first week of June. Since the Council cannot act on the discount rate until June 5<sup>th</sup>, conceptually, the Council only has two days to adopt a discount rate before the default rate sets in. Removing this provision will provide the Council more time to consider the Banking Commission's recommendations, and will allow DOF more time to prepare the July property tax statements to reflect the Council's adopted discount percentage;
3. Mandated a justification analysis when the Banking Commission presents its recommendations on the interest rate and discount rate for property taxes to the Council.
  - For the interest rate recommendation, the analysis must include a report detailing the factors considered when determining the recommendation, and the rationale for the use of such factors. Such report would also include (a) the total tax collected from all properties from the three previous fiscal years, disaggregated by fiscal year; (b) the total number of real property for which an installment of tax due and payable is not paid by the due dates provided in subdivisions two and three of section 1519-a of the New York city charter from the last three fiscal years, disaggregated by fiscal year; (c) the number of delinquent taxpayers for the three previous fiscal years, disaggregated by fiscal year, and the estimated number of delinquent taxpayers for the succeeding fiscal year; (d) the delinquency rate of such delinquent taxpayers in such fiscal years; (e) the total amount of delinquent debt accrued by such delinquent taxpayers in such fiscal years; (f) the average amount of delinquent debt accrued by such delinquent taxpayers in such fiscal years; (g) the total amount of accrued interest on such delinquent debt in such fiscal years; (h) the average amount of accrued interest for such delinquent debt in such fiscal years; (i) the net interest earned by the city in the in such fiscal years; (j) any other information deemed relevant by the commission; and (k) the interest rate charged for nonpayment of taxes on real property in comparable cities for the two previous fiscal years. The information provided in paragraphs (a) through (j) would be disaggregated by owners of real property with an assessed value of over two hundred fifty thousand dollars and owners of real property with an assessed

value of two hundred fifty thousand dollars or less. The information contained in the report would be provided in a searchable, and readable format, sortable by council district, real property tax class, and real property tax sub class.

- For the discount rate percentage, the analysis must include the above information, as well as the Banking Commission's consideration of the City's cash flow when making the discount percentage recommendation;
4. Eliminated the 1.5% default discount rate and link the default discount rate to a statistical report detailing selected interest rates. The default discount rate would now be the annualized interest rate on 6-month treasury bills (as reported by the Federal Board of Governors) plus 75 basis points, the sum of which shall be divided by four for the last business day of April preceding the ensuing fiscal year;
  5. Added a provision that provides that in cases where the Council adopts a discount rate other than the one provided by the Banking Commission, the Council must provide a justification analysis of its adopted discount rate; and
  6. Required the Banking Commission to include the interest rates and discount rates provided in comparable cities when the Banking Commission presents its recommendations to the Council.

**VII. Changes between Proposed Intro. 497-A and Proposed Intro. 497-B**

Subsequent to the January 15, 2015 hearing, after extensive negotiations with the Administration, the following amendments were made to the legislation:

- Proposed Intro. 497-B requires that the Banking Commission's recommendations be provided to the Council no later than May 13<sup>th</sup> of each year.
- Proposed Intro. 497-B permits the Council to act on the Banking Commission's recommendations beginning on May 14<sup>th</sup> of each year.
- Proposed Intro. 497-B requires that the justification analysis for the early discount rate include reporting the required factors using a discount percentage in the amount of the six-month London Inter Bank Offered Rate (LIBOR) for United States dollars.
- Other minor technical corrections were made to the legislation.

### VIII. Hearing on March 31, 2015

On March 31, 2015 the Committee on Finance will vote on Proposed Intro. 497-B. Upon successful vote by the Committee, Proposed Intro. 497-B will be submitted to the full Council for a vote on March 31, 2015.

<sup>1</sup> See section 1524 of the New York City Charter.

<sup>2</sup> Section 1504(3) of the New York City Charter provides that the Department of Finance “shall have the power and duty to provide for the reception and safekeeping of all moneys paid into the treasury of the city and for the payment of all moneys on warrants drawn by the comptroller and countersigned by the commissioner.”

<sup>3</sup> See section 1524(1) of the New York City Charter.

<sup>4</sup> See section 11-224.1(e) of the Administrative Code, requiring the Banking Commission to issue a recommendation of the interest rate to be charged for delinquent property tax payments, section 11-312(c) of the Administrative Code, requiring the Banking Commission to issue a recommendation of the interest rate to be charged for delinquent water rent payments, section 11-313(e) requiring the Banking Commission to issue a recommendation of the interest rate to be charged for delinquent sewer rent payments, and section 1519-a(7)(b) of the New York City Charter requiring the Banking Commission to issue a recommendation for a discount percentage for early payment of real property taxes.

<sup>5</sup> A BDD is an area that the New York State Banking Department has designated as under-banked as set forth in section 96-d of the New York State Banking Law and section 10 of the New York State General Municipal Law. The goal of the BDD program is to encourage banks open branches in traditionally underserved neighborhoods. The Banking Commission administers the City’s BDD program to authorize the deposit of City funds in bank branches located in BDDs. Section 1-02 of Title 22 of the Rules of the City of New York authorize the Banking Commission to designate such branches as depositories for City funds, provided the branch (i) was opened after establishment of the banking development district or (ii) is a branch of the applicant to the New York State Banking Department for establishment of the district and was opened on or after January 1, 1997.

<sup>6</sup> See *supra* fn. 4.

<sup>7</sup> See section 11-224.1(a) of the Administrative Code.

<sup>8</sup> See *id.*

<sup>9</sup> See *id.*

<sup>10</sup> Assessed value is a percentage of market value which varies by tax class. Assessed value can range from 6% to 45% of market value.

<sup>11</sup> See section 11-224.1(e) of the Administrative Code.

<sup>12</sup> For example, when the Banking Commission made its recommendations to the Council for Fiscal Year 2015 in May 2014, the Prime Rate stood at 3.25% as published by the Board of Governors of the Federal Reserve System.

<sup>13</sup> See *id.*

<sup>14</sup> See *id.*

<sup>15</sup> See section 11-224.1(c) of the Administrative Code.

<sup>16</sup> See sections 11-312(c) and 11-313(e) of the Administrative Code. Prior to the enactment of Local Law 62 of 2005, which provided that the water and sewer late payment interest rates could be set pursuant to section 11-224.1 of the Administrative Code, the Banking Commission recommended, and the Council adopted, only one

<sup>17</sup> See section 1519-a(7)(b) of the New York City Charter.

<sup>18</sup> See section 1519-a(7)(c) of the New York City Charter.

<sup>19</sup> See section 1519-a(7)(d) of the New York City Charter.

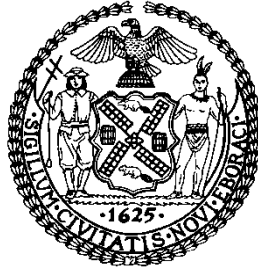
<sup>20</sup> This is the only discount available to semi-annual taxpayers for tax bills due on or after July 1<sup>st</sup>.

<sup>21</sup> Information provided by the Department of Finance. On file with the Committee.

<sup>22</sup> See §17-151 of the Administrative code; see also §11-224 of the Administrative Code.

<sup>23</sup> See FY2015 Interest Rate Recommendations Models & Impact Summary. On file with the Committee

(The following is the text of the Fiscal Impact Statement for Int. No. 497-B:)



**THE COUNCIL OF THE CITY OF  
NEW YORK**

**FINANCE DIVISION**

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO. 497-B**

**COMMITTEE:  
FINANCE**

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**TITLE:** A Local Law to amend the administrative code of the city of New York and the New York City Charter, in relation to the interest rate and discount percentage recommendations provided by the New York City Banking Commission.

**SPONSORS:** Council Members Rosenthal, Levin and Ferreras.

**SUMMARY OF LEGISLATION:** This legislation would make certain changes to the way the Banking Commission makes its recommendations to the City Council regarding the interest rates for the late payment of property taxes and water/sewer charges, as well as the discount percentage for the early payment of property taxes. The legislation would change the date by which the Banking Commission's recommendations are due to the Council from May 25<sup>th</sup> to May 13<sup>th</sup>, and would change the provision that prohibits the Council from acting on the recommended discount percentage until June 5<sup>th</sup> or after to May 14<sup>th</sup> or after. In addition, the legislation would mandate that certain information and analysis be provided to the Council to justify the Banking Commission's recommendations for the property tax late payment interest rate and discount rate for early payment of property taxes. In the case that the Council adopts a discount rate other than the one recommended by the Banking Commission, the Council must provide a similar analysis of its adopted discount rate. Lastly, this legislation would eliminate the 1.5% default discount rate and instead link the default discount rate to a formula based upon the six-month Treasury bill.

**EFFECTIVE DATE:** This legislation would take effect immediately.



**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2016

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY15</b>	<b>FY Succeeding Effective FY16</b>	<b>Full Fiscal Impact FY16</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:** It is anticipated that there will be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** The Department of Finance will handle the implementation of this legislation with existing resources, so there is no expected impact on expenditures as a result of enactment of this legislation.

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

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

**ESTIMATE PREPARED BY:** Maria Enache, Legislative Financial Analyst,  
Revenue  
City Council Finance Division

**ESTIMATE REVIEWED BY:** Raymond  
Majewski, Deputy Director/Chief Economist, City  
Council Finance Division

Tanisha Edwards, Chief Counsel, City Council  
Finance Division

Rebecca Chasan, Assistant Counsel, City Council  
Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 497 on October 7, 2014 and referred to the Committee on Finance. Prior to consideration by the Committee, the legislation was amended. The amended legislation, Proposed Intro. No. 497-A was considered by the Committee on Finance on January 15, 2015. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 497-B will be considered by the Committee on Finance on March 31, 2015. Upon successful vote by the Committee, Proposed Intro. No. 497-B will be submitted to the full Council for a vote on March 31, 2015.

**DATE PREPARED:** March 30, 2015

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

**(The following is the text of Int. No. 497-B:)**

Int. No. 497-B

By Council Members Rosenthal, Levin, Ferreras and Kallos.

**A Local Law to amend the administrative code of the city of New York and the New York City Charter, in relation to the interest rate and discount percentage recommendations provided by the New York City Banking Commission.**

*Be it enacted by the Council as follows:*

Section 1. The opening paragraph of subdivision e of section 11-224.1 of the administrative code of the city of New York, as amended by local law number 66 for the year 2008, is amended to read as follows:

(e) Council adopted rates. By May [twenty-fifth] *thirteenth* of each year, the banking commission shall send a written recommendation to the council of a proposed interest rate to be charged for nonpayment of taxes on real property. The commission shall consider the prevailing interest rates charged for commercial loans extended to prime borrowers by commercial banks operating in the city and:

§ 2. Section 11-224.1 of the administrative code of the city of New York is amended by adding a new subdivision e-1 to read as follows:

*(e-1) Report on recommendation. The banking commission's recommendation provided pursuant to subdivision e of this section shall include a report describing the factors considered when determining the recommendation and the rationale for the use of such factors. Such report shall include the interest rate charged for nonpayment of taxes on real property in comparable cities for the two previous fiscal years. Such report shall further include, in a searchable and machine-readable format, sortable by council district, real property tax class, and real property tax sub class, the following information for the current fiscal year and two previous fiscal years, disaggregated by real property with an assessed value of over two hundred*

*fifty thousand dollars and real property with an assessed value of two hundred fifty thousand dollars or less, provided that such information shall be reported for fiscal years prior to the 2016 fiscal year only to the extent such information is available:*

*(i) the total tax collected from all real properties subject to taxation within the city, disaggregated by fiscal year;*

*(ii) the total number of the real properties described in paragraph (i) of this subdivision for which an installment of tax due and payable remained unpaid as of April fifteenth of a fiscal year included in the report, disaggregated by fiscal year;*

*(iii) the delinquency rate, which shall be calculated by dividing the total number of the real properties described in paragraph (ii) of this subdivision by the total number of the real properties described in paragraph (i) of this subdivision;*

*(iv) the total amount of real property tax that was not timely paid for the real properties described in paragraph (ii) of this subdivision;*

*(v) the average amount of real property tax that was not timely paid for the real properties described in paragraph (ii) of this subdivision;*

*(vi) the total amount of interest accrued on the real property tax that was not timely paid for the real properties described in paragraph (ii) of this subdivision;*

*(vii) the average amount of interest accrued on the real property tax that was not timely paid for the real properties described in paragraph (ii) of this subdivision;*

*(viii) the net interest earned by the city, which shall be calculated by subtracting the interest income not earned on real property tax that was not timely paid from the interest income earned on real property tax collected; and*

*(ix) any other information deemed relevant by the commission.*

§ 3. Subdivision c of section 11-312 of the administrative code of the city of New York, as amended by local law number 62 for the year 2005, is amended to read as follows:

c. No later than the [twenty-fifth] *thirteenth* day of May in each year, the banking commission shall transmit a written recommendation to the council of a proposed interest rate to be charged for nonpayment of water rents. In making such recommendations the commission shall consider the prevailing interest rates charged for commercial loans extended to prime borrowers by commercial banks operating in the city and shall propose a rate of at least six per centum per annum greater than such rates. The council may by resolution adopt an interest rate to be charged for nonpayment of water rents pursuant to section 11-224 of the code and, for nonpayment of water rents that become due and payable on or after July first, two thousand five, pursuant to section 11-224.1 of the code, and may specify in such resolution the date on which such interest rate is to take effect.

§ 4. Subdivision e of section 11-313 of the administrative code of the city of New York, as amended by local law number 62 for the year 2005, is amended to read as follows:

e. No later than the [twenty-fifth] *thirteenth* day of May in each year, the banking commission shall transmit a written recommendation to the council of a proposed interest rate to be charged for nonpayment of sewer rents. In making such recommendations the commission shall consider the prevailing interest rates charged

for commercial loans extended to prime borrowers by commercial banks operating in the city and shall propose a rate of at least six per centum per annum greater than such rates. The council may by resolution adopt an interest rate to be charged for nonpayment of sewer rents pursuant to section 11-224 of the code and, for nonpayment of sewer rents that become due and payable on or after July first, two thousand five, pursuant to section 11-224.1 of the code, and may specify in such resolution the date on which such interest rate is to take effect.

§ 5. Paragraphs b, c and d of subdivision 7 of section 1519-a of the charter of the city of New York, as added by local law number 62 for the year 2005, are amended to read as follows:

(b) Determination of discount percentage. Not later than the [twenty-fifth] *thirteenth* day of May in each year, the banking commission shall send a written recommendation to the council of a proposed discount percentage for the ensuing fiscal year. *Such recommendation shall include a report detailing the research and analytical methods used by the commission to provide the recommendation on the discount percentage; factors considered when determining the recommendation, including whether the city's current cash balance was a factor; and the rationale for the use of such factors. The information contained in the report required by this paragraph shall be in a searchable and machine-readable format, sortable by council district, real property tax class, and real property tax sub class. Such report shall include the following information for the two previous fiscal years unless otherwise specified, provided that such information shall be reported for fiscal years prior to the 2016 fiscal year only to the extent such information is available, and provided further that the information required in subparagraphs (vi) through (x) of this paragraph shall be reported using discount percentages in the amount of one-half of one percent, one percent, one and one-half percent, two percent, and the six-month London Inter Bank Offered Rate (LIBOR) for United States dollars in effect on the thirtieth day of April as published by the Federal Reserve Bank of St. Louis in the Federal Reserve Economic Data (FRED) database:*

*(i) the total number of properties for which the taxes were paid in semi-annual installments, disaggregated by fiscal year, and the estimated total number of properties for which the taxes were paid in semi-annual installments in the current fiscal year;*

*(ii) the total number of properties for which the taxes were paid in quarterly installments, disaggregated by fiscal year, and the estimated total number of properties for which the taxes were paid in quarterly installments in the current fiscal year;*

*(iii) the total amount of real property taxes paid for the properties described in subparagraphs (i) and (ii) of this paragraph, disaggregated by fiscal year, and the estimated amount of real property taxes paid for such properties in the current fiscal year;*

*(iv) the total amount of real property taxes due for the properties described in subparagraphs (i) and (ii) of this paragraph for which a discount for early payment pursuant to paragraph (c) of subdivision two or three of this section was applied, before the application of any such discount;*

(v) *the total amount of real property taxes due for the properties described in subparagraphs (i) and (ii) of this paragraph for which a discount for early payment pursuant to paragraph (c) of subdivision two or three of this section was applied, after the application of any such discount;*

(vi) *the average amount of real property taxes paid for the properties described in subparagraph (v) of this paragraph;*

(vii) *the average amount of the discount provided for the properties described in subparagraph (v) of this paragraph;*

(viii) *the difference between subparagraphs (iv) and (v) of this paragraph, disaggregated by fiscal year, including such estimated difference for the current fiscal year;*

(ix) *the interest income not earned on unpaid taxes due for the properties described in subparagraph (v) of this paragraph, and the estimated interest income not earned on unpaid taxes due for such properties in the current fiscal year;*

(x) *any other information deemed relevant by the commission; and*

(xi) *the discount percentage provided for the early payment of real property taxes in comparable cities for the two previous fiscal years.*

(c) [The] *Not earlier than the fourteenth day of May, the council may adopt by resolution a discount percentage [on the fifth day of June preceding such ensuing fiscal year, or at any time thereafter]. In the event the council adopts a discount percentage different than the proposed discount percentage recommended by the banking commission pursuant to paragraph (b) of this subdivision, such resolution shall contain the research and analytical methods used by the council when determining the discount percentage; factors considered when determining the discount percentage, including the city's current cash balance; and the rationale for the use of such factors.*

(d) *If the council does not adopt a discount percentage prior to the date that the statement of account or other similar bill or statement is prepared, [a] the discount percentage [of one and one-half percent shall be used to determine the discount provided] shall be the annualized interest rate on six-month United States treasury bills, as reported by the Board of Governors of the Federal Reserve System in its H.15 report or similar statistical report detailing selected interest rates, plus seventy-five basis points, the sum of which shall be divided by four for the last business day of April preceding the ensuing fiscal year where a discount is allowed for payments made on or before the last day that the installment due July first could be paid without interest, and this percentage shall continue to apply until the council adopts a discount percentage pursuant to paragraph (c) of this subdivision.*

§ 6. This local law shall take effect immediately.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 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).

Report for Int. No. 656

**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 South Shore business improvement district.**

The Committee on Finance, to which the annexed proposed local law was referred on February 12, 2015 (Minutes, page 462), respectfully

**REPORTS:**

**ANALYSIS:**

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 adopted Resolution 571 on February 12, 2015, which set the hearing date to consider a local law that would establish the South Shore BID (the “proposed BID”) on February 26, 2015.

Prior to the Council’s action, the Community Board for the district in which the proposed BID is located -- Community Board 3 of Staten Island -- voted to approve the BID’s District Plan (the “Plan”) on November 25, 2014. The City Planning Commission (“CPC”) reviewed the Plan and held a public hearing on the Plan on December 3, 2014. The CPC approved a resolution on January 7, 2015 (Calendar No. 11), which certified the CPC’s unqualified approval of the Plan.

Resolution 571 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 (“SBS”) 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 South Shore BID Steering Committee was directed to mail the Resolution or its

summary to each owner of real property within the proposed BID, to such other persons as are registered with the City to receive tax bills for property within the proposed BID and to occupants of each building within the proposed 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 proposed BID's boundaries benefit from the establishment of the district, except as otherwise provided by the law?;
3. Is all real property benefited by the proposed BID included within the district?; and
4. Is the establishment of the proposed BID 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 the proposed BID 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.

#### **FEBRUARY 26, 2015 HEARING**

On February 26, 2015, as set forth in Resolution 571, the Finance Committee held a public hearing to consider Intro. No. 656 that would establish the South Shore BID. Representatives of the SBS and the Staten Island Economic Development Corporation 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.

**SOUTH SHORE BID DETAILS**

The proposed South Shore BID is located in the borough of Staten Island and will consist of three, small, non-contiguous commercial strips located in the towns of Great Kills, Eltingville, and Annadale. The commercial strips, although small, share common characteristics including access to three nearby Staten Island Rail Road stations located in the center of each town, each approximately one mile apart. This will be SBS’s first attempt to have a BID managing three nearby commercial strips as one entity.

The proposed BID represents 217 tax lots and is located in Staten Island Community Board 3. Approximately two-thirds of the proposed BID is made up of commercial businesses or office space. There are 275 businesses in the proposed BID, most of which are independently-owned and some of which are regional and national chain stores. The current vacancy rate within the proposed BID is less than 10%.

The remaining area within the proposed BID is characterized by public facilities (12%), transportation and utilities (10%), vacant land (7%), one- and two-family residential buildings (5%) and parking lots (2%). There are 82 residential units in the proposed BID.

The proposed BID will be managed by the South Shore BID Management Association, Inc. Services to be provided within the proposed BID include: sanitation (manual cleaning of streets and sidewalks, sidewalk power washing, graffiti removal, maintenance of tree pits and bus shelters); security (surveillance equipment and security personnel); marketing and promotions (advertising, business directory, website, shopping guide, social media, television commercials, event planning); and administrative and advocacy services.

The budget for the first year of operation is \$185,000.

Sanitation	\$26,000
Security	\$72,000
Marketing and Promotion	\$39,000
Administration and Advocacy	\$48,000
Total	\$185,000

All properties within the proposed BID in whole or in part devoted to commercial use or mixed use, including parking facilities and vacant lots will be assessed at a base contribution of \$500 per parcel and then further assessed at a contribution based on the property’s front footage. The average annual assessment will be approximately \$1,002, the median annual assessment will be approximately \$873, and the highest projected assessment is \$5,090. Government and not-for-profit



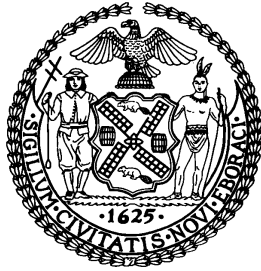
owned property are exempt from assessment. Residential properties will be assessed \$1 per year.

**MARCH 31, 2015 HEARING**

The objection period for the establishment of the South Shore BID closed on March 30, 2015 at 5:00 p.m. According to the City Clerk, out of the 172 property owners located in the proposed BID, only one 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. 656:)**



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

**LATONIA MCKINNEY,  
DIRECTOR**

**FISCAL IMPACT STATEMENT**

**INTRO. NO: 656**

**COMMITTEE: Finance**

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**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the South Shore business improvement district.

**Sponsors:** Council Members Ignizio, Ferreras, Gentile, Rose and Matteo (by request of the Mayor)

**SUMMARY OF LEGISLATION:** This legislation would amend Chapter 5 of title 25 of the administrative code of the city of New York by adding a new section 25-487 to establish a business improvement district ("BID") in the borough of Staten Island to be known as the South Shore Business Improvement District (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:** 2015

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY15</b>	<b>FY Succeeding Effective FY16</b>	<b>Full Fiscal Impact FY15</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 South Shore BID will be funded through a self-assessment by property owners within the district. The anticipated revenues from this self-assessment in Fiscal 2015 will be \$185,000. This amount will cover the BID's expenses, as proposed by its first year budget. Subsequent budgets will be determined on a yearly basis with a maximum annual expenditure thereafter to operate the BID of \$1,850,000.

**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, Assistant Counsel,  
Finance Division

**ESTIMATE REVIEWED BY:** Tanisha Edwards, Chief Counsel, Finance  
Division

**LEGISLATIVE HISTORY:** This legislation was introduced as Intro. No. 656 by the Council on February 12, 2015 and referred to the Committee on Finance. A hearing was held by the Committee on February 26, 2015 and the legislation was laid over to allow for the statutory 30-day objection period. Intro. No. 656 will be considered again by the Committee on Finance on March 31, 2015 and, upon a successful vote by the Committee, Intro. No. 656 will be submitted to the full Council for a vote on March 31, 2015.

**DATE PREPARED:** March 30, 2015

**(For text of the South Shore B.I.D. Plan, please refer to the Office of the City Clerk at 141 Worth Street, Executive Offices, First Floor, New York, N.Y. 10013)**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Int. No. 656:)**

Int. No. 656

By Council Members Ignizio, Ferreras, Gentile, Rose and Matteo (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the South Shore 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 25-487 to read as follows:

*§ 25-487 South Shore business improvement district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, there is hereby established in the borough of Staten Island, the South Shore 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 South Shore 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, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 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 Finance and had been favorably reported for adoption.

Report for Res. No. 636

**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 March 31, 2015, respectfully

**REPORTS:**

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

Analysis. This Resolution, dated March 31, 2015, approves new designations and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with

the Fiscal 2015 Expense Budget, approves new designations and changes in the designation of certain organizations receiving local and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 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 2015 Expense Budget, and local and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

This resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 1; sets forth the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 2; sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of funding pursuant to certain initiatives in the Fiscal 2015 Expense Budget, as described in Charts 4-11; amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as described in Chart 12; sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 13; and sets forth the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 14.

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

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

Chart 2 sets forth the changes in the designation of certain organizations, specifically changes to the administering agency, receiving aging discretionary funding in accordance with the Fiscal 2015 Expense Budget. All of these changes will be effectuated upon a budget modification.

Chart 3 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 4 sets forth the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget.

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

Chart 6 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 7 sets forth the change in the designation, specifically a name correction, of a certain organization receiving funding pursuant to the Early Childhood Literacy Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 8 sets forth the change in the designation, specifically an EIN correction, of a certain organization receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 9 sets forth the changes in the designation, specifically a name correction, of certain organizations receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 10 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Community-Based Programs in accordance with the Fiscal 2015 Expense Budget.

Chart 11 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the MWBE Leadership Associations Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 12 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget.

Chart 13 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 14 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

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

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

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

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 636:)**

Res. No. 636

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

By Council Member Ferreras.

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

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

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

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

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

**Resolved**, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

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

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrants Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Early Childhood Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further



**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

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

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Community-Based Programs in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the MWBE Leadership Associations Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

**Resolved**, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 12; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 13; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14.

