

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Wednesday, May 23, 2018, 1:55 p.m.

The Majority Leader (Council Member Cumbo)
presiding as the Acting President Pro Tempore

Council Members

Corey D. Johnson, *Speaker*

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

Absent on May 23, 2018: Council Members Cornegy, King, Koslowitz, Lancman, Perkins, Rodriguez, Van Bramer, and Williams.

Medical Leave on May 23, 2018: Council Member Miller.

The Majority Leader (Council Member Cumbo) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings. The Public Advocate (Ms. James) was not present for these proceedings taking place on May 23, 2018.

After consulting with the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the Majority Leader and Acting President Pro Tempore (Council Member Cumbo).

*There were 42 Council Members marked present at this Stated Meeting held on May 23, 2018 in the Council Chambers of City Hall, New York, N.Y. (*but see Editor's Note: re: Attendance below).*

**Editor's Note re: Attendance for the Stated Meeting held on May 23, 2018 and the brief Recessed Meeting held on June 7, 2018: The Recessed Meeting held subsequently on June 7, 2018 is considered to be the continuation and conclusion of this Stated Meeting which was opened on May 23, 2018. For attendance purposes, therefore, any Council Member who was present at any one of these two Meetings will be considered present for all of the proceedings known collectively as the Stated Meeting of May 23, 2018. Although Council Members Cornegy, King, Koslowitz, Lancman, Perkins, Rodriguez, and Williams were absent at this Stated Meeting held on May 23, 2018, these same Council Members were subsequently marked as Present but Not Voting for these May 23rd proceedings due to their presence at the later brief Recessed Meeting held on June 7, 2018.*

INVOCATION

The Invocation was delivered by Abdelrahman Badawi, Muslim American Society Youth Center, located at 1933 Bath Avenue, Brooklyn, NY 11214.

I begin in the name of Allah, the most gracious, the most merciful.
 All praise belongs to God.
 We seek his help, his forgiveness and his guidance
 and we seek refuge in God from the evil within ourselves
 and the evil that manifests in our actions.
 We pray for his guidance in all our affairs.
 Allah tells us in the holy Koran.
(speaking/chanting in Arabic)
 All mankind, indeed we have created you from a male and a female
 and we made you into peoples and tribes so that you may know one another.
 Truly the most noble of you in the sight of God is the most virtuous of you.
 Indeed God is knowing and acquainted.
 During this blessed month of Ramadan,
 we are reminded that indulgence in worldly pleasures
 is not the be all, end all of our existence in this world,
 rather, this should be a time of reflection, spiritual growth
 and connecting with the community.
 In the spirit of Ramadan, I ask Allah to grant us
 a greater appreciation for one another
 and to imbue within us the ability to see right from wrong
 and to grant us also the strength to pursue that right.
 Oh Allah, grant these men and women
 the guidance, wisdom and strength
 to pursue justice, compassion and sound judgment.
 Amen.

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

At this point, the Speaker (Council Member Johnson) asked for a Moment of Silence in memory of the following individuals:

Ten individuals were killed and thirteen wounded in a school shooting at Sante Fe High School in Texas on May 18, 2018. The Speaker (Council Member Johnson) offered his thoughts and prayers to those affected but also called for action from political leaders to help end these incidents of gun violence.

NYPD Officers Michael Colangelo and John Martinez died in a tragic auto accident on May 20, 2018 shortly following Officer Colangelo's wedding. The Speaker (Council Member Johnson) offered his thoughts and prayers with their families, including Officer Colangelo's widowed bride, their friends, and the entire NYPD.

Retired NYPD Officer Scott Blackshaw, died from a 9/11 related cancer that he contracted after six weeks at Ground Zero. The Speaker (Council Member Johnson) offered his thoughts and prayers to Officer Blackshaw and his entire family.

Thomas P. Van Arsdale, 80, former president of the New York City Central Labor Council, a former business manager of Local 3 of IBW, and resident of Flushing, Queens. The Speaker (Council Member Johnson) described him as a major New York City labor leader.

Adelaide Connaughton, 59, civic activist, passed away unexpectedly on May 12, 2018. The Speaker (Council Member Johnson) described her as a legend in Queens due to her extensive activism. In the last years of her life, Ms. Connaughton worked at the Fortune Society helping many who were formerly incarcerated. At one point, she had worked as a Council aide to former Council Member Margarita Lopez. The Speaker (Council Member Johnson) extended his deepest condolences to her partner of nearly 30 years, Lynn Schulman, who is a member of the Council's Community Engagement Unit.

ADOPTION OF MINUTES

Council Member Lander moved that the Minutes of the Stated Meeting of April 11, 2018 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-55

Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2019 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2019, pursuant to the City Charter.

May 11, 2018
Honorable Corey Johnson
Speaker, New York City Council

ATTN: Jonathan Ettricks
City Hall
New York, NY 10007

Re: FY2019 Interest Rates Recommendations for:
Early Payment (Discount) of Real Estate Taxes; and
Non-Payment of Real Estate Taxes

Dear Speaker Johnson:

Pursuant to § 11-224.1 of the New York City Administrative Code and § 1519(a) of the New York City Charter, at its meeting on May 10, 2018, the NYC Banking Commission approved resolutions recommending to the City Council the following proposed FY2019 interest rates for the discount rate for early real estate tax payments and the rates for non-payment of real estate taxes:

- a. One-half of one percent (**0.5%**) discount per annum for early payment of real estate taxes;
- b. Seven percent (**7.0%**) per annum for non-payment of taxes for real estate with an assessed value of not more than two hundred fifty thousand dollars (\$250,000.00), or not more than two hundred fifty thousand dollars (\$250,000.00) per residential unit for co-ops;
- c. Eighteen percent (**18.0%**) per annum for non-payment of taxes for real estate with an assessed value of more than two hundred fifty thousand dollars (\$250,000.00), or more than two hundred fifty thousand dollars (\$250,000.00) per residential unit for co-ops, or where irrespective of the assessed value, the parcel consists of vacant or unimproved land.

Attached are copies of the Banking Commission resolutions.

Sincerely,
Karen A. Cassidy
Assistant Commissioner and Treasurer
NYC Department of Finance

Attachment

Cc: Honorable Bill de Blasio
Comptroller Scott M. Stringer
Commissioner Jacques Jiha, Ph.D., NYC Department of Finance
Deputy Commissioner Jeffrey Shear, NYC Department of Finance
NYC Deputy Mayor for Operations Officer Laura Anglin
Assistant Comptroller for Economic Development Brian Cook

May 11, 2018
Honorable Corey Johnson
Interest Rate Recommendations — FY2019

ATTACHMENT: Banking Commission Resolutions Nos. 1 to 4**RESOLUTION NO. 1 — FY2019 EARLY PROPERTY TAX PAYMENT DISCOUNT RATE RECOMMENDATION**

WHEREAS, pursuant to § 1519(a) of the New York City Charter, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed discount rate for the early payment of real estate taxes, and

WHEREAS, the economy is currently in a rising interest rate environment. There have been four incremental increases of 25 basis points (0.25%) or a total of 100 basis points (1.0%) in the Federal Funds rate range in the past fifteen months by the Open Market Committee of the Federal Reserve Bank. Concurrently, on these four dates (December 2016 to March 2018) the prime rate increased from 3.75% to 4.75%, or a total of 100 basis points (1.0%), and

WHEREAS, the increase in interest rates has allowed the City to earn more income than it had previously on property taxes paid early. From April 2017 — March 2018, NYC's quarterly average rates on its investments ranged from 1.08% -1.70% in comparison to FY2018 from 0.80% - 0.90%, an increase greater than 0.80% . , and

WHEREAS, the Banking Commission's impact analysis for FY2019 projects that this higher return on investments rate will result in \$17.85 million of interest earned on taxes collected early at a discount rate of 50 basis points, or one-half of one percent (0.50%). This will offset estimates of forgone taxes of (\$11.40) million (discount given) plus forgone interest income on forgone taxes of (\$140K), resulting in a net surplus in revenue to the City of \$6.3 million, and

WHEREAS, changes in the discount rate decrease from 1.0% in FY2015 to 50 basis points, or one-half of one percent (0.50%) in FY2016 through FY2018 has had little effect on the number of pre-paid accounts or the amount of taxes collected early. The number of pre-paid accounts has consistently remained at 4175K with a dollar value of —\$2.4 billion. There was an increase in pre-payments experienced in Mid-FY2018 (December 2017 consisting of —27K accounts totaling —\$475 million), which was due entirely to the change in the Tax Jobs and Cuts Act of 2017 (federal tax law), and

WHEREAS, in a rising interest rate environment, the impact translates to a total positive impact for the City of \$7.6 million. This consists of the aforementioned \$6.3 million in net surplus revenue and an additional \$1.3 million in administrative cost savings. If the Banking Commission were to increase the discount rate to 1.0%, this would have a (\$5.3) million negative net impact on the City's revenue, and

WHEREAS, while there is a higher increase in the returns on investments and increased investment income on taxes paid early, taxpayer behavior appears somewhat inelastic in response to changes in the discount rates. Further, given the inelasticity, cash flow would not materially increase should the discount increase above 50 basis points, or one-half of one percent (0.5%), now, therefore be it

RESOLVED, the Banking Commission recommends to the City Council that the discount rate for the early payment of real estate taxes shall remain at 50 basis points, or one-half of one percent (0.5%) per annum for FY2019, and be it further

RESOLVED, that said discount rate is to be offered only for that portion of the real estate tax that is paid before the due date.

RESOLUTION NO. 2 — FY2019 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED NO MORE THAN \$250,000

WHEREAS, pursuant to the New York City Administrative Code § 11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth day of May, the proposed interest rate to be charged for non-payment of taxes for properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, and

WHEREAS, the proposed interest rate shall be at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

WHEREAS, the Banking Commission notes that as of May 10, 2018 said prime rate stands at four point seventy-five percent (4.75%), as published by the Board of Governors of the Federal Reserve System, and

WHEREAS, it is in the City's best interest to encourage the prompt payment of real estate taxes by all taxpayers, and

WHEREAS, the overall trend is a rising interest rate environment. There have been four incremental increases of 25 basis points (0.25%) or a total of 100 basis points (1.0%) in the Federal Funds rate range in the past fifteen months by the Open Market Committee of the Federal Reserve Bank. Concurrently, on these four dates (December 2016 to March 2018) the prime rate increased from 3.75% to 4.75%, or a total of 100 basis points (1.0%), and

WHEREAS, increasing the penalty rate from 6.0% to 7.0% for assessed properties valued at no more than \$250k will be consistent with the 100 basis point (1.0%) increase in interest rates that have been experienced in the last two years, and

WHEREAS, while the remaining delinquent balance in quarterly pay for properties valued at no more than \$250K increased 4.9% in FY2017 and increased 1.8% in FY2018, it is not empirically conclusive that this increase is attributable only to the penalty rate being decreased in FY2017 from 9.0% to 6.0%. In fact, the delinquency rate on all NYC properties is very healthy at 9.52%, and for properties valued at no more than \$250K this rate was even lower at 5.32%. Therefore, the Banking Commission's recommendation to increase the penalty rate from 6.0% to 7.0% is based solely on the interest rate environment, not on delinquency behavior, now, therefore be it

RESOLVED, the Banking Commission recommends to the City Council that the interest rate to be charged for non-payment of taxes for all properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, be set at seven per cent (7.0%) per annum for FY2019, an increase from 6.0%, or 100 basis points (1.0%), which is consistent with benchmark interest rates such as the Federal Funds rate and the Prime Rate which has increased 100 bps (1.0%) since 2016.

RESOLUTION NO. 3 — FY2019 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED GREATER THAN \$250,000

WHEREAS, pursuant to the New York City Administrative Code § 11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth day of May, the proposed interest rate to be charged for non-payment of taxes for properties with an assessed value of more than two hundred fifty thousand dollars (\$250,000), or more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, or where, irrespective of the assessed value, the parcel consists of vacant or unimproved land,

WHEREAS, said provisions of the Administrative Code require the Banking Commission to propose a rate at least six percentage points (6.0%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

WHEREAS, the Banking Commission notes for the record that as of May 10, 2018 said prime rate stands at four point seventy-five percent (4.75%), as published by the Board of Governors of the Federal Reserve System, and

WHEREAS, it is in the City's best interest to encourage the prompt payment of real estate taxes by all large taxpayers, and

WHEREAS, there is no compelling reason for the Banking Commission to either raise or lower the penalty rate in FY2019 for semi-annual taxpayers for property assessed at more than \$250k. The existing penalty rate of 18.0% resulted in a positive impact as delinquency did not rise but decreased, now, therefore be it

RESOLVED, the Banking Commission recommends to the City Council that the interest rate to be charged for non-payment of real estate taxes where the assessed value of a property is more than two hundred fifty thousand dollars (\$250,000), or more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, or where, irrespective of the assessed value, the parcel consists of vacant or unimproved land, remain at eighteen per cent (18%) per annum for FY2019.

Dated May 10, 2018

The NYC Banking Commission unanimously approved Resolutions No. 1-3.

Referred to the Committee on Finance.

LAND USE CALL-UPS

M-56

By Council Member Chin:

Pursuant to Rule 11.20(b) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 150348 ZSM shall be subject to Council review.

Coupled on Call-Up Vote.

M-57

By Council Member Rosenthal:

Pursuant to Rule 11.20(b) of the Council and §20-226 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 158 West 72nd Street, Borough of Manhattan, Community District 7, Council District 6, Application No. 20185267 TCM shall be subject to review by the Council.

Coupled on Call-Up Vote.

The Majority Leader and Acting President Pro Tempore (Council Member Cumbo) put the question whether the Council would agree with and adopt such motions which were decided in the **affirmative** by the following vote:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Richards, Rivera, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **42**.

Subsequently considered Present but Not Voting (PNV) due to their presence at the Recessed Meeting of May 23, 2018 held on June 7, 2018 – Cornegy, King, Koslowitz, Lancman, Perkins, Rodriguez, and Williams.

At this point, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES**Report of the Committee on Civil Service and Labor**

Report for Int. No. 895

Report of the Committee on Civil Service and Labor in favor of approving and adopting a Local Law to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving family members of certain deceased employees of the department of transportation.

The Committee on Civil Service and Labor, to which the annexed proposed local law was referred on May 9, 2018 (Minutes, page 1827), respectfully

REPORTS:**Introduction**

On May 22, 2018, the Committee on Civil Service and Labor, chaired by Council Member Adrienne Adams, heard and voted on Int. No. 895 by Council Member Miller (by request of the Mayor) – A local law to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving family members of certain deceased employees of the department of transportation. On May 22, 2018, the Committee on Civil Service and Labor passed Int. No. 895 by a vote of five in the affirmative, zero in the negative, with zero abstentions.

Background

Currently, Section 12-126(b)(2)(i) of the Administrative Code provides health insurance benefits to a surviving spouse or domestic partner, and dependent children of uniformed employees of the Police, Fire, Correction and Sanitation Departments who have died in the line of duty. The health insurance benefits are provided to a surviving spouse or domestic partner until he or she dies, and are provided to dependent children until age 19, or, if enrolled full-time as an undergraduate at an accredited degree-granting institution of higher education, until the completion of the educational program, or age 23, whichever occurs first. In addition, the Mayor can authorize the provision of such benefits to the survivors of employees of the Fleet Services Division of the Police Department; the Roadway Repaid and Maintenance Division of the Department of Transportation; and the Bureau of Wastewater Treatment, the Bureau of Water Supply and the Sanitation Enforcement Division of the Department of Sanitation, who died in the performance of their duties.

Int. No. 895 would amend Section 126(b)(2)(i) to provide that the Mayor could extend such health insurance benefits to the surviving spouse or domestic partner and children of deceased members of the Bridges Division of the Department of Transportation when such employees have died as a natural and proximate result of an accident or injury sustained while in the performance of duty, thus helping to ease the financial burdens of their families and demonstrating the City's appreciation of these employees' dedicated service to the people of the City.

Tragically, on April 4, 2018, New York City Department of Transportation Bridges Division electrician, George Staab, was fatally struck by a car on the side of the Hutchinson River Parkway, while performing maintenance work. Mr. Staab is survived by his wife, Tara, and their seven children.

Accordingly, in order to give the Mayor the authority to extend health insurance coverage to the surviving spouse and seven children of this recently deceased member of the Department of Transportation, the Committee will consider the amendment to the Code provided in Int. No. 895. This proposed local law would take effect

immediately upon its enactment and be retroactive to and deemed to have been in full force and effect on and after April 4, 2018.

Update:

On May 22, 2018, the Committee on Civil Service and Labor passed Int. No. 895 by a vote of five in the affirmative, zero in the negative, with zero abstentions.

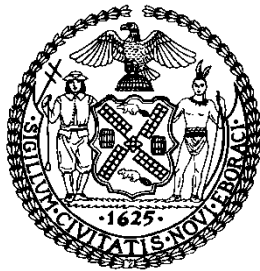
Int. No. 895

Int. No. 895 – A Local Law to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving family members of certain deceased employees of the department of transportation.

This bill would authorize health insurance benefits to surviving family members of deceased employees of the Bridges Division of the Department of Transportation who have died on or after April 3, 2018 and prior to April 5, 2018, as a natural and proximate result of an accident or injury sustained while in the performance of duty. The benefits would be provided to a surviving spouse or domestic partner until he or she dies, and to surviving children until they reach the age of nineteen, or twenty-six if the children are enrolled full-time in an accredited program of undergraduate education.

This bill would take effect immediately and be retroactive to and deemed to have been in full force and effect on and after April 4, 2018.

(The following is the text of the Fiscal Impact Statement for Int. No. 895:)



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

**INTRO. NO: 895
COMMITTEE: Civil Service and Labor**

TITLE: A local law to amend the charter and the administrative code of the city of New York, in relation to health insurance coverage for surviving family members of certain deceased employees of the department of transportation

SPONSOR(S): Council Member Miller (by request of the Mayor)

SUMMARY OF LEGISLATION: This legislation would allow the Mayor to extend health insurance coverage to surviving spouses, domestic partners, and children of members of the Bridges Division of the Department of Transportation who died on or after April 3, 2018 and before April 5, 2018. This legislation is in response to the death of an electrician at the Department of Transportation in the performance of duty, who is survived by his wife and seven children, two of whom would be eligible for extended health insurance.

Additionally, this legislation would increase the age at which dependent children of a number of deceased employees can be eligible for health insurance if enrolled on a full time basis in an undergraduate program. Current law provides health insurance coverage to the surviving spouse or domestic partner, until he or she dies,

children under the age of 19, and any child enrolled on a full time basis in an undergraduate program until completion of the degree or until he or she turns 23, whichever comes first. This legislation would increase the age of enrollment from 23 to 26 for those children enrolled in an undergraduate program to reflect Federal law. Specifically, this would apply to the dependent children of deceased police officers, firefighters, uniformed members of the Correction or Sanitation departments, emergency medical technicians or advanced medical technicians, as well as employees of the Fleet Services Division of the Police Department, the Bridges Division and Roadway Repair and Maintenance Division of the Department of Transportation, and the Bureau of Wastewater Treatment, the Bureau of Water Supply and the Sanitation Enforcement Division of the Department of Sanitation.

EFFECTIVE DATE: This local law would take effect immediately after its enactment into law and would be retroactive to and deemed to have been in full force on and after April 4, 2018.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
Revenues	\$0	\$0	\$0
Expenditures	\$5,002	\$20,008	\$20,008
Net	(\$5,002)	(\$20,008)	(\$20,008)

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

IMPACT ON EXPENDITURES: It is anticipated that this legislation would impact expenditures in the amount of \$20,008 annually to provide health insurance coverage to the family of the deceased Department of Transportation employee. This represents the annual City contribution for family insurance coverage on the HIP plan. Following both of the two children turning 19, graduating from an undergraduate program, or turning 26 before graduating from an undergraduate program, the anticipated expenditure would be reduced to the individual HIP rate to cover the surviving spouse. The lower expenditure for Fiscal 2018 represents the cost for the roughly three months of Fiscal 2018 where this legislation would be applicable. There is no additional cost for increasing the age of eligibility from 23 to 26 for the uniformed employees because the City is already required under federal law to provide these benefits to the child survivors of uniformed employees under the Affordable Care Act. The increase to 26 is simply an update to the local law to reflect federal law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: City Council Finance Division, NYC Office of Management and Budget

ESTIMATE PREPARED BY: Kendall Stephenson, Economist, Finance Division

ESTIMATE REVIEWED BY: Paul Sturm, Supervising Economist, Finance Division
Rebecca Chasan, Counsel, Finance Division

LEGISLATIVE HISTORY: Intro. No. 895 was introduced to the Council on May 9, 2018, and was referred to the Committee on Civil Service and Labor. The Committee will consider Intro. No. 895 at a hearing on May 22, 2018. Upon successful vote by the Committee, Intro. No. 985 will be submitted to the full Council for a vote on May 23, 2016.

DATE PREPARED: May 18, 2018.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 895:)

Int. No. 895

By Council Members Miller and King (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving family members of certain deceased employees of the department of transportation

Be it enacted by the Council as follows:

Section 1. Subparagraph (i) of paragraph 2 of subdivision b of section 12-126 of the administrative code of the city of New York, as amended by local law number 94 for the year 2015, is amended to read as follows:

(i) Where the death of a member of the uniformed forces of the police or fire departments is or was the natural and proximate result of an accident or injury sustained while in the performance of duty, the surviving spouse or domestic partner, until he or she dies, and the children under the age of nineteen years and any such child who is enrolled on a full-time basis in a program of undergraduate study in an accredited degree-granting institution of higher education until such child completes his or her educational program or reaches the age of [twenty-three] twenty-six years, whichever comes first, shall be afforded the right to health insurance coverage, and health insurance coverage which is predicated on the insured's enrollment in the hospital and medical program for the aged and disabled under the social security act, as is provided for city employees, city retirees and their dependents as set forth in paragraph one of this subdivision. Where the death of a uniformed member of the correction or sanitation departments has occurred while such employee was in active service as the natural and proximate result of an accident or injury sustained while in the performance of duty, the surviving spouse or domestic partner, until he or she dies, and the child of such employee who is under the age of nineteen years and any such child who is enrolled on a full-time basis in a program of undergraduate study in an accredited degree-granting institution of higher education until such child completes his or her educational program or reaches the age of [twenty-three] *twenty-six* years, whichever comes first, shall be afforded the right to health insurance coverage, and health insurance coverage which is predicated on the insured's enrollment in the hospital and medical program for the aged and disabled under the social security act, as is provided for city employees, city retirees and their dependents as set forth in paragraph one of this subdivision. Where the death of an employee of the fire department of the city of New York who was serving in a title whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law), or whose duties required the direct supervision of employees whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law) is or was the natural and proximate result of an accident or injury sustained while in the performance of duty on or after September eleventh, two thousand one, the surviving spouse or domestic partner, until he or she dies, and the children under the age of nineteen years and any such child who is enrolled on a full-time basis in a program of undergraduate study in an accredited degree-granting institution of higher education until such child completes his or her educational program or reaches the age of [twenty-three] *twenty-six* years, whichever comes first, shall be afforded the right to health insurance coverage, and health insurance coverage which is predicated on the insured's enrollment in the hospital and medical program for the aged and disabled under the social security act, as is provided for city employees, city retirees and their dependents as set forth in paragraph one of this subdivision.

The mayor may, in his or her discretion, authorize the provision of such health insurance coverage for the surviving spouses, domestic partners and children of employees of the fleet services division of the police department who died on or after October first, nineteen hundred ninety-eight and before April thirtieth, nineteen hundred ninety-nine; the surviving spouses, domestic partners and children of employees of the roadway repair and maintenance division *or the bridges division* of the department of transportation who died on or after September first, two thousand five and before September twenty-eighth, two thousand five, *or on or after April*

3, 2018 and before April 5, 2018; the surviving spouses, domestic partners and children of employees of the bureau of wastewater treatment of the department of environmental protection who died on or after January eighth, two thousand nine and before January tenth, two thousand nine or the surviving spouses, domestic partners and children of employees of the bureau of water supply of such agency who died on or after February second, two thousand fourteen and before February fourth, two thousand fourteen; the surviving spouses, domestic partners and children of employees of the traffic enforcement district of the transportation bureau of the police department who died on or after November first, two thousand thirteen and before December first, two thousand thirteen; and the surviving spouses, domestic partners and children of employees of the sanitation enforcement division of the department of sanitation who died on or after July twenty-eighth, two thousand fifteen and before July thirtieth, two thousand fifteen as a natural and proximate result of an accident or injury sustained while in the performance of duty, subject to the same terms, conditions and limitations set forth in the section. Provided, however, and notwithstanding any other provision of law to the contrary, and solely for the purposes of this subparagraph, a member otherwise covered by this subparagraph shall be deemed to have died as the natural and proximate result of an accident or injury sustained while in the performance of duty upon which his or her membership is based, provided that such member was in active service upon which his or her membership is based at the time that such member was ordered to active duty pursuant to Title 10 of the United States Code, with the armed forces of the United States or to service in the uniformed services pursuant to Chapter 43 of Title 38 of the United States Code, and such member died while on active duty or service in the uniformed services on or after June fourteenth, two thousand five while serving on such active military duty or in the uniformed services.

§ 2. This local law takes effect immediately and shall be retroactive to and deemed to have been in full force and effect on and after April 4, 2018.

ADRIENNE E. ADAMS, *Acting Chairperson*; DANIEL DROMM, ANDY L. KING, ALAN N. MAISEL, ERIC A. ULRICH; Committee on Civil Service and Labor, May 22, 2018.

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

Report of the Committee on Finance

Report for Int. No. 882

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 a commercial rent tax credit.

