

SUPPLEMENT TO

# THE CITY RECORD

THE COUNCIL —STATED MEETING OF  
MONDAY, JUNE 24, 2013

---

## THE COUNCIL

---

*Minutes of the Proceedings for the  
STATED MEETING  
of  
Monday, June 24, 2013, 3:00 p.m.*

The President Pro Tempore (Council Member Rivera)  
*Acting Presiding Officer*

### Council Members

Christine C. Quinn, Speaker

Maria del Carmen Arroyo	Sara M. Gonzalez	James S. Oddo
Charles Barron	David G. Greenfield	Annabel Palma
Gale A. Brewer	Daniel J. Halloran III	Domenic M. Recchia, Jr.
Fernando Cabrera	Vincent M. Ignizio	Diana Reyna
Margaret S. Chin	Robert Jackson	Donovan Richards
Leroy G. Comrie, Jr.	Letitia James	Joel Rivera
Elizabeth S. Crowley	Andy King	Ydanis A. Rodriguez
Inez E. Dickens	Peter A. Koo	Deborah L. Rose
Erik Martin Dilan	G. Oliver Koppell	Eric A. Ulrich
Daniel Dromm	Karen Koslowitz	James Vacca
Mathieu Eugene	Bradford S. Lander	Peter F. Vallone, Jr.
Julissa Ferreras	Jessica S. Lappin	Albert Vann
Lewis A. Fidler	Stephen T. Levin	James G. Van Bramer
Daniel R. Garodnick	Melissa Mark-Viverito	Mark S. Weprin
James F. Gennaro	Rosie Mendez	Jumaane D. Williams
Vincent J. Gentile	Michael C. Nelson	Ruben Wills

Excused: Council Members Foster and Mealy.

The Majority Leader (Council Member Rivera) assumed the Chair as the President Pro Tempore and Acting Presiding Officer.

After being informed by the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the President Pro Tempore (Council Member Rivera).

*There were 49 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y. 10007.*

There was no Invocation delivered at this Stated Meeting.

### ADOPTION OF MINUTES

Council Member Richards moved that the Minutes of the Stated Meeting of May 22, 2013 be adopted as printed.

## PETITIONS & COMMUNICATIONS

M-1167

**Communication from the Council Member Jumaane D. Williams – Submitting to the Council formal notice of intent, pursuant to Rule 7.130 of the Council, to move to discharge the Committee on Public Safety from further consideration of Introductory Number 1079 - in relation to the investigating, reviewing, studying, and auditing of and making of recommendations relating to the operations, policies, programs and practices of the New York City police department by the commissioner of the department of investigation.**

To: Council Speaker Christine C. Quinn  
Council Member Peter F. Vallone, Jr., Chair, Committee on Public Safety

From: Council Member Jumaane D. Williams

Re: Motion to discharge Int. 1079-2013 and Int. 1080-2012

Date: June 13, 2013

This memo serves as formal and respectful written notice, pursuant to New York City Council Rule 7.130, of my intention to move to discharge the Committee on Public Safety from further consideration of Int. 1080-2013 and Int. 1079-2013 at the next Stated Meeting of the New York City Council.

Intro 1080-2013 is a Local Law to amend the administrative code of the city of New York, in relation to prohibiting bias-based profiling.

Intro 1079-2013 is a Local Law to amend the New York City Charter, in relation to the investigating, reviewing, studying, and auditing of and making of recommendations relating to the operations, policies, programs and practices of the New York City Police Department by the Commissioner of the Department of Investigation.

Accompanying this letter are Memoranda in Support of the Motion to Discharge for both Intro 1080-2013 and Intro 1079-2013, signed by the requisite number of City Council Members.

Should you wish to discuss this matter, please do not hesitate to contact me.

Jumaane D. Williams

Member, New York City Council, District 45

Received, Ordered, Printed and Filed.

### ROLL CALL ON MOTION TO DISCHARGE INT. No. 1079

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such **Motion to Discharge Int No. 1079** from further consideration of the Committee on Public Safety which was decided in the **affirmative** by the following vote:

**Affirmative** – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Garodnick, Gentile, Gonzalez, Greenfield, Halloran, Jackson, James, King, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mendez, Palma, Recchia, Reyna, Richards, Rodriguez, Rose, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Rivera and the Speaker (Council Member Quinn) – **41**.

**Negative** – Fidler, Gennaro, Ignizio, Koo, Nelson, Ulrich, Vallone, Jr., and Oddo – 8.

At this point, the President Pro Tempore (Council Member Rivera) declared the aforementioned Motion to Discharge adopted. The bill itself will be before the Council at the next Stated Council Meeting.

M-1168

**Communication from the Council Member Jumaane D. Williams – Submitting to the Council formal notice of intent, pursuant to Rule 7.130 of the Council, to move to discharge the Committee on Public Safety from further consideration of Introductory Number 1080 - in relation to prohibiting bias-based profiling.**

(For text, please see M-1167 printed above in these Minutes)

Received, Ordered, Printed and Filed.

### ROLL CALL ON MOTION TO DISCHARGE INT. No. 1080

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such **Motion to Discharge Int No. 1080** from further consideration of the Committee on Public Safety which was decided in the **affirmative** by the following vote:

**Affirmative** – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Garodnick, Gentile, Gonzalez, Greenfield, Halloran, Jackson, James, King, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mendez, Palma, Recchia, Reyna, Richards, Rodriguez, Rose, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Rivera and the Speaker (Council Member Quinn) – 41.

**Negative** – Fidler, Gennaro, Ignizio, Koo, Nelson, Ulrich, Vallone, Jr., and Oddo – 8.

At this point, the President Pro Tempore (Council Member Rivera) declared the aforementioned Motion to Discharge adopted. The bill itself will be before the Council at the next Stated Council Meeting.

## REPORTS OF THE STANDING COMMITTEES

### Report of the Committee on Consumer Affairs

Report for Int. No. 1048-A

**Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, A Local Law to amend the administrative code of the city of New York, in relation to the price of items sold at newsstands.**

The Committee on Consumer Affairs, to which the annexed proposed local law was referred on May 22, 2013 (Minutes, page 1655), respectfully

### REPORTS:

#### I. INTRODUCTION

On Monday, June 24, 2013, the Committee on Consumer Affairs, chaired by Council Member Dan Garodnick, will vote on Proposed Introductory Bill Number 1048-A (“Int. No. 1048-A”), a Local Law to amend the administrative code of the city of New York, in relation to raising the price of items sold at newsstands. The committee previously held a hearing on this legislation on June 4, 2013.

#### II. BACKGROUND

There are 284 licensed newsstands in New York City, which provide a quick and convenient service to residents and visitors who need to pick up inexpensive items such as a pack of gum, an umbrella or a newspaper.<sup>1</sup> They are licensed and regulated by the Department of Consumer Affairs (“DCA.”). Because newsstands are situated

for the Lower Ma\_\_\_\_\_

<sup>1</sup> Dep’t of Consumer Affairs, *Instant License Check, Newsstand*, Available at <https://a866-bportal.nyc.gov/BCPortals/LicenseCheckResults.aspx?EntityName=&LicenseNumber=&Zip=&LicCat=024>, Accessed on May 30, 2013.

on public sidewalks and by their nature obstruct pedestrian traffic, they are subject to a number of size and placement restrictions. For example, a newsstand cannot occupy a footprint greater than 72 square feet, and cannot stand more than nine feet tall.<sup>2</sup> The location of a newsstand must not interfere with pedestrian traffic, and newsstands are prohibited from operating in certain locations, such as under fire escapes or within taxi stands.<sup>3</sup> Furthermore, newsstands must maintain a certain distance from various sidewalk furniture items (e.g., three feet from traffic signal poles and fifteen feet from bus shelters).<sup>4</sup>

Prior to applying for a newsstand license, an applicant must confirm with DCA that the proposed location is eligible for a newsstand, and must notify the owner of the property adjacent to the proposed newsstand of his or her intent to apply for a license, including certain information about the newsstand.<sup>5</sup> The applicant must then submit to DCA a basic license application, including scale drawings of the proposed newsstand and photos of the proposed.<sup>6</sup>

Newsstand license applicants must obtain approval from several parties before they can operate. Within five days of receiving a completed application, DCA will forward the application to the appropriate community board, which then has sixty days to provide comments to DCA.<sup>7</sup> The comments, if any, are then forwarded to the Department of Transportation (“DOT”), which will then review the application to ensure that it is in an appropriate location.<sup>8</sup> Pending DOT’s approval, DCA will forward the application to the Public Design Commission (“PDC”) so that the latter can determine the appropriateness of its design and appearance.<sup>9</sup> If the proposed location is in a landmarked area, the application will be forwarded to the Landmarks Preservation Commission (LPC) for approval instead of PDC.<sup>10</sup> Pending approval from the appropriate commission, DOT will then reach out to the applicant to confirm the payment details for the construction of the newsstand by Cemusa, the company that currently serves as the city’s vendor for the construction of new newsstands and other street furniture.<sup>11</sup> Once construction of the newsstand is complete, license fees are paid, and the applicant has submitted all documentation to the satisfaction of DCA, the license is granted. A license lasts a maximum of two years, depending on the start time of the license, and can be renewed every two years thereafter, pending approval by DCA.<sup>12</sup>

Newsstands have historically been limited to a maximum price that they can charge, before taxes, on a single item. In 2002, the New York City Council passed Local Law 2, which raised this maximum price from two dollars to five dollars.<sup>13</sup> The law also added Metrocards and prepaid calling cards to the list of items that were exempt from such a cap, which until then included only newspapers, magazines and periodicals.<sup>14</sup> Local Law 2 of 2002 also prohibited newsstands from selling “apparel, jewelry, hair ornaments, handbags and videocassettes,”<sup>15</sup> a prohibition that then-DCA Commissioner Gretchen Dykstra said would prevent the newsstands from acting as general vendors.<sup>16</sup>

There have been no adjustments to the pre-tax price cap on non-exempt items since 2002. At a recent press conference concerning the introduction of Int. No. 1048-A, newsstand operators expressed concern regarding their ability to turn a profit in light of the decline in newspaper circulation, the rising price of currently stocked items such as candy, and the fact that frequently-requested items, such as cellphone chargers and sunglasses, often exceed the five dollar price cap.<sup>17</sup> Because of inflation, the five dollar cap imposed in 2002 is actually significantly lower in value in 2013 when purchasing power is taken into account. According to the Bureau of Labor Statistics at the United States Department of Labor, five dollars in 2013 has the same buying power as \$3.87.<sup>18</sup>

#### III. INT. NO. 1048-A

Int. No. 1048-A would amend title twenty of the Administrative Code in relation to the prices of items sold at newsstands. The bill would increase the dollar amount that newsstand operators can charge for items other than those exempted from the price maximum from five to ten dollars. Newspapers, magazines, periodicals, and prepaid

for the Lower Ma\_\_\_\_\_

<sup>2</sup> Dep’t of Consumer Affairs, *Newsstand Size and Clearance Requirements*, Available at [http://www.nyc.gov/html/dca/downloads/pdf/newsstand\\_size\\_clearance\\_requirements.pdf](http://www.nyc.gov/html/dca/downloads/pdf/newsstand_size_clearance_requirements.pdf), Accessed on May 30, 2013.