**ATTACHMENT:**

**CHART 1: Local Initiatives - Fiscal 2015**

Member	Organization	EN Number	Agency	Amount	Agy #	UA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
City-Wide	Fund for the City of New York, Inc. **	13-2612524	MSC	(\$200,000.00)	098	002		
City-Wide	Fund for the City of New York, Inc. **	13-2612524	DYCD	\$200,000.00	260	312		
Valone	Andrean Ryleys, The	11-2203300	DYCD	(\$7,500.00)	260	005		
Dickens	St. Andrew Avelino Church - Andrean Ryleys	11-2203300	DYCD	\$7,500.00	260	005		
Dickens	1371 Saint Nicholas Avenue Tenant's League	13-3513113	NYCHA	(\$3,500.00)	098	002		
Dickens	New York City Housing Authority - 1371 Saint Nicholas Avenue Tenant's League	13-6000434	NYCHA	\$3,500.00	098	002		
Dickens	Jackie Robinson Tenants Association, Inc.	13-3420375	NYCHA	(\$3,500.00)	098	002		
Dickens	New York City Housing Authority - Jackie Robinson Tenants Association, Inc.	13-6000434	NYCHA	\$3,500.00	098	002		
Dickens	Rev. Dr. Martin Luther King Towers	13-3794337	NYCHA	(\$3,500.00)	098	002		
Dickens	New York City Housing Authority - Rev. Dr. Martin Luther King Towers	13-6000434	NYCHA	\$3,500.00	098	002		
Dickens	St. Nicholas Houses Community Organization, Inc.	26-2550841	NYCHA	(\$3,500.00)	098	002		
Dickens	New York City Housing Authority - St. Nicholas Houses Community Organization, Inc.	13-6000434	NYCHA	\$3,500.00	098	002		
Dickens	Taft Tenants Organization, Inc.	13-3723843	NYCHA	(\$3,500.00)	098	002		
Dickens	New York City Housing Authority - Taft Tenants Organization, Inc.	13-6000434	NYCHA	\$3,500.00	098	002		
Dickens	Taft Tenants Organization, Inc.	13-3723843	NYCHA	(\$3,500.00)	098	002		
Dickens	New York City Housing Authority - Taft Tenants Organization, Inc.	13-6000434	NYCHA	\$3,500.00	098	002		
Crowley	Ridgewood, Glendale, Middle Village, Maspeth Little League	90-0147560	DYCD	(\$6,000.00)	260	312		
Crowley	Woodhaven Cultural and Historical Society Inc.	11-309784	DYCD	\$5,000.00	260	005		
Crowley	Greater Woodhaven Development Corporation	11-2008190	DYCD	\$3,000.00	260	005		
Crowley	Road Runners Club Of America	46-3550730	DYCD	(\$3,500.00)	260	005		
Crowley	Greater Ridgewood Youth Council, Inc.	11-2518141	DYCD	\$3,500.00	260	312		
Mark-Viverito	Federation Employment and Guidance Service, Inc.	13-1 62400	DYCD	(\$10,000.00)	260	312		
Mark-Viverito	Mercy Center	13-3865634	DYCD	\$10,000.00	260	312		
Chin	Bodega Association of the United States, Inc., The **	13-4060808	DYCD	(\$3,500.00)	260	312		
Chin	Greenwich House, Inc. **	13-5522204	DFTA	\$3,500.00	125	003		
Speaker	Greater Bethel Interdenominational Ministries **	51 01 53863	DYCD	(\$50,000.00)	260	005		
Speaker	Greater Bethel Interdenominational Ministries **	51 01 53863	DFTA	\$50,000.00	125	003		
Williams	African American Women In China	13-4151020	DYCD	(\$4,000.00)	260	005		
Williams	Creative Outlet Dance Theatre, Inc.	11-3077754	DYCD	(\$3,500.00)	260	005		
Williams	East 34th Street Block Association/2002, Inc.	043707048	DYCD	(\$3,500.00)	260	005		
Williams	Crossfire Steel Orchestra, Inc.	010641844	DYCD	(\$3,500.00)	260	005		
Williams	Christopher Rose Community Empowerment Campaign	11-3423512	DYCD	\$6,000.00	260	005		
Williams	East Flatbush Village, Inc.	80-061 2019	DYCD	\$6,500.00	260	005		

\* Indicates pending completion of pre-qualification review .

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

**CHART 2: Aging Discretionary - Fiscal 2015**

Member	Organization	Organization	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN **
Cornegy	Summer Houses Tenants Association, Inc. **	11-2733344	DFTA	(\$9,000.00)	125	003		
Cornegy	New York City Housing Authority - Summer Houses Tenants Association **	13-6400434	NYCHA	\$9,000.00	098	002		
Cornegy	Tompkins Houses Resident Association, Inc. **	11-3095979	DFTA	(\$3,000.00)	125	003		
Cornegy	New York City Housing Authority - Tompkins Houses Resident Association **	13-6400434	NYCHA	\$3,000.00	098	002		
Cornegy	Tompkins Houses Resident Association, Inc. **	11-3095979	DFTA	(\$6,000.00)	125	003		
Cornegy	New York City Housing Authority - Tompkins Houses Resident Association **	13-6400434	NYCHA	\$6,000.00	098	002		

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

**CHART 3: Youth Discretionary - Fiscal 2015**

Member	Organization	EN Number	Agency	Amount	Agy #	UA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Crowley	Queens Titans, Inc.	46-3655539	DYCD	(\$3,500.00)	260	312	Maspeth Town Hall	23-7259702
Crowley	Forain Catholic Church of St. Margaret	11-1723800	DYCD	\$5,500.00	260	312		

\* Indicates pending completion of pre-qualification review.

**CHART 4: Anti-Poverty Initiative - Fiscal 2015**

Member	Organization - Program	EN Number	Agency	Amount	Agy #	UA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EN *
Mark-Viverito	Little Sisters of the Assumption Family Health Service, Inc.	13-2867881	DYCD	(\$15,000.00)	260	005		*
Mark-Viverito	Little Sisters of the Assumption Family Health Service, Inc.	13-2867881	DYCD	\$15,000.00	260	312		*
Williams	Central Brooklyn Legal Services Corp**	48-5144488	DSS/HPA	(\$3,500.00)	069	103		
Williams	East Flatbush Village, Inc. **	80-061 2019	DYCD	\$3,500.00	260	005		

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

**CHART 5: NYC Digital Inclusion and Literacy Initiative - Fiscal 2015**

Member	Organization	Organization	Agency	Amount	Agy #	U/A *
Greenfield	Cope Institute	13-2889361	DYCD	(\$14,705.00)	260	005 *
Greenfield	Agudath Israel of America Community Services, Inc	13-3975090	DYCD	\$14,705.00	260	005

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

CHART 6: Cultural Immigrant Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	UJA *
Dikens	Mayles Documentary Center	20-2545574	DCLA	(\$14,700.00)	126	003 *
Dikens	Mayles Institute	20-2545574	DCLA	\$14,700.00	126	003
Treyger	Art's House Schools, Inc.	87-0901 38	DCLA	(\$14,700.00)	126	003
Treyger	Coney Island History Project	03-0541 772	DCLA	\$14,700.00	126	003

\* Indicates pending completion of pre-qualification review.

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

**CHART 7: Early Childhood Literacy Initiative - Fiscal 2015**

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Video Interaction Project (VIP)	13-1679615	DYCD	(\$175,000.00)	260	005
Children Of Bellevue, Inc. - Video Interaction Project (VIP)	13-1679615	DYCD	\$175,000.00	260	005

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



**CHART 8: Sports Training and Rolemodels for Success (STARS) Initiative - Fiscal 2015**

Organization	EIN Number	Agency	Amount	Agy #	U/A *
PowerPlay NYC, Inc.	01-3404521	DYCD	(6500,000.00)	260	312
PowerPlay NYC, Inc.	13-4045021	DYCD	\$500,000.00	260	312

\* Indicates pending completion of pre-qualification review.

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

**CHART 9: Discretionary Child Care Initiative - Fiscal 2015**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Afro American 3	13-2727406	ACS	(\$904,395.00)	068	004	
Afro American Parents Educational Center - Afro American DCC #3	13-2727406	ACS	\$904,395.00	068	004	
Afro American 2	13-2727406	ACS	(\$100,000.00)	068	004	
Afro American Parents Educational Center - Afro American DCC #2	13-2727406	ACS	\$100,000.00	068	004	

\* Indicates pending completion of pre-qualification review.

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

**CHART 10: Anti-Gun Violence Initiative - Community-Based Programs - Fiscal 2015**

Organization	EIN Number	Agency	Amount	Agy #	U/A *
East River Development Alliance, Inc. (Urban Upbound)	86-1096987	DOHMH	<del>(\$250,000.00)</del>	816	114
Jacob A. Ritis Neighborhood Settlement, Inc.	11-1729398	DOHMH	\$250,000.00	816	114

\* Indicates pending completion of pre-qualification review.

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

**CHART 11: MWBE Leadership Associations Initiative - Fiscal 2015**

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Brooklyn Economic Development Corporation	11-2510289	DSBS	(\$60,925.00)	801	005 *
Brooklyn Kings County Hispanic Chamber Of Commerce, Inc.	20-2381186	DSBS	\$30,925.00	801	005
South Bronx Overall Economic Development Corporation	13-2736022	DSBS	\$7,500.00	801	005
ACCION East, Inc.	11-3317234	DSBS	\$7,500.00	801	005
New Bronx Chamber of Commerce, The	37-1443165	DSBS	\$7,500.00	801	005
Queens Economic Development Corporation	11-2436149	DSBS	\$5,000.00	801	005
Harlem Business Alliance, Inc.	13-3591350	DSBS	\$2,500.00	801	005

\* Indicates pending completion of pre-qualification review.

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

CHART 12: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Miller	Amity Baptist Church	11-2014196	DYCD	(\$3,500.00)	Funds will be used as stipends from the church for each participant. Day Camp for ages 6-15 from 8AM to 5:30PM, Monday - Friday, six weeks beginning July and August. Funds will be used for staff stipends, snacks, arts and crafts and educational material for campers.
Local	Miller	Amity Baptist Church	11-2014196	DYCD	\$3,500.00	Funds will be used for Day Camp staff stipends, snacks, arts and crafts, field trips, * recreational activities and educational material for campers.
Youth	Rose	United Activities Unlimited, Inc.	13-2921483	DYCD	(\$35,000.00)	Funding will go towards the costs of an Aquatic Director and Lifeguards.
Youth	Rose	United Activities Unlimited, Inc.	13-2921483	DYCD	\$35,000.00	Additional staffing for the school year at W.B. Cornerstone and PS18 Beacon School, plus night center at PS44, two (2) nights a week.
Boro	Bronx Delegation	Moshulu-Montefiore Community Center, Inc.	13-3622107	DYCD	(\$10,000.00)	To support programming for Bronx individuals not proficient in English.
Boro	Bronx Delegation	Moshulu-Montefiore Community Center, Inc.	13-3622107	DYCD	\$10,000.00	Funds will be used to support the college advisement program
Anti-Poverty	Mealy	Reshaping Our Youth and Adult Lives, Inc.	26-1470495	DYCD	\$10,000.00	The funding will be used to pay for teachers and supplies for a test preparation class in District 41 for the Licensed Practical Nurse program entrance exam administered by the Department of Education. The LPN program provides employment as a licensed practical nurse to anyone who completes the program. Funds will also be used to provide OSHA training to constituents of the 41st district.
Anti-Poverty	Mealy	Reshaping Our Youth and Adult Lives, Inc.	26-1470495	DYCD	\$10,000.00	The funding will be used to pay for teachers and supplies for a test preparation class in District 41 for the Licensed Practical Nurse entrance administered by the Department of Education. Additionally, recruits will have an option of acquiring an OSHA certificate for employment in the construction field as well.
Youth	Greenfield	Igud L' Hechziokas Torah	11-3568891	DYCD	(\$10,000.00)	Funds will either be used for a mentoring program for difficult teenagers or to provide stipends to the community.
Youth	Greenfield	Igud L' Hechziokas Torah	11-3568891	DYCD	\$10,000.00	Funds will be used for a supper program that feeds free dinners to teenagers in the community Monday through Friday.

\* Indicates pending completion of pre-qualification review.

**CHART 13: Local Initiatives - Fiscal 2014**

Member	Organization	EN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EN
Williams	African American Women in Cinema	13-415/020	DYCD	(\$3,500.00)	260	005		
Williams	East Flatbush Village, Inc.	80-267.2019	DYCD	\$3,500.00	260	005		

\* Indicates pending completion of pre-qualification review.

CHART 14: Youth Discretionary - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	UA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Williams	Redemption Inc.	56-2550383	DYCD	(\$7,500.00)	260	312		
Williams	East Flatbush Village, Inc.	80-0612019	DYCD	\$7,500.00	260	312		

\* Indicates pending completion of pre-qualification review.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 2015.

March 31, 2015

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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 M-269

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

The Committee on Finance to which the annexed preconsidered item was referred on March 31, 2015 and was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of Memo and related material, please see the Attachment to Res No. 641 printed below in these Minutes; for further related material, please also see the Report of the Committee on M-270 & Res No. 642 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

In connection herewith, Council Member Ferreras offered the following resolution (“R1”):

Res. No. 641

**RESOLUTION APPROVING THE FISCAL YEAR 2016 OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.**

By Council Member Ferreras.

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



**ATTACHMENT:**

**FISCAL YEAR 2016**

**THE OPERATING BUDGET**

**OF THE COUNCIL OF THE CITY OF NEW YORK**

Submitted pursuant to  
Section 243 of the  
New York City Charter

March 31, 2015

910

March 31, 2015

TO: Honorable Melissa Mark Viverito  
Speaker

Honorable Julissa Ferreras  
Chairperson, Finance Committee

FROM: Marcello Testa  
Fiscal Officer

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

**Precon. (M-269) The Operating Budget of the Council of The City of New York**

**Precon. (M-270) Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York**

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

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

R1

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

RESOLUTION APPROVING THE FISCAL YEAR 2016  
OPERATING BUDGET OF THE COUNCIL OF  
THE CITY OF NEW YORK

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

Summary:

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

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

Council Member office budgets are funded in U/A 001 object 021 (PS) and U/A 100 objects 400 and 414 (OTPS). Funds allocated for Member's budget total \$384,000.

A new division created by this budget called "Drafting Division" provides a unit of staff who specialize in the drafting of legislation proposed by the Council Members which can be eventually offered for introduction to the full Council for consideration. The division will also work with the staff of Governmental Affairs, Human Services and Infrastructure divisions.

Staff from the Office of the General Counsel, Governmental Affairs, Finance, Land Use, Infrastructure, Human Services, and Policy & Investigations divisions are specifically assigned to each committee, subcommittee, select committee and task force. These analysts and attorneys in turn are supported by the Administrative

Services Division, which functions as the central administration. (Please refer to the statements of programmatic objectives).

Staff from the following Divisions are assigned to these Committees, Subcommittees and Select Committees:

Subcommittees and Select Committees:

**General Counsel**

Rules, Privileges and Elections  
Standards & Ethics  
State & Federal Legislation

**Governmental Affairs**

Civil Rights  
Consumer Affairs  
Contracts  
Courts and Legal Services  
Fire & Criminal Justice Services  
General Welfare  
Governmental Operations  
Immigration  
Juvenile Justice  
Oversight & Investigation  
Public Safety

**Finance**

Finance

**Human Services**

Aging  
Senior Centers (*Subcommittee*)  
Civil Services and Labor  
Cultural Affairs, Libraries &  
International Intergroup Relations  
Libraries (*SubCommittee*)  
Education  
Non-Public Schools (*Subcommittee*)  
Health  
Higher Education  
Mental Health, Developmental Disability,

Alcoholism, Substance Abuse &  
Disability Services  
Small Business  
Transportation  
Veterans  
Women's Issues  
Youth Services

**Infrastructure**

Community Development  
Economic Development  
Environmental Protection  
Housing & Buildings  
Parks & Recreation  
Public Housing  
Recovery and Resiliency  
Sanitation & Waste Management  
Technology  
Waterfronts

**Land Use**

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

**CITY COUNCIL BUDGET****Function:**

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

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

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

CITY COUNCIL BUDGET									
FISCAL YEAR 2016									
							CHANGE BETWEEN		
FISCAL 2015		FISCAL 2015		FISCAL 2016		FY'2015 UPDATED &			
ADOPTED BUDGET		UPDATED		COUNCIL BUDGET		FY'2016 PROPOSED BUDGET		% CHANGE	
POS.	\$AMOUNT	POS.	\$AMOUNT	POS.	\$AMOUNT	POS.	\$AMOUNT		
<b>PERSONAL SERVICES</b>									
U/A 001	51	\$21,689,500	51	\$22,500,356	51	\$22,111,500	0	(\$388,856)	
U/A 002	140	\$9,413,094	140	\$10,086,118	156	\$11,987,595	16	\$1,901,477	
U/A 005	157	\$11,283,628	157	\$11,878,510	141	\$10,825,654	(16)	(\$1,052,856)	
COMMITTEES (U/A 600-690)	0	\$38		\$38	0	\$38	0	\$0	
<b>PS TOTALS</b>		<b>\$42,386,260</b>		<b>\$44,465,022</b>		<b>\$44,924,787</b>		<b>\$459,765</b>	<b>0.78%</b>
<b>OTHER THAN PERSONAL SERVICES</b>									
U/A 100		\$5,157,814		\$5,157,814		\$5,457,814		\$300,000	
U/A 200		\$9,357,898		\$9,532,898		\$10,641,066		\$1,108,168	
COMMITTEES (U/A 800-890)		\$38		\$38		\$38		\$0	
<b>OTPS TOTALS</b>		<b>\$14,515,750</b>		<b>\$14,690,750</b>		<b>\$16,098,918</b>		<b>\$1,408,168</b>	<b>2.38%</b>
<b>COUNCIL BUDGET</b>	<b>348</b>	<b>\$56,912,010</b>	<b>348</b>	<b>\$59,155,772</b>	<b>348</b>	<b>\$61,023,705</b>	<b>0</b>	<b>\$1,867,933</b>	<b>3.16%</b>

CITY COUNCIL BUDGET									
FISCAL YEAR 2016									
PERSONAL SERVICES									
	FISCAL 2015			FISCAL 2015			FISCAL 2016		CHANGE
	ADOPTED BUDGET			UPDATED			COUNCIL BUDGET		
DESCRIPTION	U/A	POS.	\$ AMOUNT	POS.	\$ AMOUNT	POS.	\$ AMOUNT	POS.	\$ AMOUNT
COUNCIL MEMBERS	001	51	\$21,899,500	51	\$22,500,356	51	\$22,111,500	0	412,000
COMMITTEE STAFFING	002	140	\$9,413,094	140	\$10,086,118	156	\$11,987,595	16	2,574,501
COUNCIL SERVICES	005	157	\$11,283,628	157	\$11,878,510	141	\$10,825,654	(16)	(457,974)
COMMITTEE ON THE AGING	600	0	\$1	0	\$1	0	\$1	0	\$0
* CIVIL RIGHTS	602	0	\$1	0	\$1	0	\$1	0	\$0
* CIVIL SERVICE & LABOR	605	0	\$1	0	\$1	0	\$1	0	\$0
* COMMUNITY DEVELOPMENT	607	0	\$1	0	\$1	0	\$1	0	\$0
* CONSUMER AFFAIRS	610	0	\$1	0	\$1	0	\$1	0	\$0
* CONTRACTS	615	0	\$1	0	\$1	0	\$1	0	\$0
* COURTS AND LEGAL SERVICES	617	0	\$1	0	\$1	0	\$1	0	\$0
* CULTURAL AFFAIRS, LIBRARIES & INTL. INTERGROUP RELATIONS	616	0	\$1	0	\$1	0	\$1	0	\$0
* ECONOMIC DEVELOPMENT	620	0	\$1	0	\$1	0	\$1	0	\$0
* EDUCATION	625	0	\$1	0	\$1	0	\$1	0	\$0
* ENVIRONMENTAL PROTECTION	630	0	\$1	0	\$1	0	\$1	0	\$0
* FINANCE	632	0	\$1	0	\$1	0	\$1	0	\$0
* FIRE & CRIMINAL JUSTICE SERVICES	633	0	\$1	0	\$1	0	\$1	0	\$0
* GENERAL WELFARE	635	0	\$1	0	\$1	0	\$1	0	\$0
* GOVERNMENTAL OPERATIONS	640	0	\$1	0	\$1	0	\$1	0	\$0
* HEALTH	645	0	\$1	0	\$1	0	\$1	0	\$0
* HIGHER EDUCATION	647	0	\$1	0	\$1	0	\$1	0	\$0
* HOUSING & BUILDINGS	650	0	\$1	0	\$1	0	\$1	0	\$0
* IMMIGRATION	652	0	\$1	0	\$1	0	\$1	0	\$0
* JUVENILE JUSTICE	653	0	\$1	0	\$1	0	\$1	0	\$0
* LAND USE	654	0	\$1	0	\$1	0	\$1	0	\$0
* MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM, SUBSTANCE ABUSE & DISABILITY SERVICES	656	0	\$1	0	\$1	0	\$1	0	\$0
* OVERSIGHT AND INVESTIGATIONS	657	0	\$1	0	\$1	0	\$1	0	\$0
* PARKS & RECREATION	660	0	\$1	0	\$1	0	\$1	0	\$0
* PUBLIC HOUSING	667	0	\$1	0	\$1	0	\$1	0	\$0
* PUBLIC SAFETY	665	0	\$1	0	\$1	0	\$1	0	\$0
* RECOVERY AND RESILIENCY	655	0	\$1	0	\$1	0	\$1	0	\$0
* RULES, PRIVILEGES AND ELECTIONS	670	0	\$1	0	\$1	0	\$1	0	\$0
* SANITATION & SOLID WASTE MANAGEMENT	671	0	\$1	0	\$1	0	\$1	0	\$0
* SMALL BUSINESS	673	0	\$1	0	\$1	0	\$1	0	\$0
* STANDARDS & ETHICS	675	0	\$1	0	\$1	0	\$1	0	\$0
* STATE & FEDERAL LEGISLATION	680	0	\$1	0	\$1	0	\$1	0	\$0
* TECHNOLOGY	681	0	\$1	0	\$1	0	\$1	0	\$0
* TRANSPORTATION	682	0	\$1	0	\$1	0	\$1	0	\$0
* VETERANS	683	0	\$1	0	\$1	0	\$1	0	\$0
* WATERFRONTS	685	0	\$1	0	\$1	0	\$1	0	\$0
* WOMEN'S ISSUES	687	0	\$1	0	\$1	0	\$1	0	\$0
* YOUTH SERVICES	690	0	\$1	0	\$1	0	\$1	0	\$0
<b>TOTAL</b>		<b>348</b>	<b>\$42,396,260</b>	<b>348</b>	<b>\$44,465,022</b>	<b>348</b>	<b>\$44,924,787</b>	<b>0</b>	<b>2,528,527</b>

PS DETAIL FISCAL YEAR 2016

U/A 001 PS (COUNCIL MEMBERS)

BUDGET CODE	OBJ. CODE	DESCRIPTION	POSITIONS	BUDGET	TOTAL
0101	001	Council Members	51	\$5,755,500	
	021	Councilmanic Aides		\$15,884,000	
	041	Stipend		\$472,000	
<b>Total U/A 001</b>			51		\$22,111,500

U/A 002 PS (COMMITTEE STAFFING)

BUDGET CODE	OBJ. CODE	DESCRIPTION	POSITIONS	BUDGET	TOTAL
0102	001	Policy & Innovations 1	7	\$463,920	\$463,920
1102	001	Finance Division 2	40	\$3,120,001	\$3,120,001
2102	001	Land Use 3	14	\$1,120,319	\$1,120,319
3102	001	Office of the General Counsel 4	14	\$1,408,510	\$1,408,510
4102	001	Governmental Affairs 5	25	\$2,008,570	\$2,008,570
5102	001	Human Services 6	29	\$1,876,703	\$1,876,703
7102	001	Infrastructure 7	18	\$1,294,382	\$1,294,382
8102	001	Drafting 8	9	\$695,190	\$695,190
<b>Total U/A 002</b>			156		\$11,987,595

U/A 005 PS (COUNCIL SERVICE DIVISION)

BUDGET CODE	OBJ. CODE	DESCRIPTION	POSITIONS	BUDGET	TOTAL
0105	001	Administrative Services	42	\$2,911,795	
	021			\$25,000	
	031			\$125,000	
					\$3,061,795
2105	001	Information Technology	13	\$929,317	\$929,317
3105	001	Legislative Documents	6	\$408,054	\$408,054
4105	001	Sergeants-At-Arms	8	\$377,423	\$377,423
5105	001	Speaker's Office	15	\$1,881,761	\$1,881,761
6105	001	Minority Leader's Office	3	\$252,827	\$252,827
7105	001	Communications	11	\$727,507	\$727,507
8105	001	Community Engagement	33	\$2,395,794	\$2,395,794
9205	001	Economic & Community Development	5	\$444,087	\$444,087
9305	001	Public Tech	5	\$347,089	\$347,089
<b>Total U/A 005</b>			141		\$10,825,654
<b>PS TOTALS 001, 002 &amp; 005</b>			348		\$44,924,749

Footnotes appear on the following page



**Committees, Subcommittees, Select Committees and Task Forces Assigned to Divisions****1 Policy & Innovations**

Oversight &amp; Investigations

**2 Finance**

Finance

**3 Land Use**

Land Use

Landmarks, Public Siting & Maritime Uses (*Subcommittee*)Planning, Dispositions & Concessions (*Subcommittee*)Zoning & Franchises (*Subcommittee*)**4 General Counsel**

Rules, Privileges and Elections

Standards &amp; Ethics

State &amp; Federal Legislation

**5 Governmental Affairs**

Civil Rights

Consumer Affairs

Contracts

Courts and Legal Services

Fire &amp; Criminal Justice Services

General Welfare

Governmental Operations

Immigration

Juvenile Justice

Public Safety

**6 Human Services**

Aging

Senior Centers (*Subcommittee*)

Civil Services and Labor

Cultural Affairs, Libraries &amp; International Intergroup Relations

Libraries (*Select Committee*)

Education

Non-Public Schools (*Subcommittee*)

Health

Higher Education

Mental Health, Developmental Disability, Alcoholism, Substance Abuse &amp; Disability Services

Small Business

Transportation

Veterans

Women's Issues

Youth Services

**7 Infrastructure**

Community Development

Economic Development

Environmental Protection

Housing &amp; Buildings

Parks &amp; Recreation

Public Housing

Recovery and Resiliency

Sanitation &amp; Waste Management

Technology

Waterfronts

**8 Drafting**Responsible for drafting of legislation for the Council's Legislative Committees  
(see footnotes 5,6 and 7)

CITY COUNCIL BUDGET					
FISCAL YEAR 2016					
OTHER THAN PERSONAL SERVICES					
		FISCAL 2015	FISCAL 2015	FISCAL 2016	
		ADOPTED	UPDATED	COUNCIL	CHANGE
		BUDGET		BUDGET	FROM ADOPTED
DESCRIPTION	U/A	\$ AMOUNT		\$ AMOUNT	\$ AMOUNT
<b>COUNCIL MEMBERS</b>	100	\$5,157,814	\$5,157,814	\$5,457,814	\$300,000
<b>CENTRAL STAFF</b>	200	\$9,357,898	\$9,532,898	\$10,641,066	\$1,283,168
COMMITTEE ON THE AGING	800	\$1	\$1	\$1	\$0
* CIVIL RIGHTS	802	\$1	\$1	\$1	\$0
* CIVIL SERVICE & LABOR	805	\$1	\$1	\$1	\$0
* COMMUNITY DEVELOPMENT	807	\$1	\$1	\$1	\$0
* CONSUMER AFFAIRS	810	\$1	\$1	\$1	\$0
* CONTRACTS	815	\$1	\$1	\$1	\$0
* COURTS AND LEGAL SERVICES	817	\$1	\$1	\$1	\$0
* CULTURAL AFFAIRS, LIBRARIES & INT'L INTERGROUP RELATIONS	818	\$1	\$1	\$1	\$0
* ECONOMIC DEVELOPMENT	820	\$1	\$1	\$1	\$0
* EDUCATION	825	\$1	\$1	\$1	\$0
* ENVIRONMENTAL PROTECTION	830	\$1	\$1	\$1	\$0
* FINANCE	832	\$1	\$1	\$1	\$0
* FIRE & CRIMINAL JUSTICE SERVICES	833	\$1	\$1	\$1	\$0
* GENERAL WELFARE	835	\$1	\$1	\$1	\$0
* GOVERNMENTAL OPERATIONS	840	\$1	\$1	\$1	\$0
* HEALTH	845	\$1	\$1	\$1	\$0
* HIGHER EDUCATION	847	\$1	\$1	\$1	\$0
* HOUSING & BUILDINGS	850	\$1	\$1	\$1	\$0
* IMMIGRATION	852	\$1	\$1	\$1	\$0
* JUVENILE JUSTICE	853	\$1	\$1	\$1	\$0
* LAND USE	854	\$1	\$1	\$1	\$0
* RECOVERY AND RESILIENCY	855	\$1	\$1	\$1	\$0
* MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM, SUBSTANCE ABUSE & DISABILITY SERVICES	856	\$1	\$1	\$1	\$0
* OVERSIGHT AND INVESTIGATIONS	857	\$1	\$1	\$1	\$0
* PARKS & RECREATION	860	\$1	\$1	\$1	\$0
* PUBLIC HOUSING	862	\$1	\$1	\$1	\$0
* PUBLIC SAFETY	865	\$1	\$1	\$1	\$0
* RULES, PRIVILEGES AND ELECTIONS	870	\$1	\$1	\$1	\$0
* SANITATION & SOLID WASTE MANAGEMENT	871	\$1	\$1	\$1	\$0
* SMALL BUSINESS	873	\$1	\$1	\$1	\$0
* STANDARDS & ETHICS	875	\$1	\$1	\$1	\$0
* STATE & FEDERAL LEGISLATION	880	\$1	\$1	\$1	\$0
* TECHNOLOGY	881	\$1	\$1	\$1	\$0
* TRANSPORTATION	882	\$1	\$1	\$1	\$0
* VETERANS	883	\$1	\$1	\$1	\$0
* WATERFRONTS	885	\$1	\$1	\$1	\$0
* WOMEN'S ISSUES	887	\$1	\$1	\$1	\$0
* YOUTH SERVICES	890	\$1	\$1	\$1	\$0
<b>TOTAL</b>		<b>\$14,515,750</b>	<b>\$14,690,750</b>	<b>\$16,098,918</b>	<b>\$1,583,168</b>