The Committee on Finance, to which the annexed proposed local law was referred on May 9, 2018 (Minutes, page 1810), respectfully

REPORTS:

I. Introduction

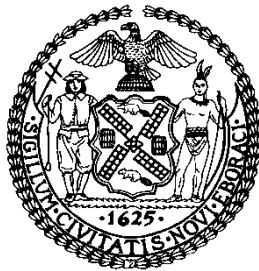
Today, the Committee on Finance will conduct a hearing on Intro. No. 882 *a Local Law to amend the administrative code of the city of New York, in relation to a commercial rent tax credit*. This bill would change the date of initial eligibility for the Small Business Tax Credit against the Commercial Rent Tax (CRT), as established by Local Law 254 of 2017 and amended by Local Law 256 of 2017, from July 1, 2018 to June 1, 2018. The purpose of this change would be to align the credit with the CRT tax year, rather than the City's fiscal year.

II. Analysis of Intro. 882

Section 1 of Intro. 882 would amend §11-704.4 of the Administrative Code by changing the date on which the credit begins to be eligible from July 1, 2018 to June 1, 2018.

Section 2 of Intro. 882 establishes that the local law takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 882:)



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

INTRO. NO: 882

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the commercial rent tax

SPONSOR(S): Council Member Daniel Dromm (by request of the Mayor)

SUMMARY OF LEGISLATION: Intro. 882 would make a technical adjustment to the Small Business Tax Credit against the commercial rent tax (CRT), as set forth in Local Law 254 of 2017. This legislation would amend the law so that the Small Business Tax Credit takes effect with the commencement of the CRT tax year beginning June 1, 2018, rather than July 1, 2018.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is estimated that this bill would not have an impact on revenues, as this legislation would make technical adjustments to align the original bill with the CRT calendar year. Collections for the first quarter of the CRT calendar year will occur in Fiscal 2019, and while the monthly cost of the credit to the City is approximately \$3.1 million, this has already been assumed in the financial plan. Therefore, there are no costs associated with this bill.

IMPACT ON EXPENDITURES: It is estimated that this bill would not have an impact on expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Davis Winslow, Economist

ESTIMATE REVIEWED BY: Emre Edev, Assistant Director, NYC Council Finance Division
Ray Majewski, Deputy Director / Chief Economist, NYC Council Finance
Division
Rebecca Chasan, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: Intro. 882 was introduced to the Council on May 9, 2018 and referred to the Committee on Finance. The legislation will be considered by the Committee on Finance on May 23, 2018. Upon a successful vote by the Committee, the bill will be submitted to the full Council for a vote on May 23, 2018.

DATE PREPARED: May 17, 2018.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 882:)

Int. No. 882

By Council Member Dromm (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to a commercial rent tax credit

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 11-704.4 of the administrative code of the city of New York, as amended by local law number 256 for the year 2017, is amended to read as follows:

b. Beginning on [July] *June* 1, 2018 and for each tax year beginning thereafter, a credit shall be allowed against the tax imposed by this chapter as follows: a tenant whose small business tax credit base rent is at least two hundred and fifty thousand dollars but not more than five hundred and fifty thousand dollars shall be allowed a credit in the amount determined by multiplying the tax imposed on the tenant pursuant to section 11-702 minus any allowable credits or exemptions set forth outside this section by the income factor and by the rent factor. If the tenant's small business tax credit base rent is over five hundred and fifty thousand dollars, no credit shall be allowed under this section.

§ 2. This local law takes effect immediately.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for M-55

Report of the Committee on Finance in favor of approving a Communication from the New York City Banking Commission in regard to transmitting recommendations of the interest rate to be charged for Fiscal Year 2019 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2019, pursuant to the City Charter.

The Committee on Finance, to which the annexed preconsidered communication was referred on May 23, 2018, respectfully

REPORTS:

(For text of related reports, please see, respectively, the Reports of the Committee on Finance for Res. Nos. 359, 360, and 361 printed below in these Minutes).

Accordingly, this Committee recommends its adoption.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for Res. No. 359

Report of the Committee on Finance in favor of a Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2019.

The Committee on Finance, to which the annexed preconsidered resolution was referred on May 23, 2018, respectfully

REPORTS:

Under current law, the City provides a discount for property owners who pay their property tax bills early. To receive a discount on the *entire* tax bill, both semi-annual and quarterly taxpayers have to pay the entire tax bill prior to the date the July 1st installment could be paid without interest. 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 15th, 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 15th, the taxpayer receives a discount equal to one-third of the discount percentage. A tax installment paid after the January 15th due date is not eligible for a discount.

The New York City Council is charged with the responsibility of setting the discount percentages for the early payment of real estate taxes prior to the dates on which such taxes become due and payable. Specifically,

§1519-a(7)(b) of the New York City Charter provides that not later than the 13th day of May in each year, the New York City Banking Commission (the “Banking Commission”) shall send a written recommendation to the Council of a proposed discount percentage for the ensuing fiscal year.

Further, §1519-a(7)(c) of the New York City Charter provides that the New York City Council may adopt a discount percentage by resolution no earlier than the 14th day of May.

If the Council does not set a discount rate, the default discount rate, which is set by §1519-a(7)(d) of the New York City Charter will apply. The default discount rate is a formula equaling the annualized interest rate on six-month United States treasury bills, as reported by the Board of Governors for the Federal Reserve System plus seventy-five basis points, the sum of which is divided by four for the last business day of April preceding the ensuing fiscal year.

The Banking Commission forwarded to the Council, by letter dated May 11, 2018, its recommendation that the discount percentage for early payment of real estate taxes for Fiscal Year 2017 be set at one-half of one percent (0.5%) per annum.

As required by Local Law 30 of 2015, the Banking Commission included with its recommendations a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2019 recommendation, the Banking Commission considered the City’s cash balances, the estimated savings from fewer issuances of property tax statements, current interest rates, and discount rates offered by other municipalities.

Pursuant to Charter §1519-a(7)(c), the Council adopts the Banking Commission’s recommendation and establishes that the discount percentage for early payment of real estate taxes shall be set at one-half of one percent (0.5%) per annum for Fiscal Year 2019.

Accordingly, this Committee recommends its adoption.

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

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for Res. No. 360

Report of the Committee on Finance in favor of approving a Resolution to establish that the interest rate be 7 percent per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

The Committee on Finance, to which the annexed preconsidered resolution was referred on May 23, 2018, respectfully

REPORTS:

Section 11-224.1 of the Administrative Code of the City of New York requires the New York City Banking Commission (the “Banking Commission”) to send a written recommendation to the City Council of proposed interest rates to be charged for non-payment of taxes on real property no later than the 13th day of May each year. In making such recommendation, the Banking Commission shall consider the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”). Pursuant to such section, for real property with an assessed value of \$250,000 or less, or \$250,000 or less per residential unit for cooperative apartments,¹ the Banking Commission shall propose a rate at least equal to the prevailing Prime Rate.

The Banking Commission forwarded, by letter dated May 11, 2018, a recommendation to the Council to establish an interest rate of 7% per annum for Fiscal Year 2019 to be charged for non-payment of taxes of real property where the assessed value on a parcel is \$250,000 or less, or \$250,000 or less per residential unit for cooperative apartments.²

As required by Local Law 30 of 2015, the Banking Commission included with its recommendation a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2019 recommendation, the Banking Commission considered the penalty rates used by other property tax collectors, interest rates charged for consumer loans, the penalty rates charged by major credit card issuers, and the penalty rate on New York State civil judgments.

The Council has considered the recommendation of the Banking Commission and has reviewed the report detailing the factors considered when making the recommendation. After its review, and pursuant to §11-224.1 of the Administrative Code, the Council determines that the interest rate be established at 7% per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

Accordingly, this Committee recommends its adoption.

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

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS; Committee on Finance, May 23, 2018.

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

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

Report for Res. No. 361

Report of the Committee on Finance in favor of a Resolution to establish that the interest rate be 18 percent per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.

¹ To be deemed \$250,000 or less, the cooperative apartment must be located in a building where the average assessed value of units is \$250,000 or less.

² Interest rate reflects the Prime Rate that is referenced in the Banking Commission’s resolution and letter. The Banking Commission notes that as of May 10, 2018 the Prime Rate stands at 4.75% as published by the Board of Governors of the Federal Reserve System.

The Committee on Finance, to which the annexed preconsidered resolution was referred on May 23, 2018, respectfully

REPORTS:

Section 11-224.1 of the Administrative Code of the City of New York requires the New York City Banking Commission (the “Banking Commission”) to send a written recommendation to the City Council of proposed interest rates to be charged for non-payment of taxes on real property no later than the 13th day of May each year. In making such recommendation, the Banking Commission shall consider the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”). For real property with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments,³ the Banking Commission shall propose an interest rate of at least 6% per annum greater than the prevailing Prime Rate.

By letter dated May 11, 2018, the Banking Commission recommended to the Council an interest rate of 18% per annum for Fiscal Year 2019 to be charged for non-payment of taxes of real property where the assessed value on a parcel is over \$250,000, or over \$250,000 per residential unit for cooperative apartments.⁴

As required by Local Law 30 of 2015, the Banking Commission included with its recommendation a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2019 recommendation, the Banking Commission considered the penalty rates used by other property tax collectors, the interest rates charged for consumer loans, penalty rates charged by major credit card issuers, and the penalty rate on New York State civil judgments.

Pursuant to section 11-224.1 of the Administrative Code, the Council adopts the Banking Commission’s recommendation, and establishes that the interest rate be 18% per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.

Accordingly, this Committee recommends its adoption.

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

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for L.U. No. 95

Report of the Committee on Finance in favor of approving Aquinas Housing for the Elderly, Block 3118, Lots 42, 44; Deacon Juan Santos Plaza II, Block 3130, Lot 2; Bronx, Community District No. 6, Council District No. 17.

³To be deemed over \$250,000, the cooperative apartment would have to be located in a building where the average assessed valuation of units is over \$250,000.

⁴Interest rate reflects the Prime Rate referenced in the Banking Commission’s resolution and letter. The Banking Commission notes that on May 10, 2018, the Prime Rate stands at 4.75% as published by the Board of Governors of the Federal Reserve System.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 23, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

May 23, 2018

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

FROM: Rebecca Chasan, Counsel, Finance Division

RE: Finance Committee Agenda of May 23, 2018 - Resolution approving a tax exemption for seven Land Use items (Council Districts 7, 10, 17, and 31)

Item 1: Essie Jeffries Apartments

The Essie Jeffries Apartments consists of three multiple dwellings with 64 units of affordable rental housing for low-income households owned by three separate Housing Development Fund Companies (HDFCs) which are subsidiaries of the Community League of the Heights, Inc. (CLOTH). Under the proposed project, CLOTH will refinance and rehabilitate the buildings because they are in need of repair. In order to finance the rehabilitation, the three existing HDFCs will be consolidated into one of the ownership entities, Essie Jeffries Apartments HDFC. By consolidating the buildings, financing from a federal Department of Housing and Urban Development (HUD) Rental Assistance Demonstration (RAD) Conversion for one of the buildings can be used to cross-subsidize the other two. Additional financing will be made through the Department of Housing Preservation and Development (HPD) HUD-Multifamily Program. All apartments will receive moderate interior renovations including new kitchens and bathrooms, building common areas will be upgraded, boilers will be replaced, and exterior work will be done to ensure the long-term stability of the properties.

HPD is requesting that the Council approve a full, 40-year Article XI property tax exemption. The property currently receives a partial Article XI exemption that will terminate upon the approval of the new Article XI exemption. The property also currently receives J-51 benefits, and the Article XI property tax exemption will be reduced by an amount equal to any concurrent J-51 Benefits. HPD and the HDFC will enter into a regulatory agreement ensuring that the units are rented only to households earning up to 30%, 50%, or 80% of the Area Median Income (“AMI”).

Summary:

- Borough-Manhattan
- Block 2117, Lot 34, Block 2119, Lots 58 and 66
- Council District-7
- Council Member-Levine
- Council Member approval-Yes
- Number of buildings-3
- Number of units-64

- Type of exemption-Article XI, Full, 40 years
- Population-low-income rental housing
- Sponsor- Community League of the Heights, Inc., Essie Jeffries HDFC
- Purpose-Preservation
- Cost to the City-\$4.7M
- Housing Code Violations-none
- Anticipated AMI targets-30 units at 30% AMI, 28 units at 50% AMI, and 6 units at 80% AMI

Item 2: Inwood House

Inwood House is comprised of one building with 94 units of affordable rental housing housing. Ninety-four of the apartments are subject to a project-based Housing Assistance Payment (HAP) agreement. The Article XI exemption is being requested to provide preservation of needed affordable housing and because the property currently faces financial stress. Therefore, the Article XI would provide the necessary cash flow for capital improvements to both apartments and common areas over time. Under the proposed project, Inwood House HDFC will acquire the fee interest in the property and Inwood Associates L.P. will be the beneficial owner and will operate the property. HPD is requesting the Council approve a partial, 40-year Article XI tax exemption. The HDFC, the Partnership, and HPD will enter into a regulatory agreement ensuring that the units are rented only to households earning up to 30%, 50%, 80%, or 120% of AMI. Eligible tenants will receive Section 8 rental assistance.

Summary:

- Borough-Manhattan
- Block 2220, Lot 43
- Council District-10
- Council Member-Rodriguez
- Council Member approval-Yes
- Number of buildings-1
- Number of units-94
- Type of exemption-Article XI, partial, 40 years
- Population-low-income rental housing
- Sponsor-Cooper Inwood House HDFC, Inwood Associates, L.P.
- Purpose-Preservation
- Cost to the City-\$2.4M
- Housing Code Violations-
 - Class C – 1
- Anticipated AMI targets-73 units at 30% AMI, 14 units at 50% AMI, 3 units at 80% AMI, and 4 units at 120% AMI

Item 3: Lafayette Morrison

Lafayette Morrison consists of four multiple dwellings with 900 units of affordable co-op housing. The complex was operated as a Mitchell-Lama rental until January 4, 2007 when it withdrew from the program and the Articles of Incorporation were amended changing the name of the complex to Lafayette-Morrison Apartment Corporation. Thereafter, all the shares of the Lafayette-Morrison Apartment Corporation were held by Morrison, LLC, which was the entity acting as the sponsor of the converted cooperative. The property was transferred by deed from Lafayette-Morrison Apartment Corporation to Lafayette-Morrison HDFC on June 17, 2008. This

created an 18-month period, January 2007 through June 2008, during which the complex was a rental property held by a business corporation under NYS Business Corporations Law.

The sale of the apartments was allowed pursuant to an offering plan reviewed and approved by the New York State Attorney General's office and subject to a regulatory agreement between HPD and the Lafayette-Morrison HDFC dated June 30, 2008. Pursuant to the terms of the offering plan and the regulatory agreement, the complex was converted from a Mitchell-Lama property to an Article XI HDFC with accompanying income limitations and requirements and the property was granted a partial tax exemption. Existing Mitchell-Lama rental tenants were offered the opportunity to purchase apartments at a steep discount to market values and those apartments not purchased by existing tenants were designated as un-sold shares of the sponsor, Morrison, LLC. The offering plan was a non-eviction one and those prior existing tenants who elected not to purchase became protected by and subject to the rules and regulations of rent stabilization.

The property has experienced financial hardship due to unanticipated expenses. In order to facilitate the project, the prior exemption will be terminated and HPD is requesting that the Council approve a new 32-year exemption, commencing retroactively as of July 1, 2017. The HDFC will enter into a new regulatory agreement with HPD ensuring that the units are sold only to households earning up to 165% of AMI.

Summary:

- Borough-Bronx
- Block 3627, Lots 20, 30, 40 and 50
- Council District-17
- Council Member-Salamanca
- Council Member approval-Yes
- Number of buildings-4
- Number of units-900
- Type of exemption-Article XI, Full (retroactive to July 1, 2017 to June 30, 2019), Partial (Starting July 1, 2019), 32 years
- Population-low-income co-op housing
- Sponsor-Lafayette Morrison HDFC, The Park I LLC
- Purpose-preservation
- Cost to the City-\$20.4M
- Housing Code Violations-
 - Class A – 20
 - Class B – 110
 - Class C – 4
- Anticipated AMI targets- 165% of AMI

Item 4: 1314 Seneca Avenue

1314 Seneca Avenue consists of 1 multiple dwelling with 59 units of affordable rental housing. Under the proposed project, 1314 Seneca HDFC, the fee owner of the property, and 1314 Seneca LLC, the beneficial owner and operates the property, will enter into a regulatory agreement with HPD ensuring that the units are sold only to households earning up to 45%, 85%, 95%, and 120% of AMI. HPD is requesting that the Council approve a partial, 40-year Article XI property tax exemption. The property currently receives J-51 Benefits, and the Article XI property tax exemption will be reduced by an amount equal to any concurrent J-51 Benefits.

Summary:

- Borough-Bronx

- Block 2762, Lot 1003
- Council District-17
- Council Member-Salamanca
- Council Member approval-Yes
- Number of buildings-1
- Number of units-59
- Type of exemption-Article XI, Partial, 40 years
- Population-low-income rental housing
- Sponsor-1314 Seneca HDFC, 1314 Seneca LLC, Camber Property Group
- Purpose-Preservation
- Cost to the City-\$3.7M
- Housing Code Violations-
 - Class A: 45
 - Class B: 120
 - Class C: 32
- Anticipated AMI targets- 4 units at 45% AMI, 26 units at 85% AMI, 9 units at 95% AMI, 20 units at 120% AMI

Item 5: Aquinas Deacon Juan Santos HDFC

Aquinas Deacon Juan Santos HDFC consists of 2 buildings with 136 units of affordable rental housing. On May 14, 2015, the Council approved Resolution 703 (the Prior Resolution) granting the property a partial, 35-year exemption from real property taxes. In exchange, the HDFC entered into a regulatory agreement with HPD ensuring that the apartments would be rented only to households earning up to 50% AMI. The Prior Resolution contained technical errors, therefore, HPD is requesting that the Council amend the Prior Resolution to correct such errors.

Summary:

- Borough-Bronx
- Block 3130, Lot 2, Block 3118, Lots 42 and 44
- Council District-17
- Council Member-Salamanca
- Council Member approval-Yes
- Number of buildings-2
- Number of units-136
- Type of exemption-Article XI, Partial, 35 years
- Population-low-income rental housing
- Sponsor- Aquinas HDFC and Deacon Juan Santos Plaza II HDFC
- Purpose-Amend the Prior Resolution to correct technical errors

Item 6: 943-947 Teller Avenue

943-947 Teller Avenue consists of 3 buildings with 13356 units of affordable co-op housing. On December 15, 2016, the Council approved Resolution 1335 (the Prior Resolution) granting the property a full, 35-year exemption from real property taxes. In exchange, the HDFC entered into a regulatory agreement with HPD ensuring that the apartments would be rented only to households earning up to 40%, 45%, 50%, and 60% of AMI. HPD is now requesting that the Prior Resolution be amended to allow for retroactive tax benefits and to extend the duration of the exemption to 40 years to further help facilitate the project.

Summary:

- Borough-Bronx
- Block 2422, Lot 30
- Council District-17
- Council Member-Salamanca
- Council Member approval-Yes
- Number of buildings-3
- Number of units-35
- Type of exemption-Article XI, Full, 40 years
- Population-low-income co-op housing
- Sponsor- 943-947 Teller Avenue HDFC
- Purpose-Preservation

Item 7: Rockaway Village

Rockaway Village is a new construction project that will consist of two buildings with 457 units of affordable rental housing. The project will contain 449,725 sq. ft. of residential space built over a commercial base comprised of a combined total of 92,009 sq. ft. of commercial space. Under the proposed project, Rockaway Village HDFC will acquire the property and FRV Phase 1 LIHTC LLC and FRV Phase 1 Moderate LLC, limited liability companies, will be the beneficial owners and will operate the property. The HDFC and the LLCs will finance the acquisition and rehabilitation of the property with loans from the New York City Housing Development Corporation (HDC) and HPD, and low-income housing tax credits.

In order to facilitate the project, HPD is requesting that the Council approve a full, 40-year Article XI property tax exemption. The HDFC, LLCs, HDC and HPD will enter into a regulatory agreement ensuring that the units would be rented only to households earning up to 30%, 40%, 50%, 60%, and 100% of AMI, with a set-aside for homeless households.

Summary:

- Borough-Queens
- Block 15537, p/o Lot 1
- Council District-31
- Council Member-Richards
- Council Member approval-Yes
- Number of buildings-2
- Number of units-457
- Type of exemption-Article XI, Full, 40 years
- Population-low-income rental housing
- Sponsor-Rockaway Village HDFC, FRV Phase 1 LIHTC LLC, FRV Phase 1 Moderate LLC
- Purpose-new construction
- Cost to the City-\$24M
- Housing Code Violations-N/A
- Anticipated AMI targets-45 units for homeless households, 22 units at 30% AMI, 22 units at 40% AMI, 45 units at 50% AMI, 92 units at 60% AMI, and 229 units at 100% AMI

(For text of the coupled resolutions for L.U. No. 95, please see below; for the coupled resolutions for the remaining L.U.s, please see, respectively, the Reports of the Committee on Finance for L.U. Nos. 96, 97, 98, 99, 100, and 101 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 364

Resolution approving an amendment to a previously approved exemption from real property taxes for property located at (Block 3118, Lots 42, 44, Block 3130, Lot 2) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 95).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) requested that the Council amend a previously approved tax exemption for property located at (Block 3118, Lots 42, 44, Block 3130, Lot 2) Bronx (“Exemption Area”);

WHEREAS, HPD’s February 26, 2018 request for amendment is related to a previously approved Council Resolution adopted on May 14, 2015 (Res. 703) (the “Prior Resolution”) granting the Exemption Area an exemption from real property taxation pursuant to Section 577 of the Real Property Tax Law;

WHEREAS, HPD is requesting that the Prior Resolution be amended to correct technical errors;

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves the amendment to the Prior Resolution requested by HPD as follows:

Paragraphs 1 and 4 of the Prior Resolution are deleted and replaced with the following paragraphs:

1. For the purposes hereof, the following terms shall have the following meanings:
 - (a) “Company” shall mean Aquinas Deacon Juan Santos LLC.
 - (b) “Effective Date” shall mean the date of repayment or refinancing of the HUD Mortgage.
 - (c) “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3118, Lots 42 and 44, and Block 3130, Lot 2, on the Tax Map of the City of New York.
 - (d) “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

- (e) “HDFC” shall mean Aquinas Deacon Juan Santos Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - (f) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - (g) “HUD” shall mean the Department of Housing and Urban Development of the United States of America.
 - (h) “HUD Mortgage” shall mean the original loan made by HUD to the Exemption Area in connection with the Section 202 Supportive Housing Program for the Elderly, which loan was secured by a mortgage on the Exemption Area.
 - (i) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - (j) “Owner” shall mean, collectively, the HDFC and the Company.
 - (k) "Prior Exemption" shall mean the exemption from real property taxation for a portion of the Exemption Area approved by the Board of Estimate on August 15, 1985 (Cal. No. 70) and for another portion of the Exemption Area approved by the Council of the City of New York on August 15, 1991 (Resolution No. 1213) .
 - (l) “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 New Exemption.
 - (m) "Use Agreement" shall mean the use agreement by and between the Owner and HUD which commences on or before the Effective Date, runs with the land, binds all subsequent owners and creditors of the Exemption Area, and requires that the housing project on the Exemption Area continue to operate on terms at least as advantageous to existing and future tenants as the terms required by the original Section 202 loan agreement or any Section 8 rental assistance payments contract or any other rental housing assistance contract and all applicable federal regulations.
4. 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 (i) \$77,044, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the lesser of either (a) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation, or (b) seventeen percent (17%) of the contract rents, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), in the applicable year.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for L.U. No. 96

Report of the Committee on Finance in favor of a Resolution approving Essie Jeffries Apartments, Block 2117, Lot 34, Block 2119, Lots 58 and 66; Manhattan, Community District No. 12, Council District No. 7.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 23, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 95 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 365

Resolution approving an exemption from real property taxes for property located at (Block 2117, Lot 34 Block 2119, Lots 58 and 66) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 96).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 23, 2018 that the Council take the following action regarding a housing project located at (Block 2117, Lot 34 Block 2119, Lots 58 and 66) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - b. “Conveyance Lots” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2119, Lots 58 and 66 on the Tax Map of the City of New York.
 - c. “Effective Date” shall mean the later of (i) the date of conveyance of the Conveyance Lots to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - d. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2117, Lot 34, and Block 2119, Lots 58 and 66 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “HDFC” shall mean the Essie Jeffries Apartments Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - i. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - j. “Owner” shall mean the HDFC.
 - k. “Prior Exemption” shall mean the exemptions from real property taxation for the Exemption Area approved by the Board of Estimate on May 24, 1990 (Cal. No. 282), by the New York City Council on October 22, 1992 (Res. No. 941), and any exemption from real property taxation for the Exemption Area pursuant to the Private Housing Finance Law or the General Municipal Law that was in effect prior to the Effective Date.
 - l. “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 New Exemption.
2. The Prior Exemption shall terminate upon the Effective Date.
3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use other than the Community Facility Space), shall be fully exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner of the Exemption Area to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
5. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect, but the New Exemption shall be reduced by the amount of such J-51 Benefits.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for L.U. No. 97

Report of the Committee on Finance in favor of a Resolution approving Inwood House, Block 2220, Lot 43; Manhattan, Community District No. 12, Council District No. 10.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 23, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 95 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 366

Resolution approving an exemption from real property taxes for property located at (Block 2220, Lot 43) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 97).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 23, 2018 that the Council take the following action regarding a housing project located at (Block 2220, Lot 43) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - b. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - c. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2220, Lot 43 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e. “HDFC” shall mean Inwood House Housing Development Fund Corporation or a housing development fund company that acquires the fee interest in the Exemption Area with the prior written consent of HPD.
 - f. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

- g. "Owner" shall mean, collectively, the HDFC and the Partnership.
 - h. "Partnership" shall mean Inwood Associates L.P. or a limited partnership that acquires the beneficial interest in the Exemption Area with the approval of HPD.
 - i. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. 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 (i) \$200,524, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the lesser of either (a) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation, or (b) seventeen percent (17%) of the contract rents in the applicable year.
 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Partnership, the Owner, any past owner of the Exemption Area, or any other party 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 which may be authorized under any existing or future local, state, or federal law, rule or regulation.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for L.U. No. 98

Report of the Committee on Finance in favor of a Resolution approving Lafayette Morrison Apartments, Block 3627, Lots 20, 30, 40, and 50; Bronx, Community District No. 9, Council District No. 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 23, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 95 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 367

Resolution approving an exemption from real property taxes for property located at (Block 3627, Lots 20, 30, 40 and 50) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 98).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated March 16, 2018 that the Council take the following action regarding a housing project located at (Block 3627, Lots 20, 30, 40 and 50) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. "Effective Date" shall mean July 1, 2017.
 - b. "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, and identified as Block 3627, Lots 20, 30, 40 and 50 on the Tax Map of the City of New York.
 - c. "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty-two (32) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - d. "HDFC" shall mean Lafayette-Morrison Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. "J-51 Benefits" shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law.
 - g. "New Exemption" shall mean the exemption from real property taxation provided hereunder.
 - h. "Partial Tax Payment" shall mean real property tax payments in the following amounts:
 - (1) Commencing upon July 1, 2019, an amount equal to Three Hundred Twenty-Four Thousand Three Hundred Twenty-Four Dollars (\$324,324);
 - (2) Commencing upon July 1, 2020 and during each year thereafter until the Expiration Date, an amount equal to the greater of (i) ten percent (10%) of the Shelter Rent in the tax year in which such real property tax payment is made, or (ii) Four Hundred Twenty-Two Thousand Seventy-Eight Dollars (\$422,078).
 - i. "Prior Exemption" shall mean the exemption from real property taxation approved by the City Council on May 28, 2008 (Resolution No. 1440).
 - j. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the HDFC entered into after the Effective Date establishing certain controls upon the operation of the Exemption Area on and after the date such Regulatory Agreement is executed.
 - k. "Shelter Rent" shall mean (i) the total carrying charges paid to the HDFC by reason of ownership of stock in such HDFC, including any federal, State or local subsidies paid on behalf of such shareholders other than interest reduction payments paid pursuant to Section 201(a) of the Federal Housing and Urban Development Act of 1968 (12 U.S.C.A. § 1715z-1)), less the cost to the HDFC of providing such shareholders with electricity, gas, heat, water, sewer and other utilities, plus (ii) the total rents received by the HDFC from the occupants of the Exemption Area that do not own stock in such HDFC (including any federal, State or local subsidies paid on behalf of such occupants other than interest reduction payments paid pursuant to Section 201(a) of the Federal Housing and Urban Development Act of 1968 (12 U.S.C.A. § 1715z-1)), less the cost to the HDFC of providing such occupants with electricity, gas, heat, water, sewer and other utilities.