<sup>3</sup> *Id.*

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

<sup>5</sup> Dep’t of Consumer Affairs, *License Application – Newsstand*, available at <http://www.nyc.gov/html/dca/html/licenses/024.shtml/>, Accessed on May 30, 2013.

<sup>6</sup> *Id.*

<sup>7</sup> R.C.N.Y. § 2-64(3).

<sup>8</sup> R.C.N.Y. § 2-64(4).

<sup>9</sup> *Supra* note 5.

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

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

<sup>12</sup> R.C.N.Y. § 2-64(b)(5).

<sup>13</sup> Local Law 2 of 2002.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

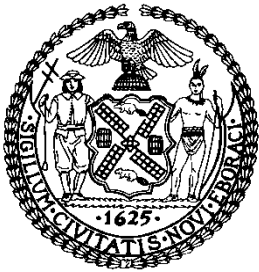
<sup>16</sup> See transcript from March 4, 2002 Consumer Affairs Committee hearing on Int. No. 38, Available at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=437053&GUID=85406881-7C72-4889-8197-1F830D5209F7&Options=ID|Text|Search>, Accessed on May 30, 2013.

<sup>17</sup> Yee, V., “\$10 Umbrella? It’s no longer unthinkable,” *N.Y. Times*, May 13, 2013, Available at <http://www.nytimes.com/2013/05/14/nyregion/cap-on-newsstand-prices-expected-to-rise-along-with-offerings.html>, Accessed on May 30, 2013.

<sup>18</sup> CPI Inflation Calculator, *Bureau of Labor Statistics*, Available at [http://www.bls.gov/data/inflation\\_calculator.htm](http://www.bls.gov/data/inflation_calculator.htm), Accessed on May 30, 2013.

telecommunication or transit cards would continue to be exempt from the price maximum, and newsstands would still be prohibited from selling apparel, jewelry, hair ornaments, handbags and videocassettes.

(The following is the text of the Fiscal Impact Statement for Int. No. 1048-A:)



THE COUNCIL OF THE CITY OF  
NEW YORK  
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR  
JEFFREY RODUS, FIRST DEPUTY  
DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1048-A  
COMMITTEE:  
Consumer Affairs

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the price of items sold at newsstands.

**SPONSOR(S):** Council Members Koslowitz, Brewer, Comrie, Dromm, Fidler, James, Koo, Mendez, Palma, Richards, Van Bramer, and Ulrich

**SUMMARY OF LEGISLATION:** This legislation would allow items other than newspapers, magazines, periodicals, and prepaid telecommunication or transit cards that are sold at newsstands to increase from \$5 to \$10 (pre-tax).

**EFFECTIVE DATE:** This local law would take effect 90 days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2014

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

**IMPACT ON REVENUES:** There will be no revenues generated by the enactment of this legislation

**IMPACT ON EXPENDITURES:** There will be no expenditures generated by the enactment of this legislation.

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

**SOURCE OF INFORMATION:** Mayor's Office of Management and Budget (OMB)

Department of Consumer Affairs (DCA)

**ESTIMATE PREPARED BY:** Ralph P. Hernandez, Principal Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Nathan, Deputy Director  
Tanisha Edwards, Finance Counsel

**LEGISLATIVE HISTORY:** Intro. 1048 was introduced by the Council and referred to the Committee on Consumer Affairs on May 22, 2013. The Committee held a hearing on Intro. 1048, proposed an amendment, Proposed Intro. 1048-A and laid the bill over on June 4, 2013. The Committee will vote on Proposed Intro. 1048-A on June 24, 2013. Following a successful committee vote, the Full Council will vote on this legislation on June 24, 2013.

**DATE SUBMITTED TO COUNCIL:** May 22, 2013

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1048-A:)

Int. No. 1048-A

By Council Members Koslowitz, Brewer, Comrie, Dromm, Fidler, James, Koo, Mendez, Palma, Richards, Van Bramer, Arroyo, Garodnick, Gennaro, Reyna, Vann and Ulrich.

**A Local Law to amend the administrative code of the city of New York, in relation to the price of items sold at newsstands.**

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 20-231 of subchapter seven of chapter two of title 20 of the administrative code, as amended by local law number 2 for the year 2002, is amended to read as follows:

b. Items other than newspapers, magazines, periodicals, and prepaid telecommunication or transit cards may be offered for sale from a newsstand if they are sold for less than [five] *ten* dollars exclusive of taxes; provided, however, that apparel, jewelry, hair ornaments, handbags and video cassettes shall not be offered for sale from a newsstand and that if food items are offered for sale, they must be prepackaged.

§ 2. This local law shall take effect 90 days after its enactment into law.

DANIEL R. GARODNICK, Chairperson; MICHAEL C. NELSON, CHARLES BARRON, LEROY G. COMRIE, Jr., G. OLIVER KOPPELL, KAREN KOSLOWITZ; Committee on Consumer Affairs, June 24, 2013.

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

**Reports of the Committee on Land Use**

Report for L.U. No. 850

**Report of the Committee on Land Use in favor of approving Application No. C 130188 ZMQ submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 11b, 11d, 15a, and 15c, to rezone all or portions of 411 blocks in the Bellerose, Floral Park and Glen Oaks neighborhoods in the Borough of Queens, Community District 13, Council District 23.**

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 12, 2013 (Minutes, page xx), respectfully

**REPORTS:**

**SUBJECT**

**QUEENS CB - 13**

**C 130188 ZMQ**

City Planning Commission decision approving an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 11b, 11d, 15a, and 15c.

**INTENT**

To rezone all or portions of 411 blocks in the Bellerose, Floral Park and Glen Oaks neighborhoods in Queens Community District 13 from R2, R3A, R3-1, R3-2, R4, R4-1 and C8-1 to R1-2A, R2, R2A, R3A, R3X, R3-1, R3-2, R4 and R4-1, and updating of certain commercial overlay districts, which is intended to preserve the established lower-density character of the rezoning area and ensure that future development will more closely reflect the area's existing land use and development patterns in Community District 13.

**PUBLIC HEARING**

**DATE:** June 19, 2013

**Witnesses in Favor:** Four

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** June 19, 2013

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

**In Favor:** Weprin, Reyna, Comrie, Jackson, Garodnick, Lappin, Wills, Ignizio

**Against:** None

**Abstain:** None

**COMMITTEE ACTION**

**DATE:** June 20, 2013

The Committee recommends that the Council approve the attached resolution.

**In Favor:** Comrie, Rivera, Reyna, Barron, Jackson, Vann, Gonzalez, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Wills, Ignizio

**Against:** None

**Abstain:** None

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

Res. No. 1843

**Resolution approving the decision of the City Planning Commission on ULURP No. C 130188 ZMQ, a Zoning Map amendment (L.U. No. 850).**

By Council Members Comrie and Weprin.

**WHEREAS**, the City Planning Commission filed with the Council on May 28, 2013 its decision dated May 22, 2013 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 11b, 11d, 15a and 15c, to rezone all or portions of 411 blocks in the Bellerose, Floral Park and Glen Oaks neighborhoods in Queens Community District 13. The proposed rezoning from R2, R3A, R3-1, R3-2, R4, R4-1 and C8-1 to R1-2A, R2, R2A, R3A, R3X, R3-1, R3-2, R4 and R4-1, and updating of certain commercial overlay districts, is intended to preserve the established lower-density character of the rezoning area and ensure that future development will more closely reflect the area's existing land use and development patterns in Community District 13 (ULURP No. C 130188 ZMQ), Borough of Queens (the "Application");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on June 19, 2013;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 13DCP093Q) issued on February 19, 2013 (the "Negative Declaration") which included (E) designations to be mapped as part of the proposed action to avoid potential air quality, noise and hazardous material impacts ("CEQR Designation E-299");

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration and subject to CEQR Designation E-299.

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 130188 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 11b, 11d, 15a, and 15c;

1. eliminating from an existing R2 District a C1-2 District bounded by:
  - a. a line 150 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 150 feet southeasterly of Hillside Avenue, 249<sup>th</sup> Street, Hillside Avenue, and 253<sup>rd</sup> Street;
  - b. 77<sup>th</sup> Road, a boundary line of the City of New York, a line 80 feet southeasterly of 77<sup>th</sup> Road and its northeasterly prolongation, a line 300 feet northeasterly of 21<sup>st</sup> Street, a line midway between 77<sup>th</sup> Road and Union Turnpike, and 271<sup>st</sup> Street;
  - c. a line perpendicular to the northeasterly street line of 271<sup>st</sup> Street distant 175 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 271<sup>st</sup> Street and the southeasterly street line of Union Turnpike, and Langdale Street; and
  - d. a line perpendicular to the easterly street line of Langdale Street distant 200 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the southeasterly street line of Union Turnpike, a boundary line of the City of New York, a line 240 feet northerly of 78<sup>th</sup> Avenue, and Langdale Street;
2. eliminating from an existing R4 District a C1-2 District bounded by a line 100 feet northeasterly of Braddock Avenue, 239<sup>th</sup> Street, Braddock Avenue, 92<sup>nd</sup> Road, Gettysburg Street, 92<sup>nd</sup> Avenue, 224<sup>th</sup> Street, Braddock Avenue, and Moline Street;
3. eliminating from within an existing R2 District a C2-2 District bounded by:
  - a. a line 150 feet northwesterly of Hillside Avenue, 261<sup>st</sup> Street, a line 150 feet southeasterly of Hillside Avenue, 258<sup>th</sup> Street, Hillside Avenue, a line 100 feet southwesterly of 256<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway; and
  - b. a line 150 feet northwesterly of Hillside Avenue, a boundary line of the City of New York, and 267<sup>th</sup> Street;
4. eliminating from within an existing R3-2 District a C2-2 District bounded by:
  - a. a line 100 feet northwesterly of Jamaica Avenue, 243<sup>rd</sup> Street, Jamaica Avenue, and 240<sup>th</sup> Street; and
  - b. a line 150 feet northwesterly of Union Turnpike, Little Neck Parkway, a line perpendicular to southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between Little Neck Parkway and 252<sup>nd</sup> Street, a line perpendicular to the northeasterly street line of 252<sup>nd</sup> Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252<sup>nd</sup> Street and the northwesterly street line of Union Turnpike, and 252<sup>nd</sup> Street;
5. eliminating from within an existing R4 District a C2-2 District bounded by:
  - a. a line 100 feet northeasterly of Braddock Avenue, a line 100 feet southeasterly of 241<sup>st</sup> Street, Braddock Avenue, and 239<sup>th</sup> Street; and
  - b. a line 150 feet northerly of Jamaica Avenue, 91<sup>st</sup> Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line 100 feet northwesterly of Jamaica Avenue, 249<sup>th</sup> Street, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;
6. changing from an R2 District to an R1-2A District property bounded by:
  - a. 267<sup>th</sup> Street and its northwesterly centerline prolongation, 73<sup>rd</sup> Avenue, the northeasterly prolongation of a southeasterly street line of 260<sup>th</sup> Place, a line 45 degrees to the centerline of 72<sup>nd</sup> Road and passing through the point of intersection of the centerline of 72<sup>nd</sup> Road and the southeasterly centerline prolongation of 266<sup>th</sup> Street,