OTPS DETAIL FISCAL YEAR 2016		
<b>U/A 100 COUNCIL MEMBERS</b>		
DESCRIPTION	OBJ CODE	COUNCIL BUDGET
Newsletter (Printing)	101	\$957,814
Newsletter (Postage)	117	\$800,000
Council OTPS Procurement	400	\$1,400,000
Rent	414	\$2,300,000
<b>TOTAL U/A 100</b>		<b>\$5,457,814</b>
<b>U/A 200 CENTRAL STAFF</b>		
DESCRIPTION	OBJ CODE	COUNCIL BUDGET
WEX Gas	10F	\$25,000
Storehouse Supplies	10X	\$25,000
Supplies & Materials	100	\$90,000
Printing Supplies	101	\$15,000
Automotive Supplies	105	\$2,000
Postage	117	\$20,400
Computer Supplies	199	\$233,000
Equipment - General	300	\$27,100
Telecommunications Equipment	302	\$65,000
Office Furniture	314	\$50,000
Office Equipment	315	\$15,000
Purchase DP Equipment	332	\$89,000
Books - Other	337	\$196,406
Library Books	338	\$26,000
Telephones - Data	40B	\$400,000
Maintenance Repairs Auto	40G	\$25,000
Contractual Services - Intra-City	40X	\$1,000
Contractual Services - General	400	\$80,000
Telephone & Other Comm.	402	\$82,000
Office Services	403	\$31,000
Rentals of Misc. Equip.	412	\$120,000
Rent	414	\$6,558,160
Advertising	417	\$3,000
Local Travel - General	451	\$22,000
Local Travel - Special	452	\$2,000
Nonlocal Travel - General	453	\$5,000
Nonlocal Travel - Special	454	\$3,000
Contractual Services - General	600	\$100,000
Telecommunications Maint.	602	\$80,000
Maintenance - Motor Vehicles	607	\$2,000
Maint. & Repairs	608	\$40,000
Office Equipment Maint.	612	\$250,000
DP Equipment	613	\$30,000
Printing Contracts	615	\$100,000
Temporary Services	622	\$90,000
Cleaning Services	624	\$12,000
Transportation Expenditures	633	\$14,000
Economic Development	660	\$117,500
Training City Employees	671	\$5,000
Prof. Svces. - Legal	682	\$500,000
Prof. Svces. - Computer Services	684	\$523,500
Prof. Svces. - Other	686	\$564,000
DCAS Training	79D	\$2,000
<b>TOTAL U/A 200</b>		<b>\$10,641,066</b>
<b>OTPS TOTALS</b>		<b>\$16,098,880</b>

- 600 Committee on the Aging** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department for the Aging and all federal, state and municipal programs pertinent to senior citizens. The committee has a subcommittee on Senior Centers.
- 602 Committee on Civil Rights** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to incidences of discrimination, the Human Rights Commission, the Equal Employment Practices Commission and Equal Employment Opportunity.
- 605 Committee on Civil Service and Labor** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to municipal officers and employees, the Office of Labor Relations, Office of Collective Bargaining, municipal pensions, retirement systems and worker rights.
- 607 Committee on Community Development** – Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to poverty and its reduction within the City, especially in low-income neighborhoods.
- 610 Committee on Consumer Affairs** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Consumer Affairs.
- 615 Committee on Contracts** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting oversight on matters related generally to City procurement and specifically to the activities of the Mayor's Office of Contracts, the Procurement Policy Board, City Procurement policies and procedures and specific city contracts.
- 616 Committee on Cultural Affairs, Libraries & International Intergroup Relations** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Cultural Affairs, libraries, museums, the Art Commission, the New York City Commission for the United Nations, Consular Corps and Protocol, the Mayor's Office of Special Projects and Community Events and encouraging harmony among the citizens of New York City, promoting the image of New York City and enhancing the relationship of its citizens with the international community. The committee has a subcommittee on Libraries.
- 617 Committee on Courts and Legal Services** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption,

preparing committee reports and conducting legislative oversight on matters relating to the Legal Aid Society, the court system, and the provision of legal services.

- 620 Committee on Economic Development** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Economic Development Corporation and Department of Small Business Services.
- 625 Committee on Education** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Education and the School Construction Authority. The committee has a subcommittee on Non-Public Schools.
- 630 Committee on Environmental Protection** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Environmental Protection.
- 632 Committee on Finance** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to budget review and budget modifications, the Banking Commission, the Comptroller's Office, Department of Design and Construction, the Department of Finance, Independent Budget Office and fiscal policy and revenue from any source.
- 633 Committee on Fire and Criminal Justice Services** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to the Fire Department/Emergency Medical Service (non-health related issues), Departments of Correction, Probation and the Office of Emergency Management.
- 635 Committee on General Welfare** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Human Resources Administration/Department of Social Services, Administration for Children's Services, Department of Homeless Services and charitable institutions.
- 640 Committee on Governmental Operations** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to municipal governmental structure and organization, the Department of Citywide Administrative Services, Community Boards, Tax Commission, Board of Standards and Appeals, Campaign Finance Board, Board of Elections, Voter Assistance Advisory Committee, Commission on Public Information and Communication, Department of Records and

Information Services, Financial Information Services Agency and the Law Department.

- 645 Committee on Health** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Health and Mental Hygiene, Emergency Medical Services (health related issues), the Health and Hospitals Corporation and the Office of the Chief Medical Examiner.
- 647 Committee on Higher Education** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the City University of New York and issues related to Higher Education.
- 650 Committee on Housing and Buildings** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Housing Preservation and Development, Department of Buildings, and rent regulation.
- 652 Committee on Immigration** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption and preparing committee reports on issues affecting immigrants in New York City and conducting legislative oversight on matters in relation to the Mayor's Office on Immigrant Affairs.
- 653 Committee on Juvenile Justice** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to Juvenile Justice.
- 654 Committee on Land Use** - To ensure responsible use of City property, this committee considers and proposes to the full Council resolutions for adoption, prepares committee reports and conducts legislative oversight on matters in relation to the City Planning Commission, Department of City Planning, Department of Information Technology and Telecommunications (land use related issues), Landmarks Preservation Commission and Land Use and Landmarks Review. The committee has three subcommittees: Zoning and Franchises; Landmarks, Public Siting and Maritime Uses; and, Planning, Dispositions and Concessions.
- 656 Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse & Disability Services** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to mental health, developmental disabilities, alcoholism services, drug abuse, disability services, the Department of Health and Mental Hygiene (mental hygiene issues) and the Mayor's Office for People with Disabilities.

- 657 Committee on Oversight and Investigations** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Investigation, and to investigate any matters within the jurisdiction of the Council relating to property, affairs or government of New York City.
- 660 Committee on Parks and Recreation** - This committee is responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Parks and Recreation.
- 665 Committee on Public Safety** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Police Department, District Attorneys, Special Narcotics Prosecutor, Civilian Complaint Review Board and the Criminal Justice Coordinator.
- 667 Committee on Public Housing** – Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the New York City Housing Authority.
- 668 Committee on Recovery and Resiliency** – Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to recovery in Hurricane Sandy affected communities and from natural disasters. Efforts to make New York City more resilient in the face of climate change, and preparing for, and responding to, and recovering from emergencies.
- 670 Committee on Rules, Privileges and Elections** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption and preparing committee reports on matters in relation to Council structure and organization and appointments.
- 671 Committee on Sanitation & Solid Waste Management** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Department of Sanitation and the Business Integrity Commission.
- 673 Committee on Small Business** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters that affect the creation and operation of retail businesses, small businesses and emerging industries throughout the City.
- 675 Committee on Standards and Ethics** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Conflicts of Interest Board and for Council ethics.

- 680 Committee on State and Federal Legislation** - Responsible for considering and proposing to the full Council legislation, state legislative requests and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to state and federal legislation and home rule requests.
- 681 Committee on Technology** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to the use of technology in New York City, for the management and dissemination of public information, the Mayor's Office of Media and Entertainment, NYC-TV, and the non land use-related activities of the Department of Information Technology and Telecommunications.
- 682 Committee on Transportation** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to mass transportation issues, agencies and facilities, the New York City Transit Authority, Department of Transportation and the Taxi and Limousine Commission.
- 683 Committee on Veterans** – Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to public policy concerns of veterans and the Mayor's Office of Veterans Affairs.
- 685 Committee on Waterfronts** – Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters relating to the use of the City's waterfront and waterfront-related activities.
- 687 Committee on Women's Issues** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to public policy concerns of women, domestic violence, and the Office to Combat Domestic Violence.
- 690 Committee on Youth Services** - Responsible for considering and proposing to the full Council legislation and resolutions for adoption, preparing committee reports and conducting legislative oversight on matters in relation to the Youth Board, the Department of Youth and Community Development, the Interagency Coordinating Council, and youth-related programs.



<b>FISCAL YEAR 2016</b>			
<b>CITY COUNCIL CONTRACT BUDGET</b>			
<b>OBJECT</b>			
<b>CODE</b>	<b>DESCRIPTION</b>	<b>#</b>	<b>AMOUNT</b>
600	Contractual Services General	4	\$100,000
602	Telecommunications Maintenance	2	\$80,000
607	Maint. & Repair Motor Vehicle Equip.	2	\$2,000
608	Maintenance & Repair General	3	\$40,000
612	Office Equipment Maintenance	1	\$250,000
613	Data Processing Equipment	1	\$30,000
615	Printing Contracts	3	\$100,000
622	Temporary Services	1	\$90,000
624	Cleaning Services	1	\$12,000
633	Transportation Expenditures	1	\$14,000
660	Economic Development	5	\$117,500
671	Training Program For City Employees	1	\$5,000
682	Professional Services - Legal	3	\$500,000
684	Prof. Svces. - Computer Services	6	\$523,500
686	Professional Services - Other	2	\$564,000
		<b>36</b>	<b>\$2,428,000</b>

<b>APPENDIX A</b>		
<b>OTPS DETAIL FISCAL YEAR 2016</b>		
The following details the two units of appropriation:		
<b>U/A 100 COUNCIL MEMBERS</b>		
DESCRIPTION	OBJ CODE	COUNCIL BUDGET
Newsletter (Printing)	101	\$957,814
Newsletter (Postage)	117	\$800,000
Council OTPS Procurement	400	\$1,400,000
Rent	414	\$2,300,000
<b>TOTAL U/A 100</b>		<b>\$5,457,814</b>
<b>U/A 200 CENTRAL STAFF</b>		
DESCRIPTION	OBJ CODE	COUNCIL BUDGET
WEX Gas	10F	\$25,000
Storehouse Supplies	10X	\$25,000
Supplies & Materials	100	\$90,000
Printing Supplies	101	\$15,000
Automotive Supplies	105	\$2,000
Automotive Fuel Supplies	106	\$0
Postage	117	\$20,400
Computer Supplies	199	\$233,000
Equipment - General	300	\$27,100
Telecommunications Equipment	302	\$65,000
Office Furniture	314	\$50,000
Office Equipment	315	\$15,000
Purchase DP Equipment	332	\$89,000
Books - Other	337	\$196,406
Library Books	338	\$26,000
Telephones - Data	40B	\$400,000
Maintenance Repairs Auto	40G	\$25,000
Contractual Services - Intra-City	40X	\$1,000
Contractual Services - General	400	\$80,000
Telephone & Other Comm.	402	\$82,000
Office Services	403	\$31,000
Rentals of Misc. Equip.	412	\$120,000
Rent	414	\$6,558,160
Advertising	417	\$3,000
Local Travel - General	451	\$22,000
Local Travel - Special	452	\$2,000
Nonlocal Travel - General	453	\$5,000
Nonlocal Travel - Special	454	\$3,000
Contractual Services - General	600	\$100,000
Telecommunications Maint.	602	\$80,000
Maintenance - Motor Vehicles	607	\$2,000
Maint. & Repairs	608	\$40,000
Office Equipment Maint.	612	\$250,000
DP Equipment	613	\$30,000
Printing Contracts	615	\$100,000
Temporary Services	622	\$90,000
Cleaning Services	624	\$12,000
Transportation Expenditures	633	\$14,000
Economic Development	660	\$117,500

R2

In connection herewith Council Member Ferreras offered the following resolution:

RESOLUTION APPROVING FOR FISCAL YEAR 2016 THE SCHEDULE  
DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES UNIT  
OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF  
THE CITY OF NEW YORK

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

COUNCIL BUDGET

PS	DESCRIPTION	MEMO OTPS*
U/A		
002	COMMITTEE STAFFING	\$ 4,469,248
005	COUNCIL SERVICES	\$ 6,171,818
	TOTAL OTPS	\$10,641,066

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

END OF ATTACHMENT

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 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).

March 31, 2015

928

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 M-270

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

The Committee on Finance to which the annexed preconsidered item was referred on March 31, 2015 and was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of Memo and related material in the text and attachment to Res No. 641, please see the Report of the Committee on Finance for M-269 & Res No. 641 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 642

By Council Member Ferreras.

**RESOLUTION APPROVING FOR FISCAL YEAR 2016 THE SCHEDULE  
DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES  
UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE  
COUNCIL OF THE CITY OF NEW YORK**

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

**COUNCIL BUDGET**

<b>PS</b>		
<b>U/A</b>	<b>DESCRIPTION</b>	<b>MEMO OTPS*</b>
002	COMMITTEE STAFFING	\$ 4,469,248
005	COUNCIL SERVICES	\$ 6,171,818
	TOTAL OTPS	\$10,641,066

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

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 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 Finance and had been favorably reported for adoption.

Report for L.U. No. 193

**Report of the Committee on Finance in favor of approving Rose Ellen Smith HDFC, Block 2744, Lots 55 and 63, Bronx, Community District No. 2, Council District No. 17.**

The Committee on Finance to which the annexed preconsidered Land Use item was referred on March 31, 2015 and was coupled with the resolution shown below, respectfully

**REPORTS:**

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

March 31, 2015

930

March 31, 2015

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

FROM: Rebecca Chasan, Assistant Council, Finance Division

RE: Finance Committee Agenda of March 31, 2015 - Resolution approving a tax exemption for two Land Use Items (Council District 17)

**Item 1: Rose Ellen Smith HDFC**

Rose Ellen Smith Housing Development Fund Company, Inc. (“HDFC”) consists of 1 building with 29 units of rental housing for low-income seniors. Rose Ellen Smith HDFC developed the project under the Section 202 Supportive Housing Program for the Elderly, with financing and operating subsidies from the United States Department of Housing and Urban Development (“HUD”) and a tax exemption from the City. In April 1985, the Board of Estimate granted the property a partial real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law for a forty-year period.

Due to an increase in operating expenses, the HDFC has been unable to pay real property taxes since 2007. Accordingly, the City’s Department of Housing and Preservation Development (“HPD”) is requesting that the Council approve an amendment to the property tax exemption granted by the Board of Estimate to provide for a full property tax exemption between 2007 and 2015, with a partial exemption thereafter for the remainder of the original forty-year period.

The property rents its units to senior citizens whose incomes do not exceed 50% of the Area Median Income (“AMI”). In 2014, 50% of AMI was \$41,950 for a family of four, \$37,800 for a family of three, \$33,600 for a family of two, and \$29,400 for an individual.

**Summary:**

- Council District: 17
- Council Member: Arroyo
- Council Member Approval: Yes
- Borough: Bronx
- Block 2744, Lots 55 and 63
- Number of buildings: 1
- Number of units: 29

- Type of Exemption – Article XI, full retroactive exemption from 2007 to 2015 and going forward a partial exemption for the balance of the originally approved 40 year term.
- Population: low-income seniors
- Purpose: The Sponsor is a Section 202 project developed with financing from HUD. A partial tax exemption was approved in 1985. However, starting in 2007 the HDFC was unable to pay the real property taxes due to an increase in operating expenses. The HDFC is requesting a retroactive exemption to cancel the arrears and a partial tax exemption going forward.
- Sponsor/Developer: Rose Ellen Smith HDFC
- Cost of the Exemption over the Full Exemption Period: \$196,520.84
- Open Violations or Outstanding Debt to the City - None
- Income Limitations: rentals are for seniors earning up to 50% of AMI

### **Item 2: MBD HDFC**

MBD Housing Development Fund Company, Inc. (“HDFC”) consists of 1 building with 18 units of rental housing for low-income seniors. MBD HDFC developed the project under the Section 202 Supportive Housing Program for the Elderly, with financing and operating subsidies from the United States Department of Housing and Urban Development (“HUD”) and a tax exemption from the City. In April 1985, the Board of Estimate granted the property a partial real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law for a forty-year period.

Due to an increase in operating expenses, the HDFC has been unable to pay real property taxes since 2007. Accordingly, the City’s Department of Housing and Preservation Development (“HPD”) is requesting that the Council approve an amendment to the property tax exemption granted by the Board of Estimate to provide for a full property tax exemption between 2002 and 2015, with a partial exemption thereafter for the remainder of the original forty-year period.

The property rents its units to senior citizens whose incomes do not exceed 50% of the Area Median Income (“AMI”). In 2014, 50% of AMI was \$41,950 for a family of four, \$37,800 for a family of three, \$33,600 for a family of two, and \$29,400 for an individual.

#### **Summary:**

- Council District: 17
- Council Member: Arroyo
- Council Member Approval: Yes
- Block 2983, Lot 28
- Number of buildings: 1
- Number of units: 18

- Type of Exemption – Article XI, full retroactive exemption from 2002 to 2015 and going forward a partial exemption for the balance of the originally approved 40 year term.
- Population: low-income seniors
- Purpose: The Sponsor is a Section 202 project developed with financing from HUD. A partial tax exemption was approved in 1985. However, starting in 2002 the HDFC was unable to pay the real property taxes due to an increase in operating expenses. The HDFC is requesting a retroactive exemption to cancel the arrears and a partial tax exemption going forward.
- Sponsor/Developer: MBD HDFC
- Cost of the Exemption over the Full Exemption Period: \$799,708.48
- Open Violations or Outstanding Debt to the City - 1 hot water violation from 10/2014
- Income Limitations – rentals are for seniors earning up to 50% of AMI

*(For text of the coupled resolution of LU No. 194, please see, respectively, the Report of the Committee on Finance for LU Nos. 194; for the text of the coupled resolution of LU No. 193, please see immediately below: )*

***For text of the 1987 Board of Estimate resolution (“Exhibit A”) mentioned in the text of Res No. 643 below, please refer to the City Hall Library at 31 Chambers Street, New York, N.Y. 10007.***

*Accordingly, this Committee recommends the adoption of LU Nos. 193 and 194.*

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

Res. No. 643

**Resolution approving an amendment to a previously approved real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law for property located at (Block 2744, Lots 55 and 63) the Bronx (Preconsidered L.U. No. 193).**

By Council Member Ferreras.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated February 16, 2015 that the Council amend a previously approved tax exemption for real property located at (Block 2744, Lots 55 and 63), the Bronx (the “Exemption Area”) pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law;



**WHEREAS**, HPD's request for amendments is related to a previously approved Board of Estimate Resolution adopted on May 21, 1987 (Cal. No. 22) (the "Prior Resolution"), attached hereto as Exhibit A, granting the Exemption Area a real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law;

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

**RESOLVED:**

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law as follows:

The ninth and tenth "Resolved" clauses of the Prior Resolution are deleted and replaced with the following:

9. That the Board of Estimate, pursuant to subdivision 1 (a) of Section 422 of the RPTL and Section 577 of Article XI of the PHFL, does hereby approve an exemption from local and municipal taxes, other than assessments for local improvements, of all of the value of the property included in the Housing Project (excluding those portions, if any, devoted to business or commercial use), provided that the Housing Company make annual real estate tax payments commencing upon the Effective Date as hereinafter defined. Commencing upon the Effective Date and during each year thereafter, real estate tax payments shall be made as follows: (i) commencing upon the Effective Date and during each year thereafter until December 31, 2006, real estate tax payments shall consist of (a) ten (10%) percent of the annual shelter rent or carrying charges for the Housing Project, plus (b) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Housing Project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date; (ii) commencing upon January 1, 2007 and during each year thereafter until December 31, 2015, real estate tax payments shall consist of \$0; and (iii) commencing upon January 1, 2016 and during each year thereafter until the Expiration Date as hereinafter defined, real estate tax payments shall consist of (a) \$15,662, plus (b) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Housing Project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the

total contract rents which are authorized as of December 31, 2015. In any year in which a real estate tax payment must be made by the Housing Company, the total annual real estate tax payment in such year shall not exceed the lesser of either seventeen (17%) percent of contract rents, or the amount of real estate taxes that would otherwise be due in the absence of any form of tax exemption or abatement provided for by existing or future local law or state legislation for such year.

10. That the required partial real estate tax payment shall first become payable and effective upon the date of issuance (“Effective Date”) of the Certificate of Occupancy, temporary or permanent, whichever occurs first, for the Housing Project, or, if the Housing Project is constructed in stages, the required partial real estate tax payment applicable to each stage shall become payable and effective from the date of issuance of the Certificate of Occupancy, temporary or permanent, whichever first occurs, for each such stage. Furthermore, (i) the tax exemption approved herein shall operate and continue for so long as the HUD mortgage is outstanding, but in no event for a period of more than forty (40) years, commencing upon the Effective Date (“Expiration Date”) and (ii) nothing herein shall entitle the Housing Company to a refund of any real property taxes which accrued and were paid with respect to the Housing Project prior to January 1, 2016.

Except as specifically amended above, all other terms, conditions, provisions and requirements of the Prior Resolution remain in full force and effect.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 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 Finance and had been favorably reported for adoption.

Report for L.U. No. 194

**Report of the Committee on Finance in favor of approving MBD HDFC, Block 2983, Lot 28, Bronx, Community District No. 3, Council District No. 17.**

The Committee on Finance to which the annexed preconsidered Land Use item was referred on March 31, 2015, and was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**(For text of Memo, please see the Report of the Committee on Finance or LU No. 193 printed in these Minutes)**

*For text of the 1985 Board of Estimate resolution ("Exhibit A") mentioned in the text of Res No. 644 below, please refer to the City Hall Library at 31 Chambers Street, New York, N.Y. 10007.*

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 644

**Resolution approving an amendment to a previously approved real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law for property located at (Block 2983, Lot 28) the Bronx (Preconsidered L.U. No. 194).**

By Council Member Ferreras.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated February 16, 2015 that the Council amend a previously approved tax exemption for real property located at (Block 2983, Lot 28), the Bronx (the “Exemption Area”) pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law;

**WHEREAS**, HPD’s request for amendments is related to a previously approved Board of Estimate Resolution adopted on April 18, 1985 (Cal. No. 46) (the “Prior Resolution”), attached hereto as Exhibit A, granting the Exemption Area a real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law;

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

**RESOLVED:**

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law as follows:

The third and fourth “Resolved” clauses of the Prior Resolution are deleted and replaced with the following:

3. That the Board of Estimate, pursuant to subdivision 1 (a) of Section 422 of the RPTL does hereby approve an exemption from local and municipal taxes, other than assessments for local improvements, of all of the value of the property included in the Housing Project (excluding those portions, if any, devoted to business or commercial use), provided that the Housing Company make annual real estate tax payments commencing upon the Effective Date as hereinafter defined. Commencing upon the Effective Date and during each year thereafter, real estate tax payments shall be made as follows: (i) commencing upon the Effective Date and during each year until December 31, 2001, real estate tax payments shall consist of (a) \$4,601, which is ten percent (10%) of the annual shelter rent or carrying charges for the Housing Project, plus (b) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Housing Project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date; (ii) commencing upon January 1, 2002 and during each year thereafter

until December 31, 2015, real estate tax payments shall consist of \$0; and (iii) commencing upon January 1, 2016 and during each year thereafter until the Expiration Date as hereinafter defined, real estate tax payments shall consist of (a) \$39,995, plus (b) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Housing Project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of December 31, 2015. In any year in which a real estate tax payment must be made by the Housing Company, the total annual real estate tax payment in such year shall not exceed the lesser of either seventeen (17%) percent of contract rents, or the amount of real estate taxes that would otherwise be due in the absence of any form of tax exemption or abatement provided for by existing or future local law or state legislation for such year.

4. That the required partial real estate tax payment shall first become payable and effective upon the date of issuance (“Effective Date”) of the Certificate of Occupancy, temporary or permanent, whichever occurs first, for the Housing Project, or, if the Housing Project is constructed in stages, the required partial real estate tax payment applicable to each stage shall become payable and effective from the date of issuance of the Certificate of Occupancy, temporary or permanent, whichever first occurs, for each such stage. Furthermore, (i) the tax exemption approved herein shall operate and continue for so long as the HUD mortgage is outstanding, but in no event for a period of more than forty (40) years, commencing on the Effective Date (“Expiration Date”) and (ii) nothing herein shall entitle the Housing Company to a refund of any real property taxes which accrued and were paid with respect to the Housing Project prior to January 1, 2016.

Except as specifically amended above, all other terms, conditions, provisions and requirements of the Prior Resolution remain in full force and effect.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 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).

**Reports of the Committee on Land Use**

Report for L.U. No. 188

**Report of the Committee on Land Use in favor of approving Application No. C 120403 ZMQ submitted by the CG & J Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, changing an existing R6 and C2-2 District to a C4-3 District, in the area of Northern Boulevard and Leavitt Street, Borough of Queens, Community Board 7, Council District 20.**

The Committee on Land Use to which the annexed Land Use item was referred on March 11, 2015 (Minutes, page 829) and was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**QUEENS CB - 07**

**C 120403 ZMQ**

City Planning Commission decision approving an application submitted by CG & J Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 10a:

1. eliminating from an existing R6 District a C2-2 District bounded by a line 150 feet northerly of Northern Boulevard, Leavitt Street and its southerly prolongation, Northern Boulevard (southerly portion), and a line perpendicular to the northerly street line of Northern Boulevard distant 250 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Northern Boulevard and the westerly street line of Leavitt Street; and

2. changing from an R6 District to a C4-3 District property bounded by a line 125 feet northerly of Northern Boulevard, Leavitt Street and its southerly prolongation, Northern Boulevard (southerly portion), and a line perpendicular to the northerly street line of Northern Boulevard distant 250 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Northern Boulevard and the westerly street line of Leavitt Street;

as shown in a diagram (for illustrative purposes only) dated October 20, 2014, and subject to the conditions of CEQR Declaration E-355.

### **INTENT**

To rezone a portion of a block from an R6/ C2-2 District to a C4-3 District to facilitate the construction of a mixed-use, eleven-story building in the Flushing neighborhood of Queens in Community District 7.

### **PUBLIC HEARING**

**DATE:** March 24, 2015

**Witnesses in Favor:** One

**Witnesses Against:** None

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** March 24, 2015

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

**In Favor:** Weprin, Gentile, Garodnick, Wills, Richards, Reynoso, Torres, Ignizio

**Against:** *None*

**Abstain:** Williams

### **COMMITTEE ACTION**

**DATE:** March 26, 2015

The Committee recommends that the Council approve the attached resolution.