2. The Prior Exemption shall terminate upon the Effective Date.
3. All of the value of the property in the Exemption Area, including both land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. 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 Partial Tax Payment. Notwithstanding the foregoing, the total annual real property tax payment by the HDFC shall not at any time exceed the amount of real estate taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.
5. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines 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 owner of the Exemption Area has failed to execute the Regulatory Agreement within three hundred sixty-five (365) days after the date of approval of the New Exemption, (iii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iv) 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, (v) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval by HPD, or (vi) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the HDFC and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner or any past owner to a refund of any real property taxes which accrued and were paid by or on behalf of the HDFC or any other owner of the Exemption Area prior to Effective Date.
6. In consideration of the New Exemption, the owner of the Exemption Area shall (i) execute and record the Regulatory Agreement, and (ii) waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation. Notwithstanding the foregoing, the Exemption Area may receive J-51 Benefits concurrently with the New Exemption on or after June 30, 2020, provided, however, that such J-51 Benefits shall not reduce the Partial Tax Payment by more than fifty percent.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for L.U. No. 99

Report of the Committee on Finance in favor of a Resolution approving Rockaway Village Phase 1, Block 15537, p/o Lot 1; Queens, Community District No. 14, Council District No. 31.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 23, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 95 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 368

Resolution approving an exemption from real property taxes for property located at (Block 15537, p/o Lot 1) Queens, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 99).

By Council Member Richards.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 23, 2018 that the Council take the following action regarding a housing project located at (Block 15537, p/o Lot 1) Queens (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Companies” shall mean FRV Phase 1 LIHTC LLC and FRV Phase 1 Moderate LLC or a limited liability company that acquires all or a portion of the beneficial interests in the Exemption Area with the approval of HPD.

- b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HDC, 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 Queens, City and State of New York, identified as Block 15537, p/o Lot 1 on the Tax Map of the City of New York.
 - e. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. "HDC" shall mean the New York City Housing Development Corporation.
 - g. "HDFC" shall mean Rockaway Village Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - h. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - i. "Owner" shall mean, collectively, the HDFC and the Companies.
 - j. "Regulatory Agreement" shall mean the regulatory agreement between HDC, HPD and the Owner providing that, for a term of 40 years, all dwelling units in the Exemption Area must be rented to families whose incomes do not exceed 100% of area median income.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
- a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that have a permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

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

DANIEL DROMM, *Chairperson*; ANDREW COHEN, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for L.U. No. 100

Report of the Committee on Finance in favor of a Resolution approving 943-947 Teller Avenue HDFC, Block 2422, Lot 30; Bronx, Community District No. 4, Council District No. 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 23, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 95 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 369

Resolution approving an amendment to a previously approved exemption from real property taxes for property located at (Block 2422, Lot 30) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 100).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) requested that the Council amend a previously approved tax exemption for property located at (Block 2422, Lot 30) Bronx (“Exemption Area”);

WHEREAS, HPD's March 16, 2018 request for amendment is related to a previously approved Council Resolution adopted on December 15, 2016 (Res. 1335) (the "Prior Resolution") granting the Exemption Area an exemption from real property taxation pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, HPD is requesting that the Prior Resolution be amended to allow for retroactive tax benefits and to extend the duration of the exemption to further help facilitate the project;

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves the amendment to the Prior Resolution requested by HPD as follows:

Paragraphs 1a and 1c of the Prior Resolution are deleted and replaced with the following paragraphs:

1. a. "Effective Date" shall mean October 1, 2011.
- d. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

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

Report for L.U. No. 101

Report of the Committee on Finance in favor of a Resolution approving 1314 Seneca HDFC, Block 2762, Lot 1003; Bronx, Community District No. 2, Council District No. 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 23, 2018 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Finance Memo, please see the Report of the Committee on Finance for L.U. No. 95 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 370

Resolution approving an exemption from real property taxes for property located at (Block 2762, Lot 1003) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 101).

By Council Member Dromm.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 30, 2018 that the Council take the following action regarding a housing project located at (Block 2762, Lot 1003) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 1314 Seneca LLC or a limited liability company that acquires the beneficial interest in the Exemption Area with the approval of HPD.
 - b. “Effective Date” shall mean February 23, 2018.
 - 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 the Bronx, City and State of New York, identified as Block 2762, Lot 1003 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
 - g. “Gross Rent Tax” shall mean an amount equal to one percent (1.0%) of the Gross Rent in the tax year in which such real property tax payment is made for ten (10) tax years commencing upon the Effective Date, and commencing upon the eleventh anniversary of the Effective Date, and during each tax year thereafter until the Expiration Date, an amount equal to six and one-half percent (6.5%) of the Gross Rent in the tax year in which such real property tax payment is made.

- h. "HDFC" shall mean 1314 Seneca Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - i. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - j. "J-51 Benefits" shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - k. "Owner" shall mean, collectively, the HDFC and the Company.
 - l. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption on or after the date such Regulatory Agreement is executed.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. 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 Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 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 which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect.

DANIEL DROMM, *Chairperson*; ANDREW COHEN, LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, KEITH POWERS, STEVEN MATTEO; Committee on Finance, May 23, 2018.

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

Report of the Committee on Governmental Operations

Report for Int. No. 14-A

Report of the Committee on Governmental Operations 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 broadcasting of mandatory debates.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 133), respectfully

REPORTS:

I. INTRODUCTION

On May 23, 2018, the Committee on Governmental Operations, chaired by Council Member Fernando Cabrera, will hold a second hearing and a vote on Proposed Int. No. 14-A, in relation to the broadcasting of mandatory debates. The committee previously heard testimony from the Campaign Finance Board ('CFB'), the Mayor's Office of Media and Entertainment ('MOME'), and advocate members of the public related to the bill.

II. BACKGROUND

The Campaign Finance Act requires participating and limited participating candidates for nomination or election to citywide office, whose campaigns have met certain threshold criteria, to participate in pre-election debate(s).¹ Organizations seeking to sponsor a debate must themselves meet a series of criteria, such as not being affiliated with any political party or candidate for office, and must also propose plans "for publicity and for broadcast and other media coverage for the debates."² In practice, this has led to partnerships between media organizations and non-media organizations for debate sponsorships. For example, in 2017 there were two winning sponsorship groups, one headlined by CBS and the other by NY1:³

- **CBS Group:**
 - WCBS
 - WLNY 1055
 - NewsRadio 880
 - 1010 WINS
 - Daily News
 - Common Cause/NY

¹ NYC Administrative Code §3-709.5

² NYC Administrative Code §3-709.5(5)(a)(vii)

³ New York City Campaign Finance Board, at <https://www.nyccfb.info/media/press-releases/cfb-announces-2017-debate-program-sponsors-and-schedule/> and the program schedule can be found here: https://www.nyccfb.info/pdf/Debate_Program_Schedule.pdf

- City University of New York (CUNY)
- New York Immigration Coalition
- Rock the Vote

- **NY1 Group:**

- Spectrum News NY1
- WNYC
- POLITICO
- Citizens Union
- Civic Hall
- Intelligence Squared
- Latino Leadership Institute

In addition to the winning groups, there were applications submitted by groups headlined by ABC, NBC, WNYW/FOX and VICE, although other media outlets were included within those groups, including WXTV-41 Univision, Telemundo 47, multiple radio stations and print/internet outlets.⁴ The media partnerships in these groups mean that a debate is often not only televised, but also broadcast over radio and live streamed over the internet. However, two of the proposed sponsorship groups, including one of the winning groups, did not contain a broadcast television network. In 2017, when NY1 televised some of the debates, those New Yorkers who did not subscribe to Spectrum’s cable service were unable to watch those debates live on their television. For New Yorkers who lack reliable internet connections, or who are less technologically inclined, or for whom watching a computer screen at length would be difficult, an internet livestream might not be a sufficient substitute for a televised debate. It would likely be considered in the general public good, for the debates to be as widely available as possible.

III. LEGISLATIVE ANALYSIS

Proposed Int. No. 14-A

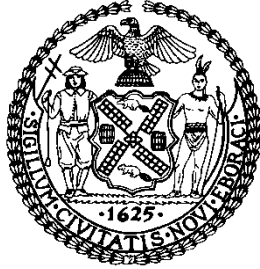
Proposed Int. No. 14-A would require that mandatory debates under the Campaign Finance Act be simultaneously broadcast on the City-owned or operated television channel serving the largest public audience, in addition to any other channel or channels where they are broadcast. Since introduction, this bill has been amended to:

- Require that the simulcast be made available to the City-owned or operated television channel at no cost;
- Clarify that the debate shall be simultaneously broadcast to the extent technologically practicable, in the expectation that should technical difficulties arise an effort would still be made to broadcast the debate, even if not completely simultaneously;
- Clarify that the debate shall be simultaneously broadcast in accordance with federal law and the rules of the Federal Communications Commission, in the expectation that, while no recent practices of the mandatory debates are believed to be out of accordance with the non-commercial standards required of certain television licensees, if a practice was introduced that was not in accord with such standards then the City owned or operated television channel would make its best efforts to broadcast the debate albeit omitting such content; and
- Require that the City owned or operated television channel not be a sponsor of the debate.

The bill would take effect on January 1, 2019.

⁴ New York City Campaign Finance Board, debate videos at: <https://www.nycffb.info/nyc-votes/debate-videos>

(The following is the text of the Fiscal Impact Statement for Int. No. 14-A:)



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

PROPOSED INTRO. NO. 14-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the administrative code of the City of New York, in relation to the broadcasting of mandatory debates

SPONSORS: Council Members Borelli, Brannan, Yeger, Deutsch, Rosenthal, Maisel, Salamanca, Holden, Torres, Powers, Cabrera, Kallos, and Ulrich

SUMMARY OF LEGISLATION: The Campaign Finance Act requires participating and limited participating candidates for election to citywide office, whose campaigns have met certain threshold criteria, to participate in pre-election debates. These debates are usually sponsored by groups of organizations that include at least one television station. However, if that sponsor were a television station available only to subscribers of a cable service, as happened in 2017, then not all New Yorkers would have access to a debate’s television broadcast.

Proposed Intro. No. 14-A would require that mandatory citywide debates be simultaneously broadcast on the City-owned or operated television channel with the largest public audience at no cost.

EFFECTIVE DATE: This local law would take effect on January 1, 2019.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues to the City resulting from the enactment of this legislation. Currently, the City generates no revenue from granting the rights to produce and broadcast mandatory debates, and this would not change with the adoption of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures to the City resulting from the enactment of this legislation. While there may be additional technical costs in transmitting live feeds from the debate sponsor to City-owned or operated television, these potential additional costs would be taken on by the debate sponsor.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Campaign Finance Board
Mayor's Office of Media and Entertainment

ESTIMATE PREPARED BY: Zachary Harris, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathaniel Toth, Deputy Director
John Russell, Unit Head
Rebecca Chasan, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 14 on January 31, 2018 and referred to the Committee on Governmental Operations (Committee). A hearing was held by the Committee on April 26, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 14-A, will be considered by the Committee on May 23, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 14-A will be submitted to the full Council for a vote on May 23, 2018.

DATE PREPARED: May 21, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 14-A:)

Int. No. 14-A

By Council Members Borelli, Brannan, Yeger, Deutsch, Rosenthal, Maisel, Salamanca, Holden, Torres, Powers, Cabrera, Kallos, Miller and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the broadcasting of mandatory debates

Be it enacted by the Council as follows:

Section 1. Section 3-709.5 of the administrative code of the city of New York is amended to add a new subdivision 13, to read as follows:

13. Any broadcast plan accepted by the board pursuant to subparagraph (vii) of paragraph (a) of subdivision 5, and subdivision 7, of this section shall include a requirement that the debate be made available, at no cost, to the city-owned or operated television channel serving the largest public audience for simultaneous broadcast. Each debate held pursuant to this section shall be broadcast simultaneously, to the extent technologically practicable and in accordance with federal law and the rules of the federal communications commission, on such city-owned or operated television channel. Such city-owned or operated television channel shall not be a sponsor of such debate.

§ 2. This local law takes effect on January 1, 2019.

FERNANDO CABRERA, *Chairperson*; BEN KALLOS, ALAN N. MAISEL, KEITH POWERS, KALMAN YEGER; Committee on Governmental Operations, May 23, 2018.

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

Report of the Committee on Health

Report for Int. No. 189-A

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring defibrillators at softball fields where youth leagues play.

The Committee on Health, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 366), respectfully

REPORTS:

I. INTRODUCTION

On May 22, 2018, the Committee on Health, chaired by Council Member Mark Levine, held a vote on Proposed Int. 189-A, a local law to amend the administrative code of the city of New York, in relation to requiring defibrillators at softball fields where youth leagues play. The bill was originally heard on April 16, 2018. At that hearing, representatives from the New York City Parks Department (NYC Parks), District Council 37 and advocates testified. Since the first hearing on Proposed Int. No. 189-A, technical amendments were made to the legislation. On May 22, 2018, the Committee passed Proposed Int. No. 189-A by a vote of 4 in the affirmative, zero in the negative, and zero abstentions.

II. SUDDEN CARDIAC DEATHS IN YOUNG ATHLETES

Fatal sport-related injuries can result from head and spine injuries, but most sudden deaths in athletes are cardiac in origin.¹ The frequency of sudden cardiac death is difficult to determine, because many studies have relied on the self-reporting of physicians and media accounts of deaths.² The National Federation of State High School Associations estimates 10 to 25 cases of sudden cardiac death per year in individuals younger than 30 years.³

The leading cause of death in young athletes is a condition called hypertrophic cardiomyopathy, commonly known as an enlarged heart.⁴ This genetic disorder occurs in 1 out of every 500 people and causes the muscle in the heart to abnormally thicken.⁵ This thickening of the muscle can force the heart to work harder to pump blood and can lead to dangerous heart arrhythmias.⁶ Physical activity can trigger these dangerous arrhythmias and sudden cardiac arrest can occur during very vigorous physical activity.⁷

Comotio cordis is the second highest cause of death in athletes younger than 14 years⁸ and typically involves young athletes who experience a sudden, blunt trauma to the anterior chest resulting in cardiac arrest and sudden death.⁹ While baseball is the most common sport in which this condition occurs, softball has the

¹ Glenn C. Terry, James M. Kyle, James M. Ellis, Jr., et. al., "Sudden Cardiac Arrest in Athletic Medicine," *Journal of Athletic Training*, Apr-Jun 2001; 36(2): 205-209, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC155532/>

² *Id.*

³ *Id.*

⁴ Martha Pyron, "Hypertrophic Cardiomyopathy: A Cause of Athlete Sudden Death," *American College of Sports Medicine*, Jan 19, 2012, <https://www.acsm.org/public-information/articles/2012/01/19/hypertrophic-cardiomyopathy-a-cause-of-athlete-sudden-death>

⁵ American Heart Association, "Hypertrophic Cardiomyopathy," Aug. 21, 2015, http://www.heart.org/HEARTORG/Conditions/More/Cardiomyopathy/Hypertrophic-Cardiomyopathy_UCM_444317_Article.jsp

⁶ *Id.*

⁷ *Id.*

⁸ American Academy of Pediatrics, "Policy Statement: Baseball and Softball," <http://pediatrics.aappublications.org/content/early/2012/02/22/peds.2011-3593.full.pdf+html>

⁹ Steven M Yabek, "Comotio Cordis," *Medscape*, Jul 30, 2013, <http://emedicine.medscape.com/article/902504-overview>

second highest incidence rate,¹⁰ and this condition has been described in nearly all sports.¹¹ Nearly all commotio cordis events are caused by a hard ball or object directly striking the left chest wall.¹² “Pitchers, catchers, and batters have the highest incidence of commotio cordis; however, all players can be affected by this phenomenon.”¹³ Chest protectors, which are commonly used by catchers and batters, have not been shown to be reliable in either the human experience or in animal laboratory studies in preventing commotio cordis.¹⁴

The American Academy of Pediatrics finds that children 5 to 14 years of age may be uniquely vulnerable to this blunt chest impact because their chest walls are more elastic and more easily compressed.¹⁵ Data from the United States Commotio Cordis Registry (“the Registry”) show that 26 percent of those who experience commotio cordis are younger than 10 years and 75 percent are younger than 18 years.¹⁶ Approximately 10 to 20 commotio cordis events are added to the Registry every year, but the actual incidence is likely much greater due to underreporting and a lack of recognition.¹⁷ The survival rate during the initial years of the Registry (1970-1993) was only 10 percent but has increased to 58 percent in recent years (2006-2012).¹⁸ This progressive decline in commotio cordis fatalities can be attributed to earlier recognition of a commotio cordis event, earlier commencement of cardiopulmonary resuscitation (CPR), and the increasing availability and use of automated external defibrillators (AED).¹⁹

III. AUTOMATED EXTERNAL DEFIBRILLATORS

An AED is the only effective treatment for restoring a regular heart rhythm during sudden cardiac arrest and is an easy to operate tool for someone with no medical background.²⁰ It is a medical device that analyzes the heart’s rhythm and can deliver an electrical shock, known as defibrillation, which helps the heart re-establish an effective rhythm.²¹ The average response time for first responders once 911 is called is 8 to 12 minutes.²² For each minute defibrillation is delayed, the chance of survival is reduced approximately 10 percent.²³ More than 95 percent of patients who receive defibrillation shock in the first minute of cardiac arrest survive.²⁴

In New York State, the presence of an AED is required in the following locations:

- public schools and at locations off-site that are then hosting a public school-sponsored athletic contest or practice;²⁵
- places of public assembly with a capacity of at least one thousand people, including stadiums, ballparks, gymnasiums, field houses, arenas, civic centers, concert halls, recital halls, theatres, and indoor and outdoor amphitheatres (with exceptions for halls owned by churches, religious organizations, granges, public associations, and free libraries); and²⁶
- health clubs with 500 or more members.²⁷

¹⁰ Kane Guthrie, Life in the Fastlane, Commotio Cordis, <https://lifeinthefastlane.com/commotio-cordis/>.

¹¹ Mark S. Link, “Commotio Cordis: Ventricular Fibrillation Triggered by Chest Impact–Induced Abnormalities in Repolarization,” *Circulation: Arrhythmia and Electrophysiology*, 2012; 5: 425-432, <http://circep.ahajournals.org/content/5/2/425.full>

¹² Mark S. Link, “Commotio Cordis: Ventricular Fibrillation Triggered by Chest Impact–Induced Abnormalities in Repolarization,” *Circulation: Arrhythmia and Electrophysiology*, 2012; 5: 425-432, <http://circep.ahajournals.org/content/5/2/425.full>

¹³ *Id.*

¹⁴ *Supra*, Note 8

¹⁵ *Supra*, Note 8

¹⁶ Steven M Yabek, “Commotio Cordis,” *Medscape*, Jul 30, 2013, <http://emedicine.medscape.com/article/902504-overview>

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ American Red Cross, “Learn about Automated External Defibrillators,” <http://www.redcross.org/prepare/location/workplace/easy-as-aed>

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ Glenn C. Terry, James M. Kyle, James M. Ellis, Jr., et. al., “Sudden Cardiac Arrest in Athletic Medicine,” *Journal of Athletic Training*, Apr-Jun 2001; 36(2): 205–209, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC155532/>

²⁵ NY Education Law §917

²⁶ NY Public Health §225.5-b

²⁷ NY General Business Law, Article 27, §627-a

In New York City, the presence of AEDs is additionally required in the publicly accessible areas of the following locations:

- public buildings maintained by the division of facilities management and construction of the Department of Citywide Administrative Services (a/k/a DCAS);
- at least six parks in each borough under the jurisdiction of the Department of Parks and Recreation;
- ferry terminals owned and operated by the City of New York served by ferry boats with a passenger capacity of one thousand or more persons;
- nursing homes;
- senior centers;
- golf courses, stadia and arenas; and
- health clubs that have a membership of at least 250 people.²⁸

Local Law 57 requires youth baseball leagues that play on land under the jurisdiction of the New York City Department of Parks and Recreation to make available at least one AED at every game and practice. This same requirement also applies under the law to youth baseball leagues playing on baseball fields leased by the Department of Citywide Administrative Services. Int. No. 189-A extends the requirements of Local Law 57 to youth softball leagues. The requirements of the Department of Parks and Recreation and the Department of Citywide Administrative Services to provide a sufficient number of AEDs to leagues covered by the law that play on their fields would, however, be limited to that which is possible based on the appropriation of funds to the program.

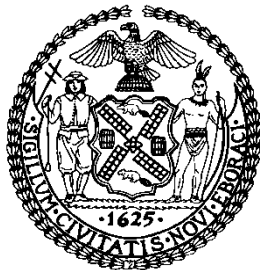
IV. ANALYSIS OF INT. NO. 189-A

Int. No. 189-A would extend the requirements of Local Law 57, as amended by Local law 104 of 2016 to apply to youth softball leagues. It would require youth softball leagues, defined as softball leagues with participants who are all 17 years old or younger, or who are in high school, that play on land managed or otherwise under the jurisdiction of the Department of Parks and Recreation to make available at least one AED at every baseball game and practice at which any team in the league is participating. This requirement does not apply to teams in the Public School Athletic League, which are already required to have AEDs under state law.

Since the first hearing on Int. No. 189-A, only technical amendments were made to the legislation.

This bill would take effect on January 1, 2019.

(The following is the text of the Fiscal Impact Statement for Int. No. 189-A:)



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

INTRO. NO: 189-A

COMMITTEE: Health

²⁸ N.Y.C. Ad. Code §17-188

TITLE: A local law to amend the administrative code of the city of New York, in relation to requiring defibrillators at softball fields where youth leagues play.

SPONSOR(S): Council Members Matteo, Brannan, Kallos, and Ampry-Samuel

SUMMARY OF LEGISLATION: The proposed legislation would require the Department of Citywide Administrative Services to provide automated external defibrillators (AEDs) and training courses to youth softball leagues playing on City-owned land at no cost to the leagues, as possible based on the appropriation of funds to the program. The legislation defines a “youth softball league” as a softball league with participants who are all 17 years old or younger but includes all grade school-through-high school athletic programs regardless of the age of the participants.

The legislation would also require that, where practicable, applicable softball leagues would ensure that a coach, umpire, or other qualified adult who had successfully completed a training course in AED operation in the previous 24 months be present at each game or practice. Leagues would also be required, under this legislation, to bring an AED to every game and practice and to make efforts to ensure that a trained coach or umpire is present.

EFFECTIVE DATE: This legislation would take effect on January 1, 2019.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY 20	Full Fiscal Impact FY 19
Revenues	\$0	\$0	\$0
Expenditures	\$792,500	\$50,000	\$792,500
Net	(\$792,500)	(\$50,000)	(\$792,500)

IMPACT ON REVENUES: The legislation would impose civil penalties for failure to comply, but the City anticipates full compliance and, therefore, no revenue as a result of this legislation.

IMPACT ON EXPENDITURES: It is estimated that this legislation would result in approximately \$792,500 in expenditures in Fiscal 2019.

Each year, there are approximately 100 youth softball leagues in the City, representing about 500 teams and 60,000 permitted field hours. Adult and pediatric CPR/AED courses cost \$85 per class, and certifications remain valid for two years. Each AED, including case, batteries, and pads, costs approximately \$1,500. Therefore, the cost of providing AEDs and training courses to the estimated 500 youth softball leagues in the City would total \$792,500 in the first year of operation.