- 72<sup>nd</sup> Road, the southeasterly street line of 260<sup>th</sup> Place and its northeasterly and southwesterly prolongations, Little Neck Parkway, and Grand Central Parkway; and
- b. a line 100 feet southeasterly of Union Turnpike, 233<sup>rd</sup> Street, Seward Avenue, 235<sup>th</sup> Street, a line 100 feet southeasterly of Seward Avenue, the southeasterly centerline prolongation of 236<sup>th</sup> Street, Winchester Boulevard, a line 100 feet northerly of Hillside Avenue, 232<sup>nd</sup> Street, a line 100 feet northwesterly of Seward Avenue, and a line midway between 232<sup>nd</sup> Street and 233<sup>rd</sup> Street;
7. changing from an R3-2 District to an R1-2A District property bounded by 72<sup>nd</sup> Road, a line 45 degrees to the centerline of 72<sup>nd</sup> Road and passing through the point of intersection of the centerline of 72<sup>nd</sup> Road and the southeasterly centerline prolongation of 266<sup>th</sup> Street, and the northeasterly prolongation of a southeasterly street line of 260<sup>th</sup> Place;
  8. changing from an R4 District to an R2 District property bounded by Braddock Avenue, a line 215 feet northwesterly of 90<sup>th</sup> Avenue and its northeasterly prolongation, and 221<sup>st</sup> Place;
  9. changing from an R2 District to an R2A District property bounded by:
    - a. Stronghurst Avenue, Union Turnpike, Winchester Boulevard, the southeasterly centerline prolongation of 236<sup>th</sup> Street, a line 100 feet southeasterly of Seward Avenue, 235<sup>th</sup> Street, Seward Avenue, 233<sup>rd</sup> Street, a line 100 feet southeasterly of Union Turnpike, a line midway between 233<sup>rd</sup> Street and 232<sup>nd</sup> Street, a line 100 feet northwesterly of Seward Avenue, 232<sup>nd</sup> Street, Seward Avenue, and 229<sup>th</sup> Street; and
    - b. Union Turnpike, 248<sup>th</sup> Street, a line 150 feet southeasterly of Union Turnpike, 249<sup>th</sup> Street, Union Turnpike, 252<sup>nd</sup> Street, 80<sup>th</sup> Avenue, 254<sup>th</sup> Street, Union Turnpike, 263<sup>rd</sup> Street, 76<sup>th</sup> Avenue, a boundary line of the City of New York, 81<sup>st</sup> Avenue, 268<sup>th</sup> Street, 83<sup>rd</sup> Avenue, a boundary line of the City of New York, a line perpendicular the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the northwesterly street line of Hillside Avenue, Langdale Street, a line 100 feet northwesterly of Hillside Avenue, 263<sup>rd</sup> Street, Hillside Avenue, 262<sup>nd</sup> Street, a line 100 feet northwesterly of Hillside Avenue, 255<sup>th</sup> Street, a line 120 feet northwesterly of Hillside Avenue, a line midway between 255<sup>th</sup> Street and Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet northwesterly of Hillside Avenue, 253<sup>rd</sup> Street, Hillside Avenue, 249<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, 260<sup>th</sup> Street, a line 150 feet southeasterly of Hillside Avenue, a line midway between 260<sup>th</sup> Street and 261<sup>st</sup> Street, a line 100 feet southeasterly of Hillside Avenue, 267<sup>th</sup> Street, a boundary line of the City of New York, a line 100 feet northwesterly of Jamaica Avenue, Little Neck Parkway, 87<sup>th</sup> Drive, Commonwealth Boulevard, 87<sup>th</sup> Avenue, the easterly service road of the Cross Island Parkway, Hillside Avenue, the westerly street line of 240<sup>th</sup> Street and its southerly and northerly prolongations, a line 220 feet northwesterly of 83<sup>rd</sup> Avenue, a line 150 feet southwesterly of 242<sup>nd</sup> Street, the southwesterly centerline prolongation of 82<sup>nd</sup> Avenue, a line 170 feet southwesterly of 242<sup>nd</sup> Street, a line 436 feet northwesterly of 82<sup>nd</sup> Avenue and its southwesterly prolongation, a line 90 feet southwesterly of 242<sup>nd</sup> Street and its northeasterly prolongation (at the straight line portion), a line 43 feet southeasterly of Union Turnpike, and the southwesterly service road of the Cross Island Parkway;
  10. changing from an R3A District to an R2A District property bounded by 86<sup>th</sup> Avenue, a line 100 feet westerly of Cross Island Parkway, 86<sup>th</sup> Road, a line 240 feet westerly of Cross Island Parkway, 87<sup>th</sup> Avenue, the easterly service road of Cross Island Parkway, a line 100 feet northeasterly of 88<sup>th</sup> Road, 247<sup>th</sup> Street and its northeasterly centerline prolongation, the northerly street line of 88<sup>th</sup> Avenue and its southeasterly prolongation, Commonwealth Boulevard, 87<sup>th</sup> Drive, Little Neck Parkway, the centerline of the Long Island Rail Road Right-of-Way, 249<sup>th</sup> Street, 88<sup>th</sup> Road, a line midway between 251<sup>st</sup> Street and 250<sup>th</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line midway between 89<sup>th</sup> Avenue and 88<sup>th</sup> Drive, 247<sup>th</sup> Street, 90<sup>th</sup> Avenue, a line 430 feet southeasterly of 247<sup>th</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, 91<sup>st</sup> Avenue, 242<sup>nd</sup> Street, a line 100 feet northerly and northeasterly of Braddock Avenue, a line midway between 239<sup>th</sup> Street and 238<sup>th</sup> Street, 88<sup>th</sup> Avenue, Gettysburg Street, 87<sup>th</sup> Avenue, 239<sup>th</sup> Street, 87<sup>th</sup> Avenue, and a line 100 feet westerly of 241<sup>st</sup> Street;
  11. changing from an R3-1 District to an R2A District property bounded by a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 233<sup>rd</sup> Street and the northwesterly street line of Winchester Boulevard, and a line midway between 233<sup>rd</sup> Street and Winchester Boulevard;
  12. changing from an R3-2 District to an R2A District property bounded by:
    - a. a line 100 feet southwesterly of Hillside Avenue, a line midway between Range Street and Musket Street, 87<sup>th</sup> Avenue, the southerly centerline prolongation of Range Street, 88<sup>th</sup> Avenue, and Winchester Boulevard; and
    - b. 92<sup>nd</sup> Avenue, Gettysburg Street, 92<sup>nd</sup> Road, a line 100 feet northeasterly of Gettysburg Street, a line midway between Davenport Avenue and 92<sup>nd</sup> Road, the southwesterly boundary line of Jack Breininger Park, a line midway between Fairbury Avenue and Edmore Avenue, a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and 93<sup>rd</sup> Avenue, a line 365 feet southwesterly of 240<sup>th</sup> Street, 93<sup>rd</sup> Avenue, a line 100 feet southwesterly of 239<sup>th</sup> Street, 93<sup>rd</sup> Road, a line 100 feet southwesterly of 224<sup>th</sup> Street, Edmore Avenue, 224<sup>th</sup> Street, 92<sup>nd</sup> Road, and a line 100 feet southwesterly of 224<sup>th</sup> Street;
  13. changing from an R4 District to an R2A District property bounded by:
    - a. 87<sup>th</sup> Avenue, a line perpendicular to the northerly street line of 88<sup>th</sup> Avenue distant 665 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 88<sup>th</sup> Avenue and the southeasterly street line of Winchester Boulevard, 88<sup>th</sup> Avenue, and the southerly centerline prolongation of Range Street;
    - b. a line 80 feet northwesterly of 92<sup>nd</sup> Avenue, a line 180 feet northeasterly of 224<sup>th</sup> Street, 92<sup>nd</sup> Avenue, 224<sup>th</sup> Street; and
    - c. 91<sup>st</sup> Avenue, a line 80 feet northwesterly of Jamaica Avenue, 245<sup>th</sup> Street, a line 150 feet northerly of Jamaica Avenue, and Cross Island Parkway; and
  14. changing from an R4-1 District to an R2A District property bounded by:
    - a. a line midway between 88<sup>th</sup> Drive and 89<sup>th</sup> Avenue, a line 100 feet easterly of 247<sup>th</sup> Street, a line midway between 89<sup>th</sup> Avenue and 90<sup>th</sup> Avenue, a line 270 feet easterly of 247<sup>th</sup> Street, 90<sup>th</sup> Avenue, and 247<sup>th</sup> Street; and
    - b. a line midway between 88<sup>th</sup> Drive and 89<sup>th</sup> Avenue, Commonwealth Boulevard, a line midway between 89<sup>th</sup> Avenue and 90<sup>th</sup> Avenue and its easterly prolongation, a line 400 feet easterly of 247<sup>th</sup> Street, 89<sup>th</sup> Avenue, and a line 265 feet easterly of 247<sup>th</sup> Street;
  15. changing from an R3-1 District to an R3A District property bounded by a line 100 feet southerly of Hillside Avenue, a line midway between 233<sup>rd</sup> Street and Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 233<sup>rd</sup> Street and the northwesterly street line of Winchester Boulevard, Winchester Boulevard, 87<sup>th</sup> Avenue, and 231<sup>st</sup> Street;
  16. changing from an R3-2 District to an R3A District property bounded by:
    - a. 231<sup>st</sup> Street, 87<sup>th</sup> Avenue, Winchester Boulevard, a line 100 feet northeasterly of Braddock Avenue, a line 100 feet northwesterly of Billings Street, Braddock Avenue, and a line 185 feet northwesterly of Billings Street and its northeasterly prolongation;
    - b. 90<sup>th</sup> Avenue, Borkel Place, Winchester Boulevard, a line 100 feet southwesterly of Braddock Avenue, 91<sup>st</sup> Avenue, 222<sup>nd</sup> Street, 91<sup>st</sup> Road, 224<sup>th</sup> Street, 92<sup>nd</sup> Avenue, a line 100 feet southwesterly of 224<sup>th</sup> Street, 92<sup>nd</sup> Road, 224<sup>th</sup> Street, Edmore Avenue, a line 100 feet southwesterly of 224<sup>th</sup> Street, Fairbury Avenue, 222<sup>nd</sup> Street, a line midway between 93<sup>rd</sup> Avenue and 93<sup>rd</sup> Road, a line 100 feet southwesterly of 222<sup>nd</sup> Street, Edmore Avenue, Winchester Boulevard, a line 200 feet southeasterly of 92<sup>nd</sup> Avenue, 221<sup>st</sup> Street, a line 100 feet northwesterly of Davenport Avenue, 220<sup>th</sup> Street, 91<sup>st</sup> Road, and 221<sup>st</sup> Place; and