March 31, 2015

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**In Favor:** Greenfield, Gentile, Palma, Dickens, Garodnick, Mealy, Mendez, Rodriquez, Levin, Weprin, Wills, Richards, Kallos, Reynoso, Torres, Treyger, Ignizio

**Against:** *None*

**Abstain:** Williams

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

Res. No. 645

**Resolution approving the decision of the City Planning Commission on ULURP No. C 120403 ZMQ, a Zoning Map amendment (L.U. No. 188).**

By Council Members Greenfield and Weprin.

**WHEREAS**, the City Planning Commission filed with the Council on March 9, 2015 its decision dated March 4, 2015 (the "Decision"), on the application submitted by CG & J Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 10a, to rezone a portion of a block from an R6/C2-2 District to a C4-3 District to facilitate the construction of a mixed-use, eleven-story building in the Flushing neighborhood of Queens in Community District 7, (ULURP No. C 120403 ZMQ), Borough of Queens (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 March 24, 2015;

**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. 13DCP106Q) issued on October 20, 2014 (the "Negative Declaration");

**RESOLVED:**

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



Pursuant to 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 120403 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 10a:

1. eliminating from an existing R6 District a C2-2 District bounded by a line 150 northerly of Northern Boulevard, Leavitt Street and its southerly prolongation, Northern Boulevard (southerly portion), and a line perpendicular to the northerly street line of Northern Boulevard distant 250 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Northern Boulevard and the westerly street line of Leavitt Street; and

2. changing from an R6 District to a C4-3 District property bounded by a line 125 northerly of Northern Boulevard, Leavitt Street and its southerly prolongation, Northern Boulevard (southerly portion), and a line perpendicular to the northerly street line of Northern Boulevard distant 250 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Northern Boulevard and the westerly street line of Leavitt Street;

as shown in a diagram (for illustrative purposes only) dated October 20, 2014, and subject to the conditions of CEQR Declaration E-355, Community District 7, Borough of Queens.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, STEPHEN T. LEVIN, MARK S. WEPRIN, RUBEN WILLS, DONOVAN J. RICHARDS, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 26, 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).

Report for L.U. No. 192

**Report of the Committee on Land Use in favor of approving Application No. 20155429 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties identified as Block 2685, Lot 28, Block 2740, Lots 10 and 12, and Block**

March 31, 2015

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**2762, Lots 16, 18, 25 and 40, on the tax map of the City of New York,  
Borough of the Bronx, Community Board 2, Council District 17.**

The Committee on Land Use to which the annexed Land Use item was referred on March 11, 2015 (Minutes, page 830) and was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX CB - 02**

**20155429 HAX**

Application submitted by the New York City Department of Housing Preservation and Development (HPD), for a grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at Block 2685, Lot 28, Block 2740, Lots 10 and 12, and Block 2762, Lots 16, 18, 25 and 40, in the Borough of the Bronx.

**INTENT**

To approve a real property tax exemption for an Exemption Area pursuant to Section 577 of the PHFL for a site that contains seven multiple-dwellings known as Hunts Point Cluster that provides rental housing for low-income families.

**PUBLIC HEARING**

**DATE:** March 24, 2015

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** March 24, 2015

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, Treyger

**Against:** *None*

**Abstain:** *None*

**COMMITTEE ACTION****DATE:** March 26, 2015

The Committee recommends that the Council approve the attached resolution.

**In Favor:** Greenfield, Gentile, Palma, Dickens, Garodnick, Mealy, Mendez, Rodriquez, Levin, Weprin, Williams, Wills, Richards, Kallos, Reynoso, Torres, Treyger, Ignizio

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

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

Res. No. 646

**Resolution to approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the Exemption Area located at Block 2685, Lot 28, Block 2740, Lots 10 and 12, and Block 2762, Lots 16, 18, 25 and 40, Community District 2, Borough of the Bronx (L.U. No. 192; 20155429 HAX).**

By Council Members Greenfield and Dickens.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on February 27, 2015 its request dated February 23, 2015 that the Council take the following actions regarding a tax exemption for real property located at Block 2685, Lot 28, Block 2740, Lots 10 and 12, and Block 2762, Lots 16, 18, 25 and 40, Community District 2, Borough of the Bronx (the "Exemption Area"):

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Tax Exemption on March 24, 2015; and

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

**RESOLVED:**

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

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

- (a) “Company” shall mean CE Hunts Point LLC.
- (b) “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
- (c) “Exemption” shall mean the exemption from real property taxation provided hereunder.
- (d) “Exemption Area” shall mean the real property located in the Borough of Bronx, City and State of New York, identified as Block 2685, Lot 28, Block 2740, Lots 10 and 12, and Block 2762, Lots 16, 18, 25 and 40, on the Tax Map of the City of New York.
- (e) “Expiration Date” shall mean the earlier to occur of (i) a date which is twenty-eight (28) years from the Effective Date, (ii) the date of expiration or termination of the Regulatory Agreement or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
- (f) “HDFC” shall mean CEHP Housing Development Fund Company, Inc.
- (g) “HPD” shall mean the City of New York Department of Housing Preservation and Development.
- (h) “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law for the Exemption Area which are in effect on the Effective Date.
- (i) “Owner” shall mean, collectively, the HDFC and the Company.
- (j) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.

- (k) “Shelter Rent” shall mean the total rents received from the commercial and residential occupants of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), less the cost of providing to such occupants electricity, gas, heat and other utilities.
  - (l) “Shelter Rent Tax” shall mean an amount equal to ten percent (10%) of Shelter Rent.
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 the Expiration Date.
  3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Shelter Rent Tax. Such payments shall not be reduced by reason of any J-51 Benefits. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.
  4. Notwithstanding any provision hereof to the contrary:
    - (a) The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

- (b) The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - (c) Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation, other than the J-51 Benefits, which may be authorized under any existing or future local, state or federal law, rule or regulation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 26, 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. 174 & Res. No. 647

**Report of the Committee on Land Use in favor of approving Application No. C 130066 ZSM submitted by Goose Mountain NYC, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the applicable district use regulations to allow residential use on the property located at 498 Broome Street, within the Soho Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

The Committee on Land Use, to which the annexed Land Use item was referred on February 12, 2015 (Minutes, page 495) and was coupled in committee with the

resolution shown below before being sent to the City Planning Commission by the Council for further review on March 31, 2014 (Minutes, page 726), respectfully

### **REPORTS:**

#### **SUBJECT**

**MANHATTAN CB - 2**

**C 130066 ZSM**

City Planning Commission decision approving an application submitted by Goose Mountain NYC, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 42-00 to allow Use Group 2 uses (residential use) on portions of the ground floor, the 2nd - 5th floors and the proposed penthouse of an existing 5-story building, on property located at 498 Broome Street (Block 487, Lot 6), in an M1-5A District, within the SoHo Cast-Iron Historic District.

#### **INTENT**

This special permit would modify the use regulations of M1-5A districts to allow residential uses (Use Group 2 use) on portions of the ground floor, the 2nd - 5th floors and the proposed penthouse of an existing 5-story building located at 498 Broome Street within the SoHo Cast-Iron Historic District in Manhattan's Community District 2.

#### **PUBLIC HEARING**

**DATE:** February 24, 2015

**Witnesses in Favor:** One

**Witnesses Against:** None

#### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** March 9, 2015

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

**In Favor:** Weprin, Gentile, Garodnick, Richards, Reynoso

**Against:** *None*

**Abstain:** *None*

**COMMITTEE ACTION**

**DATE:** March 10, 2015

The Committee recommends that the Council approve the attached resolution.

**In Favor:** Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

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

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

The Committee's proposed modifications were filed with the City Planning Commission on March 12, 2015. The City Planning Commission filed a letter dated March 16, 2015, with the Council on March 18, 2015, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 647

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 130066 ZSM (L.U. No. 174), for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution of the City of New York to modify the use regulations of Section 42-00 to allow Use Group 2 uses (residential use) on portions of the ground floor, the 2nd - 5th floors and the proposed penthouse of an existing 5-story building, on property located at 498 Broome Street (Block 487, Lot 6), in an M1-5A District, within the SoHo Cast-Iron Historic District, Borough of Manhattan.**

By Council Members Greenfield and Weprin.

**WHEREAS**, the City Planning Commission filed with the Council on February 6, 2015 its decision dated February 4, 2015 (the "Decision"), on the application submitted by Goose Mountain NYC, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 42-00 to allow Use Group 2 uses (residential use) on portions of the ground floor, the 2nd - 5th floors and the proposed penthouse of an existing 5-story building, on property located at



498 Broome Street (Block 487, Lot 6), in an M1-5A District, within the SoHo Cast-Iron Historic District (ULURP No. C 130066 ZSM), Community District 2, Borough of Manhattan (the "Application");

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

**WHEREAS**, the City Planning Commission has made the findings required pursuant to Section 74-711 of the Zoning Resolution of the City of New York;

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on February 24, 2015;

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

**WHEREAS**, the Council has considered the relevant environmental issues and the revised negative declaration (CEQR No. 13DCP024M) issued on September 29, 2014 (the "Negative Declaration");

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 130066 ZSM, incorporated by reference herein, the Council approves the Decision with the following modifications and, subject to the following conditions:

Matter in ~~double-strikeout~~ is old, deleted by the Council;

Matter in **bold double-underlined** in new, added by the Council.

1. The property that is the subject of this application (C 130066 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Umberto Squarcia Designs, Inc., filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
A-010.00	Site Plan	06/28/2014
A-101.00	Proposed First Floor Plan	06/28/2014
A-102.00	Proposed Second Floor Plan	<del>12/30/2014</del> <b><u>03/09/2015</u></b>
A-103.00	Proposed Third Floor Plan	12/30/2014
A-104.00	Proposed Fourth Floor Plan	12/30/2014
A-105.00	Proposed Fifth Floor Plan	12/30/2014
A-106.00	Proposed Penthouse Floor Plan	06/28/2014
A-200.00	Proposed Longitudinal Section	<del>06/28/2014</del> <b><u>03/09/2015</u></b>
Z-001.00	Floor Area and Zoning Calculations	<del>06/28/2014</del> <b><u>03/09/2015</u></b>
Z-002.00	Floor Area and Zoning Calculations	<del>12/30/2014</del> <b><u>03/09/2015</u></b>

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

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
6. Development pursuant to this resolution shall be allowed only after the restrictive declaration, attached as Exhibit A to the report of the CPC (C 130066 ZSM), with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the City Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the attached restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the attached restrictive declaration.
8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 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).

**Resolution approving various persons Commissioners of Deeds****By the Presiding Officer –**

**Resolved,** that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

*Approved New Applicant's Report*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Tina Kamhitsis	213 Bennett Avenue #1M New York, N.Y. 10040	10
Maria Vlahakis	85-26 161st Street Jamaica, N.Y. 11432	24
Eric Laggi Eton	124-19 Hillside Avenue Queens, N.Y. 11418	29
Michelle Stevens	333 Lafayette Avenue #15B Brooklyn, N.Y. 11238	35
Spencer Migotsky	1211 Jefferson Avenue #2 Brooklyn, N.Y. 11221	37
Sergio C. Guerra	255 62nd Street #1R Brooklyn, N.Y. 11220	38
Shanta Bryant	281 Dumont Avenue #1B Brooklyn, N.Y. 11212	41
Lissette Peralta	53 Bush Avenue Staten Island, N.Y. 10303	45
John Paulicelli	47 Norway Avenue Staten Island, N.Y. 10305	50

*Approved New Applicants and Reapplicants*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Marie DelGaudio	505 LaGuardia Place #8B New York, N.Y. 10012	1
Iris M. Fontanez	100 Beekman Street New York, N.Y. 10038	1
Yvonne Rolland	505 LaGuardia Place #8B New York, N.Y. 10012	1
Xing Wen Wu	169 Mott Street #8	1

	New York, N.Y. 10013	
Nouna Rios	577 Grand Street #F1002	2
	New York, N.Y. 10002	
Olga I. Rodriguez	420 East 111th Street #509	2
	New York, N.Y. 10029	
Thomas K. Duane	345 8th Avenue #19A	3
	New York, N.Y. 10001	
Edward M. Yood	340 West 28th Street #4H	3
	New York, N.Y. 10001	
Julie Marder	315 East 86th Street #19AE	5
	New York, N.Y. 10028	
Julia Garcia	55 LaSalle Street 411D	7
	New York, N.Y. 10027	
Kenneth W. Majerus	372 Central Park West 412T	7
	New York, N.Y. 10025	
Tamika C. Ortiz	630 West 135th Street 461	7
	New York, N.Y. 10031	
George R. Alves	2029 2nd Avenue #20F	8
	New York, N.Y. 10029	
Acia L. Donahue	362 East 137th Street #19F	8
	Bronx, N.Y. 10454	
Johnny Rodriguez	115 East 116th Street #3H	8
	New York, N.Y. 10029	
Niurka M. Almonte	19910 Lexington Avenue 415H	9
	New York, N.Y. 10035	
Delores Gilmore	30 West 141st Street 414C	9
	New York, N.Y. 10037	
Alice Faye Henson	485 Lenox Avenue #13E	9
	New York, N.Y. 10037	
Gwendolyn Moore	1990 Lexington Avenue #23J	9
	New York, N.Y. 10035	
Wanda I. Diaz	323 East Gunhill Road #60	11
	Bronx, N.Y. 10467	
Annabelle Feldman	500 Kappock Street #4L	12
	Bronx, N.Y. 10463	
Deborah Cooke	120 Casals Place #22H	12
	Bronx, N.Y. 10475	
Andrew Fraser	3664 Barnes Avenue	12
	Bronx, N.Y. 10467	
Levi Earle Samuels	1415 Needham Avenue	12

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	Bronx, N.Y. 10469	
Cortney A. Thornhill	3578 White Plains Road Bronx, N.Y. 10467	12
Cirino Lotta	1416 Crosby Avenue Bronx, N.Y. 10461	12
Sandra Matos	3505 Bruckner Blvd #20 Bronx, N.Y. 10461	13
Loizaida De.Tesus	2121 Grand Concourse #6B Bronx, N.Y. 10453	14
Amarilis Fuentes	1465 Grand Concourse #213 Bronx, N.Y. 10452	14
Blanca Daly	2300 Olinville Avenue #18B Bronx, N.Y. 10467	15
Regina V. Dillard	1747 Clay Avenue #2G Bronx, N.Y. 10457	15
Josephine Rolon	1376 Ogden Avenue #413 Bronx, N.Y. 10452	16
Rosalind Wiley	800 Grand Concourse #4VS Bronx, N.Y. 10451	16
Heidy Alonzo	729 Prospect Avenue #1A Bronx, N.Y. 10455	17
Rodolfo A. Rodriguez	840 Union Avenue Bronx, N.Y. 10459	17
Marisela Bolanos	1520 Archer Road #1G Bronx, N.Y. 10462	18
Iris N. Hernandez	436 Beach Avenue Bronx, N.Y. 10473	18
Carole E. Stallworth	1040 Rosedale Avenue Bronx, N.Y. 10472	18
Reinaldo Ugarte Jr.	2235 Homer Avenue Bronx, N.Y. 10473	18
Georgianna Timal	33-23 171st Street Flushing, N.Y. 11358	19
Jerome Amato	26-25 Union Street #2G Queens, N.Y. 11354	20
Joann Guzman-Feliz	2507 Gillmore Street East Elmhurst, N.Y. 11369	21
Marie Robinson	96-04 57th Avenue #7 Queens, N.Y. 11368	21
Alice Ansede	20-02 43rd Street	22

	Astoria, N.Y. 11105	
Joyce Antipov	23-30 Newtown Avenue #5BE	22
	Astoria, N.Y. 11102	
Mahilthini Neomi Ranjan	88-49 205th Street	23
	Hollis, N.Y. 11423	
Anastasia Stanitsas	224-01 59th Avenue	23
	Bayside, N.Y. 11364	
Ashley Lipman	150-10 78th Road	24
	Flushing, N.Y. 11367	
Mayra Garcia	43-19 39th Place #21	26
	Sunnyside, N.Y. 11104	
Londa Burke	111-39 200th Street	27
	Hollis, N.Y. 11412	
Velma P. Lewis	120-56 164th Street	27
	Jamaica, N.Y. 11434	
Clive Wint	179-73 Selover Road	27
	Queens, N.Y. 11434	
Shira Ali	101-34 117th Street	28
	Queens, N.Y. 11419	
Anthony B. Hart	115-44 147th Street	28
	Queens, N.Y. 11436	
Mayyi Flores	65-31 70th Avenue	30
	Queens, N.Y. 11385	
Michael Michel	66-71 74th Street	30
	Queens, N.Y. 11379	
Millicent Nicholas-Richards	142-31 249th Street	31
	Rosedale, N.Y. 11422	
Magali Sanz	142-22 231st Street	31
	Springfield Garden, N.Y. 11413	
Rosemary Ciulla-Frisone	164-15 96th Street	32
	Howard Beach, N.Y. 11414	
Norma Paiva	89-29 85th Street	32
	Queens, N.Y. 11421	
Ivestia Blake	195 Adams Street #2G	33
	Brooklyn, N.Y. 11201	
Marion Rago	131 Nassau Avenue	33
	Brooklyn, N.Y. 11222	
John Gangone	168 Jackson Street	34
	Brooklyn, N.Y. 11211	
Denise A. Martinez	292 St. Johns Place #55	35

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Jose Floran	Brooklyn, N.Y. 11238 1397 Gates Avenue Brooklyn, N.Y. 11221	37
Rosaria L. Garcia	50 Crescent Street Brooklyn, N.Y. 11208	37
Ariel Courage	421 52nd Street #3 Brooklyn, N.Y. 11220	38
Beatrice A. DiSapio	288 17th Street Brooklyn, N.Y. 11215	38
Louise Benevento	1037 74th Street Brooklyn, N.Y. 11228	39
Irina Stepnova	455 Ocean Parkway #8B Brooklyn, N.Y. 11218	39
Lorretta Easley-Gipson	573 Decatur Street Brooklyn, N.Y. 11233	41
Norma J. Rogers	973 Jefferson Avenue #1 Brooklyn, N.Y. 11221	41
Guy Washington	377 East 46th Street #1 Brooklyn, N.Y. 11203	41
Brenda A. Blocker	714 Vermont Street Brooklyn, N.Y. 11207	42
Mindy Edelman	9040 Ft. Hamilton Parkway #51 Brooklyn, N.Y. 11209	43
Rhonda C. Perretto	1057 Shore Parkway Brooklyn, N.Y. 11228	43
Jacob Landau	1826 50th Street Brooklyn, N.Y. 11204	44
Judy DePalma	874 East 28th Street Brooklyn, N.Y. 11210	45
Wilner Michel	1245 Ocean Avenue #1E Brooklyn, N.Y. 11230	45
Annetta Cooper	5995 Shore Parkway #6A Brooklyn, N.Y. 11236	46
Jerry Katz	10564 Flatlands 10th Street Brooklyn, N.Y. 11236	46
Corine Phillips	5415 Fillmore Avenue Brooklyn, N.Y. 11234	46
Frances Rizzo	2261 East 4th Street Brooklyn, N.Y. 11223	47
Moshe Steinberg	1956 61st Street	47



Pearl Steiner	Brooklyn, N.Y. 11204 2035 83rd Street	47
Alex Debaremdiker	Brooklyn, N.Y. 11214 2268 East 14th Street	48
Harriet Keller	Brooklyn, N.Y. 11229 2365 East 13th Street #6A	48
Boris Rubin	Brooklyn, N.Y. 11229 3111 Ocean Parkway #8E	48
Angela Vaisman	Brooklyn, N.Y. 11235 2289 East 23rd Street	48
Ninel Yermash	Brooklyn, N.Y. 11235 43 Corbin Place	48
Lena Allen-Moore	Staten Island, N.Y. 10301 700 Victory Blvd #7K	49
Jeffrey Conocchiolo	Staten Island, N.Y. 10305 83 Cliff Street	49
Brianne K. Kelly	Staten Island, N.Y. 10310 27 Tyler Avenue	49
Vincent D. Nollez	Staten Island, N.Y. 10301 165 St. Marks Place #10F	49
Sharon L. Williams	Staten Island, N.Y. 10303 39 Regal Walk	49
Regina Davi	Staten Island, N.Y. 10314 476 Ashworth Avenue	50
Michelle T. Messer	Staten Island, N.Y. 10314 78A Debbie Street	50
Phyllis Monahan	Staten Island, N.Y. 10306 57 Hett Avenue	50
Michele Agoglia	Staten Island, N.Y. 10307 412 Main Street	51
Tiffany Marone	Staten Island, N.Y. 10309 75 Churchill Avenue	51
Patricia A. McCarthy	Staten Island, N.Y. 10312 243 Ridgecrest Avenue	51
Odette Rivera	Staten Island, N.Y. 10312 132 Russek Drive	51

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

**ROLL CALL ON GENERAL ORDERS FOR THE DAY**  
**(Items Coupled on General Order Calendar)**

- |      |                                 |   |
|------|---------------------------------|---|
| (1)  | <b>M 269 &amp; Res 641 -</b>    | Operating Budget of the Council of the City of New York.  |
| (2)  | <b>M 270 &amp; Res 642 -</b>    | Lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.   |
| (3)  | <b>Int 421-A -</b>              | Powers and duties of the commission on human rights.  |
| (4)  | <b>Int 497-B -</b>              | Interest rate and discount rate recommendations provided by the New York City Banking Commission.   |
| (5)  | <b>Int 656 -</b>                | Establishment of the South Shore business improvement district.   |
| (6)  | <b>Int 689-A -</b>              | Establishing a housing discrimination testing program.  |
| (7)  | <b>Int 690-A -</b>              | Establishing an employment discrimination testing program.  |
| (8)  | <b>Res 636 -</b>                | Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget <b>(Transparency Resolution)</b> . |
| (9)  | <b>L.U. 174 &amp; Res 647 -</b> | App. <b>C 130066 ZSM</b> , Zoning Resolution, Manhattan, Community Board 2, Council District 1.   |
| (10) | <b>L.U. 188 &amp; Res 645 -</b> | App. <b>C 120403 ZMQ</b> Zoning Map, Queens, Community Board 7, Council District 20.  |
| (11) | <b>L.U. 192 &amp; Res 646 -</b> | App. <b>20155429 HAM</b> , Real Property Tax Exemption, Bronx, Community Board 2, Council District 17.  |
| (12) | <b>L.U. 193 &amp; Res 643 -</b> | Rose Ellen Smith HDFC, Block 2744, Lots 55 and 63, Bronx, Community District No. 2, Council District No. 17.  |

- (13) **L.U. 194 & Res 644 -** MBD HDFC, Block 2983, Lot 28,  
Bronx, Community District No. 3,  
Council District No. 17.

(14) **Resolution approving various persons Commissioners of Deeds.**

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

**Affirmative** – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

**The General Order vote recorded for this Stated Meeting was 49-0-0 as shown above with the exception of the votes for the following legislative items:**

The following was the vote recorded for **Int No. 689-A** and **Int No. 690-A**:

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

**Negative** – Matteo and Ignizio – **2**.

**Abstention** – Ulrich – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 421-A, 497-B, 656, 689-A and 690-A.*

For **Introduction and Reading of Bills**, see the material following the **Resolutions** section below:

## **RESOLUTIONS**

*Presented for voice-vote*

**The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:**

Report for voice-vote Res. No. 520-A

**Report of the Committee on Finance in favor of approving and adopting, as amended, a Resolution calling on the New York State Assembly to pass A.6272, the New York State Senate to pass S.4490, and the Governor to sign such legislation, which would provide a property tax exemption for privately-owned vacant land while such property is being used for the public benefit.**

The Committee on Finance, to which the annexed amended resolution was referred on December 17, 2014 (Minutes, page 4540), respectfully

## **REPORTS:**

### **Background**

In New York City, there is a demand for public space and a need for the benefits that derive from those public spaces. Within the City, there are numerous parcels of privately-owned vacant land which are not currently under development, either for economic or other reasons.

While these properties lay vacant and undeveloped, the property owners could put those pieces of land to use for the public benefit, for example by creating community gardens, urban farms, or so-called “pop-up parks” which are parks that are temporarily created to fulfill a short-term need, often highlighting an unappreciated or underutilized space. Such public uses of these vacant properties would be beneficial to the public, inasmuch as it has been shown that public spaces, such as community gardens, stabilize neighborhoods and add vitality to their immediate surroundings.

However, private owners of such vacant land may need a financial incentive such as a real property tax exemption to develop these properties, even temporarily, into positive amenities for the public. Such tax exemptions could be conditioned upon the provision of the space wholly for the public benefit for a minimum amount of time each week, for example a minimum of twenty hours per week in November through March and twenty-five hours per week in April through October.

Encouraging property owners to provide a beneficial public use of vacant land would lead to improved quality of life for residents in the neighborhood surrounding any vacant properties so used.

**Proposed Resolution 520-A**

New York State Assembly bill A.6272 and New York State Senate bill S.4490, introduced respectively on March 20, 2015 and March 24, 2015, would provide a real property tax exemption for privately-owned vacant land while such property is being used for the public benefit. This Proposed Resolution would call upon the State Legislature to pass, and the Governor to sign, such legislation.

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

**(The following is the text of Res. No. 520-A:)**

Res. No. 520-A

**Resolution calling on the New York State Assembly to pass A.6272, the New York State Senate to pass S.4490, and the Governor to sign such legislation, which would provide a property tax exemption for privately-owned vacant land while such property is being used for the public benefit.**

By Council Members Levin, Chin, Eugene, Gentile, Rose, Wills and Kallos.

**Whereas**, In the urban landscape of the City of New York, there is a demand for public space and a need for the benefits that derive therefrom; and

**Whereas**, There are numerous parcels of privately-owned vacant land in the City which are not currently under development for economic or other reasons; and

**Whereas**, Private owners of such vacant land may need a financial incentive to develop these properties, even temporarily, into positive amenities for the public; and

**Whereas**, A.6272 was introduced in the New York State Assembly on March 20, 2015 and S.4490 was introduced in the New York State Senate on March 24, 2015; and

**Whereas**, Both pieces of legislation would provide a property tax exemption for privately-owned vacant property so long as such property is used for the public benefit, and not for any profitable purpose for the owner, for a minimum of twenty hours per week in November through March and twenty-five hours per week in April through October; and

**Whereas**, According to the New York State Legislature's Memorandum in Support of the legislation, it has been shown that public spaces, such as community gardens, stabilize neighborhoods and add vitality to their immediate surroundings; and

**Whereas**, In addition to community gardens, urban farms have proven to be a crucial link in providing fresh food of different varieties to areas that may not have sufficient access to such fresh food; and

**Whereas**, So-called “pop-up parks,” or land that is intentionally temporarily transformed into park area, is another recent urban development that provides additional space to the public for rest and recreation; and

**Whereas**, Beneficial uses of vacant land could improve the quality of life for residents in the surrounding neighborhood; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Assembly to pass A.6272, the New York State Senate to pass S.4490, and the Governor to sign such legislation, which would provide a property tax exemption for privately-owned vacant land while such property is being used for the public benefit.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 30, 2015.

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.

Adopted unanimously by voice-vote.

Report for voice-vote Res. No. 563

**Report of the Committee on Education in favor of approving a Resolution calling upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools.**

The Committee on Education, to which the annexed resolution was referred on February 12, 2015 (Minutes, page 452), respectfully

**REPORTS:**

**INTRODUCTION**

On March 30, 2015, the Committee on Education, chaired by Council Member Daniel Dromm, will conduct a hearing to consider Res. No. 563, a resolution that calls upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools. The Committee held a previous hearing on this resolution on March 3, 2015.