Program personnel would constitute an additional cost, should the relevant agencies require new staff to manage the program, including communicating with youth softball leagues, tracking and documenting the devices and events, assuring AED quality and compliance, and managing program data. An annual salary of \$45,000 plus the cost of the data-management software program would cost approximately \$50,000.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, NYC Council Finance Division
 Crilhien R. Francisco, Unit Head, NYC Council Finance Division
 Rebecca Chasan, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on January 31, 2018 as Intro.189 and was referred to the Committee on Health. The Committee on Health held a hearing on April 16, 2018, jointly with the Committee on Parks and Recreation, and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 902-A, will be considered by the Committee on Health on May 22, 2018. Upon successful vote by the Committee on Health, Proposed Intro. No. 19-A will be submitted to the full Council for a vote on May 23, 2018.

DATE PREPARED: May 22, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 189-A:)

Int. No. 189-A

By Council Members Matteo, Brannan, Kallos, Ampry-Samuel and Levin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring defibrillators at softball fields where youth leagues play

Be it enacted by the Council as follows:

Section 1. Section 4-209 of the administrative code of the city of New York, subdivision b as amended by local law number 104 for the year 2016, is amended to read as follows:

§ 4-209 Automated external defibrillators at youth baseball *and youth softball* games and practices on city land leased to youth leagues. a. Definitions. As used in this section, the following terms have the following meanings:

Automated external defibrillator. The term “automated external defibrillator” means a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and (iv) upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

Department. The term “department” means the department of citywide administrative services or any successor of such department.

Training course. The term “training course” means a course approved by a nationally-recognized organization or the state emergency medical services council in the operation of automated external defibrillators.

Youth baseball league. The term “youth baseball league” means baseball leagues with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants, other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.

Youth softball league. The term “youth softball league” means softball leagues with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants, other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.

b. Subject to the provision of a sufficient number of automated external defibrillators and training courses by the department pursuant to subdivision c, a youth baseball league *or youth softball league* using a [baseball] field for which the department is the lessor shall:

1. make available an automated external defibrillator at every baseball *or softball* game and practice occurring at such field in which a team of such league participates; and

2. where practicable, ensure that there is at least one coach, umpire or other qualified adult who is present at each such game and practice who has successfully completed a training course within 24 months of each such game and practice.

c. The department shall provide to youth baseball leagues *and youth softball leagues* subject to the requirements of subdivision b a sufficient number of automated external defibrillators and training courses at no cost to such leagues. Any defibrillator provided by the department to such a league shall be returned in satisfactory condition at the end of the lease or upon request of such department.

d. The department shall not lease a ballfield to a youth baseball league *or a youth softball league* unless such lease requires that the lessee comply with subdivision b.

e. Any person who voluntarily and without expectation of monetary compensation renders first aid or emergency treatment using an automated external defibrillator that has been made available pursuant to this section, to a person who is unconscious, ill or injured, and any individual or entity that purchases or makes available an automated external defibrillator as required by this section, is entitled to the limitation of liability provided in section 3000-a of the New York state public health law.

f. Nothing contained in this section imposes any duty or obligation on any person to provide assistance with an automated external defibrillator to a victim of a medical emergency.

g. Nothing contained in this section affects the obligations or liability of emergency health providers pursuant to section 3000-b of the New York state public health law.

h. Any youth baseball league *or youth softball league* that violates the provisions of subdivision b shall receive a warning for a first violation, and shall be liable for a civil penalty of \$500 for each subsequent violation, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings. Any youth baseball league *or youth softball league* that violates the provisions of subdivision c shall be liable for a civil penalty of no more than \$2,500 for each automated external defibrillator that is not returned in satisfactory condition, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings.

i. The provision of automated external defibrillators and training courses authorized by this section shall be limited to the appropriation of funds available for this program. To the extent the department anticipates that the number of automated external defibrillators and training courses requested by youth baseball leagues and *youth softball leagues* will exceed the funds available, the department shall provide such defibrillators and training courses authorized by subdivision c on an equitable basis until such funds are exhausted.

j. The commissioner of the department shall promulgate any rules as may be necessary for the purposes of carrying out the provisions of this section.

§ 2. Section 18-150 of the administrative code of the city of New York, as added by local law number 57 for the year 2016, subdivision b as amended by local law number 104 for the year 2016, and renumbered by local law number 133 of 2017, is amended to read as follows:

§ 18-150 Defibrillators at youth baseball games *and youth softball games* and practices in parks. a. Definitions. As used in this section, the following terms have the following meanings:

Automated external defibrillator. The term “automated external defibrillator” means a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and (iv) upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

Department. The term “department” means the department of parks and recreation or any successor of such department.

Training course. The term “training course” means a course approved by a nationally-recognized organization or the state emergency medical services council in the operation of automated external defibrillators.

Youth league. The term “youth league” means youth recreation sports leagues other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.

Youth recreation. The term “youth recreation” means athletic activity with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants.

b. Subject to the provision of a sufficient number of automated external defibrillators and training courses by the department pursuant to subdivision c, a youth league using a ballfield under the jurisdiction and management of the department to play or practice baseball *or softball* shall:

1. make available an automated external defibrillator at every baseball *or softball* game and practice in which any team in such league participates; and

2. where practicable, ensure that there is at least one coach, umpire or other qualified adult who is present at each such game and practice who has successfully completed a training course within 24 months of every such game and practice.

c. The department shall provide to youth leagues subject to the requirements of subdivision b a sufficient number of automated external defibrillators and training courses at no cost to such leagues. Any defibrillator provided by the department to such a league shall be returned in satisfactory condition upon request of the department.

d. The department shall not issue a permit to a youth league for the use of a ballfield under its jurisdiction and management to play baseball *or softball* unless, for the duration of the season for which the permit is sought, such league certifies that it will comply with subdivision b.

e. Each league shall maintain records that it possesses a sufficient number of automated external defibrillators to meet the requirements of subdivision b for three years from the date such league receives the permit that was the subject of the application.

f. Any person who voluntarily and without expectation of monetary compensation renders first aid or emergency treatment using an automated external defibrillator that has been made available pursuant to this section, to a person who is unconscious, ill or injured, and any individual or entity that purchases or makes available an automated external defibrillator as required by this section, is entitled to the limitation of liability provided in section 3000-a of the New York state public health law.

g. Nothing contained in this section imposes any duty or obligation on any person to provide assistance with an automated external defibrillator to a victim of a medical emergency.

h. Nothing contained in this section affects the obligations or liability of emergency health providers pursuant to section 3000-b of the New York state public health law.

i. 1. The ballfield permit holder of any league that violates the provisions of subdivisions b or e shall receive a warning for a first violation, and shall be liable for a civil penalty of \$500 for each subsequent violation, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings.

2. The ballfield permit holder of any league that violates the provisions of subdivision c shall be liable for a civil penalty of no more than \$2,500 for each automated external defibrillator that is not returned in satisfactory condition to the department, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings.

j. No ballfield permit shall be issued to any youth league that has a past due outstanding penalty for a violation issued pursuant to paragraph 2 of subdivision i.

k. The provision of automated external defibrillators and training courses authorized by this section shall be limited to the appropriation of funds available for this program. To the extent the department anticipates that the number of automated external defibrillators and training courses requested by youth leagues will exceed the funds available, the department shall provide such defibrillators and training courses authorized by subdivision c on an equitable basis until such funds are exhausted.

1. The commissioner of the department shall promulgate any rules as may be necessary for the purposes of carrying out the provisions of this section.

§ 3. This local law takes effect on January 1, 2019.

MARK LEVINE, *Chairperson*; ALICKA AMPRY-SAMUEL, INEZ D. BARRON, KEITH POWERS;
Committee on Health, May 22, 2018.

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

Report of the Committee on Land Use

Report for L.U. No. 66

Report of the Committee on Land Use in favor of approving Application No. 20185269 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2713, p/o Lot 2 (Tentative Lot 20), Borough of the Bronx, Community District 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2018 (Minutes, page 1531) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 2

20185269 HAX

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2713, p/o Lot 2 (Tentative Lot 20), and termination of the prior exemption.

INTENT

To approve a new real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for the exemption area which will contain one multiple dwelling, known as PRC Tiffany Street, that will provide rental housing for low income families and termination of the prior exemption.

PUBLIC HEARING

DATE: April 17, 2018

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** May 15, 2018

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:

Kallos, Gibson, Deutsch, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** May 17, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Reynoso, Richards, Torres, Grodenchik, Adams, Moya.

Against:

None

Abstain:

Rivera

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

Res. No. 371

Resolution approving a new tax exemption pursuant to Article XI of the Private Housing Finance Law and termination of the prior exemption for property located at Block 2713, p/o Lot 2; Tentative Lot 20, Community District 2, Borough of the Bronx, (L.U. No. 66; Non-ULURP No. 20185269 HAX).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 4, 2018 its request dated April 3, 2018 that the Council approve a new real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") and termination of a prior exemption for property located at Block 2713, p/o Lot 2 (Tentative Lot 20), Community District No. 2, Borough of the Bronx, Council District No. 17 (the "Exemption Area");

WHEREAS, HPD's request is related to previously approved City Council Resolution No. 713; L.U. No. 225 of May 27, 2015;

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption and Termination Requests on April 17, 2018; and

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

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. "Companies" shall mean, collectively, PRC Tiffany Street LIHTC LLC and PRC Tiffany Street Moderate LLC, and any limited liability company that acquires a beneficial leasehold interest in the Exemption Area pursuant to the Lease with the approval of HPD.
 - b. "Current Owner" shall mean, collectively, Fee HDFC and PRC Andrews Avenue LLC.
 - c. "Effective Date" shall mean the later of (i) the date of the leasehold conveyance of the Exemption Area from the Current Owner to the Lessee, and (ii) the date that HPD, Lessee, and Current Owner enter into the Regulatory Agreement.
 - d. "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2713, p/o Lot 2 (Tentative Lot 20) on the Tax Map of the City of New York.
 - e. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned or leased by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. "Fee HDFC" shall mean Andrews/Kelly Housing Development Fund Corporation.
 - g. "HDFC" shall mean Tiffany Housing Development Fund Corporation or a housing development fund company that acquires a legal leasehold interest in the Exemption Area with the prior written consent of HPD.
 - h. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - i. "Lease" shall mean the lease among Current Owner, as landlord, and Lessee, as tenant, conveying a leasehold interest in the Exemption Area from the Current Owner to Lessee.
 - j. "Lessee" shall mean, collectively, the HDFC and the Companies.
 - k. "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - l. "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the New York City Council on May 27, 2015 (Resolution No. 713).

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

RAFAEL SALAMANCA, Jr., Chairperson; PETER A. KOO, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA; Committee on Land Use, May 17, 2018.

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

Report for L.U. No. 68

Report of the Committee on Land Use in favor of approving Application No. 20185271 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2047, Lots 7 and 10, Borough of Manhattan, Community District 10, Council District 9.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2018 (Minutes, page 1531) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN CB - 10****20185271 HAM**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2047, Lots 7 and 10, and termination of the prior exemption.

INTENT

To approve a new real property tax exemption pursuant to Section 577 of the Private Housing Finance Law and terminate the prior exemption for the Exemption Area which contains one multiple dwelling known as Bethany Place, that provides rental housing for low income families, in order to match the term of an existing HDC loan.

PUBLIC HEARING**DATE:** May 1, 2018**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** May 15, 2018

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:

Kallos, Gibson, Deutsch, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** May 17, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Reynoso, Richards, Torres, Grodenchik, Adams, Moya, Rivera.

Against:

None

Abstain:

None

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

Res. No. 372

Resolution approving a new tax exemption pursuant to Article XI of the Private Housing Finance Law and termination of the prior tax exemption for property located at Block 2047, Lots 7 and 10, Community District 10, Borough of Manhattan, (L.U. No. 68; Non-ULURP No. 20185271 HAM).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 4, 2018 its request dated April 3, 2018 that the Council approve a new real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") and termination of the prior exemption for property located at Block 2047, Lots 7 and 10, Community District No. 10, Borough of Manhattan, Council District No. 9 (the "Exemption Area");

WHEREAS, HPD's request is related to previously approved City Council Resolution No. 561; Preconsidered L.U. No. 248 of November 17, 2010 (the "Prior Resolution");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on May 1, 2018; and

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

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

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

- a. "Effective Date" shall mean the date that HPD and the Owner enter into the Regulatory Agreement.
 - b. "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2047, Lots 7 and 10 on the Tax Map of the City of New York.
 - c. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - d. "HDFC" shall mean Bethany II Housing Development Fund Corp. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - g. "Owner" shall mean the HDFC.
 - h. "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the New York City Council on November 17, 2010 (Resolution No. 561).
 - i. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
2. The Prior Exemption shall terminate upon the Effective Date.
 3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

- b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
5. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, May 17, 2018.

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

Report for L.U. No. 71

Report of the Committee on Land Use in favor of approving Application No. 20185330 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, pursuant to Section 577 of Article XI of the Private Housing Finance Law for a real property tax exemption for the Exemption Area, waiver of the area designation requirement, and waiver of Sections 197-c and 197-d of the New York City Charter for property located at 280 East 3rd Street (Block 372, Lot 12) and 230 East 4th Street (Block 399, Lot 24), Borough of Manhattan, Community District 3, Council District 2.

The Committee on Land Use, to which the annexed Land Use item was referred on April 25, 2018 (Minutes, page 1649) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3

20185330 HAM

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, waiver of the area designation requirement of Section 693 of the General Municipal Law, and waiver of the requirements of Sections 197-c and 197-d of the New York City Charter and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at 280 East 3rd Street (Block 372, Lot 12) and 230 East 4th Street (Block 399, Lot 24).

INTENT

To approve the Project as an Urban Development Action Area Project and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for the project to continue to provide approximately 35 affordable rental dwelling units plus one superintendent’s unit.

PUBLIC HEARING

DATE: May 1, 2018

Witnesses in Favor: Five

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: May 15, 2018

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:

Kallos, Gibson, Deutsch, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: May 17, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Reynoso, Richards, Torres, Grodenchik, Adams, Moya, Rivera.

Against:

None

Abstain:

None

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

Res. No. 373

Resolution approving an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at 230 East 4th Street (Block 399, Lot 24), 280 East 3rd Street (Block 372, Lot 12), Borough of Manhattan; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, Community District 3, Borough of Manhattan (L.U. No. 71; 20185330 HAM).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 16, 2018 its request dated April 13, 2018 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 230 East 4th Street (Block 399, Lot 24), 280 East 3rd Street (Block 372, Lot 12), Community District 3, Borough of Manhattan (the "Disposition Area or Exemption Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the Exemption Area from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law.

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on May 1, 2018;

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on April 16, 2018, a copy of which is attached hereto.

Pursuant to Section 577 of Article XI of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

- a. For the purposes hereof, the following terms shall have the following meanings:
 - (1) “CLT” shall mean Cooper Square Housing Development Fund Company Community Land Trust, Inc.
 - (2) “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, the HDFC and CLT enter into the Regulatory Agreement.
 - (3) “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - (4) “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 372, Lot 12 and Block 399, Lot 24 on the Tax Map of the City of New York.
 - (5) “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - (6) “HDFC” shall mean Two Buildings Tenants United Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - (7) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - (8) “Regulatory Agreement” shall mean the regulatory agreement between HPD, the HDFC and CLT establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- b. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
- c. Notwithstanding any provision hereof to the contrary:

- (1) The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the HDFC and CLT 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.
 - (2) 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.
 - (3) Nothing herein shall entitle the HDFC, CLT, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- d. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

RAFAEL SALAMANCA, Jr., Chairperson; PETER A. KOO, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, May 17, 2018.

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

Report for L.U. No. 72

Report of the Committee on Land Use in favor of approving Application No. 20185329 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1499, Lot 13 and Block 1502, Lot 18, Borough of Brooklyn, Community District 16, Council District 41.

The Committee on Land Use, to which the annexed Land Use item was referred on April 25, 2018 (Minutes, page 1649) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT**BROOKLYN CB - 16****20185329 HAK**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1499, Lot 13 and Block 1502, Lot 18.

INTENT

To approve a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for two buildings that provide rental housing for low-income families.

PUBLIC HEARING**DATE:** May 1, 2018**Witnesses in Favor:** Four**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** May 15, 2018

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:

Kallos, Gibson, Deutsch, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** May 17, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Reynoso, Richards, Torres, Grodenchik, Adams, Moya, Rivera.

Against:
None

Abstain:
None

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

Res. No. 374

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 1499, Lot 13 and Block 1502, Lot 18, Borough of Brooklyn, (L.U. No. 72; Non-ULURP No. 20185329 HAK).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 18, 2018 its request dated April 16, 2018 that the Council approve an exemption from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") for property located at Block 1499, Lot 13 and Block 1502, Lot 18, Community District No. 16, Borough of Brooklyn, Council District No. 41 (the "Exemption Area");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on May 1, 2018;

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

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. "Company" shall mean CB CSH 2015 LLC or a limited liability company that acquires the beneficial interest in the Exemption Area with the approval of HPD.
 - b. "Effective Date" shall mean December 30, 2015.
 - 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 Brooklyn, City and State of New York, identified as Block 1499, Lot 13 and Block 1502, Lot 18 on the Tax Map of the City of New York.
 - e. "Expiration Date" shall mean the earlier to occur of (i) December 30, 2050, (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 Livonia Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. “Owner” shall mean, collectively, the HDFC and the Company.
 - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Company, the Owner, any past owner of the Exemption Area, or any other party to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 4. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule, or regulation.

RAFAEL SALAMANCA, Jr., Chairperson; PETER A. KOO, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, , RORY I. LANCMAN, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, May 17, 2018.

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

Report for L.U. No. 79

Report of the Committee on Land Use in favor of approving Application No. 20185331 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, a real property tax exemption for the Disposition Area or Exemption Area pursuant to Section 577 of Article XI of the Private Housing Finance Law, for property located at Block 1729, Lot 49; Block 1822, Lot 15; Block 1924, Lot 104 and Block 2007, Lots 46, 47, and 48), in the Borough of Manhattan, Community District 10, Council District 9.

The Committee on Land Use, to which the annexed Land Use item was referred on May 9, 2018 (Minutes, page 1862) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 10

20185331 HAM

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, waiver of the area designation requirement and waiver of Sections 197-c and 197-d of the New York City Charter, and a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for property located at Block 1729, Lot 49; Block 1822, Lot 15; Block 1924, Lot 104 and Block 2007, Lots 46, 47, and 48), in Community District 10, Borough of Manhattan, Council District 9.

INTENT

To approve the Project as an urban development action area project pursuant to Article 16 of the General Municipal Law and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for the exemption area.

PUBLIC HEARING

DATE: May 15, 2018

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: May 15, 2018

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:

Kallos, Gibson, Deutsch, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: May 17, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Reynoso, Richards, Torres, Grodenchik, Adams, Moya, Rivera.

Against:

None

Abstain:

None

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

Res. No. 375

Resolution approving an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at 118 West 139th Street (Block 2007, Lot 46), 120 West 139th Street (Block 2007, Lot 47), 122 West 139th Street (Block 2007, Lot 48), 123 West 112th Street, aka 45 St. Nicholas Avenue (Block 1822, Lot 15), 281 West 118th Street (Block 1924, Lot 104), and 30 West 132nd Street (Block 1729, Lot 49), Borough of Manhattan; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, Community District 10, Borough of Manhattan (L.U. No. 79; 20185331 HAM).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 24, 2018 its request dated April 13, 2018 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 118 West 139th Street (Block 2007, Lot 46), 120 West 139th Street (Block 2007, Lot 47), 122 West 139th Street (Block 2007, Lot 48), 123 West 112th Street, aka 45 St. Nicholas Avenue (Block 1822, Lot 15), 281 West 118th Street (Block 1924, Lot 104), and 30 West 132nd Street (Block 1729, Lot 49), Community District 10, Borough of Manhattan (the "Disposition Area" or "Exemption Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the Exemption Area from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law.

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on May 15, 2018;

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on April 24, 2018, a copy of which is attached hereto.

Pursuant to Section 577 of Article XI of the Private Housing Finance Law, the Council approves an exemption of the Disposition Area from real property taxes as follows:

- a. For the purposes hereof, the following terms shall have the following meanings:
 - (1) “Company” shall mean Uptown 6 LLC or a limited liability company that acquires the beneficial interest in the Exemption Area with the approval of HPD.

- (2) “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and Owner enter into the Regulatory Agreement.
 - (3) “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - (4) “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1729, Lot 49, Block 1822, Lot 15, Block 1924, Lot 104, and Block 2007, Lots 46, 47, and 48 on the Tax Map of the City of New York.
 - (5) “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - (6) “HDFC” shall mean MPLP 6 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - (7) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - (8) “Owner” shall mean, collectively, the HDFC and the Company.
 - (9) “Regulatory Agreement” shall mean the regulatory agreement between HPD and Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- b. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
- c. Notwithstanding any provision hereof to the contrary:
- (1) The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner of the Exemption Area 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 herein, the Exemption shall prospectively terminate.

- (2) 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.
 - (3) Nothing herein shall entitle the HDFC, Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- d. 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, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

RAFAEL SALAMANCA, Jr., Chairperson; PETER A. KOO, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, , RORY I. LANCMAN, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, May 17, 2018.

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

Report for L.U. No. 80

Report of the Committee on Land Use in favor of approving Application No. 20185332 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, a real property tax exemption for the Disposition Area pursuant to Section 577 of Article XI of the Private Housing Finance Law, for property located at 615 West 150th Street and 601 West 148th Street, Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on May 9, 2018 (Minutes, page 1803) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 9

20185332 HAM

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, waiver of the area designation requirement and waiver of Sections 197-c and 197-d of the New York City Charter and a real property tax exemption for the Disposition Area pursuant to Section 577 of Article XI of the Private Housing Finance Law for property located at 615 West 150th Street and 601 West 148th Street, in Community District 9, Borough of Manhattan, Council District 7.

INTENT

To approve the Project as an urban development action area project pursuant to Article 16 of the General Municipal Law and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for the rehabilitation of the properties and future sale of approximately 80 apartments to a co-op formed by the existing tenants.

PUBLIC HEARING

DATE: May 15, 2018

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: May 15, 2018

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:

Kallos, Gibson, Deutsch, King, Diaz.

Against:
None

Abstain:
None

COMMITTEE ACTION

DATE: May 17, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Constantinides, Deutsch, Kallos, King, Koo, Lancman, Reynoso, Richards, Torres, Grodenchik, Adams, Moya, Rivera.

Against:
None

Abstain:
None

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

Res. No. 376

Resolution approving an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at 615 West 150th Street (Block 2097, Lot 20) and 601 West 148th Street (Block 2095, Lot 29), Borough of Manhattan; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, Community District 9, Borough of Manhattan (L.U. No. 80; 20185332 HAM).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on April 18, 2018 its request dated April 13, 2018 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 615 West 150th Street (Block 2097, Lot 20) and 601 West 148th Street (Block 2095, Lot 29), Community District 9, Borough of Manhattan (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Disposition Area from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law.

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on May 15, 2018;

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on April 18, 2018, a copy of which is attached hereto.

Pursuant to Section 577 of Article XI of the Private Housing Finance Law, the Council approves an exemption of the Disposition Area from real property taxes as follows:

- a. All of the value of the property in the Disposition Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use other than the Community Facility Space), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the later of (i) the date of conveyance of the Disposition Area to the Sponsor, or (ii) the date that HPD and the Sponsor enter into a regulatory agreement governing the operation of the Disposition Area ("Effective Date") and terminating upon the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the regulatory agreement between HPD and the Sponsor, or (iii) the date upon which the Disposition Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company ("Expiration Date"). "Community Facility Space" shall mean those portions of the Disposition Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
- b. Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("Exemption") shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Disposition Area is not being operated in accordance with the requirements of the regulatory agreement between HPD and the Sponsor, (iii) the Disposition 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, or (iv) the demolition of any private or multiple dwelling on the Disposition Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the owner of the Disposition Area 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 herein, the Exemption shall prospectively terminate.
- c. In consideration of the Exemption, the Sponsor and any future owner of the Disposition Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

RAFAEL SALAMANCA, Jr., Chairperson; PETER A. KOO, ANDY L. KING, DONOVAN J. RICHARDS, VANESSA L. GIBSON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, , RORY I. LANCMAN, ANTONIO REYNOSO, RITCHIE J. TORRES, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, May 17, 2018.

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

Report of the Committee on Transportation

Report for Int. No. 210-B

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to certain sidewalk repairs.

The Committee on Transportation, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 389), respectfully

REPORTS:

INTRODUCTION

On May 22, 2018, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a hearing on Proposed Int. No. 210-B, a Local Law in relation to certain sidewalk repairs. This is the second hearing on this legislation. The first hearing was held on April 10, 2018. The Committee heard testimony from the New York City Department of Transportation (DOT) and other interested stakeholders.

BACKGROUND

Property owners in New York City are required to “install, construct, reconstruct, repave and repair the sidewalk adjacent to their properties.”¹ DOT conducts inspections and issues violations when sidewalk defects are found.² Sidewalk violations do not impose any fines but active violations can complicate selling or refinancing the property.³ The property owner has 45 days after the violation is received to make repairs; after 45 days the City may make the repairs itself or hire a contractor to do so and then bill the property owner.⁴ DOT says that it does not charge property owners for sidewalk repairs of damage caused by sidewalk trees.⁵

ANALYSIS - PROPOSED INT. NO. 210-B

Section one of Proposed Int. No. 210-B would amend subdivisions c and e of section 19-152 of the Administrative Code by changing the minimum amount of time that a property owner has to comply with a DOT violation order to install, construct, reconstruct, or repave a sidewalk flag, fence a vacant lot, fill a sunken lot, or cut down a raised lot from 45 days to 75 days.

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

(The following is the text of the Fiscal Impact Statement for Int. No. 210-B:)

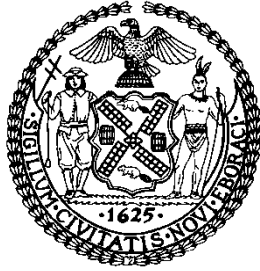
¹ N.Y.C. Dept. of Transportation, *Sidewalk Inspection and Violations*, available at <http://www.nyc.gov/html/dot/html/infrastructure/sidewalk-inspection.shtml>

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*



**THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
 FISCAL IMPACT STATEMENT
 PROPOSED INTRO. NO: 210-B
 COMMITTEE: Transportation**

TITLE: A local law to amend the administrative code of the city of New York, in relation to certain sidewalk repairs.