- c. 92<sup>nd</sup> Road, Braddock Avenue, 240<sup>th</sup> Street, a line 100 feet southwesterly of Braddock Avenue, 243<sup>rd</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, 240<sup>th</sup> Street, 93<sup>rd</sup> Road, a line 100 feet southwesterly of 239<sup>th</sup> Street, 93<sup>rd</sup> Avenue, a line 365 feet southwesterly of 239<sup>th</sup> Street, a line midway between Fairbury Avenue and 93<sup>rd</sup> Avenue, a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and Edmore Avenue, the southwesterly boundary line of Jack Breininger Park, a line midway between 92<sup>nd</sup> Road and Davenport Avenue, and a line 100 feet northeasterly of Gettysburg Street;
17. changing from an R4 District to an R3A District property bounded by:
- a. a line 100 feet northeasterly of Braddock Avenue, Ashford Street, Braddock Avenue, and a line 100 feet northwesterly of Billings Street;
- b. 88<sup>th</sup> Avenue, 235<sup>th</sup> Court, 88<sup>th</sup> Avenue, Noline Street, the northwesterly centerline prolongation of 89<sup>th</sup> Avenue, and a line midway between Pontiac Street and Noline Street; and
- c. Gettysburg Street, a line 100 feet northeasterly of Braddock Avenue, and a line perpendicular to the northwesterly street line of 237<sup>th</sup> Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237<sup>th</sup> Street and the northeasterly street line of Braddock Avenue;
18. changing from an R3-2 District to R3X District property bounded by:
- a. Hillside Avenue, 235<sup>th</sup> Court, 87<sup>th</sup> Avenue, and a line midway between Musket Street and Range Street;
- b. 88<sup>th</sup> Avenue, Ransom Street, a line 100 feet northeasterly of Braddock Avenue, and Winchester Boulevard;
- c. 91<sup>st</sup> Street, 220<sup>th</sup> Street, a line 100 feet northwesterly of Davenport Avenue, and 221<sup>st</sup> Street, a line 200 feet southeasterly of 92<sup>nd</sup> Avenue, Winchester Boulevard, Edmore Avenue, a line 100 feet southwesterly of 222<sup>nd</sup> Street, a line midway between 93<sup>rd</sup> Road and 93<sup>rd</sup> Avenue, 222<sup>nd</sup> Street, Fairbury Avenue, a line 100 feet southwesterly of 224<sup>th</sup> Street, 93<sup>rd</sup> Road, 220<sup>th</sup> Street, 93<sup>rd</sup> Avenue, and Springfield Boulevard;
- d. a line 125 feet northwesterly of Elkmont Avenue, a line midway between 250<sup>th</sup> Street and 251<sup>st</sup> Street and its northwesterly prolongation, Shiloh Avenue, and 249<sup>th</sup> Street and its northwesterly centerline prolongation; and
- e. a line 125 feet northwesterly of Elkmont Avenue, Little Neck Parkway, a line perpendicular to the southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between Little Neck Parkway and 252<sup>nd</sup> Street, a line perpendicular to the northeasterly street line of 252<sup>nd</sup> Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252<sup>nd</sup> Street and the northwesterly street line of Union Turnpike, 252<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of 252<sup>nd</sup> Street distant 50 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 252<sup>nd</sup> Street and the northwesterly street line of Union Turnpike, and a line midway between 251<sup>st</sup> Street and 252<sup>nd</sup> Street and its northwesterly prolongation;
19. changing from an R3-2 District to an R3-1 District property bounded by a line 125 feet northwesterly of Elkmont Avenue, a line midway between 251<sup>st</sup> Street and 252<sup>nd</sup> Street and its northwesterly prolongation, Union Turnpike, 249<sup>th</sup> Street, Shiloh Avenue, and a line midway between 250<sup>th</sup> Street and 251<sup>st</sup> Street and its northwesterly prolongation;
20. changing from an R2 District to an R3-2 District property bounded by:
- a. a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, Hillside Avenue, and 232<sup>nd</sup> Street;
- b. Hillside Avenue, 253<sup>rd</sup> Street, a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255<sup>th</sup> Street, a line 120 feet northwesterly of Hillside Avenue, 255<sup>th</sup> Street, Hillside Avenue, 263<sup>rd</sup> Street, a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, 267<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260<sup>th</sup> Street and 261<sup>st</sup> Street, a line 150 feet southeasterly of Hillside Avenue, 260<sup>th</sup> Street, and a line 100 feet southeasterly of Hillside Avenue, and 249<sup>th</sup> Street; and
- c. 81<sup>st</sup> Avenue, a boundary line of the City of New York, 83<sup>rd</sup> Avenue, and 268<sup>th</sup> Street;
21. changing from an R3-1 District to an R3-2 District property bounded by Hillside Avenue, Winchester Boulevard, a line 100 feet southerly and southeasterly of Hillside Avenue, and 231<sup>st</sup> Street;
22. changing from an R3A District to an R4-1 District property bounded by 90<sup>th</sup> Avenue, a line 100 feet northwesterly of Jamaica Avenue, and a line 430 feet easterly of 247<sup>th</sup> Street;
23. changing from an R4 District to an R4-1 District property bounded by a line 540 feet northeasterly of Braddock Avenue, Pontiac Street, Braddock Avenue, and Ransom Street;
24. changing from a C8-1 District to an R4 District property bounded by a line 100 feet northerly of Jamaica Avenue, 251<sup>st</sup> Street and its southerly centerline prolongation, a boundary line of the City of New York, and 249<sup>th</sup> Street and its southerly centerline prolongation;
25. establishing within a proposed R3-2 District a C2-3 District bounded by a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255<sup>th</sup> Street, a line 120 feet northwesterly of Hillside Avenue, 255<sup>th</sup> Street, Hillside Avenue, a line 100 feet southwesterly of 256<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway;
26. establishing within an existing and proposed R4 District a C2-3 District bounded by a line 100 feet northwesterly of Jamaica Avenue, 251<sup>st</sup> Street, Jamaica Avenue, and Commonwealth Boulevard;
27. establishing within an existing R3A District a C1-3 District bounded by Hillside Avenue, a line 140 feet easterly of 241<sup>st</sup> Street, 85<sup>th</sup> Avenue, and 241<sup>st</sup> Street;
28. establishing within existing and proposed R3-2 Districts a C1-3 District bounded by:
- a. a line 100 feet northwesterly of Hillside Avenue, 234<sup>th</sup> Street and its southeasterly centerline prolongation, a line 100 feet southeasterly of Hillside Avenue, a line midway between 233<sup>rd</sup> Street and Winchester Boulevard, Hillside Avenue, and a line midway between 233<sup>rd</sup> Street and 234<sup>th</sup> Street;
- b. Hillside Avenue, a line midway between Range Street and Musket Street, a line 100 feet southwesterly of Hillside Avenue, and Musket Street;
- c. a line 100 feet northwesterly of Jamaica Avenue, a line midway between 242<sup>nd</sup> Street and 241<sup>st</sup> Street, Jamaica Avenue, and 240<sup>th</sup> Street;
- d. a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet southeasterly of Hillside Avenue, 249<sup>th</sup> Street, Hillside Avenue, and 253<sup>rd</sup> Street;
- e. a line 100 feet northwesterly of Hillside Avenue, 261<sup>st</sup> Street, Hillside Avenue, 264<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260<sup>th</sup> Street and 261<sup>st</sup> Street, a line 150 feet southeasterly of Hillside Avenue, 260<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, 258<sup>th</sup> Street, Hillside Avenue, and 255<sup>th</sup> Street;
- f. a line 100 feet northwesterly of Hillside Avenue, 266<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, and 265<sup>th</sup> Street; and
- g. a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to easterly street line of Langdale Street distant

285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, a line perpendicular to the southeasterly street line of East Williston Avenue distant 110 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of East Williston Avenue and the southwesterly street line of 268<sup>th</sup> Street, East Williston Avenue, and 267<sup>th</sup> Street; and

29. establishing within an existing R4 District a C1-3 District bounded by:

- a. a line 100 feet northeasterly of Braddock Avenue, Winchester Boulevard, Braddock Avenue, and a line midway between Ashford Street and Winchester Boulevard;
- b. Braddock Avenue, 222<sup>nd</sup> Street, 91<sup>st</sup> Avenue, a line 100 feet southwesterly of Braddock Avenue, and Winchester Boulevard;
- c. a line 100 feet northeasterly of Braddock Avenue, Gettysburg Street, a line perpendicular to the northwesterly street line of 237<sup>th</sup> Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237<sup>th</sup> Street and the northeasterly street line of Braddock Avenue, 237<sup>th</sup> Street, Braddock Avenue, a line midway between 237<sup>th</sup> Street and 238<sup>th</sup> Street, a line 100 feet northeasterly of Braddock Avenue, 238<sup>th</sup> Street, Braddock Avenue, 92<sup>nd</sup> Road, Gettysburg Street, 92<sup>nd</sup> Avenue, a line 180 feet northeasterly of 224<sup>th</sup> Street, a line 80 feet northwesterly of 92<sup>nd</sup> Avenue, 224<sup>th</sup> Street, Braddock Avenue, and Lyman Street;
- d. a line 100 feet northeasterly of Braddock Avenue, 239<sup>th</sup> Street, Braddock Avenue, and a line 50 feet southeasterly of 238<sup>th</sup> Street;
- e. a line 100 feet northeasterly of Braddock Avenue, 240<sup>th</sup> Street, Braddock Avenue, and a line midway between 239<sup>th</sup> Street and 240<sup>th</sup> Street;
- f. a line 100 feet northeasterly of Braddock Avenue, 241<sup>st</sup> Street, Braddock Avenue, and a line midway between 241<sup>st</sup> Street and 240<sup>th</sup> Street;
- g. a line 100 feet northerly of Braddock Avenue, 242<sup>nd</sup> Street, 91<sup>st</sup> Avenue, a line 100 feet easterly of 242<sup>nd</sup> Street, Braddock Avenue, and a line midway between 242<sup>nd</sup> Street and 241<sup>st</sup> Street; and
- h. a line 150 feet northerly of Braddock Avenue, 245<sup>th</sup> Street, a line 80 feet northwesterly of Jamaica Avenue, 91<sup>st</sup> Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;

as shown in a diagram (for illustrative purposes only) dated February 19, 2013, modified by the City Planning Commission on May 22, 2013, and subject to the conditions of CEQR Declaration E-299, Community District 13, Borough of Queens.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, June 20, 2013.