**Background**

The New York State Charter Schools Act of 1998 allowed the State to create a system of independent public schools (charter schools) which gave educators more autonomy in exchange for increased accountability. New York State amended its charter school legislation in 2007 and 2010. Among other changes, the amendments raised the initial limit of 100 charter schools permitted statewide to 200 in 2007, and in 2010 the cap was raised to 460.<sup>1</sup>

The idea of increasing the cap is once again being floated in the State legislature.

**Resolution No. 563**

Resolution No. 563 would note that in 1998 the State Legislature passed the New York Charter Schools Act authorizing the creation of up to 100 charter schools, which are publicly funded but privately operated schools. The Resolution would indicate that since that time, the cap on the number of charter schools allowed to operate in New York State has been raised twice. The Resolution would state that in April 2007, the New York State Legislature doubled the number of charter schools allowed in the state, from 100 to 200.

The Resolution would point out that in 2010, the Legislature raised the cap again to allow an additional 260 charter schools, making a total of 460 charters available statewide, with smaller sub-caps for New York City and each of the statewide authorizers. Resolution No. 563 would indicate that more than half of the new charters authorized in 2010, 156 out of 260, remain unused. The Resolution would note that under the current State charter school cap, up to 256 of the statewide charter school total of 460 can be located in New York City.

Resolution No. 563 would note that currently, in New York City 197 charters are operating, 34 have been approved, and 25 remain under the cap. The Resolution would state that outside of the City 134 remain unused under the cap for the rest of the State. Resolution No. 563 would indicate that since charter schools were first authorized, there has been no comprehensive, independent evaluation of charter school operations.

The Resolution would stat that there have also been relatively few audits of charter schools conducted by the New York State Comptroller to date, primarily due to legal challenges by charter operators to the Comptroller's authority to perform such audits. The Resolution would further state that audits of charter schools that have been conducted by the State Comptroller have found significant numbers of deficiencies and mismanagement, including conflicts of interest, failure to complete required employee criminal history record checks, and inadequate systems of internal controls over basic financial operations in some cases.

The Resolution would note that a November 2014 report by The Center for Popular Democracy and The Alliance for Quality Education estimates that New York could stand to lose \$54 million in charter school fraud in 2014 alone. The Resolution would indicate that because charter schools are publicly funded, it is important to conduct a comprehensive assessment before committing substantial further investment.

Resolution No. 563 would state that additionally, as part of the 2014 State budget legislation, New York City is the only district now required to provide free space to all new or expanding charter schools, either by co-locating the charter in a City school building or by paying for rent in private space. The Resolution would note that according to the New York City Charter School Center, the City would have to pay the lesser of the actual rental cost or a total amount up to \$2,775.40 per pupil in 2015-16. The Resolution would indicate that there are not many City schools that are sufficiently underutilized to accommodate such co-locations. The Resolution would state that in fact, most schools are near, at or over-capacity.

The Resolution would indicate that a July 2014 report by the Independent Budget Office (IBO) found that 43.5% of students attended school in buildings that were at 102.5% of capacity or higher in the 2012-2013 school year, and also found that overcrowding in City schools has been steadily increasing. The Resolution would state that thus, the City will increasingly have to pay rent for charter schools in private space. The Resolution would note that under the existing cap the City will have to provide space for an additional 59 new charter schools as well as any existing charters that wish to expand. Resolution No. 563 would state that raising the cap will create an undue financial hardship for the City, due to this new requirement for providing free space to charter schools. Finally, Resolution No. 563 would state that the Council of the City of New York calls upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools.

<sup>1</sup> For more information on charter schools see 5/6/14 briefing paper of the New York City Council Education Committee on Charter School Management and Accountability at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1736447&GUID=13855560-92A3-4602-AE50-08CF9A47E712&Options=&Search=>.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 563:)**

Res. No. 563

**Resolution calling upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools.**

By Council Members Dromm, Chin, Johnson, Mendez, Miller, Levin, Gentile, Treyger, Reynoso, Maisel, Rosenthal, Rose, Barron, Koslowitz, Kallos and Lander.

**Whereas**, In 1998 the State Legislature passed the New York Charter Schools Act authorizing the creation of up to 100 charter schools, which are publicly funded but privately operated schools; and

**Whereas**, Since that time, the cap on the number of charter schools allowed to operate in New York State has been raised twice; and



**Whereas**, In April 2007, the New York State Legislature doubled the number of charter schools allowed in the state, from 100 to 200; and

**Whereas**, In 2010, the Legislature raised the cap again to allow an additional 260 charter schools, making a total of 460 charters available statewide, with smaller sub-caps for New York City and each of the statewide authorizers; and

**Whereas**, More than half of the new charters authorized in 2010, 156 out of 260, remain unused; and

**Whereas**, Under the current State charter school cap, up to 256 of the statewide charter school total of 460 can be located in New York City; and

**Whereas**, Currently, in New York City 197 charters are operating, 34 have been approved, and 25 remain under the cap; and

**Whereas**, Outside of the City 134 remain unused under the cap for the rest of the State; and

**Whereas**, Since charter schools were first authorized, there has been no comprehensive, independent evaluation of charter school operations; and

**Whereas**, There have also been relatively few audits of charter schools conducted by the New York State Comptroller to date, primarily due to legal challenges by charter operators to the Comptroller's authority to perform such audits; and

**Whereas**, Audits of charter schools that have been conducted by the State Comptroller have found significant numbers of deficiencies and mismanagement, including conflicts of interest, failure to complete required employee criminal history record checks, and inadequate systems of internal controls over basic financial operations in some cases; and

**Whereas**, A November 2014 report by The Center for Popular Democracy and The Alliance for Quality Education estimates that New York could stand to lose \$54 million in charter school fraud in 2014 alone; and

**Whereas**, Because charter schools are publicly funded, it is important to conduct a comprehensive assessment before committing substantial further investment; and

**Whereas**, Additionally, as part of the 2014 State budget legislation, New York City is the only district now required to provide free space to all new or expanding charter schools, either by co-locating the charter in a City school building or by paying for rent in private space; and

**Whereas**, According to the New York City Charter School Center, the City would have to pay the lesser of the actual rental cost or a total amount up to \$2,775.40 per pupil in 2015-16; and

**Whereas**, There are not many City schools that are sufficiently underutilized to accommodate such co-locations; and

**Whereas**, In fact, most schools are near, at or over-capacity; and

**Whereas**, A July 2014 report by the Independent Budget Office (IBO) found that 43.5% of students attended school in buildings that were at 102.5% of capacity or higher in the 2012-2013 school year, and also found that overcrowding in City schools has been steadily increasing; and

**Whereas**, Thus, the City will increasingly have to pay rent for charter schools in private space; and

**Whereas**, Under the existing cap the City will have to provide space for an additional 59 new charter schools as well as any existing charters that wish to expand; and

**Whereas**, Raising the cap will create an undue financial hardship for the City, due to this new requirement for providing free space to charter schools; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools.

DANIEL DROMM, *Chairperson*; MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, MARK S. WEPRIN, ANDY L. KING, INEZ D. BARRON, CHAIM M. DEUTSCH, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; Committee on Education, March 30, 2015. *Other Council Members Attending: Rosenthal*

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 7 Council Members formally voted against this item: Council Members Arroyo, Cabrera, Cornegy, Matteo, Palma, Ulrich, and Ignizio.

The following 8 Council Members formally abstained to vote on this item: Council Members Cumbo, Garodnick, Gibson, Greenfield, Levine, Torres, Vacca, and Williams.

Adopted by the Council by voice-vote.

Report for voice-vote Res. No. 577

**Report of the Committee on Education in favor of approving a Resolution calling upon the Department of Education to amend its Parent's Bill of Rights and Responsibilities to include information about opting out of high-stakes testing and distribute this document at the beginning of every school year, to every family, in every grade.**

The Committee on Education, to which the annexed resolution was referred on February 12, 2015 (Minutes, page 486), respectfully

**REPORTS:**

## **INTRODUCTION**

On March 30, 2015, the Committee on Education, chaired by Council Member Daniel Dromm, will conduct a hearing to consider Res. No. 577, a resolution that calls upon the Department of Education to amend its Parent’s Bill of Rights and Responsibilities to include information about opting out of high-stakes testing and distribute this document at the beginning of every school year, to every family, in every grade. This will be the first hearing on this resolution.

## **Background**

The Federal No Child Left Behind Act requires states to define challenging academic standards and administer high-quality assessments to students to measure progress against expectations for student achievements.<sup>1</sup> In New York State, elementary and middle school students take yearly State tests in core academic subjects to assess their mastery of the Common Core Learning Standards.<sup>2</sup> Test results are one of the factors that schools use to decide whether to promote a student to the next grade.<sup>3</sup> Additionally, in high school, students must pass five Regents Exams in order to graduate.<sup>4</sup> Students in New York City also take tests to apply for admission to selective schools and programs and to prepare for college.<sup>5</sup> Furthermore, New York City and New York State use test results to evaluate how well schools are serving students.<sup>6</sup>

Many parents and advocates have expressed concerns about the amount of testing and the increasing reliance on such testing and how it affects the overall educational experiences of students. An increasing number of parents are seeking to “opt-out” their children-or refusing to have them take the exams. According to a March 1, 2015 New York Times article, last year in New York, 49,000 students did not take the English test, according to the State Department of Education, while 67,000 skipped the math portion — numbers that include not only refusals, but also any student who did not take the tests for a “known valid reason”.<sup>7</sup>

Currently, information regarding opting out is not provided for parents on the Department of Education’s Parent’s Bill of Rights and Responsibilities, a document provided by the DOE for all parents.<sup>8</sup> Many parents groups believe it should be.

## **Resolution No. 577**

Resolution No. 577 would state that the Federal No Child Left behind Act requires states to define challenging academic standards and administer high-quality assessments to students to measure progress against expectations for student achievement. The Resolution would note that New York State was one of the first states to align standardized tests with the Common Core Standards and 2013 was the first year that students sat for the Common Core aligned test. The Resolution would indicate that New York City elementary and middle school students take yearly state tests in core academic subjects to assess their mastery of the Common Core learning standards.

The Resolution would point out that yearly test results are one of the factors used to determine whether or not to promote the student to the next grade. The Resolution

would state that in New York City, the scores dropped drastically in 2013, and only 26% of students in grades 3-8 passed the English test, and only 30% of students in grades 3-8 passed the Math test. Resolution No. 577 would note that there is a growing opt out movement in New York City and in 2013, 276 families opted out of the state standardized test.

Resolution No. 577 would indicate that in March of 2014, Chancellor Carmen Farina distributed a guide to school administrators detailing how to communicate with parents who have expressed their desire to opt their child out of the test; the guide stated that the administrator should respect the parents' decision and tell the parents the possible consequences of opting out of the state exam. The Resolution would state that decades of research has shown that parent involvement is critical to student success. The Resolution would note that the Department of Education recognizes the importance of parent involvement and has created the parent academy, the parent conference series, and now employs parent coordinators to facilitate parental involvement.

Resolution No. 577 would indicate that the Parent's Bill of Rights and Responsibilities was created by the Department of Education and is published on the department's website to foster active engagement between parents and schools because the DOE recognizes that children excel when parents work closely with teachers and principals to develop strong partnerships. The Resolution would point out that the Parent's Bill of Rights and Responsibilities spells out the rights and responsibilities of parents and families to help ensure that all students get a quality education. The Resolution would note that the Parent's Bill of Rights and Responsibilities does not include any information about opting out of the standardized exams.

The Resolution would note that the Parent's Bill of Rights and Responsibilities can currently be accessed via the DOE's website and is available in several languages but is not distributed to families and caregivers at all public schools. The Resolution would state that the Parent's Bill of Rights and Responsibilities should be amended to include information about opting out of standardized tests. Resolution No. 577 would note that all of New York City parents should have access to the Parent's Bill of Rights and Responsibilities. Finally the Resolution would state that the Council of the City of New York calls upon the New York City Department of Education to amend the Parent's Bill of Rights and Responsibilities to include information about opting out of high-stakes testing and distribute this document at the beginning of every school year, to every family, in every grade.

<sup>1</sup> NYC DOE, Yearly Testing , available at <http://schools.nyc.gov/Accountability/resources/testing/default.htm>..

<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> Id.

<sup>7</sup> As Common Core Testing Is Ushered In, Parents and Students Opt Out, New York Times, March 1, 2015, available at [http://www.nytimes.com/2015/03/02/nyregion/as-common-core-testing-is-ushered-in-parents-and-students-opt-out.html?\\_r=0](http://www.nytimes.com/2015/03/02/nyregion/as-common-core-testing-is-ushered-in-parents-and-students-opt-out.html?_r=0).

<sup>8</sup> Available at <http://schools.nyc.gov/NR/ronlyres/FD3D0D8B-017B-4D6C-B413->

[E765C253AB79/0/2013ParentsBillofRightsFinal\\_English.pdf](#).

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 577:)**

Res. No. 577

**Resolution calling upon the Department of Education to amend its Parent's Bill of Rights and Responsibilities to include information about opting out of high-stakes testing and distribute this document at the beginning of every school year, to every family, in every grade.**

By Council Member Rosenthal, Dromm, Chin, Johnson, Rose, Wills, Mendez, Rodriguez, Levine, Barron, Constantinides, Kallos, Lander and Levin.

**Whereas**, The Federal No Child Left behind Act requires states to define challenging academic standards and administer high-quality assessments to students to measure progress against expectations for student achievement; and

**Whereas**, New York State was one of the first states to align standardized tests with the Common Core Standards and 2013 was the first year that students sat for the Common Core aligned test; and

**Whereas**, New York City elementary and middle school students take yearly state tests in core academic subjects to assess their mastery of the Common Core learning standards; and

**Whereas**, Yearly test results are one of the factors used to determine whether or not to promote the student to the next grade; and

**Whereas**, In New York City, the scores dropped drastically in 2013, and only 26% of students in grades 3-8 passed the English test, and only 30% of students in grades 3-8 passed the Math test; and

**Whereas**, There is a growing opt out movement in New York City and in 2013, 276 families opted out of the state standardized test; and

**Whereas**, In March of 2014, Chancellor Carmen Farina distributed a guide to school administrators detailing how to communicate with parents who have expressed their desire to opt their child out of the test; the guide stated that the administrator should respect the parents' decision and tell the parents the possible consequences of opting out of the state exam; and

**Whereas**, Decades of research has shown that parent involvement is critical to student success; and

**Whereas**, The Department of Education recognizes the importance of parent involvement and has created the parent academy, the parent conference series, and now employs parent coordinators to facilitate parental involvement; and

**Whereas**, The Parent's Bill of Rights and Responsibilities was created by the Department of Education and is published on the department's website to foster

active engagement between parents and schools because the DOE recognizes that children excel when parents work closely with teachers and principals to develop strong partnerships ; and

**Whereas**, The Parent's Bill of Rights and Responsibilities spells out the rights and responsibilities of parents and families to help ensure that all students get a quality education; and

**Whereas**, The Parent's Bill of Rights and Responsibilities does not include any information about opting out of the standardized exams; and

**Whereas**, The Parent's Bill of Rights and Responsibilities can currently be accessed via the DOE's website and is available in several languages but is not distributed to families and caregivers at all public schools; and

**Whereas**, The Parent's Bill of Rights and Responsibilities should be amended to include information about opting out of standardized tests; and

**Whereas**, All of New York City parents should have access to the Parent's Bill of Rights and Responsibilities; now therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York City Department of Education to amend the Parent's Bill of Rights and Responsibilities to include information about opting out of high-stakes testing and distribute this document at the beginning of every school year, to every family, in every grade.

DANIEL DROMM, *Chairperson*; MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, MARK S. WEPRIN, JUMAANE D. WILLIAMS, ANDY L. KING, INEZ D. BARRON, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; Committee on Education, March 30, 2015. *Other Council Members Attending: Rosenthal*

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.

Adopted unanimously by voice-vote.

Report for voice-vote Res. No. 592

**Report of the Committee on Education in favor of approving a Resolution calling upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.**

The Committee on Education, to which the annexed resolution was referred on February 26, 2015 (Minutes, page 633), respectfully

**REPORTS:****INTRODUCTION**

On March 30, 2015, the Committee on Education, chaired by Council Member Daniel Dromm, will conduct a hearing to consider Res. No. 592, a resolution calling upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the *Campaign for Fiscal Equity v State of New York* case. This will be the first hearing on this resolution.

**Background**

The Campaign for Fiscal Equity (CFE), a non-profit organization founded by a coalition of concerned parents and education advocates, filed a lawsuit against New York State in 1993 seeking adequate resources and the opportunity for a sound basic education for all students in New York City. After 13 years of litigation, the case's final ruling by the Court of Appeals, in 2006, confirmed that the State's school funding system violated New York City schoolchildren's constitutional right to a "sound basic education" which it defined as the "opportunity for a meaningful high school education, one which prepares them to function productively as civic participants."<sup>1</sup> There have been concerns raised that the State is continuing to not meet its legally mandated funding requirement.

**Resolution No. 592** Resolution No. 592 would note that the Campaign for Fiscal Equity (CFE), a non-profit organization founded by a coalition of concerned parents and education advocates, filed a lawsuit against New York State in 1993 seeking adequate resources and the opportunity for a sound basic education for all students in New York City. The Resolution would state that after 13 years of litigation, the case's final ruling by the Court of Appeals, in 2006, confirmed that the State's school funding system violated New York City schoolchildren's constitutional right to a "sound basic education" which it defined as the "opportunity for a meaningful high school education, one which prepares them to function productively as civic participants."

The Resolution would indicate that according to the Education Law Center, *CFE v. State of New York* was a landmark case in which the court established the State's constitutional obligation to provide essential resources to all public school children. The Resolution would point out that in order to comply with Court of Appeals CFE ruling, the State Education Budget and Reform Act of 2007 (Education Act) was enacted. Resolution No. 592 would note that Education Act provided for an increase of over \$7 billion in State education aid to be phased-in over four years, by 2011, and the majority, \$5.5 billion, to be allocated to school districts based on student need through a new Foundation Formula.

Resolution No. 592 would indicate that the State's funding increase for New York City was set at \$3.2 billion. The Resolution would state that in the first two years, the State provided the required installments of the Foundation Aid Formula totaling \$2.3 billion statewide. The Resolution would point out that however, due to an economic downturn, the State budget enacted for 2009-10 froze the CFE funding

increase for two years. The Resolution would note that further, State education aid was cut by a total of \$2.7 billion in 2010 and 2011 through a mechanism called the Gap Elimination Adjustment, which seeks to balance the State's overall budget by reducing state school aid.

The Resolution would indicate that despite modest increases in State education funding in the past 3 years, the increases have barely covered prior cuts, leaving a huge gap in terms of what was required under the 2007 Education Act to comply with the CFE ruling. The Resolution would further indicate that according to an August 2014 report by the Alliance for Quality Education and other advocates, New York State owes its public schools \$5.9 billion in Foundation Aid and Gap Elimination Adjustment funding. The Resolution would state that New York City is currently owed more than \$2.5 billion, according to that same report.

Resolution No. 592 would note that the State has not yet fully implemented the funding increases that the Legislature committed to in settlement of CFE v. State of New York which required that the State meet its constitutional obligation to provide essential resources to all public school children to give them the opportunity for a sound basic education. Finally, Resolution No. 592 would state that the Council of the City of New York calls upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.

<sup>1</sup> Available at <https://www.brennancenter.org/sites/default/files/legacy/Democracy/2006-11-20%20CFE%20v%20NYS%20Appeals%20Court%20Opinion.pdf>.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 592:)**

Res. No. 592

**Resolution calling upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.**

By Council Members Levine, Dromm, The Speaker (Council Member Mark-Viverito), Arroyo, Chin, Gibson, Johnson, King, Rose, Koslowitz, Barron, Rosenthal, Constantinides, Eugene, Kallos, Lander and Levin.

**Whereas**, The Campaign for Fiscal Equity (CFE), a non-profit organization founded by a coalition of concerned parents and education advocates, filed a lawsuit against New York State in 1993 seeking adequate resources and the opportunity for a sound basic education for all students in New York City; and

**Whereas**, After 13 years of litigation, the case's final ruling by the Court of Appeals, in 2006, confirmed that the State's school funding system violated New York City schoolchildren's constitutional right to a "sound basic education" which it



defined as the "opportunity for a meaningful high school education, one which prepares them to function productively as civic participants"; and

**Whereas**, According to the Education Law Center, *CFE v. State of New York* was a landmark case in which the court established the State's constitutional obligation to provide essential resources to all public school children; and

**Whereas**, In order to comply with Court of Appeals *CFE* ruling, the State Education Budget and Reform Act of 2007 (Education Act) was enacted; and

**Whereas**, The Education Act provided for an increase of over \$7 billion in State education aid to be phased-in over four years, by 2011, and the majority, \$5.5 billion, to be allocated to school districts based on student need through a new Foundation Formula; and

**Whereas**, The State's funding increase for New York City was set at \$3.2 billion; and

**Whereas**, In the first two years, the State provided the required installments of the Foundation Aid Formula totaling \$2.3 billion statewide; and

**Whereas**, However, due to an economic downturn, the State budget enacted for 2009-10 froze the CFE funding increase for two years; and

**Whereas**, Further, State education aid was cut by a total of \$2.7 billion in 2010 and 2011 through a mechanism called the Gap Elimination Adjustment, which seeks to balance the State's overall budget by reducing state school aid; and

**Whereas**, Despite modest increases in State education funding in the past 3 years, the increases have barely covered prior cuts, leaving a huge gap in terms of what was required under the 2007 Education Act to comply with the CFE ruling; and

**Whereas**, According to an August 2014 report by the Alliance for Quality Education and other advocates, New York State owes its public schools \$5.9 billion in Foundation Aid and Gap Elimination Adjustment funding; and

**Whereas**, New York City is currently owed more than \$2.5 billion, according to that same report; and

**Whereas**, The State has not yet fully implemented the funding increases that the Legislature committed to in settlement of *CFE v. State of New York* which required that the State meet its constitutional obligation to provide essential resources to all public school children to give them the opportunity for a sound basic education; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.

DANIEL DROMM, *Chairperson*; MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, MARK S. WEPRIN, JUMAANE D. WILLIAMS, ANDY L. KING, INEZ D. BARRON, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; Committee on Education, March 30, 2015. *Other Council Members Attending: Rosenthal*

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.

Adopted unanimously by voice-vote.

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

Report for voice-vote Res. No. 635

**Report of the Committee on Education in favor of approving a Resolution calling upon the New York State Legislature to eliminate the Governor's receivership proposal in the executive budget for New York City.**

The Committee on Education, to which the annexed preconsidered resolution was referred on March 31, 2015, respectfully

**REPORTS:**

**INTRODUCTION**

On March 19, 2015, the Committee on Education, chaired by Council Member Daniel Dromm, will conduct a hearing to consider Preconsidered Res. No., a resolution that calls upon the New York State Legislature to reject the Governor's executive budget proposal on school receivership. This will be the first hearing on this resolution.

**Background**

New York State Governor Andrew Cuomo's executive budget includes a plan authorizing the State Commissioner of Education (SED) to designate receivership districts in the lowest 2.5% and schools in the lowest achieving 5% statewide. In these cases, the SED Commissioner would be authorized to appoint an individual, another district, or a non-profit organization to assume the management of the school or district. The "receiver" would have the power to unilaterally change school budgets, curriculum, collective bargaining agreements, school schedules and school staffing. The receiver would also be authorized to convert the school into a charter school-- without a vote of parents. However, there is no evidence of the effectiveness of the receivership model.

**Preconsidered Resolution No. 635**

The Resolution would state that the Mayor of New York City is directly accountable for the performance of New York City public schools through the

mayoral control model. Preconsidered Resolution No. would indicate that in November 2014 the New York City Department of Education (DOE) designated 94 schools as Renewal Schools. The Resolution would point out that the Renewal Schools program is a massive, \$150 million investment to improve struggling schools. The Resolution would note that the City DOE is holding these schools accountable for meeting aggressive improvement goals and benchmarks.

Preconsidered Resolution No. would point out that each Renewal School will become a community school with powerful interventions to eliminate barriers to learning. The Resolution would state that every Renewal School will have the proven reform of extended learning time available for each student, every day. The Resolution would indicate that furthermore, the DOE plans to have each Renewal School undergo a top to bottom review of staff, curriculum, and support structures, with targeted, evidence-based interventions developed for each school, including in some cases school-wide re-staffing plans.

The Resolution would state that Renewal Schools that do not make sufficient progress shall face a DOE-ordered re-organization, including closure. Preconsidered Resolution No. would indicate that the New York City Chancellor of the DOE has already replaced several principals mid-year. The Resolution would state that the Renewal Schools program is already showing early results, such as at the Boys and Girls High School where they have seen positive indicators of increased attendance and higher credit accumulation, and where there has been a decrease in suspensions. The Resolution would note that there has been an increase in the percentage of 9th graders who are on track to earn the necessary credits to graduate at Automotive High School.

The Resolution would indicate that the Governor's Executive Budget proposal includes a plan wherein the Commissioner of the State Education Department (SED) can designate for receivership districts in the lowest achieving 2.5% statewide and schools in the lowest achieving 5%, as defined by State tests, graduation rates and other performance data. The Resolution would note that under this proposal, the SED Commissioner can appoint a person, another district, or a non-profit entity to take over the school or district. The Resolution would state that additionally, under this proposal, the receiver can convert a struggling school to charter status without a vote of the parents. The Resolution would indicate that furthermore, under this proposal, the receiver will have the power to unilaterally change budgets, curriculum, collective bargaining agreements, school schedules, and staffing. Preconsidered Resolution No. would point out that the receivership model has no consistent evidence of efficacy in improving school performance. Finally, the Resolution would state that the Council of the City of New York calls upon the New York State Legislature to reject the Governor's receivership proposal for New York City.

*Accordingly, this Committee recommends its adoption.*

**(For text of the resolution, please see the Introduction and Reading of Bills section printed in these Minutes)**

DANIEL DROMM, *Chairperson*; DANIEL R. GARODNICK, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, MARK S. WEPRIN, JUMAANE D. WILLIAMS, INEZ D. BARRON, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, MARK TREYGER; Committee on Education, March 19, 2015. *Other Council Members Attending*: Rodriguez and Rosenthal.

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.

Adopted unanimously by voice-vote.

## INTRODUCTION AND READING OF BILLS

Int. No. 723

By The Speaker (Council Member Mark-Viverito) and Council Members Cornegy, Arroyo, Cabrera, Constantinides, Eugene, Johnson, Lander, Levine, Mendez, Rose, Cohen, Menchaca, Chin and Rodriguez.

**A Local Law to amend the New York city charter, in relation to the development of protocols for inspector interactions with non-English speakers during agency inspections.**

*Be it enacted by the Council as follows:*

Section 1. Paragraph one of subdivision f of section 15 of the New York city charter, as amended by local law number 132 for the year 2013, is amended to read as follows:

f. 1. The office of operations shall develop a business owner's bill of rights. The bill of rights shall be in the form of a written document, drafted in plain language, that advises business owners of their rights as they relate to agency inspections. *Such written document shall include translations of the bill of rights into at least the five languages most commonly spoken by limited English proficient individuals, as those languages are determined by the department of city planning.* The bill of rights shall include, but not be limited to, notice of every business owner's right to: i) consistent enforcement of agency rules; ii) compliment or complain about an inspector or inspectors, and information sufficient to allow a business owner to do so; iii) contest a notice of violation before the relevant local tribunal, if any; iv) an inspector who behaves in a professional and courteous manner; v) an inspector who can answer reasonable questions relating to the inspection, or promptly makes an appropriate referral; vi) an inspector with a sound knowledge of the applicable laws, rules and

regulations; vii) access information in languages other than English; and viii) request language interpretation services for agency inspections of the business.