SPONSORS: Council Members Matteo, Brannan, and Yeger

SUMMARY OF LEGISLATION: Proposed Intro. 210-B would require that landowners be given at least 75 days, rather than 45 days, to make necessary repairs to the sidewalk adjacent to their property, in the event that the Department of Transportation determines that repairs are necessary.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2019

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used by the administering agency to comply with this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: John Basile, Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
 Chima Obichere, Unit Head
 Rebecca Chasan, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council as Intro. No. 210 on January 31, 2018 and was referred to the Committee on Transportation (Committee). A hearing was held by the Committee on an amended version of the legislation on April 10, 2018, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 210-B, will be considered by the

Committee on May 22, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 210-B will be submitted to the full Council for a vote on May 23, 2018.

DATE PREPARED: May 16, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 210-B:)

Int. No. 210-B

By Council Members Matteo, Brannan, Yeger, Kallos, Rodriguez, Constantinides, Rose, Koo and Levin.

A Local Law to amend the administrative code of the city of New York, in relation to certain sidewalk repairs

Be it enacted by the Council as follows:

Section 1. Subdivisions c and e of section 19-152 of the administrative code of the city of New York, the first sentence of subdivision c as amended by local law number 64 for the year 1995, is amended to read as follows:

c. Whenever the department shall determine that a sidewalk flag should be installed, constructed, reconstructed, or repaved, or that a vacant lot should be fenced, or a sunken lot filled or a raised lot cut down, it may order the owner of the property abutting on such sidewalk flag or the owner of such vacant, sunken or raised lot by issuing a violation order to perform such work. Such order shall provide a detailed explanation of the inspection and the sidewalk defects according to sidewalk flags including a detailed diagram of the property and defects by type. The order shall also inform the owner of the existence of the borough offices within the department together with an explanation of the procedures utilized by the borough office as provided for in paragraph eighteen of subdivision a of section twenty-nine hundred three of the New York city charter as well as a complaint and appeal process, including the right to request a reinspection and then the right to appeal by filing a notice of claim with the office of the comptroller of the city of New York and thereafter a petition for appeal and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed under the direction of or by the department as provided herein and the procedures as to how to appeal by filing a notice of claim with the office of the comptroller of the city of New York and how to file a petition and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed as provided herein and the location where the forms may be obtained. Such order shall specify the work to be performed, an estimate of the cost of the work to repair the defects and the order shall also specify a reasonable time for compliance, provided that the time for compliance shall be a minimum of [forty-five] 75 days. The department shall, by appropriate regulations, provide for a reinspection by a different departmental inspector than the inspector that conducted the first or original inspection upon request of the property owner to the appropriate borough office. Where appropriate, the department shall notify the property owner of the date of reinspection at least five days prior to the reinspection date. Such inspector conducting the reinspection shall conduct an independent inspection of the property without access to the reports from the first inspection. The inspector conducting the reinspection shall file a new report and the department shall issue a new order to the owner specifying the results of the reinspection with a detailed diagram of the property and defects by type. Such order shall also advise the owner of the procedures utilized by the borough office as provided for in paragraph eighteen of subdivision a of section twenty-nine hundred three of the New York city charter and also of the right to challenge the notice of account and/or the quality of the work performed by filing a notice of claim with the office of the comptroller and thereafter a petition and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed under the direction of or by the department as provided in

sections 19-152.2 and 19-152.3 of the code and specify the procedures as to how to appeal by filing a notice of claim with the office of the comptroller of the city of New York and how to file a petition and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed and the location where the forms may be obtained.

e. Upon the owner's failure to comply with such order or notice within [forty-five] 75 days of service and filing thereof, or within ten days if such period is fixed by the department pursuant to subdivision d of this section, the department may perform work or cause same to be performed under the supervision of the department, the cost of which, together with administrative expenses, as determined by the commissioner, but not to exceed twenty percent of the cost of performance, shall constitute a debt recoverable from the owner by lien on the property affected or otherwise. Upon entry by the city collector, in the book in which such charges are to be entered, of the amount definitely computed as a statement of account by the department, such debt shall become a lien prior to all liens or encumbrances on such property, other than taxes. An owner shall be deemed to have complied with this subdivision if he or she obtains a permit from the department to perform such work as specified in the order within the time set forth therein and completes such work within ten days thereafter.

§ 2. This local law takes effect immediately.

YDANIS A. RODRIGUEZ, *Chairperson*; FERNANDO CABRERA, PETER A. KOO, STEPHEN T. LEVIN, DEBORAH L. ROSE, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, RAFAEL L. ESPINAL, Jr., MARK LEVINE, CARLOS MENCHACA, RAFAEL SALAMANCA, Jr., RUBEN DIAZ, Sr; Committee on Transportation, May 22, 2018. *Other Council Members Attending: Council Member Matteo.*

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

GENERAL ORDER CALENDAR

Report for Int. No. 720

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

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

REPORTS:

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

Accordingly, this Committee recommends its adoption.

ROBERT E. CORNEGY, Jr., Chairperson; FERNANDO CABRERA, MARGARET S. CHIN, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, BILL PERKINS, MARK GJONAJ, CARLINA RIVERA; Committee on Housing and Buildings, March 6, 2018.

Laid Over by the Council.

Resolution approving various persons Commissioners of Deeds.

By the Presiding Officer –

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

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Muneef Halawa	329 East 89th Street #3W New York, New York 10128	5
Phyllis Treichel	223 East 88th Street APT. 3A New York, New York 10128	5
Robert R. Isaac	780 Concourse Village West #18E Bronx, New York 10451	16
Nelson M. Flores	73-47 255th Street #2 Glen Oaks, New York 11004	23
Erica R. Sheinart	626 2nd Street #4 Brooklyn, New York 11215	39
John Rinaudo	22 Holly Street Staten Island, New York 10304	50
Christopher M. Sambataro	309 Brighton Street Staten Island , New York 10307	51
Lauren Villeroel	7764 Amboy Road Staten Island, New York 10307	51
Vanessa Wallace	1296 Rockland Avenue #1H Staten Island, New York 10314	51

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District#</i>
John L. Rivera	16 Monroe Street #11A New York, New York 10002	1
Barbara Chipman	311 East 50th Street #9D New York, New York 10022	4
Michael K. Zumbuskas	441 East 83rd Street New York, New York 10028	5
Richard Kneiling	306 East 83rd Street New York, New York 10028	5
Carol Quintero-Gjelaj	161 West 86th Street #B1 New York, New York 10024	6
Melanie J. Wright	875 Amsterdam Avenue #8F New York, New York 10025	7
Cynthia J. Davis	1015 Anderson Avenue #1C Bronx, New York 10452	8
India Burrows	277 West 127th Street #9A New York, New York 10027	9
Yvelisse Mota	1707-09 Park Avenue #2B New York, New York 10035	9
Sadie Rojas	480 Audubon Avenue #B51 New York, New York 10040	10
Carl Merante	4295 Webster Avenue #5G Bronx, New York 10470	11
Karyl J. Miller	2400 Hunter Avenue #10C Bronx, New York 10475	12
Kenneth Roman	3739 Barnes Avenue Bronx, New York 10467	12
Glenda Willock	2910 Wallace Avenue #1A Bronx, New York 10467	13
Erica Dillard	2666 Valentine Avenue #3A Bronx, New York 10458	15
Ronald Wilcox	1971 Webster Avenue #3H Bronx, New York 10457	15

Anna M. Roberts	1445 Nelson Avenue #4B Bronx, New York 10457	16
Evelyn Bruno	590 East 166th Street #5M Bronx, New York 10456	16
Andre Horton	880 Bryant Avenue #16J Bronx, New York 10473	17
Pamela E. Byass	1595 Metropolitan Avenue #MB Bronx, New York 10462	18
Giuliana Garcia	13-08 123rd Street Queens, New York 11356	19
Daniel Puerta	41-15 162nd Street Flushing, New York 11358	20
Iqbal Muhammad Shaikh	88-73 193rd Street #6F Queens, New York 11423	23
Dekeisha George-Jituboh	153-30 89th Avenue #321 Jamaica, New York 11432	24
Cheryl Elder	134-37 166th Place #12F Queens, New York 11434	28
Luz A. Gonzalez	111-11 153rd Street Jamaica, New York 11433	28
Christopher Vitoratos	70-13 57th Road Maspeth, New York 11378	30
Donna Erdmann-Gruber	88-41 Doran Avenue Glendale, New York 11385	30
Evelyn Vega	334 Beach 56th Street #6C Arverne, New York 11692	31
Taniqua S. Mathis	219-40 143rd Road Laurelton, New York 11413	31
Joan P. Byrnes-Daly	19 Pelham Walk Breezy Point, New York 11697	32
Suzanne Valentine	8000 Shorefront Parkway #12D Rockaway Beach, New York 11693	32
Patricia Leonardelli	30 Third Avenue #845 Brooklyn, New York 11209	33
Jacquelyn Safi	55 North Elliot Place #12H Brooklyn, New York 11205	35

Lisa D. Leshore	827 St. Johns Place #1R Brooklyn, New York 11216	35
Davone Ratliff	1351 Eastern Parkway #2D Brooklyn, New York 11233	41
Delores S. Smith-Johnson	967 Putnam Avenue #4L Brooklyn, New York 11221	41
Tamishia C. Flowers	1420 Freeport Loop #2D Brooklyn, New York 11239	42
Jerome Daniel Burdi	8616 Fort Hamilton Pkwy Brooklyn, New York 11209	43
Monica D. Haile	2640 Bedford Avenue Brooklyn, New York 11210	45
Paula Lubin	712 East 27th Street #5H Brooklyn, New York 11210	45
Zinaida Karasik	3323 Kings Highway #3B Brooklyn, New York 11234	45
Cleopatra Livingston	5022 Avenue I Brooklyn, New York 11234	46
Barry L. Greene	806 Henderson Avenue #2E Staten Island, New York 103010	49
Dawn Townsley	1316 Mason Avenue Staten Island, New York 10306	50
Susan Been	77 Cameron Avenue Staten Island, New York 10305	50

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

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

- | | |
|-------------------------------------|---|
| (1) M-55 - | Transmitting recommendations of the interest rate to be charged for Fiscal Year 2019. |
| (2) Int 14-A - | Broadcasting of mandatory debates. |
| (3) Int 189-A - | Defibrillators at softball fields where youth leagues play. |
| (4) Int 210-B - | Sidewalk repairs. |
| (5) Int 882 - | Commercial rent tax credit. |
| (6) Int 895 - | Health insurance coverage for surviving family members. |
| (7) Res 359 - | Discount percentage for early payment of real estate taxes for Fiscal Year 2019. |
| (8) Res 360 - | Interest rate be 7 percent per annum for Fiscal Year 2019 for non-payment of taxes on properties. |
| (9) Res 361 - | Interest rate be 18 percent per annum for Fiscal Year 2019. |
| (10) L.U. 66 & Res 371 - | App. 20185269 HAX Bronx, Community District 2, Council District 17. |
| (11) L.U. 68 & Res 372 - | App. 20185271 HAM Manhattan, Community District 10, Council District 9. |
| (12) L.U. 71 & Res 373 - | App. 20185330 HAM Manhattan, Community District 3, Council District 2. |
| (13) L.U. 72 & Res 374 - | App. 20185329 HAK Brooklyn, Community District 16, Council District 41. |
| (14) L.U. 79 & Res 375 - | App. 20185331 HAM Manhattan, Community District 10, Council District 9. |

- (15) **L.U. 80 & Res 376 -** App. **20185332 HAM** Manhattan, Community District 9, Council District 7.
- (16) **L.U. 95 & Res 364 -** Aquinas Housing for the Elderly, Block 3118, Lots 42, 44; Deacon Juan Santos Plaza II, Block 3130, Lot 2; Bronx, Community District No. 6, Council District No. 17.
- (17) **L.U. 96 & Res 365 -** Essie Jeffries Apartments, Manhattan, Community District No. 12, Council District No. 7.
- (18) **L.U. 97 & Res 366 -** Inwood House, Manhattan, Community District No. 12, Council District No. 10.
- (19) **L.U. 98 & Res 367 -** Lafayette Morrison Apartments, Block 3627, Lots 20, 30, 40, and 50; Bronx, Community District No. 9, Council District No. 17.
- (20) **L.U. 99 & Res 368 -** Rockaway Village Phase 1 Queens, Community District No. 14, Council District No. 31.
- (21) **L.U. 100 & Res 369 -** 943-947 Teller Avenue HDFC, Bronx, Community District No. 4, Council District No. 17.
- (22) **L.U. 101 & Res 370 -** 1314 Seneca HDFC, Bronx, Community District No. 2, Council District No. 17.
- (23) **Resolution approving various persons Commissioners of Deeds.**

The Majority Leader and Acting President Pro Tempore (Council Member Cumbo) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

Affirmative – Adams, Ampy-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Richards, Rivera, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **42**.

Subsequently considered Present but Not Voting (PNV) due to their presence at the Recessed Meeting of May 23, 2018 held on June 7, 2018 – Cornegy, King, Koslowitz, Lancman, Perkins, Rodriguez, and Williams.

The General Order vote recorded for this Stated Meeting was 42-0-0 as shown above with the exception of the votes for the following legislative items listed below (the Council Members deemed Present but Not Voting for the GO vote above remain the same for these individual items as well):

The following was the vote recorded for **Res No. 360**:

Affirmative – Adams, Ampry-Samuel, Ayala, Brannan, Cabrera, Chin, Cohen, Constantinides, Deutsch, Dromm, Espinal, Eugene, Gibson, Kallos, Koo, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Rivera, Rosenthal, Salamanca, Torres, Treyger, Cumbo, and the Speaker (Council Member Johnson) – **30**.

Negative – Barron, Borelli, Diaz, Gjonaj, Grodenchik, Holden, Richards, Rose, Ulrich, Vallone, Yeger, and Matteo – **12**.

The following was the vote recorded for **Res. No. 361**:

Affirmative – Adams, Ampry-Samuel, Ayala, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Deutsch, Dromm, Espinal, Eugene, Gibson, Grodenchik, Kallos, Koo, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Richards, Rivera, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **35**.

Negative – Barron, Diaz, Gjonaj, Holden, Rose, Vallone, and Yeger – **7**.

The following was the vote recorded for **L.U. No. 66 & Res. No. 371**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Richards, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **41**.

Abstention – Rivera – **1**.

The following was the vote recorded for **L.U. No. 68 & Res. No. 372**:

Affirmative – Adams, Ampry-Samuel, Ayala, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Richards, Rivera, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **41**.

Negative – Barron – **1**.

The following was the vote recorded for **L.U. No. 99 & Res. No. 368**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Lander, Levin, Levine, Maisel, Menchaca, Powers, Reynoso, Richards, Rivera, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **41**.

Negative – Moya – **1**.

The following Introductions were sent to the Mayor for his consideration and approval:

Int. Nos.14-A, 189-A, 210-B, 882, and 895.

RESOLUTIONS

presented for voice-vote

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

Report for voice-vote item Res. No. 190

Report of the Committee on Civil Service and Labor in favor of approving a Resolution calling on the United State Supreme Court to protect public sector collective bargaining in *Janus v. American Federation of State, County and Municipal Employees (AFSCME)*.

The Committee on Civil Service and Labor, to which the annexed resolution was referred on February 15, 2018 (Minutes, page 903), respectfully

REPORTS:

INTRODUCTION

On Tuesday, May 22, the Committee on Civil Service and Labor, chaired by Council Member Adrienne Adams, voted on two resolutions: Res. No. 190, introduced by Council Member Torres, and Res. No. 240, introduced by Council Member Miller. Res. No. 190 is a Resolution calling on the United State Supreme Court to protect public sector collective bargaining in *Janus v. American Federation of State, County and Municipal Employees (AFSCME)*, and Res. No. 240 is a Resolution acknowledging workers' gains through the American labor movement. The first hearing on these resolutions was on Thursday, April 12, 2018, in a joint hearing with the Committee on Higher Education. Witnesses invited to testify to that hearing included the City University of New York (CUNY), the New York City Office of Labor Relations, unions, advocates and research institutes. On May 22, 2018, the Committee passed Resolution No. 190 by a vote of four in the affirmative, zero in the negative and one abstention; and Resolution No. 240 by a vote of five in the affirmative, zero in the negative, with zero abstentions.

RESOLUTION NO. 190

Resolution No. 190 would state that collective bargaining is the process in which working people, through their unions, negotiate contracts with their employers to determine terms and conditions of employment, including facts such as pay, benefits, and job health and safety policies. The resolution would note that in 1962, President John F. Kennedy granted federal employees the right to collectively bargain by signing Executive Order 10988, leading to a rapid increase in public sector union membership. The resolution would assert that according to a 2016 news release from the Bureau of Labor Statistics, 7.1 million public sector employees in the United States belonged to a union, representing 34.4 percent of public sector workers.

The resolution would state that according to the Union Membership and Coverage Database created by Barry T. Hirsch and David A. Macpherson, which uses Current Population Survey (CPS) data, New York State, in 2016, had 967,889 workers in the public sector that were members of a union and/or covered under a collective bargaining agreement, representing 70.2% of all employed workers in the public sector. The resolution would note that according to Ruth Milkman, Academic Director of the Joseph F. Murphy Institute for Worker Education and Labor Studies, using CPS data for 18 months spanning January of 2016 to June of 2017, there were 359,255 public sector workers that were members of a union and/or covered under a collective bargaining agreement within New York City. The resolution would assert that The State of the Unions 2017 report by Ruth Milkman and Stephanie Luce states that New York State's Taylor Law requires every New York State public sector union to represent all members in collective bargaining agreements, including non-union members, allowing these unions to collect mandatory dues and fees to cover the cost of representation for both union members and non-union members.

The resolution would state that according to the Washington Examiner, the United States Supreme Court has agreed to hear *Janus v. AFSCME*, which deals with the constitutionality of public sector jobs requiring employees, regardless of union membership, to pay a fee (fair-share fee) that covers the union's costs in negotiating contracts for those employees. The resolution would note that a ruling in favor of the plaintiff could be a costly setback for public sector unions in 22 states, including New York, where such fees are authorized by law. The resolution would indicate that the United States Supreme Court has ruled on fair-share fees in the 1977 case of *Abood v. Detroit Board of Education*, in which the Court upheld the legality of fair-share fees.

The resolution would note that in 2016, the United States Supreme Court was deadlocked, with a 4 to 4 vote, on the case of *Friedrichs v. California Teachers Association*, which dealt with fair-share fees. The resolution would state that according to the State University of New York (SUNY) Rockefeller Institute of Government, five of New York State's largest public employee unions collected nearly 500 million dollars in 2016 in dues and fees from the employees they represent. The resolution would assert that if *Janus v. AFSCME* successfully overturns the 40-year old *Abood* Supreme Court Case, automatically deducting dues from employee paychecks could become unconstitutional, causing public sector unions, nationwide, to lose members and revenue, which could diminish union's power to collectively bargain for their workers. The resolution would indicate that the Economic Policy Institute claims that prohibiting fair-share fees could negatively affect millions of public sector workers in efforts to negotiate and improve their terms and conditions of employment.

Finally, the resolution would state that the Council of the City of New York calls on the United States Supreme Court to protect public sector collective bargaining in *Janus v. American Federation of State, County and Municipal Employees (AFSCME)*.

RESOLUTION NO. 240

Resolution No. 240 would state that the American labor movement is based on the concept of a just society, in which social equality and honest labor are celebrated and fostered to improve the lives of workers throughout the nation. The resolution would note that from the late 1700's to present-day, the American labor movement made great accomplishments through workers' increased ability to unionize and collectively bargain for better compensation, benefits and worker safety standards. The resolution would assert that according to The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), key events in American labor history include: the 1892 Homestead Strike, where skilled workers collectively bargained for good wages and fair work rules against a union-busting millionaire; the Triangle Shirtwaist Fire, where more than 100 workers died due to

unsafe work conditions, bringing attention to worker safety standards; and the Great Postal Strike of 1970, where federal employees fought for the right to collectively bargain.

The resolution would indicate that these events allowed for important legislation and changes to be made in hopes of creating a more fair and just workplace for all workers, regardless of class, creed, race or income. The resolution would state that American Federation of State, County and Municipal Employees (AFSCME) highlights the American labor movement's top legislative accomplishments in the 1900s which include: the Social Security Act and the National Labor Relations Act in 1935, the Fair Labor Standards Act in 1938, the Civil Rights Act/Title VII in 1964, the Occupational Safety and Health Act in 1970, and the Family and Medical Leave Act in 1993. The resolution would assert that these pieces of legislation ensure that American workers have equal access to employment, a fair wage, safe working conditions, and the ability to join a union and collectively bargain, including the use of agency shops.

The resolution would note that "The State of the Unions 2017: A Profile of Organized Labor in New York City, New York State, and the United States" (The State of the Unions 2017), a report by the Joseph S. Murphy Institute for Worker Education and Labor Studies, indicates that organized labor in the United States has suffered sharp decline in numbers and influence in recent years, thus making it more important than ever to acknowledge the gains of the American labor movement. The resolution would assert that according to the State of the Unions 2017 report, although organized labor has suffered a decline in numbers and influence throughout the United States from 2016 to 2017, New York State had more union members-just under 2 million-than any other state in the United States except California, with New York City accounting for about 876,000 union members. The resolution would state that the American labor movement has made a huge impact on the United States and more specifically, on New York State and New York City, thus it is important to acknowledge the gains of workers that were won to create a more just and equal workforce.

Finally, Resolution No. 240 would assert that the Council of the City of New York acknowledges workers' gains through the American labor movement.

Update

On May 22, 2018, the Committee passed Resolution No. 190 by a vote of four in the affirmative, zero in the negative and one abstention; and Resolution No. 240 by a vote of five in the affirmative, zero in the negative, with zero abstentions.

(For text of Res. No. 240, please see the Report of the Committee on Civil Service and Labor for Res. No. 240 printed below in this voice-vote Resolutions Calendar section of these Minutes; for text of Res. No. 190, please see below)

Accordingly, this Committee recommends the adoption of Res. Nos. 190 and 240.

(The following is the text of Res. No. 190:)

Res. No. 190

Resolution calling on the United State Supreme Court to protect public sector collective bargaining in *Janus v. American Federation of State, County and Municipal Employees (AFSCME)*.

By Council Members Torres, Miller, Lander, Rivera, Dromm, Kallos, Treyger, King and Constantinides.

Whereas, Collective bargaining is the process in which working people, through their unions, negotiate contracts with their employers to determine terms and conditions of employment, including factors such as pay, benefits, and job health and safety policies; and

Whereas, In 1962, President John F. Kennedy granted federal employees the right to collectively bargain by signing Executive Order 10988, leading to a rapid increase in public sector union membership; and

Whereas, According to a 2016 news release from the Bureau of Labor Statistics, 7.1 million public sector employees in the United States belonged to a union, representing 34.4 percent of public sector workers; and

Whereas, According to the Union Membership and Coverage Database created by Barry T. Hirsch and David A. Macpherson, which uses Current Population Survey (CPS) data, New York State, in 2016, had 967,889 workers in the public sector that were members of a union and/or covered under a collective bargaining agreement, representing 70.2% of all employed workers in the public sector; and

Whereas, According to Ruth Milkman, Academic Director of the Joseph F. Murphy Institute for Worker Education and Labor Studies, using CPS data for 18 months spanning January of 2016 to June of 2017, there were 359,255 public sector workers that were members of a union and/or covered under a collective bargaining agreement within New York City; and

Whereas, The State of the Unions 2017 report by Ruth Milkman and Stephanie Luce states that New York State's Taylor Law requires every New York State public sector union to represent all members in collective bargaining agreements, including non-union members, allowing these unions to collect mandatory dues and fees to cover the cost of representation for both union members and non-union members; and

Whereas, According to the Washington Examiner, the United States Supreme Court has agreed to hear *Janus v. AFSCME*, which deals with the constitutionality of public sector jobs requiring employees, regardless of union membership, to pay a fee (fair-share fee) that covers the union's costs in negotiating contracts for those employees; and

Whereas, A ruling in favor of the plaintiff could be a costly setback for public sector unions in 22 states, including New York, where such fees are authorized by law; and

Whereas, The United States Supreme Court has ruled on fair-share fees in the 1977 case of *Abood v. Detroit Board of Education*, in which the Court upheld the legality of fair-share fees; and

Whereas, In 2016, the United States Supreme Court was deadlocked, with a 4 to 4 vote, on the case of *Friedrichs v. California Teachers Association*, which dealt with fair-share fees; and

Whereas, According to the State University of New York (SUNY) Rockefeller Institute of Government, five of New York State's largest public employee unions collected nearly 500 million dollars in 2016 in dues and fees from the employees they represent; and

Whereas, If *Janus v. AFSCME* successfully overturns the 40-year old *Abood* Supreme Court Case, automatically deducting dues from employee paychecks could become unconstitutional, causing public sector unions, nationwide, to lose members and revenue, which could diminish union's power to collectively bargain for their workers; and

Whereas, The Economic Policy Institute claims that prohibiting fair-share fees could negatively affect millions of public sector workers in efforts to negotiate and improve their terms and conditions of employment; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Supreme Court to protect public sector collective bargaining in *Janus v. American Federation of State, County and Municipal Employees (AFSCME)*.

ADRIENNE E. ADAMS, *Acting Chairperson*; DANIEL DROMM; ANDY L. KING; ALAN N. MAISEL, Committee on Civil Service and Labor, May 8, 2018. *Other Council Members Attending: Council Member Treyger.*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

The following Council Member formally noted his vote to abstain on this item:
Council Member Ulrich.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 240

Report of the Committee on Civil Service and Labor in favor of approving a Resolution acknowledging workers' gains through the American labor movement.