On motion of the Speaker (Council Member Quinn), 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. 851

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application No. 20135759 PNM, pursuant to § 1301(2)(f) of the New York City Charter concerning the proposed maritime lease agreement between the City of New York Department of Small Business Services, as landlord, and Hornblower, New York, LLC, as tenant, for certain City-owned berth areas and other improvements located on Pier 15 (Block 73, part of Lot 2), Borough of Manhattan, Community Board 1, Council District 1.**

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on June 12, 2013 (Minutes, page xx), respectfully

#### REPORTS:

#### SUBJECT

#### MANHATTAN CB - 1

20135759 PNM

Application pursuant to §1301 (2)(f) of the New York City Charter concerning the proposed maritime lease agreement between the City of New York Department of Small Business Services, as landlord, and Hornblower, New York, LLC, as tenant, for certain City-owned berth areas and other improvements located along the East River Waterfront Esplanade on Pier 15 (Block 73, part of Lot 2), in Manhattan, Council District 1. (M. 1161)

By letter dated June 14, 2013, and submitted to the City Council on June 14, 2013 (M. 1166), the Office of the Mayor withdrew its submission to be re-submitted at a later date.

#### COMMITTEE ACTION

**DATE:** June 20, 2013

Pursuant to Council Rule 11.10(e), the Chair of the Land Use Committee called-up L.U. No. 851 (M. 1161) for consideration of a motion to file pursuant to a letter of withdrawal (M. 1166). The Committee recommends that the Council approve the attached resolution.

**In Favor:** Comrie, Rivera, Reyna, Barron, Jackson, Vann, Gonzalez, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Wills, Ignizio

**Against:** None

**Abstain:** None

In connection herewith, Council Members Comrie and Lander offered the following resolution:

Res. No. 1844

**Resolution approving motion to file pursuant to withdrawal of a Maritime Lease Agreement for certain City-owned berth areas and other improvements located along the East River Waterfront Esplanade on Pier 15 (Block 73, part of Lot 2), Borough of Manhattan (20135759 PNM; L.U. No. 851).**

By Council Members Comrie and Lander.

**WHEREAS**, The City of New York Department of Small Business Services filed with the Council on June 5, 2013 (M. 1161), pursuant to Sections 1301(2)(f) of the New York City Charter, a proposed maritime lease agreement between the City of New York Department of Small Business Services, as landlord, and Hornblower New York, LLC, as tenant, for certain City-owned berth areas and other improvements located along the East River Waterfront Esplanade on Pier 15 (Block 73, part of Lot 2), in Manhattan, Council District 1 (the "Lease"), upon terms and conditions set forth in the lease (the "Lease Agreement"), Community District 1, Borough of Manhattan;

**WHEREAS**, the proposed Maritime Lease Agreement is subject to review and action by the Council pursuant to Section 1301(2)(f) of the New York City Charter;

**WHEREAS**, by letter dated June 14, 2013, and submitted to the City Council on June 14, 2013 (M. 1166), the Office of the Mayor withdrew its submission, which will be submitted at a later date.

#### **RESOLVED:**

The Council approves the motion to file pursuant to withdrawal in accord with Rules 6.40a and 11.80 of the Rules of the Council.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, STEPHEN T. LEVIN, MARK S. WEPRIN, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, June 20, 2013.

Coupled to be Filed Pursuant to a Letter of Withdrawal.

## GENERAL ORDER CALENDAR

## Resolution approving various persons Commissioners of Deeds

## By the Presiding Officer –

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

*Approved New Applicant's Report*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Samantha Rodriguez	1990 Lexington Avenue #5J New York, N.Y. 10035	8
Tracey Johnson	2415 Valentine Avenue 141N Bronx, N.Y. 10458	15
Elda Yvette Martinez	510 East 156 <sup>th</sup> Street #13A Bronx, N.Y. 10455	17
Glyger Glenroy Beach	1720 Ditmas Avenue Brooklyn, N.Y. 11226	40
Alexandru Brinzila	2932 West 5 <sup>th</sup> Street #21H Brooklyn, N.Y. 11224	47
Katherine LaFata	244 Purdy Avenue Staten Island, N.Y. 10314	50
Julia Litvina	407 Father Capodanno Blvd Staten Island, N.Y. 10305	50
Kristen Gugliara	276 Swinnerton Street Staten Island, N.Y. 10307	51
Veronica Morawek	27 Chesterton Avenue Staten Island, N.Y. 10306	51

*Approved New Applicants and Reapplicants*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Michael Aragon	80 North Moore Street #28J New York, N.Y. 10013	1
Anna Marie Borelli	100 Pitt Street #8D New York, N.Y. 10002	1
Yvette Pagan	82 Rutgers Slip #21D New York, N.Y. 10002	1
Michael J. McFadden	630 Amsterdam Avenue New York, N.Y. 10024	6
Lesbia Guzman	4395 Broadway #1C New York, N.Y. 10040	7
Lavada R. Becoate	1900 Lexington Avenue #15E New York, N.Y. 10035	8
Denise Dees	150 Columbus Avenue #4V New York, N.Y. 10025	8
Vanessa Huntley	865 Columbus Avenue #16C New York, N.Y. 10025	8
Janie Nesbett	2333 5 <sup>th</sup> Avenue #3DD New York, N.Y. 10037	8
Andrea Sargent	58 East 117 <sup>th</sup> Street #4C New York, N.Y. 10035	8
Barbara Dantzler Julius	130 West 121 <sup>st</sup> Street New York, N.Y. 10027	9
Sharon D. Lewis	720 Lenox Avenue #13L New York, N.Y. 10039	9
Sylvia Maury-Rosa	137 West 110 <sup>th</sup> Street #1E New York, N.Y. 10026	9
Veronica Davis	150 West 225 <sup>th</sup> Street #20H Bronx (NY), N.Y. 10463	10
Tavorys W. Mazara	4648 Broadway #51 New York, N.Y. 10040	10
Jeanette Lopez-Lorenzi	2954 Decatur Avenue #2 Bronx, N.Y. 10458	11

Marcia E. McGann	4752 Barnes Avenue #1 Bronx, N.Y. 10470	11
Amarilis Ruiz	130 Gale Place #2C Bronx, N.Y. 10463	11
Monica T. Francis	3916 Murdock Avenue Bronx, N.Y. 10466	12
Kenneth Roman	3739 Barnes Avenue Bronx, N.Y. 10467	12
Patricia Wilson	120 Casals Place #16 Bronx, N.Y. 10475	12
Stephanie Colborne	164 Kearney Avenue Bronx, N.Y. 10465	13
Milagros Escabi	1732 St. Peters Avenue Bronx, N.Y. 10461	13
Migdalia Rosas	1730-1740 Mulford Avenue #16F Bronx, N.Y. 10461	13
Sylvia Burnett	480 East 188 <sup>th</sup> Street #6L Bronx, N.Y. 10458	15
Akisha S. Chambers	2155 Daly Avenue #2B Bronx, N.Y. 10460	15
Frances Benjamin	1181 Tinton Avenue Bronx, N.Y. 10456	16
Madelyn Ramos	500 East 171 <sup>st</sup> Street #9E Bronx, N.Y. 10457	16
Ronetta Gadsden	875-3 Boynton Avenue Bronx, N.Y. 10473	17
Isabella Gadson	825 Boynton Avenue #81 Bronx, N.Y. 10473	17
Nicholas Otero	706 Brook Avenue #6B Bronx, N.Y. 10455	17
Daisy Velez	3000 Park Avenue #6F Bronx, N.Y. 10451	17
Thomas Dillulio	1629 Radcliff Avenue Bronx, N.Y. 10462	18
Onajite Edah	336 Beach Avenue Bronx, N.Y. 10462	18
Betty Gonzalez	2215 Gleason Avenue Bronx, N.Y. 10462	18
Avonelle Greene	233 Admiral Lane Bronx, N.Y. 10473	18
Jo-Anne D. Muhammad	1526 Beach Avenue #20 Bronx, N.Y. 10460	18
Deidra Mellis	3-05 149 <sup>th</sup> Place Whitestone, N.Y. 11357	19
Beverly Parris	202-31 45 <sup>th</sup> Road Bayside, N.Y. 11361	19
Vanessa Bravo	42-52 Union Street Queens, N.Y. 11355	20
Andrew Hallerman	60-25 251 <sup>st</sup> Street Queens, N.Y. 11362	23
Michelle Brown	89-15 Parsons Blvd #12M Queens, N.Y. 11432	24
Mara Ferizi	67-14 Parsons Blvd #3D Queens, N.Y. 11365	24
Carol Quintero-Gjelaj	67-52 182 <sup>nd</sup> Street Queens, N.Y. 11365	24
Elizabeth Vazquez-Taveras	141-72 85 <sup>th</sup> Road #6C Briarwood, N.Y. 11435	24
Virgilia Diaz	34-32 92 <sup>nd</sup> Street Jackson Heights, N.Y. 11372	25
Lisa Darby	12-21 35 <sup>th</sup> Avenue #4D Astoria, N.Y. 11103	26
Dominic Joseph Schino	12-15 36 <sup>th</sup> Avenue #4E Queens, N.Y. 11106	26
Beverly G. Perkins	104-28 196 <sup>th</sup> Street St. Albans, N.Y. 11412	27
Bonnie Renee Briggman-Robinson	107-50 129 <sup>th</sup> Street Queens, N.Y. 11419	28
Thakoordai Persaud	107-12 123 <sup>rd</sup> Street Queens, N.Y. 11419	28
William Rogers	119-40 Union Turnpike #2B Queens, N.Y. 11415	29
Valerie M. Sheafe	118-82 Metropolitan Avenue #5E	29