§ 2. Paragraph one of subdivision g of section 15 of the New York city charter, as added by local law 33 for the year 2013, is amended to read as follows:

g. 1. The office of operations shall develop a standardized customer service training curriculum to be used, to the extent practicable, by relevant agencies for training agency inspectors. Such training shall include *specific protocols for such inspectors to follow when interacting with non-English speakers to ensure that such inspectors provide language translation services during inspections. Such training shall also include culturally competent instruction on communicating effectively with immigrants and non-English speakers during inspections.* For purposes of this subdivision, relevant agencies shall include the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, and the bureau of fire prevention of the fire department.

§ 3. This local law shall take effect thirty days following enactment.

Referred to the Committee on Small Business.

Int. No. 724

By Council Members Chin, Cornegy, The Speaker (Council Member Mark-Viverito), Arroyo, Constantinides, Deutsch, Eugene, Johnson, Lander, Levine, Mendez, Rose, Vallone and Ulrich.

**A Local Law to amend the New York city charter, in relation to creating an office of the small business advocate within the department of small business services.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 56 of the New York city charter is amended by adding a new section 1307 to read as follows:

§ 1307. *Office of the Small Business Advocate. a. There shall be in the department a small business advocate whose duties shall include, but not be limited to:*

*1. establishing a system to receive comments and complaints from small businesses with respect to their dealings with the city, including, but not limited to agency inspections, regulations, adjudications of violations, technical assistance programs, language access, and customer service;*

*2. referring such complaints and information received pursuant to paragraph one of this subdivision to appropriate city, state, and federal agencies; and*

3. *making recommendations to the commissioner regarding the development of policies and programs to grow the small business sector and improve interactions between small businesses and city agencies.*

*b. Information indicating how to contact the small business advocate established pursuant to subdivision a of this section shall be prominently posted on the websites of relevant agencies. For purposes of this subdivision, relevant agencies shall include the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, the bureau of fire prevention of the fire department, the office of administrative trials and hearings, and the department of small business services.*

*c. Not later than April first, two thousand sixteen, and not later than April first of each year thereafter, the small business advocate shall provide a written report to the council regarding small businesses in New York city, documenting information and complaints from the immediately preceding calendar year. Each report shall include, but not be limited to: (i) the total number of complaints received by the small business advocate during the reporting period; (ii) a general description of the reason for each such complaint; (iii) a general description of the action taken by the small business advocate, if any, in response to each such complaint; and (iv) recommendations regarding the city's support of small business. Nothing herein shall require the department to share information that identifies the subject of or the individuals who made such complaints.*

§ 2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Small Business.

Int. No. 725

By Council Members Cornegy, The Speaker (Council Member Mark-Viverito), Arroyo, Chin, Constantinides, Eugene, Johnson, Mendez, Rose, Cohen and Ulrich.

**A Local Law to amend the New York city charter, in relation to incorporating feedback from businesses into agency inspector customer service training.**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 1 of subdivision f of section 15 of the New York city charter is amended to read as follows:

1. The office of operations shall develop a business owner's bill of rights. The bill of rights shall be in the form of a written document, drafted in plain language, that advises business owners of their rights as they relate to agency inspections. The bill of rights shall include, but not be limited to, notice of every business owner's right to: i) consistent enforcement of agency rules; ii) compliment or complain about an inspector or inspectors *online, anonymously, if desired, and without fear of*

*retribution through a customer service survey, and information sufficient to allow a business owner to do so, including but not limited to the url of such survey; iii) contest a notice of violation before the relevant local tribunal, if any; iv) an inspector who behaves in a professional and courteous manner; v) an inspector who can answer reasonable questions relating to the inspection, or promptly makes an appropriate referral; and vi) an inspector with a sound knowledge of the applicable laws, rules and regulations.*

§ 2. Subdivision g of section 15 of the New York city charter is amended to read as follows:

g. 1. The office of operations shall develop a standardized customer service training curriculum to be used, to the extent practicable, by relevant agencies for training agency inspectors. *Such training shall be updated annually, taking into account feedback received through the customer service survey created and maintained by the office on the city's website pursuant to subdivision h of this section, or through additional feedback received through outreach performed pursuant to paragraph 3 of this subdivision.* Such training shall include instruction on communicating effectively with non-English speakers during inspections. For purposes of this subdivision, relevant agencies shall include the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, and the bureau of fire prevention of the fire department.

2. The office of operations shall review each relevant agency's inspector training program to ensure that such program includes customer service training and, to the extent practicable, includes the standardized customer service training curriculum developed by the office of operations pursuant to paragraph one of this subdivision. After completing such review, the office of operations shall certify an agency's inspector training program if it includes, to the extent practicable, the standardized customer service training curriculum developed by the office of operations pursuant to paragraph one of this subdivision. Any such certification shall be provided to the speaker of the council upon request.

3. *If, on September 1 of any year, the office of operations has received fewer than 500 responses with respect to relevant agencies through the customer service survey created and maintained by the office on the city's website pursuant to subdivision h of this section in the previous twelve month period, the office of operations shall perform outreach to entities and individuals that or who were inspected by relevant agencies during such period to solicit feedback and to encourage them to complete such customer survey. Such outreach shall continue until the office of operations has received a total of at least 500 such responses through a combination of such outreach and those responses already received in such previous twelve month period.*

4. No later than July 1, 2013, the office of operations shall submit to the mayor and the speaker of the council a copy of the standardized customer service training curriculum developed pursuant to paragraph one of this subdivision and shall report the number of agency inspector training programs reviewed by the office of operations and the number of such programs that were certified. No later than January 1, 2014 and annually thereafter, the office of operations shall submit to the

mayor and the speaker of the council any substantive changes to the standardized customer service training curriculum and shall report the number of agency inspector training programs that were reviewed and the number of such programs that were certified by the office of operations during the prior year.

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

*h. The office of operations shall create and maintain a customer service survey on the city's website that allows individuals to provide feedback on their experiences interacting with, at minimum, inspectors from relevant agencies, as such term is defined in subdivision g. Such individuals shall have the option of providing such feedback anonymously.*

§ 4. This local law shall take effect 30 days after its enactment.

Referred to the Committee on Governmental Operations.

Res. No. 634

**Resolution calling upon the Council of the City of New York to recognize and commemorate April as Jazz Appreciation Month.**

By Council Members Cumbo, Van Bramer, Cabrera, Eugene, Mendez, Rose and Cohen.

**Whereas**, Jazz, an original American art form, distinct from all other music for its improvisation, emerged from the work songs, spirituals and other music of enslaved Africans in what would become the United States, and is now played all over the world; and

**Whereas**, The power of jazz in American history, society, and culture is immeasurable and immutable, having shaped our country's national identity, brought people of different races and classes together, and fueled and documented the struggle for freedom and justice in the United States, in particular the civil rights movement; and

**Whereas**, In 1987 the United States Congress recognized jazz as "a rare and valuable national American treasure;" and

**Whereas**, As early as 1922, when Mamie Smith and her Jazz Hounds played at the Lafayette Theater in Harlem, New York City has been fertile soil for jazz, its players, and listeners, with venues like Small's Paradise, Blue Note, Birdland, Lenox Lounge, the Jazz Standard, Iridium, the Cotton Club, Tony's Club Grandean, Dizzy's Club Coca Cola, the Blue Coronet, Café Society, the Village Vanguard, the Alhambra Ballroom and more; and

**Whereas**, Jazz legends, Louis Armstrong, Miles Davis, Duke Ellington, Betty Carter, James Hubert, and others have lived in New York City; and

**Whereas**, There are many institutions in New York City committed to the history and growth of jazz here, including the National Jazz Museum in Harlem, Jazz at Lincoln Center, the Central Brooklyn Jazz Consortium, the Center for Jazz Studies



at Columbia University, and jazz programs at the New School, the Manhattan School of Music, New York University, City College of New York and others; and

**Whereas**, The Smithsonian Institution's National Museum of American History, as well as the State of Florida, and the City of Philadelphia, recognize April as Jazz Appreciation Month; and

**Whereas**, The United States Conference of Mayors passed a resolution urging mayors to celebrate the month of April as Jazz Appreciation Month; now, therefore, be it

**Resolved**, That the Council of the City of New York recognizes April as Jazz Appreciation Month in the City of New York.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Preconsidered Res. No. 635

**Resolution calling upon the New York State Legislature to eliminate the Governor's receivership proposal in the executive budget for New York City.**

By Council Members Dromm, Chin, Constantinides, Barron, Ferreras, Treyger, Lander, Johnson, Miller, Rosenthal, Levine, Richards, Kallos, Levin and Rose.

**Whereas**, The Mayor of New York City is directly accountable for the performance of New York City public schools through the mayoral control model; and

**Whereas**, In November 2014 the New York City Department of Education (DOE) designated 94 schools as Renewal Schools; and

**Whereas**, The Renewal Schools program is a massive, \$150 million investment to improve struggling schools; and

**Whereas**, The City DOE is holding these schools accountable for meeting aggressive improvement goals and benchmarks,

**Whereas**, Each Renewal School will become a community school with powerful interventions to eliminate barriers to learning; and

**Whereas**, Every Renewal School will have the proven reform of extended learning time available for each student, every day; and

**Whereas**, Furthermore, the DOE plans to have each Renewal School undergo a top to bottom review of staff, curriculum, and support structures, with targeted, evidence-based interventions developed for each school, including in some cases school-wide re-staffing plans; and

**Whereas**, Renewal Schools that do not make sufficient progress shall face a DOE-ordered re-organization, including closure; and

**Whereas**, The New York City Chancellor of the DOE has already replaced several principals mid-year; and

**Whereas,** The Renewal Schools program is already showing early results, such as at the Boys and Girls High School where they have seen positive indicators of increased attendance and higher credit accumulation, and where there has been a decrease in suspensions; and

**Whereas,** There has been an increase in the percentage of 9<sup>th</sup> graders who are on track to earn the necessary credits to graduate at Automotive High School; and

**Whereas,** The Governor's Executive Budget proposal includes a plan wherein the Commissioner of the State Education Department (SED) can designate for receivership districts in the lowest achieving 2.5% statewide and schools in the lowest achieving 5%, as defined by State tests, graduation rates and other performance data; and

**Whereas,** Under this proposal, the SED Commissioner can appoint a person, another district, or a non-profit entity to take over the school or district; and

**Whereas,** Additionally, under this proposal, the receiver can convert a struggling school to charter status without a vote of the parents; and

**Whereas,** Furthermore, under this proposal, the receiver will have the power to unilaterally change budgets, curriculum, collective bargaining agreements, school schedules, and staffing; and

**Whereas,** The receivership model has no consistent evidence of efficacy in improving school performance; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon the New York State Legislature to eliminate the Governor's receivership proposal in the executive budget for New York City.

Adopted by the Council (preconsidered and approved by the Committee on Education).

Int. No. 726

By Council Members Espinal, Cornegy, The Speaker (Council Member Mark-Viverito), Cabrera, Constantinides, Deutsch, Eugene, Johnson, Maisel, Mendez, Rose, Vallone and Ulrich.

**A Local Law to amend the New York city charter, in relation to requiring the department of consumer affairs and the department of small business services to hold multiple business education events each year throughout the five boroughs.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 2203 the New York city charter is amended to read as follows:

(a) (1) The commissioner shall plan, make recommendations, conduct research and develop programs for consumer education and protection, facilitate the exchange

and dissemination of information in consultation with agencies, federal and state officials, commercial interests, private groups and others working in this field and coordinate the consumer protection activities of other city agencies.

(2) A. *The commissioner and the commissioner of small business services shall organize and conduct business education days during which, the department and the department of small business services shall provide local businesses with information regarding the city's consumer protection law and other related laws, rules and regulations that are enforced by the department, including, but not limited to truth in pricing laws, and licensing laws pursuant to chapters one and two of title twenty of the administrative code of the city of New York. Each year, such business education days shall occur in at least two separate locations within each borough. The first such business education day shall commence on or before June 30, 2015. Any lectures or educational materials designed for the purposes of conducting such business education days shall be made available in English and in the six most common languages spoken by limited English proficient individuals in the city according to the department of city planning. Such educational materials shall be available on the department's website.*

B. *On June 30, 2016, and annually thereafter, the department shall submit to the speaker of the council a report related to the business education days held during the prior 12 month period. Such report shall include, but not be limited to: (i) the number of business education days held; (ii) the location of each business education day; (iii) the number of participants in each business education day disaggregated by location; and (iv) a content summary of the information provided to participants.*

§ 2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Consumer Affairs.

Int. No. 727

By Council Members Ignizio, Ferreras, Matteo, Constantinides, Eugene, Gentile, Rosenthal, Rodriguez and Ulrich (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, in relation to the assessment of real property damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-240.1 to read as follows:

§ 11-240.1 *Assessment of real property damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve. 1. Generally. Notwithstanding any provision of any general, special or local law to the contrary, the commissioner of finance shall assess affected real property as defined in subdivision three of this section subject to the limitations provided in this section.*

2. *Definitions. As used in this section:*

a. *“Actual assessed value” means the assessed value of real property prior to the calculation of any transitional assessed value, and which is not reduced by any exemption from real property taxes.*

b. *“Aggregate physical increase” means the sum of physical increases for assessment rolls completed from two thousand fourteen through two thousand twenty.*

c. *“Annual tax” means the amount of real property tax that is imposed on a property for a fiscal year, determined after reduction for any amount from which the property is exempt, or which is abated, pursuant to applicable law.*

d. *“Annual tax attributable to improvements” means the annual tax, multiplied by a fraction, the numerator of which is equal to the assessed value attributable to improvements on the property for the fiscal year, and the denominator of which is the total assessed value of the property for such fiscal year.*

e. *“Assessed value” means the assessed value of real property that was used to determine the annual tax, and which is not reduced by any exemption from real property taxes. For real property classified as class two or class four real property, as defined in subdivision one of section eighteen hundred two of the real property tax law to which subdivision three of section eighteen hundred five of the real property tax law applies, unless otherwise provided, the assessed value is the lower of the actual assessed value and transitional assessed value.*

f. *“Assessed value attributable to improvements” means that portion of the assessed value that was used to determine the annual tax attributable to improvements, and which is not reduced by any exemption from real property taxes.*

g. *“Commissioner of finance” means the commissioner of finance of the city of New York, or his or her designee.*

h. *“Department of finance” means the department of finance of the city of New York.*

i. *“Improvements” means buildings and other articles and structures, substructures and superstructures erected upon, under or above the land, or affixed thereto, including bridges and wharves and piers and the value of the right to collect wharfage, cranage or dockage thereon.*

j. *“Physical decrease” means the decrease in assessed value from the assessed value on the preceding assessment roll as a result of destruction of property caused by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve, such decrease to which subdivision five of section eighteen hundred five of the real property tax law applies.*

k. *“Physical increase” means the increase in assessed value from the assessed value on the preceding assessment roll as a result of an addition to or improvement of existing real property as provided in subdivision five of section eighteen hundred five of the real property tax law, for the purpose of reconstruction or repair in connection with the damage caused by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve, such increase to which subdivision five of section eighteen hundred five of the real property tax law applies subject to the provisions of this section.*

1. *“Total square footage of the improvements on the property” means, with respect to an assessment roll, the square footage used by the department of finance in determining the assessed value attributable to improvements on the real property for such assessment roll.*

m. *“Transitional assessed value” is the transition assessment calculated pursuant to subdivision three of section eighteen hundred five of the real property tax law, and which is not reduced by any exemption from real property taxes.*

3. *Affected real property. For purposes of this section, “affected real property” means any tax lot that contained, on the applicable taxable status date, class one, class two or class four real property as such class of real property is defined in subdivision one of section eighteen hundred two of the real property tax law, as to which:*

a. *the department of finance reduced the assessed value attributable to improvements on the property for the assessment roll completed in two thousand thirteen from the assessed value attributable to improvements on the property for the assessment roll completed in two thousand twelve as a result of damage caused by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve; and*

b. *the department of finance increased the assessed value attributable to improvements on the property by means of a physical increase for an assessment roll completed from two thousand fourteen through two thousand twenty.*

4. *Limitation on increases of assessed value. Notwithstanding subdivision five of section eighteen hundred five of the real property tax law and any other provision to the contrary, increases in the assessed value of affected real property shall be limited in the manner specified in this subdivision.*

a. *Except as provided in paragraph c of this subdivision, for affected real property for which the assessed values on the assessment rolls completed in two thousand fourteen and two thousand fifteen do not reflect a physical increase, the amount of the aggregate physical increase shall not exceed the amount of the physical decrease reflected in the assessed value on the assessment roll completed in two thousand thirteen. Any increase in assessed value from the preceding year in excess of the physical increase reflected in the current assessed value, such physical increase limited as provided in the preceding sentence, shall be subject to the limitations on increases provided in subdivisions one, two and three of section eighteen hundred five of the real property tax law. In no event shall the assessed value of the affected real property appearing on an assessment roll completed for any given year from two thousand fifteen to two thousand twenty exceed what the assessed value would have been that year but for any physical decreases or physical increases reflected in the assessed values on the assessment rolls completed from two thousand thirteen to two thousand twenty.*

b. *For affected real property for which the assessed value on the assessment roll completed in two thousand fourteen or two thousand fifteen reflects a physical increase, the assessed value as it appeared on the assessment roll completed in two thousand fifteen shall be recalculated as if the limitation in paragraph a of this subdivision had been in effect for the assessment rolls completed in two thousand fourteen and two thousand fifteen. The recalculation of the assessed value that*

*appeared on the assessment roll completed in two thousand fifteen shall not affect the amount of taxes that were due and payable for the fiscal year beginning on the first of July, two thousand fourteen. The assessed value on the assessment rolls completed for each of the years from two thousand sixteen to two thousand twenty shall be subject to the limitation on increases provided in paragraph a of this subdivision. Notwithstanding section fifteen hundred twelve of the charter and any other provision to the contrary, the commissioner of finance is authorized to correct as provided in this paragraph the assessed value of affected real property appearing on the assessment roll completed in two thousand fifteen. Such correction shall be made no later than ninety days after the effective date of a local law adopted in accordance with this section.*

*c. Notwithstanding paragraphs a and b of this subdivision, in the event that the total square footage of the improvements on the affected real property appearing on any assessment roll completed from two thousand fourteen to two thousand twenty exceeds the total square footage of the improvements on the property appearing on the assessment roll completed in two thousand twelve, the amount of the aggregate physical increase shall not exceed the amount computed by multiplying the sum of the physical increases as calculated subject to this subdivision by a fraction, the numerator of which is equal to the amount of the total square footage of the improvements on the property for the current assessment roll, and the denominator of which is equal to the amount of the total square footage of the improvements on the property for the assessment roll completed in two thousand twelve. For purposes of this paragraph, if improvements on the property located below grade were not included in the total square footage of the improvements on the property for the assessment roll completed in two thousand twelve, such improvements shall not be included in the total square footage for subsequent assessment rolls if the improvements were moved above grade or other building elevations were constructed on the property to prevent or mitigate flooding as part of reconstruction or repair in connection with the damage caused by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve.*

*5. Rulemaking. The commissioner of finance shall be authorized to promulgate rules necessary to effectuate the purposes of this section.*

§ 2. This act shall take effect on the same date as a chapter of the laws of 2015 amending the real property tax law relating to the assessment of real property damaged by the severe storm that occurred on the twenty-ninth and thirtieth of October, two thousand twelve in a city having a population of one million or more, as proposed in legislative bill numbers A. 5620-B/S. 3688-B, takes effect.

Referred to the Committee on Finance.

Preconsidered Res. No. 636

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

By Council Member Ferreras.

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

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

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

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

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

**Resolved,** That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

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

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to

the Cultural Immigrants Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Early Childhood Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

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

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Community-Based Programs in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the MWBE Leadership Associations Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14.

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. 636 printed in these Minutes).



## Int. No. 728

By Council Members Garodnick, Arroyo, Johnson, Lancman, Mendez and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the publication of the NYPD patrol guide.**

*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 14-155 to read as follows:

*§ 14-155 Patrol guide; publication required. a. The commissioner shall publish the department's patrol guide on the department's website.*

*b. No later than 30 days after any amendment is made to the department's patrol guide, the commissioner shall update the publication on the department's website to reflect such amendment.*

*c. Notwithstanding subdivisions a and b of this section, the commissioner shall not be required to publish:*

*1. Any material that would reveal non-routine investigative techniques or confidential information; or*

*2. Any material the publication of which would compromise the safety of the public or police officers.*

§ 2. This local law shall take effect 90 days after it shall have become a law.

Referred to the Committee on Public Safety.

## Int. No. 729

By Council Members Gentile, Cornegy, The Speaker (Council Member Mark-Viverito), Chin, Constantinides and Rose.

**A Local Law to amend the New York city charter, in relation to requiring an annual analysis of, and recommendations based on, violations dismissed by the department of consumer affairs' tribunal.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision h of section 2203 of the New York city charter is amended by adding a new paragraph 5 to read as follows:

*(5) The department shall issue a report by April 1 of each year analyzing the violations dismissed by the department's adjudication division, office, or tribunal during the prior calendar year. Such report shall include a cataloguing and analysis of the characteristics of the violations dismissed and the reasons for dismissal. Such report shall include an analysis of any trends observed in dismissals during the year*

*of the report, as well as a comparison with any previous reports issued pursuant to this paragraph. Such report shall include the department's planned actions to minimize the occurrence of issued violations being dismissed. Such report shall be sent to the speaker of the council, the public advocate, and the mayor.*

§2. This local law shall take effect immediately and shall expire and be deemed repealed on December 31, 2018.

Referred to the Committee on Consumer Affairs.

Int. No. 730

By Council Members Gibson, Johnson, Arroyo, Chin, King, Lander, Levine, Menchaca, Mendez, Rose, Cohen, Williams, Richards, Reynoso, Torres, Greenfield, Rodriguez, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to reports on school discipline and police department activity relating to schools.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 11 of title 8 of the administrative code of the city of New York is amended *and a new section 8-1104 is added* to read as follows:

§ 8-1101 [Definition]*Definitions*; confidentiality requirements.

§ 8-1102 Annual report on student discipline.

§ 8-1103 Biannual citywide report on suspensions.

*§8-1104 Biannual citywide report on emergency medical services (EMS) referrals.*

§ 8-1101. Definitions; confidentiality requirements. a. For purposes of this chapter, *the following terms shall have the following meanings:*

1. [the term ]“[c]Chancellor” shall mean the chancellor of the city school district of the city of New York, or the chancellor's designee.

2. “Data” shall mean *final versions of statistical or factual information in alphanumeric form reflected in a list, table, graph, chart or other non-narrative form, that can be digitally transmitted or processed.*

3. “Temporary Removal” shall mean *the removal of a student from class whose conduct is substantially disruptive of the educational process or substantially interferes with a teacher’s authority over the classroom for up to four school days with notice and an opportunity to be heard pursuant to the chancellor’s regulations governing “Teacher Removals.”*

4. *“Referred to department personnel” shall mean an action by which a student is reported to any law enforcement agency or official, including a school safety agent, for an incident that occurs within a New York city public school, on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken.*

5. *“Referred to emergency medical services” shall mean all actions related to calls or reports of incidents to emergency medical services (EMS) regarding disruptive student behaviors, including but not limited to discipline code infractions, that occur within a New York city public school, on school grounds, during school-related events, or while taking school transportation, and are reported to any online reporting system, including but not limited to the online occurrence reporting system (OORS).*

6. *“Homeless” shall mean a student who lacks a fixed, regular, and adequate nighttime residence including but not limited to a student awaiting foster care placement, a student living with a friend, relative or someone else due to the lack of alternative adequate accommodations, and a student living in a subsidized publicly or privately operated shelter pursuant to chancellor’s regulations.*

b. In no event shall any report submitted pursuant to this chapter release, or provide access to, any personally identifiable information contained in education records in violation of 20 U.S.C. § 1232g or information in violation of any other applicable confidentiality requirement in federal or state law.

§ 8-1102. Annual report on student discipline. The chancellor shall submit to the city council *and post to the department of education’s website* by October 31st of each year an annual report, based on data from the preceding school year, on the discipline of students *and the referral of students to EMS for alleged incidents related to disruptive behaviors.*

a. The data in this report shall be disaggregated by school and shall show the total number of students *and the total number of times a student in each school has been*[in each school who have been]:

1. subjected to a superintendent's suspension; [or]
2. subjected to [a principal's suspension]two superintendent’s suspensions;
3. subjected to three or more superintendent’s suspensions;
4. subjected to a principal’s suspension;
5. subjected to two principal’s suspensions;
6. subjected to three or more principal’s suspensions;
7. subjected to a temporary removal;
8. subjected to an expulsion;
9. referred to emergency medical services;
10. referred to emergency medical services twice;
11. referred to emergency medical services three or more times;
12. referred to department personnel;
13. referred to department personnel twice;

14. referred to department personnel three or more times.
15. suspended more than twice in the preceding school year; or
16. subjected to an involuntary or voluntary transfer or discharge that occurred within 180 days of a suspension.

b. The data provided pursuant to [each of paragraphs one and two of] subdivision a of this section shall be disaggregated by the student's race/ethnicity, gender, grade level at the time of imposition of discipline, EMS referral or referral to department personnel, age [of the student ]as of December 31st of the school year during which discipline[ is imposed], EMS referral or referral to department personnel is imposed, [whether the student is receiving ]special education status and classification, [services or whether the student is an ]status as an English Language Learner, disciplinary code infraction, reason for EMS referral where not related to discipline code infractions but classified under § 8-1102(a)(9), discharge code, zip code of residence, total number of times suspended or removed from the classroom during the school year, free or reduced lunch status, homeless status, and length of suspension or temporary removal. If a category contains between [0 ] one and [9 ] five students, the number shall be replaced with a symbol. Categories that contain zero students shall be reported as zero.

c.[ The report shall also include the citywide total number of transfers that occurred in connection with a suspension, disaggregated by involuntary and voluntary transfers.] The data in this report shall also include school, district and citywide totals for each category in subdivisions a and b. Information that was replaced with a symbol pursuant to subdivision b shall be included in calculating the totals.

d. The report shall also include the annual percent change in suspensions, and referrals to police and EMS by school, school district and citywide as reflected in the previous year's annual report.

e. The report shall also include the total number of calls from each school to the New York police department.

§ 8-1103. Biannual citywide report on suspensions. The chancellor shall submit to the council and post to the department of education's website by October 31st and March 31st of each year a report on the discipline of students citywide, based on data from the first six months of the current calendar year and the second six months of the preceding calendar year respectively. Such report shall include the number of suspensions citywide for each month, disaggregated by superintendent's and principal's suspensions, and race and special education status of the students who were suspended.