The Committee on Civil Service and Labor, to which the annexed resolution was referred on March 22, 2018 (Minutes, page 1296), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Civil Service and Labor for Res. No. 240 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 240:)

Res. No. 240

Resolution acknowledging workers' gains through the American labor movement.

By Council Members Miller, Kallos, King and Ulrich.

Whereas, The American labor movement is based on the concept of a just society, in which social equality and honest labor are celebrated and fostered to improve the lives of workers throughout the nation; and

Whereas, From the late 1700's to present-day, the American labor movement made great accomplishments through workers' increased ability to unionize and collectively bargain for better compensation, benefits and worker safety standards; and

Whereas, According to The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), key events in American labor history include: the 1892 Homestead Strike, where skilled workers collectively bargained for good wages and fair work rules against a union-busting millionaire; the Triangle Shirtwaist Fire, where more than 100 workers died due to unsafe work conditions, bringing attention to worker safety standards; and the Great Postal Strike of 1970, where federal employees fought for the right to collectively bargain; and

Whereas, These events allowed for important legislation and changes to be made in hopes of creating a more fair and just workplace for all workers, regardless of class, creed, race or income; and

Whereas, American Federation of State, County and Municipal Employees (AFSCME) highlights the American labor movement's top legislative accomplishments in the 1900s which include: the Social Security Act and the National Labor Relations Act in 1935, the Fair Labor Standards Act in 1938, the Civil Rights Act/Title VII in 1964, the Occupational Safety and Health Act in 1970, and the Family and Medical Leave Act in 1993; and

Whereas, These pieces of legislation ensure that American workers have equal access to employment, a fair wage, safe working conditions, and the ability to join a union and collectively bargain, including the use of agency shops; and

Whereas, "The State of the Unions 2017: A Profile of Organized Labor in New York City, New York State, and the United States" (The State of the Unions 2017), a report by the Joseph S. Murphy Institute for Worker Education and Labor Studies, indicates that organized labor in the United States has suffered sharp decline in numbers and influence in recent years, thus making it more important than ever to acknowledge the gains of the American labor movement; and

Whereas, According to the State of the Unions 2017 report, although organized labor has suffered a decline in numbers and influence throughout the United States from 2016 to 2017, New York State had more union members-just under 2 million-than any other state in the United States except California, with New York City accounting for about 876,000 union members; and

Whereas, The American labor movement has made a huge impact on the United States and more specifically, on New York State and New York City, thus it is important to acknowledge the gains of workers that were won to create a more just and equal workforce; now, therefore, be it

Resolved, That the Council of the City of New York acknowledges workers' gains through the American labor movement.

ADRIENNE E. ADAMS, *Acting Chairperson*; DANIEL DROMM; ANDY L. KING; ALAN N. MAISEL; ERIC A. ULRICH; Committee on Civil Service and Labor, May 22, 2018.

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice vote. Hearing no objections, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 926

By The Speaker (Council Member Johnson).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on office of pupil transportation policies and procedures as they relate to school bus drivers and attendants

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

Chapter 21. Reporting on Office of Pupil Transportation Investigations

§ 21-988 a. For purposes of this section, the term “school bus worker” means a school bus driver, escort or attendant working for a company transporting students under the jurisdiction of the department’s office of pupil transportation.

b. No later than July 1, 2018, the department shall post on its website the following information:

1. The procedure followed by the office of pupil transportation when it receives a complaint or information upon which it may act to revoke or suspend departmental certification of approval for a school bus worker;

2. The delineated steps taken by the office of pupil transportation when it reviews and investigates a complaint or information and the average time frame associated with each such step;

3. The range of disciplinary actions that may be taken by the department when a complaint or information received has been substantiated; and

4. The appeals process made available to school bus workers to challenge a department determination of their certification of approval.

c. The department shall make the information required by subdivision b of this section available to parents at the start of each school year and shall include information on how parents can file a complaint to the department against a school bus worker.

d. The department shall update as necessary the information required pursuant to subdivisions b and c of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 927

By the Speaker (Council Member Johnson) and Council Members Lander and Powers.

A Local Law to amend the administrative code of the city of New York, in relation to creating an electronic tracking system for all city-issued parking permits

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-166.1 to read as follows:

§19-166.1 Electronic tracking system for city-issued parking permits.

a. Definitions. For the purposes of this section, the following terms have the following meanings:

City-issued parking permits. The term “city-issued parking permit” means a document, card, or sticker, issued by a city agency that is displayed in or on a motor vehicle that indicates permission to park in certain areas during certain times has been granted.

b. The department shall create a centralized, electronic system in order to track all city-issued parking permits and to record all instances of parking permit misuse. Such electronic system shall be accessible to all relevant agencies, including, but not limited to, the police department, the department of education, and such other agencies as the department deems necessary.

c. Each city-issued parking permit shall be tracked by means of such electronic system to allow police officers and traffic enforcement agents to confirm the validity of such permit in real time.

d. Every instance of an individual found guilty of the misuse of city-issued parking permits shall be recorded and tracked within said electronic system.

§2. This local law shall take effect one year after it becomes law except that the commissioner of transportation, in consultation with the police commissioner as necessary, shall take any necessary actions to implement this law, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation.

Int. No. 928

By Council Member Adams.

A Local Law to amend the administrative code of the city of New York, in relation to the placement of street name signs at intersections

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.2 to read as follows:

§ 19-159.2 Placement of street name signs. a. For the purposes of this section:

Street name sign. The term “street name sign” means a sign mounted on a street corner that bears the name of a mapped street that is parallel to such sign.

b. No fewer than two diagonally opposite corners on each street intersection shall have a street name sign for each street installed on such corner.

§ 2. This local law takes effect 180 days after it becomes law.

Referred to the Committee on Transportation.

Int. No. 929

By Council Members Borelli and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to reporting of department of education office of pupil transportation investigations

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

Chapter 21: Reporting on Office of Pupil Transportation Investigations

§ 21-989 a. *On or before December 31, 2018 and quarterly thereafter, the department shall for the prior quarter provide a report to the mayor, council and borough presidents the following information:*

1. *The number of notifications received from the New York state department of motor vehicles license event notification service that a school bus driver license status has changed. Of such notifications, the number of notifications related to license suspension, the number related to license revocation and the number related to conviction of a violation that would prohibit the driver from operating a school bus;*

2. *The number of notifications received from the New York state division of criminal justice services that a school bus attendant has been arrested for charged criminal activity. Of such notifications, a disaggregation by type of criminal activity;*

3. *Of those notifications in paragraph 1 of this section, the number of notifications substantiated through the department's office of pupil transportation investigative process;*

4. *Of those notifications in paragraph 2 of this section, the number of notifications substantiated through the department's office of pupil transportation investigative process;*

5. *The timeframe and a description of the actions taken by the department for each substantiated notification for which a driver or attendant lost their department qualifications to work as either a driver or an attendant; and*

6. *The number of complaints received by parents including the nature of such complaints, the number of such complaints substantiated, and the timeframe and description of the actions taken by the department for each substantiated complaint.*

b. *The report required pursuant to subdivision a of this section shall be aggregated citywide, as well as disaggregated by school bus company contractor, community school district, council district and borough.*

c. *No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law related to the privacy of information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. Where necessary, the department may use preliminary data to prepare such reports and may include an acknowledgment that such preliminary data is non-final and subject to change.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 930

By Council Members Brannan, Espinal, Menchaca, Cornegy, Levine, Powers, Yeger, Van Bramer, Holden, Lancman and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of service fee charges associated with tickets to entertainment events in New York city

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 20 to read as follows:

**SUBCHAPTER 20
DISCLOSURE OF TICKET SERVICE FEES**

§ 20-828 *Definitions.*

§ 20-829 *Service fee disclosure.*

§ 20-830 *Penalties.*

§ 20-828 *Definitions.* *As used in this subchapter, the following terms have the following meanings:*

Event. *The term "event" means all forms of entertainment at places of entertainment, including, but not limited to, musical performances, concerts and sporting or athletic events that take place in the city.*

Operator. The term “operator” means any person or agent of a person who owns, leases, operates or controls a place of entertainment or who promotes or produces an event to be held at a place of entertainment in the city.

Place of entertainment. The term “place of entertainment” means any privately or publicly owned, leased or operated location in the city, including, but not limited to, a theater, stadium, arena, racetrack, museum, amusement park or other place where a performance, concert, athletic game or contest is held and for which an entry fee is charged.

Service fee. The term “service fee” means all dollar amounts, except taxes, added to the price of a ticket by an operator at the time of sale, including, but not limited to, fees for processing transactions, maintaining facilities, reselling tickets and delivering tickets.

Ticket. The term “ticket” means a license, issued by an operator, for admission to a place of entertainment at the date and time specified thereon, subject to the terms and conditions the operator specifies, which is offered for sale to the general public.

Total ticket price. The term “total ticket price” means the price of a ticket inclusive of all taxes and service fees.

§ 20-829 *Service fee disclosure.* a. Where an operator includes ticket prices in advertising or promotional materials, the operator shall conspicuously disclose the total ticket price and what portion of the total ticket price, stated in a dollar amount, the service fee represents.

b. Where an operator has designated a range of total ticket prices for a particular event, the operator shall conspicuously disclose what portion of each total ticket price, stated in a dollar amount, the service fee represents.

§ 20-830 *Penalties.* Any person who violates any provision of this subchapter or any rule promulgated thereunder is liable for a civil penalty not to exceed \$5,000.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner for the department of consumer affairs may take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 931

By Council Members Cabrera, Adams, Ayala, Barron, Deutsch, Diaz, Holden, Salamanca, Vallone, Gjonaj and Borelli.

A Local Law to amend the administrative code of the city of New York, in relation to designating expanded polystyrene as recyclable and repealing sections 16-324(f) and 16-329 of the administrative code of the city of New York

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 16-305 of the administrative code of the city of New York, as added by local law number 40 for the year 2010, is amended to read as follows:

b. The commissioner shall adopt and implement rules designating at least six recyclable materials[, including plastic to the extent required in subdivision c of this section and yard waste to the extent required in section 16-308 of this chapter,] contained in department-managed solid waste and requiring households to source separate such designated materials. *Such designated recyclable materials shall include:*

1. *Plastic, to the extent required in subdivision c of this section;*
2. *Yard waste, to the extent required in section 16-308; and*
3. *Blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres, injection molding, foam molding and extrusion-blown molding; provided that this paragraph*

shall not be construed to require the designation of rigid polystyrene as recyclable. The commissioner need not designate polystyrene that is laminated with non-polystyrene material or that is loose fill packaging.

§ 2. The introductory paragraph of subdivision a of section 16-324 of the administrative code of the city of New York, as amended by local law numbers 142 and 146 for the year 2013, is amended to read as follows:

a. Subject to the provisions of subdivision b of this section, any person who violates this chapter, except section 16-306.1 of this chapter, subdivision g of section 16-308 of this chapter[,] or section 16-310.1 of this chapter [or section 16-329 of this chapter], or any rule promulgated pursuant thereto, shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner or in a proceeding returnable before the environmental control board, as follows:

§ 3. Subdivision d of section 16-324 of the administrative code of the city of New York, as amended by local law number 142 for the year 2013, is amended to read as follows:

d. Any notice of violation or notice of hearing for a violation issued to the owner, net lessee or person in charge of a premises [or to a food service establishment, mobile food commissary, store, or manufacturer, as those terms are defined in section 16-329 of this chapter,] at which or by whom a violation of this chapter or any rule promulgated pursuant thereto is alleged to have occurred or to have been committed shall be served by delivering a copy of the notice thereof at the address maintained in the records of the department of housing preservation and development, the department of finance, or the department of health and mental hygiene. The notice of violation or notice of hearing may be served by regular mail or in accordance with section [one thousand forty-nine-a] 1049-a of the charter or, if such notice is served by an agency other than the department, in accordance with the rules of such agency.

§ 4. Subdivision f of section 16-324 of the administrative code of the city of New York is REPEALED.

§ 5. Section 16-329 of the administrative code of the city of New York is REPEALED.

§ 6. This local law takes effect 90 days after it becomes law, except that the commissioner of sanitation shall take such steps as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 932

By Council Members Chin, Lander, Powers and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to the misuse of city-issued parking permits

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-166.1 to read as follows:

§19-166.1 Misuse of city-issued parking permits. a. Definitions. For the purposes of this section, the following terms have the following meanings:

City-issued parking permits. The term "city-issued parking permit" means a document, card, or sticker, issued by a city agency that is displayed in or on a motor vehicle that indicates permission to park in certain areas during certain times has been granted.

Emergency circumstance. The term "emergency circumstance" means circumstances which present an imminent threat to an individual's or public health or safety or require immediate action.

b. City-issued parking permits shall be immediately revoked from and thereafter prohibited to those individuals who are found guilty of:

- 1. Misusing a city-issued parking permit more than three times in one calendar year;*
- 2. Using a fraudulent, copied, or altered city-issued parking permit even once; or*
- 3. Violating any provision in section 19-166 not covered in the above provisions.*

c. Notwithstanding the above subdivision, it shall be an affirmative defense for an individual that such individual was issued a violation for the misuse of a city-issued parking permit during emergency circumstances.

§2. This local law shall take effect one year after it becomes law except that the commissioner of transportation, in consultation with the police commissioner as needed, shall take any necessary actions to implement this law, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation.

Int. No. 933

By Council Members Cumbo and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on sexual abuse

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-141 to read as follows:

§ 9-154 Sexual abuse reporting.

a. Definitions. For purposes of this section, the following terms have the following meanings:

Command discipline. The term "command discipline" means any penalty imposed by officers of the department to sanction the officers under their command for the purpose of correcting minor deficiencies and maintaining discipline within the officer's command, and does not include any formal charges.

Department. The term "department" means the New York city department of correction.

Facility investigation. The term "facility investigation" means any investigation of an incident conducted by staff within a departmental facility and does not include any investigation conducted by the investigation division.

Formal charges. The term "formal charges" means any recommendation for sanctions against staff brought by the department pursuant to section 75 of the civil service law, including but not limited to departmental charges commonly known as "charges and specifications."

Investigation division. The term "investigation division" means any departmental unit responsible for investigating allegations of the excessive use of force by staff against inmates, including but not limited to the investigation division and intelligence unit, and does not include any departmental unit solely responsible for investigating allegations of the excessive use of force by staff on inmates within one facility.

Sexual abuse. The term "sexual abuse" has the same meaning as set forth in section 115.6 of title 28 of the code of federal regulations, or successor regulation, promulgated pursuant to the federal prison rape elimination act of 2003.

Staff. The term "staff" means anyone other than an inmate who works at a facility operated by the department.

b. No later than 45 days after the end of each quarter ending March 31, June 30, September 30 and December 31, the department shall conspicuously post on its website a report containing the following information for the prior quarter, in total and by indicating the rate per 100 inmates in the custody of the department during such prior quarter. Such report shall also disaggregate the following information by whether the sexual abuse was by inmates on inmates or by staff on inmates, and shall further disaggregate this information by the gender of the victims:

- 1. Allegations of sexual abuse;*
- 2. Substantiated incidents of sexual abuse;*
- 3. Allegations of sexual abuse referred to the department of investigation;*
- 4. Allegations of sexual abuse referred to a district attorney;*
- 5. Allegations of sexual assault in which a facility investigation was conducted;*
- 6. Allegations of sexual assault investigated by the investigation division;*

7. *The average amount of time in which a departmental investigation into an allegation of sexual abuse was completed, disaggregated by whether such investigation was: (a) a facility investigation, (b) conducted by the investigation division, or (c) another form of departmental investigation;*

8. *For allegations of sexual abuse by staff on inmates in which a facility investigation was conducted and an investigation by the investigation division was not conducted, the following information: (a) the number of allegations in which the department determined that staff violated any departmental rule or directive, (b) the number of allegations in which command discipline was recommended, (c) the number of allegations in which command discipline was imposed, (d) the nature of any command discipline sanctions so imposed, (e) the number of allegations in which the department brought formal charges, (f) the number of allegations in which sanctions were imposed pursuant to formal charges, (g) the nature of any sanctions so recommended by the department and/or an administrative law judge as part of formal charges, (h) the nature of any sanctions so imposed by the commissioner. Where the sanctions imposed differed from those recommended pursuant to formal charges, the commissioner must provide a detailed written explanation regarding the reasons for varying from the recommendation;*

9. *For allegations of sexual abuse by staff on inmates in which the investigation division conducted an investigation, the following information: (a) the number of allegations in which the department determined that staff violated any departmental rule or directive, (b) the number of allegations in which command discipline was recommended, (c) the number of allegations in which command discipline was imposed, (d) the nature of any command discipline sanctions so imposed, (e) the number of allegations in which the department brought formal charges, (f) the number of allegations in which sanctions were imposed pursuant to formal charges, (g) the nature of any sanctions so recommended by the department and/or an administrative law judge as part of formal charges, (h) the nature of any sanctions so imposed by the commissioner. Where the sanctions imposed differed from those recommended pursuant to formal charges, the commissioner must provide a detailed written explanation regarding the reasons for varying from the recommendation;*

10. *The number of allegations of sexual abuse in which the department of investigation submitted a report;*

11. *For allegations of sexual abuse in which the department of investigation submitted a report, the following information: (a) the number of allegations in which the department determined that staff violated any departmental rule or directive, (b) the number of allegations in which command discipline was recommended, (c) the number of allegations in which command discipline was imposed, (d) the nature of any command discipline sanctions so imposed, (e) the number of allegations in which the department brought formal charges, (f) the number of allegations in which sanctions were imposed pursuant to formal charges, (g) the nature of any sanctions so recommended by the department and/or an administrative law judge as part of formal charges, (h) the nature of any sanctions so imposed by the commissioner. Where the sanctions imposed differed from those recommended pursuant to formal charges, the commissioner must provide a detailed written explanation regarding the reasons for varying from the recommendation;*

12. *Allegations of sexual abuse by staff on inmates in which staff received a modified placement as a result of such allegation;*

13. *Allegations of sexual abuse by staff on inmates in which staff was removed from contact with inmates of the opposite sex as the person allegedly abused as a result of such allegation; and*

14. *Allegations of sexual abuse by staff on inmates in which staff was removed from contact with all inmates as a result of such allegation.*

c. The department shall attempt to obtain the following information from any district attorney's office to whom the department has referred an inmate or staff for criminal prosecution for allegations of sexual abuse and shall post such information for the prior year by the 20th day of January each year on the department website: the total number of cases referred for criminal prosecution, the number that were actually prosecuted, the number in which the defendant was charged with a felony, and the number in which the defendant was charged with a misdemeanor.

d. The information in subdivisions b and c of this section shall be compared to previous reporting periods, and shall be permanently stored on the department's website.

§ 2. This local law takes effect September 30, 2018.

Referred to the Committee on Criminal Justice.

Int. No. 934

By Council Members Cumbo and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department, the 311 customer service center, and the New York city taxi and limousine commission to collect and report disaggregated data on sexual harassment and sex offenses

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-174 to read as follows:

§ 14-174 Sexual harassment and sex offenses in vehicles licensed by the taxi and limousine commission. a. No later than July 1 of each year, the commissioner shall submit to the council, the mayor and the taxi and limousine commission a report regarding complaints of sexual harassment and sex offenses occurring in licensed vehicles.

b. Such report shall include the total number of complaints disaggregated by:

- 1. The type of vehicle licensed by the taxi and limousine commission; and*
- 2. The type of complaint categorized by the conduct alleged, including but not limited to the following categories of conduct:*

(a) Sexual misconduct as defined in section 130.20;

(b) Rape as defined in sections 130.25, 130.30, and 130.35;

(c) Criminal sexual act as defined in sections 130.40, 130.45, and 130.50;

(d) Forcible touching as defined in section 130.52;

(e) Misdemeanor sex offenses as defined in sections 130.52, 130.55, and 130.60;

(f) Sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70;

(g) Course of sexual conduct against a child as defined in sections 130.75 and 130.80;

(h) Predatory sexual assault as defined in sections 130.95 and 130.96; and

(i) Conduct not covered by subparagraphs (a) to (h) of this paragraph that involve a driver engaging in any conversation or conduct related to sexual acts, sexual contact, or sexual or intimate body parts, or expressing a desire to enter into a sexual relationship or asking about a person's sexual relationships.

c. The commissioner may discontinue reporting to the council, mayor and the taxi and limousine commission after issuing five annual reports as required by subdivision a of this section, so long as the commissioner provides written notice to the mayor, the speaker of the council and the commissioner of the taxi and limousine commission, at least 60 days before any report would otherwise be due, of the commissioner's intention to discontinue such reporting.

d. No information that is otherwise required to be collected and reported pursuant to this section shall be collected and reported in a manner that would publicly identify individual complainants, violate any applicable provision of federal, state or local law relating to the privacy of information, or interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 2. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-548 to read as follows:

§ 19-548 Sexual harassment and sex offenses in vehicles licensed by the taxi and limousine commission. a. The commission shall collect data from its records and all entities licensed by the commission and from the reports provided to it pursuant to subdivision a of section 14-173 and subdivision a of section 23-304 and shall issue a report on complaints of sexual harassment and sex offenses occurring in licensed vehicles.

b. Such report shall include the total number of complaints disaggregated by:

- 1. The type of vehicle licensed by the taxi and limousine commission;*
- 2. The licensed entity or city body receiving the complaint; and*
- 3. The type of complaint categorized by the conduct alleged, including but not limited to the following categories of conduct:*

(a) Sexual misconduct as defined in section 130.20;

(b) Rape as defined in sections 130.25, 130.30, and 130.35;

(c) Criminal sexual act as defined in sections 130.40, 130.45, and 130.50;

- (d) Forcible touching as defined in section 130.52;*
- (e) Misdemeanor sex offenses as defined in sections 130.52, 130.55, and 130.60;*
- (f) Sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70;*
- (g) Course of sexual conduct against a child as defined in sections 130.75 and 130.80;*
- (h) Predatory sexual assault as defined in sections 130.95 and 130.96; and*

(i) Conduct not covered by subparagraphs (a) to (h) of this paragraph that involve a driver engaging in any conversation or conduct related to sexual acts, sexual contact, or sexual or intimate body parts, or expressing a desire to enter into a sexual relationship or asking about a person's sexual relationships.

c. No later than December 1 of each year, the commission shall submit such report to the council and the mayor and post such report to the commission's website.

d. The commissioner may discontinue reporting to the mayor and the council after issuing five annual reports, so long as the commissioner provides written notice to the mayor and the speaker of the council, at least 60 days before any report would otherwise be due, of the commissioner's intention to discontinue such reporting.

e. No information that is otherwise required to be collected and reported pursuant to this section shall be collected and reported in a manner that would publicly identify individual complainants, violate any applicable provision of federal, state or local law relating to the privacy of information, or interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 3. Title 23 of the administrative code of the city of New York is amended by adding a new section 23-304 to read as follows:

§ 23-304 Sexual harassment and sex offenses in vehicles licensed by the taxi and limousine commission. a. No later than July 1 of each year, the 311 service center shall submit to the council, the mayor and the taxi and limousine commission a report regarding complaints of sexual harassment and sex offenses occurring in licensed vehicles.

b. Such report shall include the total number of complaints disaggregated by:

1. The type of vehicle licensed by the taxi and limousine commission;

2. The type of complaint categorized by the conduct alleged, including but not limited to the following categories of conduct:

- (a) Sexual misconduct as defined in section 130.20;*
- (b) Rape as defined in sections 130.25, 130.30, and 130.35;*
- (c) Criminal sexual act as defined in sections 130.40, 130.45, and 130.50;*
- (d) Forcible touching as defined in section 130.52;*
- (e) Misdemeanor sex offenses as defined in sections 130.52, 130.55, and 130.60;*
- (f) Sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70;*
- (g) Course of sexual conduct against a child as defined in sections 130.75 and 130.80;*
- (h) Predatory sexual assault as defined in sections 130.95 and 130.96; and*

(i) Conduct not covered by subparagraphs (a) to (h) of this paragraph that involve a driver engaging in any conversation or conduct related to sexual acts, sexual contact, or sexual/intimate body parts, or expressing a desire to enter into a sexual relationship or asking about a person's sexual relationships.

c. The 311 customer service center may discontinue reporting to the council, mayor and the taxi and limousine commission after issuing five annual reports as required by subdivision a of this section, so long as written notice is provided to the mayor, the speaker of the council and the commissioner of the taxi and limousine commission, at least 60 days before any report would otherwise be due, of the intention to discontinue such reporting.

d. No information that is otherwise required to be collected and reported pursuant to this section shall be collected and reported in a manner that would publicly identify individual complainants, violate any applicable provision of federal, state or local law relating to the privacy of information, or interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Res. No. 358

Resolution calling upon the City of New York to eliminate the disparity in compensation paid to teachers, staff and directors at community-based EarlyLearn NYC centers, as compared to the compensation paid to Department of Education instructors for similar employment.

By Council Members Cumbo, Treyger and Levin.