Sergey Shimon	Kew Gardens, N.Y. 11415 110-24 69 <sup>th</sup> Avenue	29
Constance J. Davis	Forest Hills, N.Y. 11375 66-60 80 <sup>th</sup> Street	30
Hua Looney	Middle Village, N.Y. 11379 60-58 Putnam Avenue	30
Maria A. Montalvo	Queens, N.Y. 11385 62-21 69 <sup>th</sup> Place	30
Ernestine S. Alford	Queens, N.Y. 11379 330 Beach 37 <sup>th</sup> Street #14	31
Charlesetta Brunson	Far Rockaway, N.Y. 11691 69-15 Elizabeth Avenue	31
Melvin R. Johnson	Queens, N.Y. 11692 130-16 236 <sup>th</sup> Street	31
Felix Milan Jr.	Queens, N.Y. 11422 147-21 Weller Lane	31
Claudia Myrie	Rosedale, N.Y. 11422 217-18 134 <sup>th</sup> Road	31
Jannie L. Poullard	Queens, N.Y. 11413 131-28 233 <sup>rd</sup> Street	31
Leah Ife	Queens, N.Y. 11422 488 State Street	33
Frank Amato	Brooklyn, N.Y. 11217 225 Seigel Street	34
Valerie Butler	Brooklyn, N.Y. 11206 67 Manhattan Avenue #22T	34
Miuset Castillo	Brooklyn, N.Y. 11206 1091 Gates Avenue #20	34
Mark Rahmings	Brooklyn, N.Y. 11206 48 Stanhope Street	34
Sonia M. Fernandez	Brooklyn, N.Y. 11221 481 Crown Street #A9	35
Delia M. Hunley-Adossa	Brooklyn, N.Y. 11225 170 South Portland Avenue #213	35
Karen Campbell	Brooklyn, N.Y. 11217 260 Gates Avenue #2D	36
Yvette Davis	Brooklyn, N.Y. 11238 910 Park Place #3C	36
Molly Golden	Brooklyn, N.Y. 11216 14 Stuyvesant Avenue	36
Sherell Nathaniel	Brooklyn, N.Y. 11221 390 Kosciuszko Street	36
Barbara Friendman	Brooklyn, N.Y. 11221 77 Ridgewood Avenue	37
Elizabeth Russell	Brooklyn, N.Y. 11208 240 New Jersey Avenue #E	37
Rosaura Almonte	Brooklyn, N.Y. 11207 452 53 <sup>rd</sup> Street	38
Norma Hernandez	Brooklyn, N.Y. 11220 714 60 <sup>th</sup> Street #3R	38
Carrie Goodine	Brooklyn, N.Y. 11220 2015 Union Street	41
Francis A. DeCoteau	Brooklyn, N.Y. 11232 705 Shephard Avenue	42
Perla Beckford Lem	Brooklyn, N.Y. 11208 735 Lincoln Avenue	42
Johnnymae McCrae	Brooklyn, N.Y. 11208 695 Alabama Avenue	42
Michele M. Trizzino	Brooklyn, N.Y. 11207 7011 15 <sup>th</sup> Avenue	43
Roxann Vitelli Martorano	Brooklyn, N.Y. 11228 1164 76 <sup>th</sup> Street	43
Peter K. Chan	Brooklyn, N.Y. 11228 2142 76 <sup>th</sup> Street #1	44
Adam Scott Roth	Brooklyn, N.Y. 11214 7705 Bay Parkway #3G	44
Hughes J. William	Brooklyn, N.Y. 11210 1310 East 37 <sup>th</sup> Street	45
Nicole Ryan	Brooklyn, N.Y. 11210 1576 East 98 <sup>th</sup> Street	46
Robert Derossi II	Brooklyn, N.Y. 11236 1730 Stillwell Avenue	47

Beverly A. Smith	2681 West 2 <sup>nd</sup> Street #4K Brooklyn, N.Y. 1123	47
Wondra R. Trower	2675 West 36 <sup>th</sup> Street #13C Brooklyn, N.Y. 11224	47
Alla Veynblat	2662 West 2 <sup>nd</sup> Street #5A Brooklyn, N.Y. 11223	47
Tatiana Kreneva	1773 East 12 <sup>th</sup> Street #4G Brooklyn, N.Y. 11229	48
Irwin Shanberg	1877 East 19 <sup>th</sup> Street Brooklyn, N.Y. 11229	48
Patricia Colavito	2701 Goethales Road North #E5 Staten Island, N.Y. 10303	49
Maritza Collazo-Velez	11 Continental Place Staten Island, N.Y. 10303	49
Michelle Levine	1324 Forest Avenue #445 Staten Island, N.Y. 10302	49
Grace A. Newman	254 Rice Avenue Staten Island, N.Y. 10314	49
Albana Bollati	48 MacFarland Avenue #1 Staten Island, N.Y. 10305	50
Timothy J. McCauley	135 Cedar Grove Court Staten Island, N.Y. 10306	50
Lucia Cordova-Martinez	245 Colon Avenue Staten Island, N.Y. 10308	51
Michele M. Martin	423 Everton Avenue Staten Island, N.Y. 10308	51
John Spano	362 Ilyssa Way Staten Island, N.Y. 10312	51
Yolanda Tucker	106 Bennett Place Staten Island, N.Y. 10312	51

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

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

- (1) **Int 1048-A -** In relation to the price of items sold at newsstands.
- (2) **L.U. 850 & Res 1843 -** App. C **130188 ZMQ**, amendment of the Zoning Map, Section Nos. 11b, 11d, 15a, and 15c, to rezone all or portions of 411 blocks in the Bellerose, Floral Park and Glen Oaks neighborhoods in the Borough of Queens, Community District 13, Council District 23.
- (3) **L.U. 851 & Res 1844 -** App. **20135759 PNM**, proposed maritime lease agreement between the City of New York Department of Small Business Services, as landlord, and Hornblower, New York, LLC, as tenant, for certain City-owned berth areas and other improvements located on Pier 15 (Block 73, part of Lot 2), Borough of Manhattan, Community Board 1, Council District 1 (**Coupled to be Filed pursuant to a Letter of Withdrawal**).
- (4) **Resolution approving various persons Commissioners of Deeds.**

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

**Affirmative** – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mendez, Nelson, Palma, Recchia, Reyna, Richards, Rodriguez, Rose, Ulrich, Vacca, Vallone, Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **49**.

The General Order vote recorded for this Stated Meeting for all of the General Order items was 49-0-0 as shown above.

The following Introduction was sent to the Mayor for his consideration and approval: Int No. 1048-A.

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

#### RESOLUTIONS

*Presented for voice-vote*

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

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

Report for voice-vote Res. No. 1834

**Report of the Committee on Higher Education in favor of approving and adopting a Resolution calling upon Congress to pass and the President to sign S.897/H.R.1979, the Bank on Students Loan Fairness Act, which would reduce the interest rate of federal subsidized Stafford student loans for one year from the current 3.4% to 0.75%.**

The Committee on Higher Education, to which the annexed resolution was referred on June 24, 2013, respectfully

#### REPORTS:

##### BACKGROUND

On Monday, June 24, 2013, the Committee on Higher Education will hold a hearing on two preconsidered resolutions calling on Congress to pass and the President to sign legislation related to federal student loan interest rates. A significant number of undergraduate students have little choice but to take out loans in order to attain a college degree and to stay competitive in a tight job market. Research indicates that many borrowers are struggling or unable to meet their financial obligations, some even before they complete their degrees.<sup>19</sup> These borrowers are confronted with a myriad of challenges to repay their loans in a slowly-recovering economy. If Congress takes no action, on July 1, 2013, interest rates on all new subsidized Federal Stafford Loans will double from the current rate of 3.4 percent to 6.8 percent. Nationally, the amount of outstanding student loan debt has surpassed \$1 trillion dollars, with \$864 billion attributed to federal government loans and \$150 billion to private loans.<sup>20</sup>

To help reduce student loan debt, in 2007, Congress passed the College Cost Reduction and Access Act ("CCRAA") which set lower interest rates on subsidized Federal Stafford Loans made to undergraduate students from July 1, 2008 through June 30, 2012. Under the CCRAA, the interest rates on subsidized Stafford Loans decreased each year from 6 percent in 2008-09, to 5.6 percent in 2009-10, to 4.5 percent in 2010-11, to finally 3.4 percent in 2011-12. The interest rate was scheduled to increase to 6.8% on July 1, 2012, however in 2012, the Moving Ahead for Progress in the 21st Century Act extended the fixed interest rate of 3.4 percent for one year on subsidized Stafford Loans made between July 1, 2012 and June 30, 2013. Under the current law, all new subsidized Stafford Loans made on or after July 1, 2013 will have a fixed interest rate of 6.8 percent. Congress must now decide on whether to allow the 6.8 percent interest rate take to effect July 1, 2013, or to enact legislation that would establish a different interest rate.

As a long-term solution, Preconsidered Res. No. 1834 calls upon Congress to pass and the President to sign S.1066, the Federal Student Loan Refinancing Act by Senator Gillibrand, which would allow borrowers to refinance their federal student loans at a fixed rate of 4 percent for the life of the loans.

As a short-term solution, Preconsidered Res. No. 1834 calls upon Congress to pass and the President to sign S.897/H.R.1979, the Bank on Students Loan Fairness Act, which would reduce the interest rate of subsidized Stafford Student Loans for one year from the current 3.4 percent to 0.75 percent. As students struggle to pay for their college education, banks are allowed to borrow money from the Federal Reserve at a discount rate known as the "primary credit rate"<sup>21</sup> which is currently set at 0.75 percent.<sup>22</sup> Preconsidered Res. No. 1834 would prevent the

for the Lower Ma\_\_\_\_\_

<sup>19</sup> *Id.* at 29.

<sup>20</sup> Catherine Rampell, "Report Details Woes of Student Debt," *N.Y. Times*, at B7, July 7, 2012.

<sup>21</sup> See <http://www.federalreserve.gov/monetarypolicy/discountrate.htm>

<sup>22</sup> See <http://www.federalreserve.gov/newsevents/press/monetary/monetary20130528a1.pdf>

impending interest rate hike for one year by setting the rate for subsidized Federal Stafford Loans at the same level of 0.75 percent offered to banks through the Federal Reserve discount window.

*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).**

YDANIS A. RODRIGUEZ, Chairperson; JAMES VACCA, FERNANDO CABRERA, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, ANDY KING; Committee on Higher Education, June 24, 2013

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

Adopted unanimously by the Council by voice-vote.

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

Report for voice-vote Res. No. 1840

**Report of the Committee on Higher Education in favor of approving a Resolution calling upon Congress to pass and the President to sign S.1066, the Federal Student Loan Refinancing Act by Senator Gillibrand, which would help reduce student debt.**

The Committee on Higher Education, to which the annexed resolution was referred on June 24, 2013, respectfully

#### REPORTS:

##### BACKGROUND

On Monday, June 24, 2013, the Committee on Higher Education will hold a hearing on two preconsidered resolutions calling on Congress to pass and the President to sign legislation related to federal student loan interest rates. A significant number of undergraduate students have little choice but to take out loans in order to attain a college degree and to stay competitive in a tight job market. Research indicates that many borrowers are struggling or unable to meet their financial obligations, some even before they complete their degrees.<sup>23</sup> These borrowers are confronted with a myriad of challenges to repay their loans in a slowly-recovering economy. If Congress takes no action, on July 1, 2013, interest rates on all new subsidized Federal Stafford Loans will double from the current rate of 3.4 percent to 6.8 percent. Nationally, the amount of outstanding student loan debt has surpassed \$1 trillion dollars, with \$864 billion attributed to federal government loans and \$150 billion to private loans.<sup>24</sup>

To help reduce student loan debt, in 2007, Congress passed the College Cost Reduction and Access Act ("CCRAA") which set lower interest rates on subsidized Federal Stafford Loans made to undergraduate students from July 1, 2008 through June 30, 2012. Under the CCRAA, the interest rates on subsidized Stafford Loans decreased each year from 6 percent in 2008-09, to 5.6 percent in 2009-10, to 4.5 percent in 2010-11, to finally 3.4 percent in 2011-12. The interest rate was scheduled to increase to 6.8% on July 1, 2012, however in 2012, the Moving Ahead for Progress in the 21st Century Act extended the fixed interest rate of 3.4 percent for one year on subsidized Stafford Loans made between July 1, 2012 and June 30, 2013. Under the current law, all new subsidized Stafford Loans made on or after July 1, 2013 will have a fixed interest rate of 6.8 percent. Congress must now decide on whether to allow the 6.8 percent interest rate take to effect July 1, 2013, or to enact legislation that would establish a different interest rate.