§8-1104. Biannual citywide report of activity relating to use of emergency medical services (EMS). The chancellor shall submit to the council and post to the department of education website by October 31st and March 31st of each year a citywide report on the total number of referrals of students to EMS for alleged incidents related to disruptive behaviors. The report shall include data from the first six months of the current calendar year and the second six months of the preceding calendar year respectively. Such report shall include the number of EMS referrals by

*schools citywide for each month, disaggregated by race and special education status of the students who were referred. Such report shall include all incidents reported to any online reporting system, including but not limited to the online occurrence reporting system (OORS) or any superseding system, related to calls to EMS regarding disruptive student behaviors and not limited to only discipline code infractions.*

§ 2. Section 14-152 of chapter one of title 14 of the administrative code of the city of New York is amended to read as follows:

§ 14-152. School activity reporting. a. Definitions. For the purposes of this section the following terms shall have the following meanings:

1. “Non-criminal incident” shall mean [an incident] *alleged student misbehavior occurring within a New York city public school, on school grounds, during school-related events, or while taking school transportation, to which department personnel responded that does not constitute a felony or misdemeanor and that falls within a section of the penal law [one of the following types: dangerous instruments; fireworks; trespass; disorderly conduct; harassment; loitering; or possession of marijuana].*

2. [“School safety agent” shall mean a person employed by the department as a peace officer for the purpose of maintaining safety in New York city public schools.] *“Department personnel” shall mean employees of the New York city police department, including police officers assigned to the school safety division, school safety agents, officers assigned to school safety task force(s), truancy task force(s), and police officers not assigned to the school safety division.*

3. *“Data” shall mean final versions of statistical or factual information in alphanumeric form that can be digitally transmitted or processed.*

4. *“Mechanical restraints” shall mean any device or material attached or adjacent to the body that restricts freedom of movement or normal access to any portion of the body and that the individual cannot easily remove including handcuffs and velcro handcuffs.*

b. Report of activity relating to schools. The department shall submit to the council *and post to the department’s website* on a quarterly basis, a report based on data reflecting summons, arrest and non-criminal incident activity from the preceding quarter. Such report shall be disaggregated by [patrol borough] *school and command* and include, at a minimum:

1. *The total number of individuals arrested and/or issued a summons for an incident that occurred within a New York city public school, on school grounds, during school-related events, or while taking school transportation [by school safety agents or police officers assigned to the school safety division of the New York city police department]; and*

2. *The total number of non-criminal incidents that occurred within a New York city public school, on school grounds, during school-related events, or while taking school transportation; and [in those cases where arrests were made or summonses were issued:]*

3. *The total number of incidents where individuals were subjected to mechanical restraints in schools, whether those individuals were students, school personnel or*

*other individuals, disaggregated by the agency responsible for the use of restraints (e.g. DOE, NYPD, EMS, other). [the number and type of non-criminal incidents that occurred.]*

*4. For the data reported in paragraphs one and two such report shall include: (i) the charges and classification (including penal law section or other section of law), and [(ii)] whether the charge or classification was a felony, misdemeanor or violation; (ii) whether the individual was a student, school personnel, or other individual; (iii) whether the incident occurred in connection with metal detector or magnetometer scanning; and (iv) whether department personnel used physical force.*

*c. The data provided pursuant to paragraphs one through four[three] of subdivision b shall, for each [of ]such paragraphs[, where practicable based upon the manner in which the applicable records are maintained,] be disaggregated by race/ethnicity, year of birth, gender, and where the individual is a student, whether the individual is receiving special education services, and whether the individual is an English Language Learner.*

*d. Use of permanent and temporary metal detectors. The department shall submit to the council on a quarterly basis a report including: (i) a list of schools with permanent metal detectors; (ii) a list of schools subjected to unannounced, temporary metal detectors and scanning; (iii) a list of schools that have requested the removal of metal detectors; and (iv) a list of schools for which a requested removal of metal detectors has been honored.*

*e. Report of complaints against department personnel. The department shall submit to the council on a quarterly basis, a report of complaints against school safety division personnel, and other department personnel where the complaint is related to activity in a school, from the preceding quarter. Such report shall include, at a minimum:*

- 1. the number of complaints originating at or relating to each public school;*
- 2. the number of complaints alleging excessive use of force, abuse of authority, discourtesy, use of offensive language, disputed arrest, and confiscation of student property;*
- 3. the number of open complaints at the end of the preceding quarter and the number of days each complaint has been pending and the result of the complaint; and*
- 4. the number of department personnel with open complaints who have been the subject of a prior complaint.*

*f. [d. ]Public education. Operators of the 311 system shall inform any caller seeking to make a complaint against a school safety agent that the complaint will be electronically transferred to the internal affairs bureau of the New York city police department.*

*g. [e. ]Disclosure limitations. The information, data, and reports required by this section shall be subject to the disclosure limitations of section 14-150 of this chapter.*

*h. [f. ]Reports due at end of reporting period. The information, data, and reports required by this section shall be provided to the council and posted to the department's website within thirty days of the end of the reporting period to which the reports correspond or for which the relevant data may be collected, whichever is*

later. Where necessary, the department may use preliminary data to prepare the required reports and may include an acknowledgment that such preliminary data is non-final and subject to change.

§ 3. This local law shall take effect immediately.

Referred to the Committee on Public Safety

Int. No. 731

By Council Members Johnson, Levine, the Public Advocate (Ms. James), Rosenthal, Torres, Reynoso, Arroyo, King, Mealy, Mendez, Rose and Cohen.

**A Local Law to amend the administrative code of the city of New York, in relation to the prohibition of discrimination in housing.**

*Be it enacted by the Council as follows:*

Section 1. Subparagraph four of paragraph a of subdivision five of section 8-107 of chapter one of title eight of the administrative code of the city of New York is renumbered to be subparagraph five and a new subparagraph four is added to read as follows:

*(4) To discriminate against any person or group of persons in the use or enjoyment of any building amenity because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because such person or persons occupy an affordable dwelling unit or because children are, may be or would be residing with such person; provided that, as used in this subparagraph:*

*(i) The term “affordable dwelling unit” means a dwelling unit that is within a multiple dwelling, as such terms are defined in the housing maintenance code, and that satisfies at least one of the following conditions:*

*(A) Occupancy of the dwelling unit is restricted based on occupant income pursuant to any law, rule or federal, state or city program for the development of affordable housing; or*

*(B) The rent, sale price or resale price, as applicable, of the dwelling unit is restricted pursuant to any law or rule or any federal, state or city program for the development of affordable housing; and*

*(ii) The term “building amenity” means any equipment, feature or space within a multiple dwelling that may be used in common by the lawful occupants of two or more dwelling units within such multiple dwelling, including, but not limited to, entrances, elevators, freight elevators, gyms, pools, laundry rooms, laundry equipment, roof terraces, outdoor areas, or wireless internet.*

§ 2. This local law shall take effect 60 days after enactment.

Referred to the Committee on Civil Rights.

Int. No. 732

By Council Members Kallos, Cabrera, Eugene, Lancman, Mendez, Rose and Rodriguez.

**A Local Law to amend the New York city charter, in relation to making urban planning professionals available to community boards.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision nine of section 82 of the New York city charter is amended to read as follows:

9. Establish and maintain a planning office for the borough to assist the borough president in planning for the growth, improvement and development of the borough; reviewing and making recommendations regarding applications and proposals for the use, development or improvement of land located within the borough; preparing environmental analyses required by law; providing technical assistance to the community boards within the borough *by providing, within appropriations therefor, the services of at least one professional planner within such office for every four community boards in the borough*; and performing such other planning functions as are assigned to the borough president by this charter or other law.

§2. This local law shall take effect on July 1, 2015.

Referred to the Committee on Governmental Operations.

Int. No. 733

By Council Members Kallos, Eugene and King.

**A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to the use of recycled aggregate in concrete.**

*Be it enacted by the Council as follows:*

Section 1. Legislative findings and intent. The use of recycled materials in construction is a well-established and environmentally responsible option for the sub-base courses and foundation layers of concrete construction. In addition to reducing the need to dispose of discarded concrete, utilizing recycled content reduces the quarrying and transportation of virgin materials. There is a plentiful supply of waste material in New York city available to be used as recycled content in supporting



layers of concrete. Although concrete with recycled content has been demonstrated to meet or exceed all applicable state and federal specifications, this legislation only impacts the composition of materials used in embankments, sub-base courses below concrete pavement or concrete slabs. This legislation does not impact concrete mixes themselves.

§2. Sections two and three of local law number 71 of the year 2011 are REPEALED.

§3. Section 19-101 of the administrative code of the city of New York is amended by adding new subdivisions e, f, g, h, i, j, k, l and m to read as follows:

*e. "Aggregate" shall have the same meaning as such term is defined in chapter nineteen of the New York city building code.*

*f. Reserved.*

*g. Reserved.*

*h. "Concrete" shall have the same meaning as such term is defined in chapter nineteen of the New York city building code.*

*i. Reserved.*

*j. Reserved.*

*k. Reserved.*

*l. "Recycled concrete" shall mean hardened concrete that has been processed for reuse, usually as aggregate.*

*m. "Sub-base course" shall mean a layer of material of specified thickness constructed between the base layer of a pavement or slab and the underlying supporting soils to serve one or more functions such as distributing loads, providing drainage or minimizing frost action.*

§4. Section 19-113 of the administrative code of the city of New York is amended to read as follows:

§19-113 Construction generally. *a. Streets of twenty-two feet in width and upward shall have sidewalks on each side thereof.*

*b. The materials and construction of streets, including the width of the sidewalks thereon, shall fully conform to department specifications for such work, all of which shall be prescribed by the commissioner and kept on file in his or her office.*

*c. Reserved.*

*d. 1. Department specifications for streets shall include a requirement that sub-base courses shall be composed of not less than twenty-five percent recycled concrete, glass or other recycled aggregate material approved by the commissioner, as measured by weight.*

*2. The commissioner may waive compliance with this subdivision if the commissioner, after consulting with the owners or operators of transfer stations for clean fill located within the city, finds that a sufficient supply of suitable recycled material is not available.*

*3. This subdivision shall not apply to sub-base course materials used in a project where the content of sub-base course materials is governed by a federal or state law, rule, regulation, guideline or specification that requires a different composition.*

4. *This subdivision shall not apply to bridges, tunnels and overpasses or structures appurtenant thereto under the jurisdiction of the department.*

§ 5. Section BC 1902 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding, in alphabetical order, definitions of “RECYCLED CONCRETE” and “SUB-BASE COURSE” to read as follows:

**RECYCLED CONCRETE.** *Hardened concrete that has been processed for reuse, usually as aggregate.*

**SUB-BASE COURSE.** *A layer of material of specified thickness constructed between the base layer of a pavement or slab and the underlying supporting soils to serve one or more functions such as distributing loads, providing drainage or minimizing frost.*

§ 6. Chapter 19 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new section 1910.2 to read as follows:

**1910.2 Minimum recycled content in sub-base course.** *Sub-base course shall consist of not less than twenty five percent recycled concrete, glass, or other recycled aggregate material approved by the commissioner, as measured by weight.*

**Exceptions:**

1. *The commissioner may waive compliance with this section if the commissioner finds that a sufficient supply of suitable recycled material is not available after consultation with the commissioner of transportation and with the owners or operators of transfer stations for clean fill located within the city.*

2. *This section shall not apply to sub-base course materials used in a project where the content of sub-base course materials is governed by a federal or state law, rule, regulation, guideline or specification that requires a different composition.*

3. *This section shall not apply to sub-base course materials used as part of a sub-slab depressurization system.*

**1910.2.1 Specifications for recycled content in sub-base course.** *Recycled concrete and other recycled aggregate in sub-base course shall comply with items 1 through 4 of this section.*

1. *The diameter of recycled concrete, or other recycled aggregate material shall not exceed 0.75 inches.*

2. *Recycled aggregate materials shall not contain more than five percent by weight of deleterious material such as silt, clay, mud, organic material or any other material that may adversely affect the performance of the sub-base during handling, during construction, or in its final application.*

3. *The diameter of any glass contained in recycled aggregate materials shall not exceed 0.20 inches.*

4. *Reclaimed asphalt pavement shall not exceed five percent of the total weight of sub-base course materials.*

§ 7. Subdivisions e and f of section 19-101 of the administrative code of the city of New York, as added by section 3 of this local law, are amended to read as follows:

e. [Reserved.] *"Asphalt" shall mean a dark brown to black bitumen pitch that melts readily and which appears in nature in asphalt beds or is produced as a by-product of the petroleum industry.*

f. [Reserved.] *"Asphaltic concrete" or "asphalt paving" shall mean a mixture of liquid asphalt and graded aggregate used as paving material.*

§ 8. Subdivision i of section 19-101 of the administrative code of the city of New York, as added by section 3 of this local law, is amended to read as follows:

i. [Reserved.] *"I-4 mix" shall mean a type of heavy duty asphaltic concrete mix containing 0.75 inch (19 mm) nominal maximum size aggregate with 25% to 50% of the aggregate capable of passing through a No. 8 sieve and in which all sand contained in the mix is crushed.*

§ 9. Subdivision k of section 19-101 of the administrative code of the city of New York, as added by section 3 of this local law, is amended to read as follows:

k. [Reserved.] *"Reclaimed asphalt pavement" shall mean asphalt pavement that has been processed for reuse in asphaltic concrete.*

§ 10. Subdivision c of section 19-113 of the administrative code of the city of New York, as added by section 4 of this local law, is amended to read as follows:

c. [Reserved.] *Department specifications for streets shall include a requirement that asphaltic concrete, other than I-4 mix or other heavy duty asphaltic concrete mix approved by the commissioner, shall contain not less than thirty percent reclaimed asphalt pavement, as measured by weight, and I-4 mix or other approved heavy duty asphaltic concrete mix shall contain not less than ten percent reclaimed asphalt pavement, as measured by weight. In setting forth such specifications, the department shall make best efforts to encourage the greatest use of reclaimed asphalt pavement possible. This subdivision shall not apply to asphaltic concrete used in a project where the content of asphaltic concrete is governed by a federal or state law, rule, regulation, guideline or specification that requires a different composition. The commissioner may waive compliance with this subdivision if the commissioner, after consulting with the commissioner of buildings and the owners or persons in charge of all asphalt plants located within the city, finds that a sufficient supply of reclaimed asphalt pavement is not available.*

§ 11. This local law shall take effect on July 1, 2016, except that sections 3 and 4 of this local law shall take effect on January 1, 2017, and sections 8, 9, 10 and 11 shall take effect on January 1, 2018, and the commissioner of transportation and the commissioner of buildings shall 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. 734

By Council Member Kallos, Cumbo, Cornegy, Arroyo, Constantinides, Eugene, Johnson, King, Mendez and Rose.

**A Local Law to amend the New York city charter, in relation to employment resources for parents reentering the workforce.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision 5 of section 1301 of chapter 56 of the New York city charter is amended to add a new paragraph g to read as follows:

*g. publish on the department's Workforce1 or successor program website information concerning resources intended to assist parents who are reentering the workforce in attempting to obtain employment including, but not limited to, any online tools, job training materials, resources, or links to help connect such parents with employment opportunities and reintegrate such parents into the workforce. This information shall also be made available to such parents who visit any of the department's Workforce1 or successor program career centers. For purposes of this paragraph, Workforce1 means the program through which the department provides services to prepare and connect qualified candidates to job opportunities in New York city.*

§2. This local law shall take effect one hundred and twenty days after its enactment into law.

Referred to the Committee on Economic Development.

Res. No. 637

**Resolution commemorating the 50<sup>th</sup> anniversary of the signing of the New York City Landmarks Law.**

By Council Members Koo, Dromm, Johnson, Lander, Mendez, Menchaca, Gentile, Levin, Kallos, Wills, Rosenthal, Williams, Weprin, Garodnick, Dickens and Mealy.

**Whereas**, On April 19, 1965 Mayor Robert Wagner signed the New York City Landmarks Law granting the New York City Landmarks Preservation Commission authority to preserve significant historic buildings in the city; and

**Whereas**, The Landmarks Law and the Preservation Commission were a response to the public outcry over the loss of the architecturally and historically significant buildings throughout New York City; and

**Whereas**, Historically and architecturally significant buildings often serve as symbols that identify a place and the cultural beliefs or values of its people; and

**Whereas**, New York is a unique, world-class, international city composed of people from around the globe; and

**Whereas**, The architecture and other structures of New York City reflect the beauty, power, and diversity of its people; and

**Whereas,** The mandate of the New York City Landmarks Preservation Commission, established by the passage of the Landmarks Law, is to identify and designate those improvements, districts, and landscape features within the city that must be preserved because of their special character or special historical or aesthetic value; and

**Whereas,** Under the Landmarks Law, the purpose of such preservation is to safeguard the city's special historic, aesthetic, and cultural heritage; stabilize and improve property values in historic districts; encourage civic pride in the beauty and accomplishments of the past; protect and enhance the city's attractions for tourists; strengthen the city's economy; and promote the use of the city's landmarks for the education, pleasure, and welfare of the people of the city; and

**Whereas,** To date, the New York City Landmarks Preservation Commission has preserved more than 31,000 properties through designation of 1338 landmarks, 115 interior landmarks, 10 scenic landmarks, and 111 historic districts; and

**Whereas,** The Landmarks Preservation Commission has reviewed countless applications for development, construction, and improvement of landmarked buildings and on property within historic districts in order to preserve the character of these buildings and districts; and

**Whereas,** The preservation of these buildings, interiors, and districts has greatly enriched the City for the past 50 years, and will continue to protect the unique identity of New York City into the future; and

**Whereas,** The New York City Landmarks Law and Landmarks Preservation Commission helped to usher in an era of landmarks preservation nationwide; now, therefore, be it

**Resolved,** That the Council of the City of New York commemorates the 50<sup>th</sup> anniversary of the signing of the New York City Landmarks Law.

Referred to the Committee on Land Use.

Int. No. 735

By Council Members Lancman, Arroyo, Mendez, Rose and Rodriguez.

**A Local Law to expand the New York Police Department's reporting requirements to include the number of arrests that were voided by the police, or were declined to be prosecuted by the local prosecutor.**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 4 of subdivision a of section 14–150 of chapter 1 of title 14 of the administrative code of the city of New York is amended to read as follows:

4. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a

misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; *voided arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division*; *declined prosecutions (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division*; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control board notice of violation, or criminal court summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. Such report shall also include the total number of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation, pursuant to the following timetable:

1. Beginning January first, two thousand fourteen, the thirty largest parks, as determined by acreage;
2. Beginning June first, two thousand fourteen, the one hundred largest parks, as determined by acreage;
3. Beginning January first, two thousand fifteen, the two hundred largest parks, as determined by acreage;
4. Beginning January first, two thousand sixteen, the three hundred largest parks, as determined by acreage;
5. Beginning January first, two thousand seventeen, all parks one acre or greater in size; and
6. Beginning January first, two thousand eighteen, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size.

The department shall conspicuously post all quarterly reports of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation online via the department's website within five business days of the department's submission of such reports to the council.

§2. Paragraph 8 of subdivision b of section 14-150 of chapter 1 of title 14 of the administrative code of the city of New York is amended to read as follows:

8. For purposes of this section, the following terms shall have the following meanings: (i) "*voided arrest*" means an arrest made by a uniformed member of the

*service or a civilian, that is subsequently nullified because there is found to be reasonable cause to believe the arrestee did not commit the offense, or any related offense, or it is subsequently determined that no offense has been committed. (ii) “declined prosecutions” means when the District Attorney declines to prosecute charges made pursuant to an arrest. (iii)[(i)] “firearms incident” means any incident during which one or more New York city police officers discharge any firearm, or when a firearm belonging to a New York city police officer is discharged by any person, except for a discharge during an authorized training session, or while lawfully engaged in target practice or hunting, or at a firearms safety station within a department facility; (iv)[(ii)] “subject” means a person engaged in adversarial conflict with an officer or third party, in which the conflict results in a firearms discharge; (v)[(iii)] “civilian” means a person who is not the subject in the adversarial conflict but is included as a victim, bystander, and/or injured person; (vi)[(iv)] “officer” means a uniformed member of the department, at any rank; (vii)[(v)] “intentional firearms discharge” means a firearms discharge in which an officer intentionally discharges a firearm, which may include firearms discharges that are determined to be legally justified but outside department guidelines; (viii)[(vi)] “adversarial conflict” means an incident in which an officer acts in defense of self or another during an adversarial conflict with a subject and does not include an animal attack or situations in which an officer only intentionally discharges a firearm to summon assistance; (ix)[(vii)] “unintentional firearms discharge” means a firearms discharge in which an officer discharges a firearm without intent, regardless of the circumstance, commonly known as an accidental discharge; and (x)[(viii)] “unauthorized use of a firearm” means a firearms discharge that is considered unauthorized and is not listed as an intentional firearms discharge, is being discharged without proper legal justification, and includes instances when an unauthorized person discharges an officer's firearm.*

§3. This local law shall take effect immediately upon enactment.

Referred to the Committee on Public Safety.

Int. No. 736

By Council Member Levine, The Speaker (Council Member Mark-Viverito), Chin, Dromm, Johnson, Lancman, Lander, Rose, Rosenthal and Rodriguez.

**A Local Law to amend the New York city charter, in relation to an office of civil justice.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 13-b to read as follows:

*§ 13-b. Office of civil justice. a. The mayor shall establish an office of civil justice. Such office may, but need not, be established in the executive office of the*

*mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a coordinator who shall be appointed by the mayor or the head of such department. For the purposes of this section only, "coordinator" shall mean the coordinator of the office of civil justice.*

*b. Powers and duties. The coordinator shall have the power and the duty to:*

*1. advise and assist the mayor in planning and implementing for coordination and cooperation among agencies under the jurisdiction of the mayor that are involved in civil justice programs;*

*2. review the budget requests of all agencies for programs related to civil justice, and recommend to the mayor budget priorities among such programs and assist the mayor in prioritizing such requests;*

*3. prepare and submit to the mayor and the council an annual report of the civil legal service needs of city residents and the availability of free or low-cost civil legal services to meet such needs, which shall include but need not be limited to (i) an assessment of the civil legal service needs of low-income city residents, as well as the type and frequency of civil legal matters, including but not limited to matters concerning housing, health insurance, medical expenses and debts relating thereto, personal finances, employment, immigration, public benefits and domestic and family matters, (ii) identification and assessment of the efficacy and capacity of free and low-cost civil legal services available for such residents (iii) identification of areas or populations within the city that have low-income residents with civil legal service needs and (iv) identification of areas or populations within the city that have disproportionately low access to free or low-cost civil legal services;*

*4. study the effectiveness of, and make recommendations with respect to, the expansion of (i) free and low-cost civil legal services programs, (ii) mediation and alternative dispute resolution programs and (iii) mechanisms for providing free or low-cost civil legal services during and after emergencies; provided that the coordinator shall, to the extent practicable, prioritize the study of, and making of recommendations with respect to, the expansion of free and low-cost civil legal services programs intended to address housing-related civil legal service needs of low-income city residents;*

*5. serve as liaison for the city with providers of free and low-cost civil legal services and coordinate among such providers to (i) maximize the number of low-income city residents obtaining free or low-cost civil legal services sufficient to meet the needs of such residents and (ii) ensure that city residents have access to such services during and after emergencies;*

*6. provide outreach and education on the availability of free and low-cost civil legal service programs; and*

*7. perform other duties as the mayor may assign.*

*c. Five-year plan. Within one year after the completion of the first annual report required by paragraph three of subdivision b of this section, and in every fifth calendar year thereafter, the coordinator shall prepare and submit to the mayor and the council a five-year plan for providing free or low-cost civil legal services to those low-income city residents that need such services. Such plan shall also identify*



*obstacles to making such services available to all those who need them and what additional resources would be necessary to do so.*

§2. This local law shall take effect immediately.

Referred to the Committee on Courts and Legal Services.

Int. No. 737

By Council Members Levine, Cabrera, Constantinides, Johnson, Mendez and Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to the creation of a task force to study the effect of shadows cast by large buildings over parkland.**

*Be it enacted by the Council as follows:*

Section 1. Chapter one of title eighteen of the administrative code of the city of New York is amended by adding a new section 18-142 to read as follows:

*§18-142 Task force on shadows cast by buildings over parks. a. There is hereby established a task force to study the effect of shadows cast on parks under the jurisdiction of the department by new or proposed building construction and to make specific recommendations to the mayor and council for the alleviation of negative consequences resulting from such shadows.*

*b. The task force shall consist of the following individuals, or designees thereof:*

- 1. the commissioner, who shall be the chairperson;*
- 2. the commissioner of buildings;*
- 3. the commissioner of environmental protection;*
- 4. the commissioner of housing preservation and development;*
- 5. the chairperson of the city planning commission; and*
- 6. such other members as the commissioner shall designate.*

*c. The task force shall:*

- 1. hold at least one meeting every six months;*
- 2. advise the mayor and council on new and planned building construction projects that may result in casting shadows over parks and the possible effects of such shadows;*
- 3. identify and catalogue existing and planned building construction projects that may cast shadows over a park;*
- 4. study the effect of the loss of sunlight resulting from such shadows cast over a park;*
- 5. for each park, determine the size of the shadow cast on such park by buildings throughout the day; and*
- 6. by December 31 of each year, provide to the mayor and the council a report*

*which shall include an evaluation of the potential consequences of such shadows and recommendations to alleviate such consequences, including but not limited to changes to planned construction projects. Such report shall be made publicly available on the department's website within ten days after the release of such report.*

§2. This local law shall take effect 90 days after its enactment into law.

Referred to the Committee on Parks and Recreation.

Int. No. 738

By Council Members Levine, Crowley, Arroyo, Ferreras, Mendez and Cohen.

**A Local Law to amend the administrative code of the city of New York, in relation to a gas qualification for journeyman plumbers.**

*Be it enacted by the Council as follows:*

Section 1. Article 409 of chapter 4 of title 28 is amended by adding new sections 28-409.5 through 28-409.13 to read as follows:

§28-409.5 *Gas qualification. The applicant for a journeyman plumber registration or the holder of a journeyman plumber registration may apply for a gas qualification to be added to the journeyman plumber registration. A gas qualification shall be added to the journeyman plumber registration by the commissioner when an applicant satisfactorily complies with the experience and examination requirements of this article and provides proof of same in a form acceptable to the department.*

§28-409.6 *Experience. An applicant for a gas qualification shall have a minimum of 200 hours of experience in the performance of gas work in the direct employ of and under the direct and continuing supervision of a master plumber licensed in accordance with the provisions of 28-408; or in the case of a city agency, a supervising licensed master plumber; or shall have satisfactorily completed a New York State-recognized training program. For the purposes of this section, "gas work" shall mean the fabrication, assembly, installation, removal, repair, modification, testing or maintenance of fuel gas piping systems to be utilized within buildings at any pressure.*

§28-409.7 *Examination requirements for a gas qualification. The applicant for a journeyman plumber registration or the holder of a journeyman plumber registration applying for a gas qualification shall pass a written examination approved by the commissioner.*

§28-409.8 *Terms of gas qualification. A journeyman plumber gas qualification issued by the commissioner for which an examination is required under the provisions of this section shall expire three years from the date of issuance thereof, and may be renewed every three years thereafter without examination.*

*§28-409.9 Registration card with gas qualification. The journeyman registration card, when a gas qualification is added, shall clearly state: "Gas Qualification – Expires on MM/DD/YYYY."*

*§28-409.10 Continuing education. The commissioner shall promulgate rules to require applicants for the renewal of the journeyman plumber gas qualification to complete a prescribed number of hours of continuing education courses approved by the department within the term preceding the application for renewal and to provide proof of same in a form acceptable to the department. Such proof, when required, shall be submitted with the application for renewal.*

*§28-409.11 Journeyman plumber gas qualification required. It shall be unlawful for an individual to fabricate, assemble, install, repair, service, test or maintain fuel gas piping systems to be utilized within buildings at any pressure unless such individual is:*

- 1. a licensed master plumber in accordance with the provisions of 28-408;*
- 2. a registered journeyman plumber with a valid gas qualification under the provisions of 28-409 and such individual is working in the direct employ of and under the direct and continuing supervision of a licensed master plumber; or in the case of a city agency, a supervising licensed master plumber; or*
- 3. a plumber apprentice registered in accordance with New York state labor law article 23 working in conjunction with a registered journeyman plumber with a gas qualification and working in the direct employ of and under the direct and continuing supervision of a licensed master plumber.*

*§28-409.12 Penalties. It shall be unlawful for any person to knowingly permit or cause an individual who has not been registered as qualified under this section to fabricate, assemble, install, remove, repair, modify, test, or maintain fuel gas piping systems to be utilized within buildings at any pressure. In the case of continuing violations each day of continuance shall be a separate and distinct offense.*

*§28-409.13 Gas utility corporations. The provisions of this section shall not apply to the installation or alteration of gas service piping and gas meter piping, including meters, valves, regulators or related equipment, when such work is to be performed, serviced and maintained by utility corporations and subject to the jurisdiction of the New York State Public Service Commission.*

*§2. This local law shall take effect one hundred and eighty days after its enactment, except that the commissioner shall 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. 739

By Council Members Richards, Lancman, Constantinides, King, Mendez and Cohen.