Whereas, According to the Center for Public Education (“CPE”), an initiative of the National School Boards Association, a large and growing body of research shows that investing in high-quality early childhood education yields benefits for children, schools and communities; and

Whereas, The CPE describes the short and long-term benefits of high-quality Pre-K programs, as well as the potential cost savings and benefits to communities, with the long-term cost benefits of such programs ranging from an estimated \$2 to \$4 for every dollar spent; and

Whereas, As discussed in a November 2015 report by the Office of Public Advocate Letitia James, entitled “Policy Report: Child Care in New York City, Part II, Investing in Child Care” (PA Report), “the research on the relationship of child care to labor force outcomes is clear: affordable and quality care is positively linked to economic and social mobility”; and

Whereas, The PA Report further informs us that “the cost of child care in New York City is increasing by an average of \$1,612 each year [and] the average family spends \$16,250 per year for an infant, \$11,648 for a toddler and \$9,620 for a school-age child, making child care unaffordable for many low and middle income families”; and

Whereas, The City of New York provides free and subsidized early care and education to young children through the Administration for Children’s Services’ (ACS) EarlyLearn NYC programs, as well as through Department of Education (DOE) pre-kindergarten (pre-K) programs; and

Whereas, EarlyLearn NYC includes center-based and home-based child care programs, which serve children from six-weeks through four-years-old; Head Start programs, which serve children ages three through four-years-old; and pre-kindergarten programs for four-year-olds offered in partnership with DOE under the Universal Pre-Kindergarten (UPK) program; and

Whereas, UPK programs are located throughout New York City public schools and DOE-operated pre-K centers, as well as in charter schools and community-based organizations (CBOs); and

Whereas, Mayor Bill de Blasio ran for office on a platform that included expanded pre-K and early childhood programs, and has in fact worked very hard to implement this plan; and

Whereas, The Mayor’s pre-K expansion efforts have been very successful, with current pre-K enrollment at nearly 70,000 students, more than triple the approximately 20,000 students enrolled prior to Mayor de Blasio’s Administration; and

Whereas, However, the PA Report states that EarlyLearn NYC providers have seen their capacity drop from 48,971 seats in 2012 (the year before EarlyLearn NYC was implemented) to 35,256 slots in 2015, and has dropped even further to 32,344 as of March 2016; and

Whereas, The rate of compensation for pre-K teachers employed by the DOE is much higher than the rate of compensation paid to EarlyLearn NYC teachers who work at CBOs; and

Whereas, Capital New York (CNY) reported on November 30, 2015 that “the pay disparity issue has divided many...and threatens to damage the continued expansion of the program in future years”; and

Whereas, Further, the CNY article reports that the disparities are vast and that “DOE pre-K teachers can make up to \$91,000 with a master’s degree and 20 years of experience, while CBO teachers with identical credentials can earn up to \$50,000”; and

Whereas, According to the DOE’s teacher salary schedule effective May 1, 2017, a DOE-employed teacher of pre-K or any other grade receives a salary in a range from \$54,000 for a first-step new teacher, rising to as much as \$113,762 after 22 years with a master’s degree and 30 additional credits; and

Whereas, A March 2016 press release by Campaign for Children states that “[a] certified teacher with five years of experience in a community based organization contracted by the city’s Administration for Children’s Services (ACS) makes \$41,700, while a teacher with the same credentials and experience in the public schools earns about \$17,000 more...[and] with 10 years of experience, this gap widens to \$34,000”; and

Whereas, CBO providers have said that they have lost students and some of their best teachers to DOE schools; and

Whereas, DNAinfo reports in a January 2016 article that “[m]any programs have seen a brain drain of their best teachers....[as] the DOE [is] not only higher paying, but gives teachers off during the summer and shorter days”; and

Whereas, The PA Report recommends that the City should ensure immediate pay equity between DOE and ACS EarlyLearn NYC Directors, Assistant Directors, Family Child Care Coordinators and teachers; and

Whereas, Further, in April 2017, Mayor de Blasio announced DOE’s 3-K for All initiative, which also includes shifting management of all EarlyLearn programs from ACS to DOE, but there has been no announcement as yet regarding pay parity between pre-K/3-K and EarlyLearn teachers; and

Whereas, Accordingly, the salaries for the two groups of dedicated teachers should be the same, as the work is the same and the benefits to children are the same; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the City of New York to eliminate the disparity in compensation paid to teachers, staff and directors at community-based EarlyLearn NYC centers, as compared to the compensation paid to Department of Education instructors for similar employment.

Referred to the Committee on Education.

Int. No. 935

By Council Members Deutsch, Cumbo, Holden, Brannan, Adams, Salamanca, Lancman, Moya, Koslowitz and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to the suspension of alternate side of the street parking rules on streets within a five block radius of street resurfacing projects

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-163.3 to read as follows:

§ 19-163.3 Suspension of parking rules on blocks adjacent to street resurfacing projects. Notwithstanding any other provision of law to the contrary, on days where the department is engaged in street milling or resurfacing work, and has consequently used available parking spaces on streets where alternate side of the street parking rules permit parking, such rules shall be suspended within a five block radius of any point along the work site in which parking spaces are being used by the department. The department shall post signage at prominent locations within the designated area indicating that such rules have been suspended.

§2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Preconsidered Res. No. 359

Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2019.

By Council Member Dromm.

Whereas, Pursuant to section 1519-a(7)(b) of the New York City charter, the Banking Commission is required to recommend to the City Council, not later than the 13th day of May, the proposed discount percentage allowed for early payment of real estate taxes; and

Whereas, Section 1519-a(7)(c) of the New York City charter provides that the Council may adopt a discount percentage for early payment of real estate taxes no earlier than the 14th day of May; and

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 11, 2018, that the discount percentage for early payment of real estate taxes for Fiscal Year 2019 be set at one-half of one percent per annum; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2019.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 360

Resolution to establish that the interest rate be 7 percent per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

By Council Member Dromm.

Whereas, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

Whereas, The Banking Commission is required to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

Whereas, The Banking Commission notes that as of May 10, 2018, the Prime Rate stands at four and three-quarters percent as published by the Board of Governors of the Federal Reserve System; and

Whereas, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all large taxpayers; and

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 11, 2018, that the interest rate to be charged for the non-payment of taxes on properties where the assessed value on a parcel is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments, be 7 percent per annum for Fiscal Year 2019; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the interest rate be 7 percent per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 361

Resolution to establish that the interest rate be 18 percent per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.

By Council Member Dromm.

Whereas, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments; and

Whereas, The Banking Commission is required to propose a rate of at least six percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”); and

Whereas, The Banking Commission notes that as of May 10, 2018, the Prime Rate stands at four and three-quarters percent as published by the Board of Governors of the Federal Reserve System; and

Whereas, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all large taxpayers; and

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 11, 2018, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is over \$250,000, or over \$250,000 per residential unit for cooperative apartments, be 18 percent per annum for Fiscal Year 2019; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the interest rate be 18 percent per annum for Fiscal Year 2019 for non-payment of taxes on properties with an assessed value of over 250,000, or over \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Int. No. 936

By Council Members Espinal, Rosenthal, Grodenchik, Levine, Constantinides, Lander, Moya, Ayala, Ampry-Samuel, Rivera, Chin, Powers, Van Bramer, Lancman, Torres, Koslowitz and Cohen.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting single-use plastic beverage straws and beverage stirrers

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

Subchapter 13. Restrictions on the Sale or Use of Certain Plastic Items

§ 20-699.7 Restrictions on providing single-use plastic beverage straws and beverage stirrers.

a. Definitions. As used in this section, the following terms have the following meanings:

Beverage straw. The term “beverage straw” means a tube used for transferring a beverage from its container to the mouth of a consumer.

Beverage stirrer. The term “beverage stirrer” means a device used by a consumer that is designed solely for the purpose of mixing liquids intended for internal human consumption.

Biodegradable. The term “biodegradable” means the ability of a material to breakdown, within one year, into natural materials in the natural environment without causing harm.

Disability. The term “disability” means a physical, intellectual or sensory impairment that substantially limits one or more major life activities.

Food service establishment. The term “food service establishment” shall have the meaning ascribed to such term by section 81.03 of the health code of the city of New York or any successor provision.

Medical condition. The term “medical condition” means any illness, disease, disorder or injury that requires medical treatment.

Plastic. The term “plastic” means a synthetic material made from organic polymers, including, but not limited to, polypropylene and polystyrene, that can be molded into shape while soft, and then set into a rigid or slightly elastic form.

Single-use. The term “single-use” means a product that is designed and intended to be used only once for drinking or eating, and is generally recognized by the public as an item that is to be discarded after one use.

b. No food service establishment in the city shall offer to consumers any single-use beverage straw or beverage stirrer made of plastic or any other non-biodegradable material. Food service establishments may provide suitable beverage straws or beverage stirrers, including those prohibited by this section, to a person that requires a straw due to a disability or medical condition as defined by this section.

c. In consultation with other city agencies, the department shall conduct outreach and education to food service establishments and stores to inform them of the provisions of this section and provide assistance with identifying replacement material. Such outreach and education shall be offered in multiple languages.

d. The department, the department of health and mental hygiene and the department of sanitation shall have the authority to enforce the provisions of this section.

e. Any person who violates this section or any rule promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner, the commissioner of health and mental hygiene or the commissioner of sanitation in the amount of one hundred dollars for the first violation, two hundred dollars for the second violation committed on a different day within a period of twelve months, and four hundred dollars for the third and each subsequent violation committed on different days within a period of twelve months, except that such departments shall not issue a notice of violation, but shall issue a warning and provide information on replacement material, for any violation that occurs within one year of the effective date of this section.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of consumer affairs, the commissioner of sanitation and the commissioner of health and mental hygiene may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 937

By Council Members Eugene, Holden and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring film companies to provide residents with at least 72 hours’ notice when film shoots will disrupt parking

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 12 to read as follows:

**CHAPTER 12
PRODUCTION COMPANY PARKING NOTICE**

§ 22-1201 a. *Definitions.* For purposes of this section, the term “department” means the department of small business services.

b. The department, or any entity designated by the mayor, shall establish and implement a notice program to require film and television companies providing at least 72 hours’ notice to residents within a block radius of the film or television set when filming will disturb parking.

c. Such program shall, at a minimum, include the posting of signs, community outreach, either in hard copy or electronically, related to parking options.

d. The department, or any entity designated by the mayor as provided in subdivision c of this section, shall determine the format and requirements of the signs required pursuant to this section. At a minimum, such signs shall include the names and telephone numbers of the film or television production companies.

§ 2. This local law takes effect 90 days after it becomes law, except that the department of small business services or the entity designated by the mayor, as set forth in section one of this local law, shall take such

measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Small Business.

Int. No. 938

By Council Members Grodenchik and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting immediate towing of certain vehicles

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-216 to read as follows:

§ 19-216 Wheel lock devices required. Neither the department nor any other city agency shall tow or cause to be towed a motor vehicle unless such motor vehicle has been immobilized with a wheel lock or similar type device for at least seventy-two hours prior to such towing. This section shall not apply to vehicles that are parked or standing illegally at bus stops, fire hydrants, crosswalks, or in tow away zones, that are blocking, in whole or in part, legal driveways, or when the immediate towing of such vehicle is required as a matter of public safety.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Int. No. 939

By Council Members Holden, Ampy-Samuel, Yeger and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the New York City police department from issuing a violation to a vehicle for illegally parking in a driveway without first confirming the legality of such driveway

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-176 to read as follows:

§14-176. Parking Violations and Illegal Driveways. The department shall not issue a violation to a vehicle for illegally parking in a driveway, pursuant to section 4-08 of title 34 of the rules of the city of new york, unless an officer first confirms that such driveway was legally constructed or modified.

§2. This local law takes effect 6 months after it becomes law.

Referred to the Committee on Public Safety.

Int. No. 940

By Council Members Holden, Vallone, Gjonaj, Ulrich and Yeger.

A Local Law to create a commission to examine the cost of renovating jail facilities on Rikers Island

Be it enacted by the Council as follows:

Section 1. a. There is hereby established a commission to examine the cost of renovating jail facilities on Rikers Island, which shall consist of 10 members, none of whom may be employed by the city of New York, as follows: 3 members shall be appointed by the mayor, 3 members shall be appointed by the speaker of the council, and 4 members shall appointed jointly by the speaker of the council and the mayor.

b. Membership on the commission shall not constitute the holding of a public office, and members of the commission shall not be required to take and file oaths of office before serving on the commission. Members of the commission shall serve without compensation.

c. The commission shall meet on at least 4 occasions. At its first meeting, the commission shall select a chairperson from among its members by majority vote of the commission.

d. The commission may establish its own rules and procedures with respect to the conduct of its meetings and other affairs not inconsistent with law.

e. Each member shall serve for a term of 1 year, to commence after the final member of the commission is appointed. Any vacancies in the membership of the commission shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

f. No member of the commission shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

g. The commission may request and shall receive all possible cooperation from any department, division, board, bureau, commission, borough president, agency or public authority of the city of New York, for assistance, information, and data as will enable the commission to properly carry out its functions.

h. The commission shall issue a report to the mayor and council no later than 6 months after the final member of the commission is appointed. Such report shall include a detailed analysis of the costs of renovating jail facilities on Rikers Island, including the costs of so renovating relative to the costs of opening new jail facilities outside of Rikers Island.

i. The commission shall terminate upon the publication of the report.

§2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Res. No. 362

Resolution calling upon the United States Congress to pass, and the President to sign, H.R. 2358, which would provide an award of a single Congressional Gold Medal to the Chinese-American Veterans of World War II in recognition of their dedicated service during World War II.

By Council Members Holden and Yeger.

Whereas, World War II was the bloodiest conflict in human history; and

Whereas, According to the National World War II Museum, it claimed more than 60 million lives worldwide, including more than 400,000 in the United States; and

Whereas, Americans of all backgrounds fought and died in Europe, North Africa, and the Pacific; and

Whereas, Chinese-Americans made a brave and notable contribution to the war effort; and

Whereas, According to the U.S. Army Center of Military History, more than 13,000 Chinese-Americans served in World War II; and

Whereas, Additionally, the 407th Air Service Squadron and the 987th Signal Company were entirely Chinese-American; and

Whereas, The contribution of Chinese-Americans to the war effort is particularly noteworthy because of the instances of anti-Chinese discrimination in American history; and

Whereas, The Chinese Exclusion Act of 1882 barred most immigration from China to the United States and it was not repealed until the passage of the Magnuson Act in 1943; and

Whereas, The Congressional Gold Medal is the highest civilian honor awarded by Congress; and

Whereas, In recent years, overlooked World War II units including Filipino veterans, Native American code talkers, and Monuments Men have all received the medal; and

Whereas, Bestowing the nation's highest civilian honor upon Chinese-American World War Two veterans would represent appropriate recognition for the commitment and patriotism that these individuals displayed in the face of enormous adversity; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign, H.R. 2358, which would provide an award of a single Congressional Gold Medal to the Chinese-American Veterans of World War II in recognition of their dedicated service during World War II.

Referred to the Committee on Veterans.

Int. No. 941

By Council Member Kallos, The Public Advocate (Ms. James) and Rosenthal.

A Local Law to amend the New York city charter, in relation to childcare services at public meetings

Be it enacted by the Council as follows:

Section 1. Chapter 47 of the New York city charter is amended to add a new section 1069.2 to read as follows:

§ 1069.2 Childcare at public meetings. a. For the purposes of this section, the following terms shall have the following meanings:

Administering agency. The term "administering agency" shall mean the administration for children's services.

Child. The term "child" shall mean a natural person under the age of thirteen years.

Childcare Services. The term "childcare services" shall mean care for a child at a location in proximity to a covered meeting by either a provider licensed and registered pursuant to section 390 of the New York state social services law or a person or entity compliant with the standards established pursuant to subdivision c of this section.

Covered Meeting. The term "covered meeting" means any public meeting held by a mayoral agency at which testimony from the public is accepted, but does not include any event or activity for which the primary purpose is entertainment or recreation.

b. The administering agency shall, upon request in a form and manner to be determined by such agency, provide childcare services at all covered meetings. Such request shall be submitted no less than five business days prior to the covered meeting by a parent, step-parent or guardian that will be attending the covered meeting.

c. Any invitation, advertisement, poster or public notice for a covered meeting, whether in print or via electronic means, shall contain information on how a request for childcare services may be submitted and the deadline for when such a request must be received.

d. The department of health and mental hygiene shall establish, by rule, standards for the provision of childcare services provided pursuant to this section by any person or entity not required to be licensed or regulated by the New York state social services law. Such standards shall at minimum include provision for a criminal history screening, a check against the statewide central register of child abuse and maltreatment

required levels of training or experience in childcare, and a ratio for the number of children to adults.

e. For any meeting, other than a covered meeting or an event or activity for which the primary purpose is entertainment or recreation, that is open to the public and held by a city governmental entity other than a mayoral agency, such city governmental entity may request that childcare services be provided for such meeting pursuant to subdivision b of this section, provided that a request from a parent, step-parent or guardian that will be attending the meeting has been received and that the administering agency is informed no less than five business days prior to the meeting.

f. The requirements of this section shall be limited by the appropriation of funds available for such purpose.

§ 2. This local law takes effect one year after becoming law.

Referred to the Committee on General Welfare.

Int. No. 942

By Council Members Koo and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to developing and publishing a comprehensive plan regarding the distribution and use of city-issued parking permits

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-166.1 to read as follows:

§19-166.1 Comprehensive plan for the distribution and use of city-issued parking permits. a. Definitions. For the purposes of this section, the following terms have the following meanings:

City-issued parking permits. The term "city-issued parking permit" means a document, card, or sticker, issued by a city agency that is displayed in or on a motor vehicle that indicates permission to park in certain areas during certain times has been granted.

b. By January 1, 2019, the department shall develop and make publicly available on its website a comprehensive plan regarding the distribution and use of city-issued parking permits. Such plan shall include, but not be limited to, the following:

- 1. Criteria for the creation, distribution, and retention of city-issued parking permits;*
 - 2. An assessment of the appropriate number of city-issued parking permits necessary for essential government services, while having minimal impact on traffic congestion; and*
 - 3. Proposed steps to be taken to curb unnecessary or excessive issuance of city-issued parking permits.*
- c. Such plan shall be reviewed and may be revised as appropriate at least once every 5 years.*

§2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Res. No. 363

Resolution calling upon the New York City Department of Education to enforce Chancellor’s Regulation A-801, which requires that students on school buses wear seat belts until the bus comes to a destination stop.

By Council Members Koo and Ampry-Samuel.

Whereas, The Department of Education’s Office of Pupil Transportation (OPT), provides public schools and non-public schools located within the five boroughs and neighboring counties with student transportation; and

Whereas, New York State law requires that large school buses be manufactured with seat belts; and

Whereas, According to Chancellor's Regulation A-801, students must keep their seat belts on until the bus comes to a destination stop at the school or home; and

Whereas, There are numerous benefits to wearing seat belts, including minimizing the risk of serious injury or death; and

Whereas, Seat belts absorb the force of impact and prevent students from being thrown from their seats; and

Whereas, According to the New York Board of Cooperative Educational Services, seat belts are more effective in side impact and rollover accidents; and

Whereas, According to the National Coalition for School Bus Safety, students who wear seat belts while on a school bus tend to be less distracting to drivers; and

Whereas, School districts with strict seat belt policies report significant compliance at all grade levels with the seat belt policies, according to the New York Board of Cooperative Educational Services; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to enforce Chancellor's Regulation A-801, which requires that students on school buses wear seat belts until the bus comes to a destination stop.

Referred to the Committee on Education.

Int. No. 943

By Council Members Koslowitz and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a pilot program for issuing warning notifications for first-time offenders of certain litter laws

Be it enacted by the Council as follows:

Section 1. Section 16-118 of the administrative code of the city of New York is amended by adding new subdivision 12 to read as follows:

12. No later than ninety days after the effective date of this subdivision, the department shall implement a pilot program for a period of six months within a community district to be selected by the department in which the department shall issue warning notifications to the owner, lessee, tenant, occupant or person in charge, as required, of one- and two-family dwellings for a first violation of subdivision two of this section, as such subdivision relates to keeping of the sidewalk, flagging, curbstone and roadway areas, free from obstruction and nuisances of any kind, instead of issuing a notice of violation or summons. The department shall report to the mayor and the speaker of the council, no later than nine months after the program's inception, the results of such program, and such report shall include but not be limited to, the number of warning notifications issued, the number of violations issued to a dwelling after a warning notification was issued for such dwelling, the cleanliness ratings for the community district selected for the pilot period and for the same six-month period during the previous year, loss of revenue as a result of issuing warnings rather than notices of violation or summonses, if any, and any other information the department deems appropriate to the evaluation of such pilot program.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 944

By Council Members Lancman and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to notify inmates, defense attorneys, and court personnel when an inmate is detained solely on a bail amount of one dollar

Be it enacted by the Council as follows:

Section 1. Section 9-150 of the administrative code of the city of New York, as added by local law 125 for the year 2017, is amended by adding a new subdivision d to read as follows:

d. Within 24 hours of the department receiving notice that an eligible inmate is detained solely due to a bail amount of one dollar, the department shall provide such inmate and such inmate's attorneys, for all pending cases, and court personnel with verbal and written notice that such inmate is detained solely due to one dollar bail.

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

Referred to the Committee on Criminal Justice.

Int. No. 945

By Council Member Lancman

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report annually on officer resignations prior to becoming eligible for retirement with pension

Be it enacted by the Council as follows,

Section 1. The administrative code of the city of New York is amended by adding a new paragraph d to section 14-126 to read as follows:

§ 14-126 Resignations, absence on leave. a. A member of the force, under penalty of forfeiting the salary which may be due such member, shall not withdraw or resign, except by permission of the commissioner.

b. Absence, without leave, of any member of the force for five consecutive days shall be deemed and held to be a resignation, and the member so absent shall, at the expiration of such period cease to be a member of the force and be dismissed therefrom without notice.

c. Leave of absence, other than for sickness, exceeding thirty days in any one year shall be granted or allowed to any member of the force, only upon the condition that such member shall waive and release not less than one-half of all salary and claim thereto during such absence.

d. No later than March 1, 2019, and every March 1 thereafter, the department shall provide to the speaker of the council and post on the department's website a report regarding the number of resignations during the previous calendar year, including, but not limited to the following information:

1. the number of members of the force who resign or separate from service with a deferred vested retirement benefit, disaggregated by:

(a) rank or designation; and

(b) length of employment with the department, as follows:

(1) zero to five years;

(2) six to fourteen years; and

(3) fifteen years or more.

2. Such information shall be further disaggregated by reason for resignation, as follows:

(a) to join another law enforcement agency, in a law enforcement position, disaggregated by the following categories:

- (1) Nassau police department;*
 - (2) Suffolk police department;*
 - (3) other county or local law enforcement agencies, disaggregated by agency, where such information is available;*
 - (4) metropolitan transportation authority;*
 - (5) port authority of New York and New Jersey;*
 - (6) other New York state law enforcement agency, disaggregated by agency, where such information is available;*
 - (7) other federal law enforcement agency, disaggregated by agency, where such information is available;*
- (b) to join the fire department;*
- (c) to join another city, state, or federal agency in a civilian position, disaggregated by agency, where such information is available;*
- (d) to serve in the military;*
- (e) to work in the private sector;*
- (f) to pursue additional education;*
- (g) to care for a child, or elderly or disabled family member;*
- (h) for a personal reason other than a change in employment, accompanied by a general description of such reason, where such information is available; and*
- (i) to resign in lieu of termination.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 946

By Council Member Lander.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting on-call scheduling for utility safety workers and providing advance notice of work schedules to utility safety workers

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 14 to read as follows:

CHAPTER 14
UTILITY SAFETY WORKERS

§ 20-1401 Definitions. For purposes of this chapter, the following terms have the following meanings:

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

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

On-call shift. The term “on-call shift” means any time period other than a utility safety employee’s regular shift when the utility safety employer requires the utility safety employee to be available to work, regardless of whether the utility safety employee actually works and regardless of whether the utility safety employer requires the utility safety employee to report to a work location.

Regular shift. The term “regular shift” means a span of consecutive hours starting when a utility safety employer requires a utility safety employee to report to a work location and ending when the utility safety employee is free to leave a work location. Breaks totaling two hours or less are not an interruption of consecutive hours, provided that such breaks do not include time when the utility safety employee’s work location is closed. The term “regular shift” does not include the hours worked by a utility safety employee who is called into work while on an on-call shift.

Underground facilities. The term “underground facilities” means pipelines, conduits, ducts, cables, wires, manholes, vaults or other such facilities or their attachments, that have been installed underground to provide services or materials, including electricity, gas, water, steam liquid petroleum products, telephone communications, cable television, sewage removal or traffic control systems.

Utility safety employee. The term “utility safety employee” means any person who is employed within the city and who performs work on a full-time or part-time basis, and whose job duties include locating and marking underground facilities. The term “utility safety employee” does not include any person who is employed by (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state, including the legislature and the judiciary; or (iii) the city or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

Utility safety employer. The term “utility safety employer” means any person or entity that employs a utility safety employee. The term “utility safety employer” does not include (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

Work schedule. The term “work schedule” means the regular shifts and on-call shifts that a utility safety employer assigns to a utility safety employee and includes the dates, times and locations where the utility safety employer requires the utility safety employee to work.

§ 20-1402 *On-call scheduling prohibited.* a. Except as otherwise provided by law, a utility safety employer shall not:

1. Schedule a utility safety employee for any on-call shift;
2. Cancel any regular shift for a utility safety employee within 72 hours of the scheduled start of such shift;
3. Require a utility safety employee to work with fewer than 72 hours’ notice, unless the utility safety employee consents in writing; or
4. Require a utility safety employee to contact a utility safety employer to confirm whether or not the utility safety employee should report for a regular shift fewer than 72 hours before the start of such shift.

b. Notwithstanding subdivision a of this section, a utility safety employer may:

1. Grant a utility safety employee time off pursuant to a utility safety employee’s request;
2. Allow a utility safety employee to trade shifts with another utility safety employee; and
3. Make changes to utility safety employees’ work schedules with less than 72 hours’ notice in the following circumstances:

(a) The disruption or failure of public utilities that poses an immediate danger to public safety or health;

(b) A fire, flood or other natural disaster; or

(c) A state of emergency declared by the president of the United States, governor of the state of New York or mayor of the city.

§ 20-1403 *Work schedules.* a. A utility safety employer shall provide a utility safety employee with a written work schedule no later than 72 hours before the first shift on the work schedule.

b. A utility safety employer shall conspicuously post in a location that is accessible and visible to all utility safety employees at the work location the work schedule of all the utility safety employees at that work location at least 72 hours before the beginning of the scheduled hours of work and shall update the schedule and directly notify affected utility safety employees after making changes to the work schedule. Utility safety employers shall also transmit the work schedule by electronic means, if such means are regularly used to communicate scheduling information. The office may by rule establish requirements or exceptions necessary to ensure the privacy and safety of utility safety employees.

c. Upon request by a utility safety employee, a utility safety employer shall provide the employee with such employee's work schedule in writing for any week worked within the prior three years and the most current version of the work schedule for all utility safety employees at that work location, whether or not changes to the work schedule have been posted.