As a long-term solution, Preconsidered Res. No. 1840 calls upon Congress to pass and the President to sign S.1066, the Federal Student Loan Refinancing Act by Senator Gillibrand, which would allow borrowers to refinance their federal student loans at a fixed rate of 4 percent for the life of the loans.

As a short-term solution, Preconsidered Res. No. 1840 calls upon Congress to pass and the President to sign S.897/H.R.1979, the Bank on Students Loan Fairness Act, which would reduce the interest rate of subsidized Stafford Student Loans for one year from the current 3.4 percent to 0.75 percent. As students struggle to pay for their college education, banks are allowed to borrow money from the Federal Reserve at a discount rate known as the "primary credit rate"<sup>25</sup> which is

for the Lower Ma\_\_\_\_\_

<sup>23</sup> *Id.* at 29.

<sup>24</sup> Catherine Rampell, "Report Details Woes of Student Debt," *N.Y. Times*, at B7, July 7, 2012.

<sup>25</sup> See <http://www.federalreserve.gov/monetarypolicy/discountrate.htm>

currently set at 0.75 percent.<sup>26</sup> Preconsidered Res. No. 1840 would prevent the impending interest rate hike for one year by setting the rate for subsidized Federal Stafford Loans at the same level of 0.75 percent offered to banks through the Federal Reserve discount window.

*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).**

YDANIS A. RODRIGUEZ, Chairperson; JAMES VACCA, FERNANDO CABRERA, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, ANDY KING; Committee on Higher Education, June 24, 2013

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

Adopted unanimously by the Council by voice-vote.

### INTRODUCTION AND READING OF BILLS

Res. No. 1833

**Resolution authorizing the Speaker to intervene, file an amicus brief, or join an amicus brief on behalf of the Council of the City of New York in the litigation captioned *Pelegrin v. New York City Human Resources Administration*, for the purpose of defending provisions of the New York City Charter that require city agencies to provide public notice and the opportunity for public comment on proposed new rules and rule changes before adoption.**

By The Speaker (Council Member Quinn) and Council Members Palma, Dromm, Brewer, Jackson, Chin, Comrie, Ferreras, Fidler, James, Koo, Koslowitz, Lander, Mark-Viverito, Mendez, Richards, Rose, Van Bramer and Halloran.

**Whereas**, The City Administrative Procedure Act (“CAPA”), Chapter 45 of the New York City Charter (§§1041-1047), sets forth the process that every New York City agency must follow to adopt a rule; and

**Whereas**, Charter §1041 defines a rule as “the whole or part of any statement or communication of general applicability that (i) implements or applies law or policy, or (ii) prescribes the procedural requirements of an agency”; and

**Whereas**, CAPA requires city agencies to, among other things, (a) publish the full text of a proposed rule in the City Record at least thirty days prior to the date set for a public hearing or the final date for receipt of written comments; (b) electronically transmit a proposed rule to the Office of the Speaker of the Council, the Council’s Office of Legislative Documents, each Council Member, the chairs of all community boards, the news media, and civic organizations; and (c) provide the public with the opportunity to comment on the proposed rule; and

**Whereas**, The New York City Human Resources Administration / Department of Social Services (“HRA”) is a city agency as defined by CAPA; and

**Whereas**, On March 27, 2013, Gilma Pelegrin, on her own behalf and on behalf of all others similarly situated, filed a verified petition (“the Petition”) pursuant to Article 78 of the Civil Practice Law and Rules, against HRA and Robert Doar, Commissioner for HRA; and

**Whereas**, The proceeding is currently pending in New York Supreme Court, New York County; and

**Whereas**, The Petition alleges that in 2012 HRA “instituted a policy pursuant to which HRA will demand payment of public assistance benefits from sponsors of legal immigrants (the ‘Sponsor Liability Policy’); and

**Whereas**, The Petition alleges that the Sponsor Liability Policy will impact thousands of people in the New York City region; and

**Whereas**, The Petition alleges that “the failure of HRA to place its procedures on the public record has left Ms. Pelegrin and other sponsors ... with no way to ascertain the applicable rules and exemption to which they are subject”; and

**Whereas**, The Petition alleges that “HRA has disseminated misinformation to Ms. Pelegrin and others and has contradicted its own rules with no way for the targeted sponsors to hold them accountable”; and

**Whereas**, The Petition seeks to have The Sponsor Liability Policy annulled and declared invalid because it is a rule that was not adopted pursuant to CAPA; and

**Whereas**, In response to the Petition, HRA argues that it was not required to follow the rulemaking procedures set forth in the Charter because “Social Services Law § 20(3)(a) preempts the CAPA process under the doctrine of state conflict preemption;” and

**Whereas**, The Council does not agree that Social Services Law § 20(3)(a) preempts the CAPA process; and

for the Lower Ma\_\_\_\_\_

<sup>26</sup> See <http://www.federalreserve.gov/newsevents/press/monetary/monetary20130528a1.pdf>

**Whereas**, HRA’s failure to follow CAPA’s rulemaking procedures deprives the Council and the People of the City of New York of critical procedural safeguards set forth in the Charter and adopted by referendum; now, therefore, be it

**Resolved**, That the Council of the City of New York authorizes the Speaker to intervene, file an amicus brief, or join an amicus brief on behalf of the Council of the City of New York in the litigation captioned *Pelegrin v. New York City Human Resources Administration*, for the purpose of defending provisions of the New York City Charter that require city agencies to provide public notice and the opportunity for public comment on proposed new rules and rule changes before adoption.

Referred to the Committee on General Welfare.

Int. No. 1085

By Council Members Chin, Brewer, Gonzalez, James, Koo, Koppell, Lander, Mendez, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to emergency plans for residential and commercial buildings and the posting of emergency information in certain residential buildings.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 30 of the administrative code of the city of New York is amended by adding a new section 30-104 to read as follows:

§30-104 *Weather emergencies and extended utility outage preparedness plans for residential and commercial buildings. a. In consultation with relevant agencies including the department of buildings and the department of housing preservation and development, the commissioner shall develop guidelines for how residential and commercial property owners shall prepare for and communicate certain information to the tenants of such buildings in the event of a weather emergency or extended utility outage. Such guidelines shall include, but shall not be limited to:*

1. *Providing information on the property’s flood zone and evacuation zone;*
2. *What, if any, protective measures will be provided or may be installed to protect against flooding, including sandbags, jersey barriers or other protections;*
3. *How window air conditioning units, patio furniture flower boxes, windows, doors and other loose items should be secured;*
4. *Whether equipment such as elevators and boilers should be shut down or moved above flood risks;*
5. *The options available to a property owner to rent equipment, such as pumps and generators after a weather event or extended utility outage;*
6. *The methods that property owners can use to communicate with tenants during and after a weather event or extended utility outage and identifying relevant building contacts for emergencies; and*
7. *Guidelines for tenants sheltering in place, including tenants aged sixty-two and older and tenants with disabilities.*

§ 2. Subchapter two of title 27 of the administrative code of the city of New York is amended by adding a new article 15 to read as follows:

#### ARTICLE 15

##### POSTING OF CERTAIN EMERGENCY INFORMATION

§27-2057 *Posting of emergency information. The owner of a dwelling required to register pursuant to section 27-2097 of this chapter shall post the following information in the common area of the ground floor of the dwelling on a sign of sufficient size to be seen: (i) whether the building is located in a hurricane evacuation zone as defined by the office of emergency management and if applicable, which zone the building is located in; (ii) the address of the nearest designated evacuation center; (iii) when a person should contact 911 and 311 during a weather event or an extended utility outage; (iv) whether during an extended utility outage, service such as potable water, corridor, egress, and common area lighting, fire safety and fire protection, elevators, charging locations for cellular telephones, domestic hot water, or heating and cooling will be provided; (v) contact information for building personnel in the event of an emergency, including email addresses, phone numbers and other methods of communication; and (vi) instructions on removing furniture from rooftops and balconies during high wind events and, for buildings that utilize pumps, instructions on reducing water consumption during extended power outages.*

§3. This local law shall take effect immediately, provided however, section two of the bill shall take effect ninety days after its enactment.

Referred to the Committee on Housing and Buildings.

Int. No. 1086

By Council Members Fidler, Chin, Comrie, Dickens, Gonzalez, Koo, Lander, Mark-Viverito, Mendez, Rose and Van Bramer.



**A Local Law to amend the New York city plumbing code, in relation to requiring that toilets and faucets be capable of operating without an external supply of electrical power.**

*Be it enacted by the Council as follows:*

Section 1. Section PC 424 of the New York city plumbing code is amended to add a new Section PC 424.7 as follows:

**424.7 Lavatory operation without power.** *The valves of at least one lavatory faucet in each bathroom or washroom shall be able to continue normal operation without an external supply of electrical power for a period of at least two weeks.*

**Exception:** *Only one lavatory faucet per dwelling unit shall be required to comply with this section.*

§2. Section PC 425 of the New York city plumbing code is amended to add a new Section PC 425.5 as follows:

**425.5 Water closet flushing without power.** *The flushing devices of at least one water closet in each bathroom or toilet room shall be able to continue normal operation without an external supply of electrical power for a period of at least two weeks.*

**Exception:** *Only one water closet per dwelling unit shall be required to comply with this section.*

§3. This local law shall take effect on January 1, 2014.

Referred to the Committee on Housing and Buildings.

Int. No. 1087

By Council Members Garodnick, Brewer, Chin, Comrie, Ferreras, Fidler, Gonzalez, James, Koo, Koppell, Lander, Mark-Viverito, Mendez, Rose and Van Bramer.