**A Local Law to amend the New York city charter, in relation to creating a solar ombudsperson position within the New York city department of buildings.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 26 of the New York city charter is amended by adding a new section 650 to read as follows:

§ 650. *Solar ombudsperson. a. Establishment of solar ombudsperson position and duties. There shall be in the department the position of solar ombudsperson whose duties shall include, but not be limited to:*

*1. establishing a system to receive comments, questions and complaints with respect to the installation and maintenance of solar power systems, including but not limited to, establishing and publicizing the availability of a telephone number to receive such comments, questions and complaints;*

*2. coordinating with other agencies to ensure that policies are in place to encourage the installation and maintenance of solar power systems; and*

*3. making recommendations to the commissioner with respect to streamlining the process for obtaining the necessary approvals to install and maintain solar power systems.*

*b. Reporting. 1. The solar ombudsperson shall submit monthly reports to the commissioner indicating: the number and nature of any comments, questions and complaints received regarding solar installation; actions undertaken to coordinate with other agencies and the results of such coordination; and recommendations made pursuant to paragraph 3 of subdivision a of this section.*

*2. The department shall submit a yearly report to the mayor and the speaker of the city council which shall include a compilation of the monthly reports submitted pursuant to subdivision b of this section during the reporting year and indicate any action taken by the department as a result of any comment, question, complaint or recommendation from or forwarded by the solar ombudsperson.*

*c. Posting of ombudsperson information. The department shall post on its website the phone number of the solar ombudsperson and a statement indicating that any person may contact such ombudsperson if such person has a comment, question or complaint regarding the installation or maintenance of solar power systems.*

§2. This local law shall take 120 days after its enactment except that the commissioner of buildings may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such date.

Referred to the Committee on Housing and Buildings.

Int. No. 740

By Council Members Rodriguez, Cabrera, Chin and King.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring base stations, black car bases, and luxury limousine bases to submit electronic trip records.**

*Be it enacted by the Council as follows:*

Section 1. Chapter five of title 19 of the administrative code of the city of New York is amended by adding a new section 19-544 to read as follows:

*§ 19-544 Electronic trip record submission. a. Base stations, black car bases, and luxury limousine bases shall ensure that the following trip record information with respect to all dispatched calls is collected and transmitted to the commission in a format, layout, procedure, and frequency prescribed by the commission: i) the date, time, and location of passenger pick-up and drop-off, ii) the driver's license number; iii) the dispatched vehicle's vehicle license number; iv) the base station license number, black case base license number, or luxury limousine license number of the base that dispatched the vehicle; v) the base station license number, black case base license number, or luxury limousine license number of the base affiliated to the dispatched vehicle; vi) the fare charged; and vii) whether the dispatch was in response to a request for wheelchair accessible vehicle.*

*b. Any base station, black car base, or luxury limousine base that has been found to have violated subdivision a of this section shall be subject to a civil penalty of not less than two hundred dollars nor more than one thousand dollars per record that is not collected and transmitted.*

*c. On or before December 1, 2015 and every six months thereafter, the commission shall submit to the council and place on its website a report summarizing records submitted pursuant to subdivision a of this section, including but not limited to: i) the total number of trips reported, disaggregated by base station, the community district in which the pick-up occurred, and the community district in which the drop-off occurred; ii) the average fare collected, disaggregated by base station, the community district in which the pick-up occurred, and the community district in which the drop-off occurred; iii) the number of trips in response to a request for wheelchair accessible service; and iv) the total number of summonses issued and civil penalties paid pursuant to subdivision b of this section.*

§ 2. This local law shall take effect 120 days after its enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation.

Int. No. 741

By Council Members Treyger, Arroyo, Constantinides, Eugene, Johnson, Mendez and Rose.

**A Local Law to amend the New York city fire code, in relation to the posting of hurricane evacuation zone and evacuation center information in multiple dwellings.**

*Be it enacted by the Council as follows:*

Section 1. Section FC 408.9 of the New York city fire code, as amended by local law number 148 for the year 2013, is amended by adding a new section 408.9.5:

*408.9.5 Hurricane Evacuation Notices. The owner of any Group R-2 occupancy within a hurricane evacuation zone, as designated by the commissioner of the office of emergency management, shall cause a hurricane evacuation notice to be posted within the building. Such notice shall serve to inform building occupants and visitors as to the current hurricane evacuation zone designation for that building and the addresses of the three closest hurricane evacuation center locations. Such notice shall be in such form as prescribed by the commissioner by rule and shall be posted within a common area of the building and such other locations as set forth in the rules.*

§ 2. This local law shall take effect ninety days after enactment.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 638

**Resolution recognizing this and every April as Autism Awareness Month in the City of New York.**

By Council Members Ulrich, Arroyo, Cabrera, Chin, Constantinides, Deutsch, Eugene, Johnson, Levine, Rose, Vallone, Cohen, Levin, Koslowitz, Weprin, Williams, Richards, Miller, Rosenthal, Rodriguez and Lander.

**Whereas**, According to Autism Speaks (AS), autism and autism spectrum disorder, also called ASD, are both general terms for a group of complex disorders of brain development; and

**Whereas**, The New York City Department of Health and Mental Hygiene (DOHMH) advises that autism is a physical condition linked to abnormal biology and chemistry in the brain; and

**Whereas**, DOHMH further advises that the exact causes of these abnormalities remain unknown, but this is a very active area of research, and that there are probably a combination of factors that lead to autism; and

**Whereas**, DOHMH states that these disorders are characterized, in varying degrees, by difficulties in social interaction, verbal and nonverbal communication and repetitive behaviors; and

**Whereas**, DOHMH also informs that many parents of autistic children see some of the symptoms of autism by the time the child is 18 months, and seek help by the time the child is age 2; and

**Whereas**, DOHMH also says that children with autism typically have difficulties in areas such as pretend play, social interactions and verbal and nonverbal communication; and

**Whereas**, The Centers for Disease Control and Prevention (CDC) estimates that 1 in 68 children (or 14.7 per 1,000 eight-year-olds) in multiple communities in the

United States has been identified with ASD, and that this new estimate is roughly 30 percent higher than previous estimates reported in 2012 of 1 in 88 children (11.3 per 1,000 eight year olds) being identified with an ADS; and

**Whereas**, the CDC also reports that the data continue to show that ASD is almost five times more common among boys than girls: 1 in 42 boys versus 1 in 189 girls, and that Caucasian children are more likely to be identified as having ASD than are Black or Hispanic children; and

**Whereas**, The CDC reports that ASD is treatable by early intervention services that help children from birth to 3 years old learn important skills, and that services can include therapy to help the child talk, walk, and interact with others; and

**Whereas**, According to Shema Kolainu/Hear Our Voices (SK), a non-profit multi-cultural school in New York City that provides treatment, education and mentoring for persons in the autism community, several studies have shown that early, intensive instruction using such methods as Applied Behavioral Analysis (ABA) may result in dramatic improvements; and

**Whereas**, SK also informs that ABA therapy can develop the child's social and emotional skills, allowing them to convey their feelings either verbally or through use of what is known as an Alternative Communication device, which can range from a simple picture board to touch-screen voice output systems; and

**Whereas**, According to Autism Daily Newscast (ADN), finding a "cure" to ASD is tricky, because autism is a disorder that shows up as a series of symptoms, rather than as a particular biological reaction in the body; and

**Whereas**, ADN reports that it is possible to decrease the effect the symptoms of the disorder have on an individual, with proper interventions, and that studies have shown that intensive early behavioral interventions can improve symptoms and lead to a better quality of life in adulthood; and

**Whereas**, ADN also states that while no particular approach has been shown to "cure" autism, it is possible to help people with autism overcome their challenges, and for many to live happy, productive lives and

**Whereas**, The United Nations (UN), by resolution, established World Autism Awareness Day in 2007, observed on April 2 every year since 2008; and

**Whereas**, The main components of the UN resolution include, in addition to establishing April 2 as World Autism Awareness Day, the participation of UN organizations, member states and non government organizations in raising awareness of autism at all levels of society; and

**Whereas**, Observance of World Autism Awareness Day occurs yearly in April throughout the United States, including Chicago, Atlanta and Los Angeles; and

**Whereas**, On World Autism Awareness Day in 2014, in New York City, the Empire State Building and 30 Rockefeller Center, were illuminated in "autism blue"; and

**Whereas**, The Eighth Annual World Autism Awareness Day is April 2, 2015, and autism organizations around the world will mark the day with unique fundraising and awareness-raising events; and

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**Whereas**, According to the UN, the upcoming WADD will be recognized by all member states; now, therefore, be it

**Resolved**, That the Council of the City of New recognizes this and every April as Autism Awareness Month in the City of New York.

Referred to the Committee on Health.

Int. No. 742

By Council Members Van Bramer, Cumbo and Lander.

**A Local Law to amend the New York city charter, in relation to the community engagement process in the percent for art law.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision d of section 224 of chapter 9 of the New York city charter is amended to read as follows:

d. Reasonable advance notification of the intention to include works of art in a project shall be provided to the appropriate council member, borough president and chairperson of the community board of the community district in which the project is located. *Reasonable advance notification of the intention to include works of art in a project shall also be posted on the website of the department of cultural affairs. Following notification of the intention to include works of art in any project, the department of cultural affairs shall hold one or more public hearings on such works of art prior to such inclusion. A notice of such public hearings shall be published in the City Record at least fourteen days prior to any such hearings.* All such works of art shall be subject to the approval of the art commission pursuant to section eight hundred fifty-four of this charter.

§2. This local law shall take immediately after its enactment into law.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 639

**Resolution honoring the late Horace Morancie.**

By Council Member Williams.

**Whereas**, Horace Morancie was born in the Republic of Trinidad and Tobago, came to New York in 1954 at the age of 25 and passed away on February 4, 2015 at age 85 in Brooklyn; and



**Whereas**, According to the Daily News, Horace Morancie was appointed by Mayor John Lindsay to serve as director of Central Brooklyn Model Cities, a multi-faceted anti-poverty program created under President Lyndon Johnson's Great Society and War on Poverty, for which Morancie developed plans for job training, housing, sanitation, crime prevention, police-community relations, economic development, education, social services, union organization, transportation and other benefits for the borough; and

**Whereas**, According to the Urban Resource Institute, Horace Morancie was one of the founders of the Urban Resource Institute, a comprehensive human services program that provides help to victims of domestic violence, the developmentally disabled, and those struggling with substance abuse; and

**Whereas**, According to the Urban Resource Institute, Morancie served on the Urban Resource Institute's Board of Trustees since its inception in 1969 and served as its Chair for 20 years; and

**Whereas**, Horace Morancie's commitment to his community was further illustrated through his work as a founding board member of the community-based, START addiction recovery and treatment program and as a member of the Caribbean American Chamber of Commerce; and

**Whereas**, According to the Daily News, Horace Morancie managed New York City's first large steel band and helped organize the West Side Symphony's performances at Radio City Music Hall in 1965; and

**Whereas**, Horace Morancie served as an officer in the United States Steel Band Association and was instrumental in the presentation of its Panorama shows in New York City during his tenure; and

**Whereas**, Horace Morancie worked throughout his life for the benefit of his community by promoting cultural understanding between Caribbean Americans, African Americans and all other communities. Now, therefore, be it

**Resolved**, That the Council of the City of New York honors the late Horace Morancie.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 640

**Resolution recognizing June as Gun Violence Awareness Month in New York City.**

By Council Members Williams, Arroyo, Cabrera, Chin, Constantinides, Eugene, Johnson, Rose, Cohen and Rodriguez.

**Whereas**, Gun violence is a national and local problem affecting many Americans and New Yorkers on a daily basis; and

**Whereas**, According to the Gun Violence Archive, there were 51,377 incidents of gun violence in the United States in 2014, resulting in 12,518 deaths and 22,886 injuries; and

**Whereas**, National attention is often drawn to large scale tragedies, yet there are gun violence injuries occurring every day throughout many American cities; and

**Whereas**, In New York City, while the number of murders dropped to 328 in 2014, the lowest since records began in 1963, the number of shootings increased from 1,103 in 2013 to 1,171 in 2014; and

**Whereas**, In the first two months of 2015 in New York City, there were 151 shootings, an increase of 19.8% compared with the same period in 2014; and

**Whereas**, Close to 75% of the murders in the City during the first two months of 2015 involved the use of a gun; and

**Whereas**, Gun violence disproportionately impacts certain neighborhoods and populations in the City; and

**Whereas**, In 2013, 74.4% of the City's shooting victims were Black and 21.6% Hispanic; and

**Whereas**, It is therefore clear that gun violence is a serious problem in our communities that must be addressed; and

**Whereas**, Furthermore, gun violence and the resulting injuries and deaths typically increase substantially in the summer months; and

**Whereas**, It is important for the City of New York to once again work to increase public awareness about guns and the severity of their impact on our communities; and

**Whereas**, Recognition of the month of June as Gun Violence Awareness Month by local and state officials will increase efforts to protect all New Yorkers, especially those who are disproportionately affected by such violence, by furthering the dialogue with our local, state and federal partners to help examine the causes of gun violence and create meaningful solutions in an effort to prevent the violence from peaking again in the summer; now, therefore, be it

**Resolved**, That the Council of the City of New York recognizes June as Gun Violence Awareness Month in New York City.

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 193

By Council Member Ferreras:

**Rose Ellen Smith HDFC, Block 2744, Lots 55 and 63, Bronx, Community District No. 2, Council District No. 17.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

## Preconsidered L.U. No. 194

By Council Member Ferreras:

**MBD HDFC, Block 2983, Lot 28, Bronx, Community District No. 3, Council District No. 17.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

## L.U. No. 195

By Council Member Greenfield:

**Application No. 20155355 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 002 Mercury Tacos, LLC, d/b/a Otto's Tacos, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 131 Seventh Avenue South, 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.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 196

By Council Member Greenfield:

**Application No. 20155377 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Innovation Kitchens LLC., d/b/a Dominique Ansel Kitchen, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 137 Seventh Avenue South, 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.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

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L.U. No. 197

By Council Member Greenfield:

**Application No. N 150127 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, concerning Article VIII, Chapter 1 (Special Midtown District), Borough of Manhattan, Community Districts 5 and 6, Council District 4.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 198

By Council Member Greenfield:

**Application No. C 140440 MMM submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving: the elimination, discontinuance and closing of Vanderbilt Avenue between East 42nd Street and East 43rd Street, including authorization for any acquisition or disposition of real property related thereto, Community Districts 5, Council District 4. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 199

By Council Member Greenfield:

**Application No. C 150128 ZSM submitted by Green 317 Madison LLC and Green 110 East 42nd LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to proposed Section 81-635 of the Zoning Resolution to allow the transfer of floor area from property located at 110 East 42nd Street, a landmark building (Bowery Savings Bank Building) to property bounded by 42nd Street, Madison Avenue, 43rd Street, and Vanderbilt Avenue to facilitate the development of a commercial building, in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict) Community Districts 5 and 6, Council District 4. This application is subject to review and action by the**

**Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 200

By Council Member Greenfield:

**Application No. C 150129 ZSM submitted by Green 317 Madison LLC and Green 110 East 42nd LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to proposed Section 81-641 of the Zoning Resolution to allow an increase in floor area to facilitate the development of a commercial building on property bounded by 42nd Street, Madison Avenue, 43rd Street, and Vanderbilt Avenue, in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict), Community Districts 5 and 6, Council District 4. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 201

By Council Member Greenfield:

**Application No. C 150130(A) ZSM submitted by Green 317 Madison LLC and Green 110 East 42nd LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to proposed Section 81-642 of the Zoning Resolution to modify, in conjunction with the special permit pursuant to proposed Section 81-641 (Additional floor area for the provisional of public realm improvements), street wall requirements, height and setback requirements and the mandatory district plan elements of Retail Continuity along Designated Streets, Pedestrian Circulation Space, Major Building Entrances, Building lobby entrance requirements, and Curb cut restrictions and loading requirements to facilitate the development of a commercial building on property bounded by 42nd Street, Madison Avenue, 43rd Street, and Vanderbilt Avenue (Block 1277, Lots 20, 27, 46, and 52), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict). Community Districts 5 and 6, Council District 4. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-**

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**d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 202

By Council Member Greenfield:

**Application No. C 140209 ZSK submitted by SO Development Enterprises, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(a) and (c) of the Zoning Resolution to allow commercial use and modify yard regulations in connection with the development of a 3-story commercial warehouse building on property located 2702 West 15th Street within the Special Coney Island Mixed Use District, Borough of Brooklyn, Community District 13. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3). This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 203

By Council Member Greenfield:

**Application No. 20155443 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties identified as Block 387, Lot 41, Block 388, Lot 9, Block 389, Lots 12, 13, and 22, Block 395, Lot 48, Block 399, Lot 1, Block 411, Lot 11, Block 413, Lot 36, Block 468, Lot 2, Block 934, Lot 41, Block 947, Lots 8 and 11, Block 949, Lot 46, Block 952, Lots 15 and 67, Block 955, Lots 39, 52, Block 962, Lot 1, Block 992, Lot 32, and Block 1098, Lot 52, on the tax map of the City of New York, Borough of Brooklyn, Community Boards 2 and 6, Council Districts 33 and 39.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Disposition and Concessions.

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L.U. No. 204

By Council Member Greenfield:

**Application No. 20155444 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties identified as Block 2031, Lots 5, 7, 10, and 12, Block 2025, Lots 44, 46, 47, and 49, and Block 1823, Lot 18, on the tax map of the City of New York, Borough of Manhattan, Community Board 10, Council District 9.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Disposition and Concessions.

L.U. No. 205

By Council Member Greenfield:

**Application No. N 150167 ZRY submitted by the Department of City Planning pursuant to Section 200 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, pertaining to exempting floor space occupied by additional safety measures required by 2014 NYC Building Code from counting towards zoning floor area, Citywide, Council Districts 1-51.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

**ANNOUNCEMENTS:**

**Wednesday, April 1, 2015**

*★ Note Topic Addition*

Committee on **FINANCE** jointly with the  
Committee on **CIVIL SERVICE AND LABOR** .....**10:00 A.M.**

Oversight - Examining Health Care Savings Under Recent Collective Bargaining Agreements

★ Proposed Res 533-A - By Council Members Chin, The Speaker (Council Member Mark-Viverito), Vallone, Miller, Cohen, Constantinides, Eugene, Gentile, Gibson, Johnson, Koo, Lander, Levine, Mendez, Richards, Rodriguez, Rose, Wills, Levin and Ulrich - Resolution calling upon the United States Congress to pass, and the President to sign the James Zadroga 9/11 Health and Compensation Reauthorization Act.

Committee Room – City Hall ..... Julissa Ferreras, Chairperson  
.....I. Daneek Miller, Chairperson

Committee on **HEALTH** jointly with the  
Committee on **GENERAL WELFARE**.....**10:00 A.M.**

Oversight - Examining Health and Safety at ACS-funded Head Start Programs  
Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Corey Johnson, Chairperson  
..... Stephen Levin, Chairperson

*★ Note Topic Addition*

Committee on **HOUSING AND BUILDINGS** .....**10:00 A.M.**

Int 145 - By Council Members Johnson, Vacca, Crowley, Arroyo, Chin, Constantinides, Eugene, Koo, Levine, Richards, Mendez, Espinal, Rosenthal, Cohen, Deutsch, Cornegy, Cumbo, Dromm, Gibson, Greenfield, King, Koslowitz, Levin, Maisel, Miller, Palma, Reynoso, Rodriguez, Rose, Torres, Vallone, Weprin, Wills, Treyger, Lander, Menchaca, Lancman, Ferreras, Van Bramer, Garodnick, Ignizio and Ulrich - A Local Law to amend the New York city building code, in relation to the installation of fire sprinklers in certain establishments that provide services for animals.

★ Proposed Int 433-A - By Council Members Cohen, Arroyo, Barron, Constantinides, Dickens, Eugene, Koo, Mendez, Rodriguez, Rosenthal, Crowley and Dromm - A Local Law to amend the administrative code of the city of New York, in



relation to the installation and maintenance of electrical outlet safety devices and tamper-resistant receptacles in certain public parts of multifamily dwellings

Int 592 - By Council Members Johnson, Chin, Torres, Reynoso, Richards, Levine, Miller, Van Bramer, Kallos, Rodriguez, Dromm, Lander, Ferreras, Lancman, Rose, Constantinides, Deutsch, Dickens, Espinal, Eugene, Gentile, Gibson, King, Levin, Maisel, Vallone, Koslowitz, Cumbo, Rosenthal, Mendez, Menchaca, Cohen, Treyger and Arroyo - A Local Law to amend the administrative code of the city of New York, in relation to the preservation of hotels

Council Chambers – City Hall .....Jumaane D. Williams, Chairperson

★ *Note Committee Addition*

Committee on **ENVIRONMENTAL PROTECTION** jointly with the

★ Committee on **WATERFRONTS**..... **1:00 P.M.**

Res 549 - By Council Members Richards, Chin, Johnson, Mendez, Rosenthal, Lancman, Constantinides, Dromm, Koslowitz, Miller, Levine, Levin and Ulrich - Resolution calling on Governor Andrew Cuomo to veto the application by Liberty Natural Gas, LLC to construct the Port Ambrose liquefied natural gas terminal off the coast of New York.

Council Chambers – City Hall ..... Donovan Richards, Jr., Chairperson

..... ★ Deborah Rose, Chairperson

**Monday, April 13, 2015**

★ *Note Time Change*

Subcommittee on **ZONING & FRANCHISES** ..... ★ **9:00 A.M.**

See Land Use Calendar

Council Chambers – City Hall ..... Mark Weprin, 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 – City Hall ..... Inez Dickens, Chairperson

**Tuesday, April 14, 2015**

**Committee on PUBLIC SAFETY .....10:00 A.M.**

Int 65 - By Council Members Greenfield, Arroyo, Eugene, Koo, Lancman, Levine, Palma, Rose, Vallone, Rodriguez, Deutsch, Maisel, Richards, Cohen, Levin, Treyger, Garodnick, Cabrera, Chin, Constantinides, Cornegy, Crowley, Cumbo, Dickens, Espinal, Ferreras, Gentile, Johnson, Kallos, King, Koslowitz, Lander, Mealy, Miller, Reynoso, Rosenthal, Torres, Vacca, Van Bramer, Weprin, Williams, Wills, Menchaca, Gibson, Matteo, Ignizio and Ulrich - A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city police department to assign school safety agents to public and nonpublic schools, upon the request of such schools.

Council Chambers – City Hall ..... Vanessa L. Gibson, Chairperson

*★ Deferred*

~~Committee on RECOVERY AND RESILIENCY .....1:00 P.M.~~

~~Agenda to be announced~~

~~Council Chambers – City Hall ..... Mark Treyger, Chairperson~~

**Committee on WATERFRONTS ..... 1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Deborah Rose, Chairperson

*★ Addition*

Committee on **ECONOMIC DEVELOPMENT** jointly with the

**Committee on COMMUNITY DEVELOPMENT ..... 1:00 P.M.**

Off-site Oversight Hearing - The Economic Impact of the City’s Foreclosure Crisis

Location: Milton G. Bassin Performing Arts Center at York College

94 - 20 Guy R. Brewer Blvd.

Jamaica, NY 11451

Details Attached.....Daniel Garodnick, Chairperson

.....Maria del Carmen Arroyo, Chairperson

**Wednesday, April 15, 2015**

**Committee on AGING .....10:00 A.M.**

Int 702 - By The Speaker (Council Member Mark-Viverito) and Council Members Chin, Arroyo, Constantinides, Gentile, Lander, Palma, Richards, Rose, Vallone and Wills - A Local Law to amend the administrative code of the city of New York, in

relation to requiring the development of a guide for building owners regarding aging in place.

Res 426 -By Council Members Cohen, Rosenthal, Arroyo, Cabrera, Chin, Eugene, Gentile, Gibson, Johnson, Koo, Lander, Levine, Palma, Richards, Rose, Wills, Rodriguez, Koslowitz and Levin - Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation eliminating the sunset provisions related to income threshold increases for the senior citizen rent increase exemption and disability rent increase exemption programs.

Committee Room – 250 Broadway, 14<sup>th</sup> Floor

.....Margaret Chin, Chairperson

Committee on **TRANSPORTATION**.....**10:00 A.M.**

Agenda to be announced

Council Chambers – City Hall ..... Ydanis Rodriguez, Chairperson

Committee on **LAND USE** .....**11:00 A.M.**

All items reported out of the subcommittees

**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**

Committee Room – City Hall ..... David G. Greenfield, Chairperson

Committee on **COURTS AND LEGAL SERVICES** ..... **1:00 P.M.**

Agenda to be announced

Committee Room – City Hall ..... Rory Lancman, Chairperson

*★Note Topic Addition*

Committee on **RECOVERY AND RESILIENCY** ..... **1:00 P.M.**

Res 552 - By Council Members Treyger, Chin, Gentile, Johnson, Mendez, Richards, Rose and Ulrich - Resolution calling on the Federal Emergency Management Agency to re-examine all National Flood Insurance Program insurance claim payouts related to Hurricane Sandy for possible underpayment, and to henceforth require insurance companies to make available to flood insurance claimants all drafts of engineering reports that are used in the assessment of damages.

Council Chambers – City Hall ..... Mark Treyger, Chairperson

**Thursday, April 16, 2015**

Committee on **FINANCE** .....**10:00 A.M.**

Int 555 - By Council Members Ferreras, Arroyo, Dickens, King, Koo, Koslowitz, Williams, Vacca, Rodriguez, Mendez and Cohen - A Local Law to amend the administrative code of the city of New York, in relation to the senior citizen rent increase exemption

**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**

March 31, 2015

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Committee Room – City Hall ..... Julissa Ferreras, Chairperson

*Stated Council Meeting*..... *Ceremonial Tributes – 1:00 p.m.*

.....*Agenda – 1:30 p.m.*

MEMORANDUM

March 30, 2015

**TO:** ALL COUNCIL MEMBERS

**RE: OFF-SITE HEARING BY THE COMMITTEES ON ECONOMIC DEVELOPMENT AND COMMUNITY DEVELOPMENT**

**Please be advised that all Council Members are invited to attend:**

**Off-site Oversight Hearing** - The Economic Impact of the City’s Foreclosure Crisis

**Location: Milton G. Bassin Performing Arts Center at York College  
94 - 20 Guy R. Brewer Blvd.  
Jamaica, NY 11451**

The hearing will be on **Tuesday, April 14, 2015 beginning at 1:00 p.m.** A van will be leaving City Hall at **12:00 p.m.**

Council Members interested in attending should call Alex Paulenoff at 212- 341-0376.

Hon. Daniel Garodnick, Chairperson  
Committee on Economic Development

Hon. Melissa Mark-Viverito  
Speaker of the Council

Hon. Maria del Carmen Arroyo, Chairperson  
Committee on Community Development

In celebration of Women's History Month, the Women's Caucus helped set up a "Council Member for a Day" event for inspirational young women who were chosen to sit with and serve with their respective Council Member during the course of this Meeting. These young women were welcomed and praised for their accomplishments.

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 Thursday, April 16, 2015.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Local Law Note: Int Nos. 74-A, 423-A, 600-A, 611-A, and 619-A, adopted by the Council at the February 26, 2015 Stated Meeting, were signed into law by the Mayor on March 18, 2015 as, respectively, Local Laws Nos. 21, 22, 23, 24, and 25 of 2015. Int Nos. 685, 435-A, and 458-A, adopted at the March 11, 2015 Stated Meeting, were signed into law by the Mayor on March 30, 2015 as, respectively, Local Laws Nos. 26, 27, and 28 of 2015.*

March 31, 2015

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