§ 20-1404 *Collective bargaining agreements.* The provisions of this chapter do not apply to any utility safety employee covered by a valid collective bargaining agreement, including an agreement that is open for negotiation, if (i) such provisions are expressly waived in such collective bargaining agreement and (ii) the agreement addresses employee scheduling.

§ 20-1405 *Retaliation.* a. No person shall take any adverse action against a utility safety employee that penalizes such employee for, or is reasonably likely to deter such employee from, exercising or attempting to exercise any right protected under this chapter. Taking an adverse action includes threatening, intimidating, disciplining, discharging, demoting, suspending or harassing an employee, reducing the hours or pay of a utility safety employee, informing another employer that a utility safety employee has engaged in activities protected by this chapter, and discriminating against the utility safety employee, including actions related to perceived immigration status or work authorization. A utility safety employee need not explicitly refer to this chapter or the rights enumerated herein to be protected from retaliation.

§ 20-1406 *Administrative enforcement; jurisdiction and complaint procedures.* a. *Jurisdiction.* The director shall enforce the provisions of this chapter.

b. *Complaints and investigations.* 1. Any person, including any organization, alleging a violation of this chapter may file a complaint with the office within two years of the date the person knew or should have known of the alleged violation.

2. Upon receiving such a complaint, the office shall investigate it.

3. The office may open an investigation on its own initiative.

4. A person or entity under investigation shall, in accordance with applicable law, provide the office with information or evidence that the office requests pursuant to the investigation. If, as a result of an investigation of a complaint or an investigation conducted upon its own initiative, the office believes that a violation of this chapter has occurred, the office may attempt to resolve it through any action authorized by section 20-a of the charter. Adjudicatory powers pursuant to this subchapter may be exercised by the director or by the office of administrative trials and hearings pursuant to section 20-a of the charter.

§ 20-1407 *Specific administrative remedies for utility safety employees or former utility safety employees.*

a. For violations of this chapter, the office may grant the following relief to utility safety employees or former utility safety employees:

1. All compensatory damages and other relief required to make the utility safety employee or former utility safety employee whole;

2. For each violation of subdivision a of section 20-1402, the greater of \$500 or such employee's actual damages;

3. For each violation of subdivisions a and b of section 20-1403, \$300;

4. For each violation of section 20-1405:

(a) Rescission of any discipline issued, reinstatement of any employee terminated and payment of back pay for any loss of pay or benefits resulting from discipline or other action taken in violation of section 20-1405;

(b) \$500 for each violation not involving termination; and

(c) \$2,500 for each violation involving termination.

b. The relief authorized by this section shall be imposed on a per employee and per instance basis for each violation.

§ 20-1408 *Specific civil penalties payable to the city.* a. For each violation of this chapter, a utility safety employer is liable for a penalty of \$500 for the first violation and, for subsequent violations that occur within two years of any previous violation of this chapter, up to \$750 for the second violation and up to \$1,000 for each succeeding violation.

b. The penalties imposed pursuant to this section shall be imposed on a per employee and per instance basis for each violation.

§ 20-1409 *Enforcement by the corporation counsel.* The corporation counsel or such other persons designated by the corporation counsel on behalf of the office may initiate in any court of competent jurisdiction any action or proceeding that may be appropriate or necessary for correction of any violation issued pursuant

to sections 20-1406 through 20-1408, including actions to secure permanent injunctions, enjoining any acts or practices that constitute such violation, mandating compliance with the provisions of this chapter or such other relief as may be appropriate.

§ 2. a. This local law takes effect 180 days after it becomes law, except that the director of the office of labor standards shall take such measures as are necessary for the implementation of section one of this local law, including the promulgation of rules, before such date.

b. Notwithstanding the preceding subdivision a, in the case of utility safety employees covered by a valid collective bargaining agreement in effect on the effective date prescribed by such preceding subdivision, this local law takes effect on the stated date of the expiration of such agreement.

Referred to the Committee on Civil Service and Labor.

Int. No. 947

By Council Member Lander.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certification of safety training for street permits

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-142.1 to read as follows:

§ 19-142.1 Safety training required. a. The commissioner shall not issue a permit to open a street until the applicant for such permit has certified to the commissioner, in a form and manner prescribed by the commissioner, that all workers who will be engaged under such permit are in compliance with applicable safety training and education laws and regulations so as to ensure public safety and health during the performance of work under such permit.

b. A violation of this section is punishable by the civil and criminal penalties authorized for violations of the provisions of this subchapter as set forth in sections 19-149 and 19-150. Such penalties shall be imposed on a per worker basis for each violation of this section.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner shall take such actions as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation.

Int. No. 948

By Council Members Torres, Cornegy, Levine, Ampry-Samuel, Ayala, Williams, Brannan, Espinal, Lancman and Rivera (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the installation of temperature reporting devices in multiple dwellings

Be it enacted by the Council as follows:

Section 1. Article 11 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2046.4 to read as follows:

§ 27-2046.4 *Duties of owner and occupant with respect to installation and replacement of internet capable temperature reporting devices in class A multiple dwellings.* a. For the purposes of this section, an “internet capable temperature reporting device” means a device, resistant to tampering, capable of reading the indoor air temperature not less than once per hour and, either by itself or in combination with another device, recording or reporting such temperatures, along with the date and time for not less than the prior ninety days, in such a manner that the information would be accessible through an ordinary internet connection or displayed through other means when no such connection is present, for the viewing of both tenants and property owners.

b. On January 1, 2020, and every two years thereafter, the department shall identify the 150 class A multiple dwelling buildings with the highest ratio of class C violations of section 27-2029 within the preceding four years to dwelling units within such buildings, excluding any such buildings identified two years prior.

c. For a period of four years, beginning 30 days after a class A multiple dwelling building is identified pursuant to subdivision b, it shall be the duty of the owner of any such building to:

(1) provide and install one or more approved and operational internet capable temperature reporting devices in each living room of each dwelling unit in such building. Such devices shall be installed pursuant to rules promulgated by the commissioner;

(2) replace any internet capable temperature reporting device which has been stolen, removed, found missing or rendered inoperable during a prior occupancy of the dwelling unit and which has not been replaced by the prior occupancy prior to the commencement of a new occupancy of a dwelling unit;

(3) replace such internet capable temperature reporting device within thirty days after the receipt of written notice that such device has become inoperable due to a defect in the manufacture or installation of such device and through no fault of the occupant of the dwelling unit; and

(4) maintain such records as the commissioner shall prescribe by rule relating to the installation and maintenance of such internet capable temperature reporting devices and make such records available to the commissioner upon request.

d. It shall be the duty of the occupant of each dwelling unit in a class A multiple dwelling in which an internet capable temperature reporting device has been provided and installed by the owner of this section to:

(1) keep and maintain such device in good repair; and

(2) replace any and all internet capable temperature reporting devices which are stolen, removed, missing or rendered inoperable during the occupancy of such dwelling unit.

e. The owner may not charge the occupant of a dwelling unit for the installation or acquisition of a newly installed internet capable temperature reporting device, nor for the replacement of such internet capable temperature reporting device where the replacement is due to wear or malfunction. The owner may charge the occupant of a dwelling unit in which an internet capable temperature reporting device is replaced by the owner, pursuant to paragraph 2 of subdivision d of this section, a maximum of fifty dollars for the cost of each such device.

§ 2. This local law shall take effect on January 1, 2020, except that the commissioner of housing preservation and development shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 949

By Council Members Torres, Lander and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to creating an office of school integration within the human rights commission dedicated to studying the prevalence and causes of racial segregation in public schools and developing recommendations for remedying such segregation

Be it enacted by the Council as follows:

Section 1. Paragraph c of section 905 of the New York city charter, as added by a vote of the electors on November 6, 2001, is amended to read as follows:

c. (1) to study the problems of prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby in all or any fields of human relationship; and (2) to study the prevalence and causes of racial segregation among kindergarten, primary and secondary public schools and develop recommendations for remedying such segregation.

§ 2. Subdivision (3) of section 8-105 of the administrative code of the city of New York, as amended by local law 39 for the year 1991, is amended to read as follows:

(3) (a) To study the problems of prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby in all or any fields of human relationship[.]; and (b) to study the prevalence and causes of racial segregation among kindergarten, primary and secondary public schools and develop recommendations for remedying such segregation.

§ 3. Subdivision (8) of section 8-105 of the administrative code of the city of New York, as amended by local law 39 for the year 1991, is amended to read as follows:

(8) To appoint such employees and agents as it deems to be necessary to carry out its functions, powers and duties and to assign to such persons any of such functions, powers and duties; provided, however, that the city shall have an office of school integration to be administered by the commission charged with analyzing and issuing recommendations for remedying racial segregation among kindergarten, primary and secondary public schools. Notwithstanding the foregoing, the commission shall not delegate its power to adopt rules, and[, provided further, that] the commission's power to order that records be preserved or made and kept pursuant to subdivision b of section 8-114 of this chapter and the commission's power to determine that a respondent has engaged in an unlawful discriminatory practice and to issue an order for such relief as is necessary and proper shall be delegated only to members of the commission. The expenses for the carrying on of the commission's activities shall be paid out of the funds in the city treasury. The commission's appointment and assignment powers as set forth in this subdivision may be exercised by the chairperson of the commission.

§ 4. Subdivision (10) of section 8-105 of the administrative code of the city of New York, as amended by local law 29 for the year 2015, 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, (iv) findings and recommendations regarding racial segregation among public schools developed pursuant to subdivision (8) of this section, and [(iv)](v) 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.

(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.

(e) *The information regarding the commission's findings and recommendations relating to the prevalence and causes of racial segregation in public schools shall include, but not be limited to, the impact of specific public policies, laws or administrative practices on school diversity and recommendations for change.*

§ 5. This local law takes effect 120 days after it becomes law, except that the commission on human rights may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Civil and Human Rights.

Int. No. 950

By Council Member Treyger.

A Local Law to amend the administrative code of the city of New York, in relation to the department of education associate degree programs

Be it enacted by the Council as follows:

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

Chapter 21. Associate Degree Programs

§ 21-988 Associate degree program data.

a. Not later than November 1, 2018, and no later than November 1st annually thereafter, the chancellor shall prepare and submit to the speaker of the council and post on the department's website data on associate degree programs offered at New York city public high schools. Such report shall include, but not be limited to, the names of high schools that offer associate degree programs, the associate degrees offered and the criteria used by the department to determine which high schools will offer associate degree programs. The data shall be disaggregated by borough, community board, community school district, council district, and length of program.

b. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interest of law enforcement. If the category contains between 0 and 9 students, or allows another category to be narrowed to be between 0 and 9 students, the number shall be replaced with a symbol.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 951

By Council Members Vallone, Holden, Ampry-Samuel and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to notify schools of crimes against children within 1,000 feet of certain schools

Be it enacted by the Council as follows:

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

§ 14-175. *School notification program. The department shall notify schools of reported crimes involving children that occur in close proximity to schools in accordance with the following:*

a. Definitions. For purposes of this subdivision the following terms shall have the following meanings:

1. School. The term "school" means any buildings, grounds, facilities, property, or portion thereof under the jurisdiction of the department of education or any non-public school that provides educational instruction to students at or below the twelfth grade level.

2. Crime. The term "crime" means any misdemeanor or felony defined in the New York state penal code or any misdemeanor defined in the administrative code.

b. When the department receives a report of an alleged crime perpetrated against a child under the age of eighteen at or within one thousand feet of a school, the department must notify any school within 1,000 feet of the crime as soon as practicable, unless the department determines that such notification would jeopardize the investigation of such crime.

c. The department shall promulgate rules regarding the manner in which all notifications shall be given, including designating who in the department shall give the notification and who in the school will receive it.

§2. This local law shall take effect 120 days after its enactment into law.

Referred to the Committee on Public Safety.

Int. No. 952

By Council Members Vallone, Chin, Rosenthal, Holden, Ampry-Samuel and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring notice of renewal of the senior citizen homeowner exemption and disabled homeowner exemption by phone

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-141 to read as follows:

§ 11-141 *Notice of renewal of senior citizen homeowner exemption and disabled homeowner exemption. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Disabled homeowner exemption. The term "disabled homeowner exemption" means the real property tax exemption authorized by section 11-245.4.

Renewal application. The term "renewal application" means the application form mailed by the department of finance pursuant to subdivision 5 of section 11-245.3 and subdivision 5 of section 11-245.4.

Senior citizen homeowner exemption. The term "senior citizen homeowner exemption" means the real property tax exemption authorized by section 11-245.3.

b. No later than November 15, the department of finance shall provide notice of renewal by phone to each property owner required to file a renewal application for the senior citizen homeowner exemption between January 15 and March 15 of the following calendar year or the disabled homeowner exemption on or before March 15 of the following calendar year.

c. The notice of renewal required by subdivision b of this section shall include at a minimum the following information:

- 1. Notice that the property owner will receive the renewal application in the mail;*
- 2. The filing deadline for the renewal application; and*
- 3. Contact information in the event that the property owner does not receive the renewal application by the applicable date as set forth in subdivision 5 of section 11-245.3 or subdivision 5 of section 11-245.4.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 953

By Council Members Yeger, Brannan, Holden and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to placing greater regulations and restraints on the creation of driveway curb cuts, and providing local community board notification

Be it enacted by the Council as follows:

Section 1. Section 19-147 of the administrative code of the city of New York is amended by adding new subdivisions h and i to read as follows:

h. Illegal curb cuts. If a curb cut is created without a permit from the department, the commissioner shall order the owner or owners of the property benefited by such curb cut to correct the violation by either restoring the curb to its proper condition or by obtaining the proper work permits and final sign-off from the department of transportation within 30 days. Failure to correct the violation of a curb pursuant to an order of the commissioner within the time designated therein shall be a continuing violation until such time as the curb is corrected to the satisfaction of the department. For the purposes of this section, the term "curb cut" shall mean a break in a curb to allow access from the roadway and across the sidewalk to a legal parking space within the property line.

i. Notwithstanding any other provisions of law, within six months of the department of transportation's becoming aware of an illegal curb cut, the department of transportation shall restore the curb to its original condition, unless the owner restores such curb cut. The department shall recover the cost of restoring the curb from the owner of any property that benefited from the illegal curb cut, the person responsible for creating the illegal curb cut, or all of such persons. The recovery of such costs shall be in addition to any civil penalty imposed in accordance with subdivision h of this section.

§ 2. Article 108 of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007 is amended by adding a new section 28-108.4 to read as follows:

§ 28-108.4 Community Board Notification. Within seven days of receipt of each new application for a permit to create a curb cut, the department shall notify the community board of the community district within which the proposed curb cut would be created of such application. The community board shall have 60 days from the date of notification to submit comments and recommendations to the department with respect to such application.

The department shall consider these comments and recommendations in its decision to grant or deny a permit for a curb cut and shall inspect any location proposed as the location of a curb cut prior to the issuance of a permit to create a curb cut. For the purposes of this section, the term "curb cut" means mean a break in a curb to allow access from the roadway and across the sidewalk to a legal parking space within the property line.

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

Referred to the Committee on Transportation.

Preconsidered L.U. No. 95

By Council Member Dromm:

Aquinas Housing for the Elderly, Block 3118, Lots 42, 44; Deacon Juan Santos Plaza II, Block 3130, Lot 2; Bronx, Community District No. 6, Council District No. 17.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 96

By Council Member Dromm:

Essie Jeffries Apartments, Block 2117, Lot 34, Block 2119, Lots 58 and 66; Manhattan, Community District No. 12, Council District No. 7.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 97

By Council Member Dromm:

Inwood House, Block 2220, Lot 43; Manhattan, Community District No. 12, Council District No. 10.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 98

By Council Member Dromm:

Lafayette Morrison Apartments, Block 3627, Lots 20, 30, 40, and 50; Bronx, Community District No. 9, Council District No. 17.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 99

By Council Member Richards:

Rockaway Village Phase 1, Block 15537, p/o Lot 1; Queens, Community District No. 14, Council District No. 31.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 100

By Council Member Dromm:

943-947 Teller Avenue HDFC, Block 2422, Lot 30; Bronx, Community District No. 4, Council District No. 17.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 101

By Council Member Dromm:

1314 Seneca HDFC, Block 2762, Lot 1003; Bronx, Community District No. 2, Council District No. 17.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

L.U. No. 102

By Council Member Salamanca:

Application No. 20185357 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1452, Lots 66, 70, 71, 72, 73, 74, 75, 76, 77 and 78, and termination of the prior exemption, Borough of Brooklyn, Community District 16, Council District 41.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 103

By Council Member Salamanca:

Application No. 20185358 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2072, Lot 30 and Block 2073, Lot 29, and termination of the prior exemption, Borough of Manhattan, Community District 9, Council District 7.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 104

By Council Member Salamanca:

Application No. 20185359 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a real property tax exemption for property located at Block 5295, Lots 4, 104, 105, 106, 107, 108, 111, 112 and 113, Borough of Brooklyn, Community District 12, Council District 39.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 105

By Council Member Salamanca:

Application No. 20185360 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of a second amendment to a previously amended approved urban development action area project for property located at Block 1791, Lots 17, 18, 19; Block 1789, Lot 80; Block 1814, Lot 15; Block 1795, Lot 15; Block 1852, Lots 9,8; Block 1641, Lot 68; and Block 1801, Lot 8, , Borough of Brooklyn, Community District 3, Council District 36.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 106

By Council Member Salamanca:

Application No. 20185362 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1080, p/o Lot 28, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 107

By Council Member Salamanca:

Application No. 20185267 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Ephesus Corp. d/b/a Seven Hills Mediterranean Grill, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 158 West 72nd Street, Borough of Manhattan, Community Board 7, Council District 7. 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 11.20(b) 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. 108

By Council Member Salamanca:

Application No. C 180096 ZMK submitted by South Portland, LLC and Randolph Haig Day Care Center, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of Zoning Map Section No. 16c, changing from an R7A District to an R8A District, establishing within a proposed R8A District a C2-4 District, and establishing a Special Downtown Brooklyn District, for an area for an area bounded by Hanson Place to the north, South Portland Avenue to the east, Academy Place to the south, and South Elliot Place to the west. (Block 2003, Lots 19, 29, 30, 31, 32, 33, 34, and 37), Borough of Brooklyn, Community District 2, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 109

By Council Member Salamanca:

Application No. N 180097 ZRK submitted by South Portland, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of eliminating a portion of an Inclusionary Housing designated area to establish a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections, Borough of Brooklyn, Community District 2, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 110

By Council Member Salamanca:

Application No. 20185361 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2003, Lot 37, Borough of Brooklyn, Community District 2, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 111

By Council Member Salamanca:

Application No. C 180170 ZMM submitted by QT Soho Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, eliminating from within an existing R7-2 District a C1-5 District on certain residential properties along Sullivan Street (Block 504, Lots 31, 34 and p/o Lot 36). and establishing within an existing R7-2 District a C2-5 District along portions of Avenue of the Americas and Spring Street (Block 504, Lots 7501, 43, 39, and p/o Lots 36 and 11), Borough of Manhattan, Community District 2, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 112

By Council Member Salamanca:

Application No. N 180184 ZRM submitted by Times Square Hotel Owner, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the Special Times square signage requirements and the Special street wall and setback regulations of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District), Borough of Manhattan, Community District 5, Council District 4.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 113

By Council Member Salamanca:

Application No. C 150348 ZSM submitted by Zhongyin Apparel LLC pursuant to Sections 197 c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74 781 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(a) to allow Use Group 6 uses (retail uses) on portions of the ground floor and cellar of an existing 5-story building on property located at 85 Mercer Street (Block 485, Lot 25), in an M1-5A District, Borough of Manhattan, Community District 2, Council District 1.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

<http://legistar.council.nyc.gov/Calendar.aspx>

A N N O U N C E M E N T S

**DUE TO THE EXIGENCIES OF THE BUDGET ADOPTION,
THE STATED MEETING OF THE COUNCIL IS RECESSED
AND SUBJECT TO CALL AND THE MEETINGS OF ANY UPCOMING FINANCE AND STATE AND FEDERAL
LEGISLATION COMMITTEES MAY BE RECESSED AND SUBJECT TO CALL AS WELL.
WE WILL KEEP YOU ADVISED ACCORDINGLY**

Thursday, May 24, 2018

★Note Date and Time Change

★ ★Deferred

★★★Note Time Change

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00am – 12:00pm	Office of Management & Budget	Finance
★ ★ 12:00pm – 12:45pm	★ ★ Comptroller	★ ★ Finance
1:00pm – 1:30pm	Independent Budget Office	Finance
★2:00pm – 3:00pm	★Health & Hospitals	★Hospitals
3:00pm – 3:45pm	Comptroller	Finance
★★★4:00pm	Public	

Wednesday, May 30, 2018

[Subcommittee on Zoning & Franchises](#)

Francisco Moya, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....9:30 a.m.

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#)

Adrienne Adams, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....12:00 p.m.

[Subcommittee on Planning, Dispositions & Concessions](#)

Ben Kallos, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....2:00 p.m.

Thursday, May 31, 2018

Committee on Higher Education

Inez Barron, Chairperson

Oversight - Admissions, Graduation Rates, and Affordability Study – Eliminating Tuition at the City University of New York.

Committee Room – 250 Broadway, 14th Floor.....10:00 a.m.

Tuesday, June 5, 2018

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....11:00 a.m.

★ Deferred

Committee on Aging

Margaret Chin, Chairperson

Oversight – Senior Center Model Budgets.

Council Chambers – City Hall.....1:00 p.m.

Thursday, June 7, 2018

★ Deferred

Committee on Transportation

Ydanis Rodriguez, Chairperson

Int 84 – By Council Members Deutsch and Koslowitz – **A Local Law** to amend the administrative code of the city of New York, in relation to clarifying the enforcement of parking regulations near schools.

Int 314 – By Council Member Rodriguez – **A Local Law** in relation to reporting on the illegal usage of parking permits.

Int 332 – By Council Member Rodriguez – **A Local Law** to amend the administrative code of the city of New York, in relation to providing certain parking privileges for press vehicles.

Int 445 – By Council Members Deutsch, Cumbo, Levin, Eugene, Constantinides, Espinal, Laneman, Holden, Grodenchik, Treyger, Koslowitz, Salamanca, Maisel, Van Bramer, Reynoso, Cabrera and Ulrich – **A Local Law** to amend the administrative code of the city of New York, in relation to the suspension of alternate side of the street parking rules on blocks adjacent to filming.

Proposed Int 596-A – By Council Member Williams – **A Local Law** to amend the administrative code of the city of New York, in relation to increasing the fine for the use of unauthorized or fraudulent parking permits.

Int 848 – By Council Members Levine, Rosenthal, Powers and Ayala – **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a residential parking permit system in Northern Manhattan.

Int 857 – By Council Members Rodriguez, Levine, Van Bramer and Levin – **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a citywide residential parking permit system.

Int 898 – By Council Member Moya – **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a residential parking permit system in East Elmhurst.

Int 910 – By Council Members Rodriguez and Deutsch – **A Local Law** to amend the administrative code of the city of New York, in relation to allowing vehicles to park on the restricted side of a street which is subject to alternate side parking rules without being ticketed if the owner is in the vehicle and able to move it or if the street has already been cleaned.

Int _____ – By The Speaker (Council Member Johnson) – **A Local Law** to amend the administrative code of the city of New York, in relation to creating an electronic tracking system for all city issued parking permits.

~~Int _____ By Council Member Chin—A Local Law to amend the administrative code of the city of New York, in relation to the misuse of city issued parking permits.~~

~~Int _____ By Council Members Deutsch and Cumbo—A Local Law to amend the administrative code of the city of New York, in relation to the suspension of alternate side of the street parking rules on streets within a five block radius of street resurfacing projects.~~

~~Int _____ By Council Member Koo—A Local Law to amend the administrative code of the city of New York, in relation to developing and publishing a comprehensive plan regarding the distribution and use of city issued parking permits.~~

~~Council Chambers—City Hall.....10:00 a.m.~~

~~Stated Council Meeting..... Ceremonial Tributes – 1:00 p.m.
..... Agenda – 1:30 p.m.~~

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) acknowledged that Council staffers Jessica Ackerman and Steve Riester were leaving the Council and returning to their respective home states of Virginia and Ohio. Both served as senior Finance analysts in the Council for three years. Ms. Ackerman worked with the Youth and Higher Education committees while Mr. Riester worked with the Public Safety and Justice System committees. The Speaker (Council Member Johnson) thanked them both and wished them well as those assembled in the Council applauded.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) recognized that the Council’s third annual Foster Youth Shadow Day was taking place that day at City Hall. Foster Youth Shadow Day was being hosted by the Council in partner with the Jewish Board Fostering Youth Success Alliance and the Children’s Aid Society. The Speaker (Council Member Johnson) welcomed the 15 young adults present in the Chambers. He thanked these individuals for sharing their stories and experiences in the foster care system and also thanked the Council Members who were participating in this program.

The Speaker (Council Member Johnson) briefly yielded the floor to Council Member Levin who was described as instrumental in supporting this event. Council Member Levin welcomed the young people and acknowledged that the Council was learning how to improve the foster care system through the experiences of these young adults. He noted that the first Youth Shadow Day resulted in seven pieces of legislation that were passed by the Council and enacted into law. Council Member Levin also thanked the Community Engagement Division’s staff, and in particular Lynn Schulman, for helping organize this event. The Speaker (Council Member Johnson) asked for a round of applause for these young people as those assembled in the Chambers responded with applause and cheers.

During the Meeting, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) recognized the students of Claremont International High School who were present in the balcony of the Chambers.

At the request of the Speaker (Council Member Johnson), the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) recessed the Meeting subject to call.

Editor's Local Law Note: Preconsidered Int. No. 754, adopted at the April 11, 2018 Stated Meeting, was returned unsigned by the Mayor on May 15, 2018. This item had become law on May 12, 2018 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill was assigned subsequently as Local Law No. 103 of 2018, respectively.