**A Local Law to amend the New York city building code, in relation to using cool roof surfaces to reduce summer heat.**

*Be it enacted by the Council as follows:*

Section 1. Section BC 1504.8 of the New York city building code is amended to read as follows:

**1504.8 Reflectance.** *Roof coverings on roofs or setbacks with slope equal to or less than two units vertical in 12 units horizontal (17 percent) shall have:*

1. a minimum initial solar reflectance of 0.7 in accordance with ASTM C1549 or ASTM E 1918, and a minimum thermal emittance of 0.75 as determined in accordance with ASTM C1371 or ASTM E 408; or

2. a minimum SRI of 78 as determined in accordance with ASTM E 1980.

*Roof coverings on roofs or setbacks with slope greater than two units vertical in 12 units horizontal (17 percent) shall have a minimum SRI of 25 as determined in accordance with ASTM E1980.*

§ 2. This local law shall take effect on January 1, 2014.

Referred to the Committee on Housing and Buildings.

Int. No. 1088

By Council Members Gennaro, Brewer, Chin, Comrie, Fidler, Gonzalez, James, Koo, Koppell, Lander, Mark-Viverito, Mendez, Palma, Rose and Van Bramer.

**A Local Law to amend the administrative code of the city of New York, in relation to water retentive sidewalks and a study on absorptive street and sidewalk materials and alternative street angulation.**

*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 19-156 to read as follows:

**§19-156 Study of alternative street and sidewalk materials and angulation.**

*a. The department and the department of buildings shall conduct a study on the possible use of absorptive materials on streets under the department's jurisdiction, as well as their possible use on private streets. Such study shall include the following: (i) various types of absorptive material for street use; (ii) the anticipated costs of such materials and the projected durability of such materials, disaggregated by their anticipated durability on arterial, secondary and tertiary streets; (iii) the amounts of water anticipated to be absorbed by such materials; (iv) the possible alternative angulation of streets in areas prone to flooding near bodies of water, with the cost and effect on durability of the street; (v) estimates of the amount of water that may be diverted from the city's sewer system; (vi) recommendations and limitations regarding the use of absorptive materials on streets under the department's jurisdiction and a comparison of possible alternative angulation of streets; (vii) the estimated maintenance costs of such streets; and (viii) the effect on utilities and other entities who need to make cuts in the streets. Such study shall be*

*completed and delivered to the council and posted on the department's website one year following the effective date of the local law that added this section.*

*b. The department shall undertake a pilot program using absorptive materials on street and sidewalk surfaces. The pilot program shall commence not later than one hundred twenty days following the release of the study required pursuant to subdivision a of this section, and shall be completed one year following the commencement of the pilot program. Such pilot program shall be put into place in three locations in three different boroughs, with each such location including both streets and sidewalks and being no less than one quarter mile in area. A report on such pilot program shall be completed and delivered to the council and posted on the department's website not more than one hundred twenty days following the completion of the pilot program.*

*c. Not later than January first, two thousand sixteen, the department and the department of parks and recreation, in consultation with other agencies including, but not limited to, the department of design and construction and the fire department, shall, by rule, set a uniform standard for sidewalks within the city of New York to improve water retention. Such rules shall include, but not be limited to, specifications for a water permeable strip along the curbside length of the sidewalk including width, depth, and appropriate fill material; specifications for plantings in the permeable strip including the use of storm water tolerant plants, planting location, plant spacing, and the protection of existing plants; the use of water retentive materials for sidewalks; and any reasonable and prudent exceptions to such uniform standard.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 1089

By Council Members Gonzalez, Chin, Comrie, James, Koo, Lander, Mendez, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York, the New York city building code and the New York city mechanical code, in relation to allowing elevation of certain building systems in flood-prone areas.**

*Be it enacted by the Council as follows:*

Section 1. Subsection 770.48(A) of section 27-3025 of the administrative code of the city of New York, as added by local law number 39 for the year 2011, is amended to read as follows:

**SECTION 770.48**

Subsection 770.48(A) - Add a new second sentence *and two exceptions to the end of* subsection 770.48(A) to read as follows: All other cables shall be considered to be within the building.

*Exception No. 1: In areas of special flood hazard, as defined in Section G201.2 of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 5 feet (1.52 m) above the design flood elevation specified in Section 7.1 (Table 7-1) of Section BC G501.1 of the New York City Building Code.*

*Exception No. 2: In areas of moderate flood hazard, as defined in Section G201.2 of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 5 feet (1.52 m) above the moderate flood elevation, as defined in Section BC G201.2 of the New York City Building Code.*

§2. Section 27-3025 of the administrative code of the city of New York, as added by local law number 39 for the year 2011, is amended by adding a new subsection 800.48 to read as follows:

**SECTION 800.48**

Section 800.48 - Add two exceptions to the end of section 800.48 to read as follows:

*Exception No. 1: In areas of special flood hazard, as defined in Section G201.2 of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 5 feet (1.52 m) above the design flood elevation specified in Section 7.1 (Table 7-1) of Section BC G501.1 of the New York City Building Code.*

*Exception No. 2: In areas of moderate flood hazard, as defined in Section G201.2 of the New York City Building Code, the length of such cabling may exceed 15 m (50 ft) to the extent necessary to provide direct delivery to a level 5 feet (1.52 m) above the moderate flood elevation, as defined in Section G201.2 of the New York City Building Code.*

§3. Section BC 202 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding new definitions of "AREA

OF MODERATE FLOOD HAZARD,” “MODERATE FLOOD” and “MODERATE FLOOD ELEVATION” in appropriate alphabetical order to read as follows:

**AREA OF MODERATE FLOOD HAZARD.** See Section G201.2.

**MODERATE FLOOD.** See Section G201.2.

**MODERATE FLOOD ELEVATION.** See Section G201.2.

§4. Section BC G201.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding new definitions of “AREA OF MODERATE FLOOD HAZARD,” “MODERATE FLOOD” and “MODERATE FLOOD ELEVATION” in appropriate alphabetical order to read as follows:

**AREA OF MODERATE FLOOD HAZARD.** The land in the flood plain delineated on the Flood Insurance Rate Map (FIRM) as subject to a chance of flooding that is 0.2 percent or greater, but less than one percent, in any given year. Areas of moderate flood hazard are designated on the FIRM as X-Zones (shaded) and are also known as the five hundred year flood plain.

**MODERATE FLOOD.** The flood having a 0.2 percent chance of being equaled or exceeded in any given year.

**MODERATE FLOOD ELEVATION.** The elevation of the moderate flood, including wave height, as specified on the Flood Insurance Rate Map (FIRM) or as determined in accordance with Section G103.3.

§5. Section BC G307 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding new sections BC G307.4 and BC G307.5 to read as follows:

**G307.4 Reserved.**

**G307.5 Fuel-oil storage.** Fuel-oil storage in areas of special flood hazard and areas of moderate flood hazard shall comply with this section.

**G307.5.1 Vault.** Each fuel-oil storage tank shall be separately enclosed in a vault complying with the following requirements:

1. The walls, floor, and top of such vault shall have a fire resistance rating of not less than 3 hours;

2. The walls of such vault shall be bonded to the floor of such vault;

3. The top and walls of such vault shall be independent of or connected to the building structure;

4. An exterior building wall having a fire resistance rating of not less than 3 hours shall be permitted to serve as a wall of such vault;

5. The vault shall be located in a dedicated room or area of the building that is separated vertically and horizontally from other areas of the building by construction having a fire resistance rating of not less than 2 hours;

**G307.5.2 Extinguishing system.** Fuel-oil storage shall be protected with an alternate extinguishing system complying with Section BC 904.

**G307.5.3 Capacity limits.** Fuel-oil storage shall comply with Section MC 1305.11.1.3 of the New York city mechanical code except:

1. In A-Zones, fuel-oil on the lowest story having its floor above the design flood elevation specified in ASCE 24, Table 2-1, shall be limited to 3,000 gallons (11 356 L) and no storage tank may exceed the lesser of 1,500 gallons (5 678 L) or the quantity of fuel-oil needed to operate the emergency or standby generator(s) served by such tank for 24 hours;

2. In V-Zones, fuel oil on the lowest story having its floor above the design flood elevation specified in ASCE 24, Table 4-1, shall be limited to 3,000 gallons (11 356 L) and no storage tank may exceed the lesser of 1,500 gallons (5 678 L) or the quantity of fuel-oil needed to operate the emergency or standby generator(s) served by such tank for 24 hours; and

3. In areas of moderate flood hazard, fuel oil on the lowest story having its floor above the moderate flood elevation shall be limited to 3,000 gallons (11 356 L) and no storage tank may exceed the lesser of 1,500 gallons (5

678 L) or the quantity of fuel-oil needed to operate the emergency or standby generator(s) served by such tank for 24 hours.

§6. Section MC 1305.11.1.3 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended to read as follows:

**1305.11.1.3 Inside of buildings; above the lower floor.** Fuel-oil above the lowest floor inside of a building shall be limited to 330 gallons (1249 L) per story. The maximum quantity shall include oversized piping as described in 1305.9.12. Piping installations shall comply with the requirements of Section 1305.9.

**Exception:** Fuel-oil storage in areas of special flood hazard and areas of moderate flood hazard, as defined in Section BC G201.2 of the New York city building code, shall comply with Section BC G307.5 of the New York city building code.

§7. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings

Int. No. 1090

By Council Members Ignizio, Chin, Comrie, Fidler, James, Koo, Lander, Mendez, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to studying the effects of wind on certain buildings.**

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-124, to read as follows:

§3-124. Study and report on the effects of wind on certain buildings. a. The office of long-term planning and sustainability in consultation with the department of buildings shall undertake a wind study and submit a report to the mayor and the speaker of the city council, on the effects of wind on existing buildings including buildings that are supported by columns and buildings that are under construction in the city of New York. Such report and accompanying recommendations shall be provided no later than one year from the effective date of this local law and shall include the following:

1. An analysis on the types of existing buildings that are at risk for falling debris based on the age, construction classification, construction methods and materials, height, and occupancy use of such buildings;

2. An analysis on the effects of wind on buildings that are raised, lifted, elevated or supported by columns or that are moved in order to comply with Appendix G of the New York city building code or to address flood hazard concerns;

3. An analysis on the effects of wind on buildings that are under construction including how construction materials are stored on such sites and buildings with incomplete façade assemblies;

4. An analysis of forecasts related to potential changes in the frequency, intensity, and path of future storm events along with consideration of whether climate change may impact wind speeds; and

5. An examination of the benefits of installing and maintaining weather stations across the city, including on high-rise buildings, to better understand localized wind patterns.

b. The report shall include recommendations on items one through five of subdivision a of this section as well as recommendations on whether the applicable wind loads under the city’s building code should be revised; whether standard wind plans for sites in various stages of construction are needed; how equipment and temporary structures such as cranes, derricks, scaffolds, concrete formwork and sidewalk bridges should be secured in light of wind effects; whether changes to the building code or department of buildings rules related to façade work filing and inspection exemptions or safety inspection requirements are necessary and if existing buildings should be made to comply with current wind load requirements.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1091

By Council Members King, Arroyo, Cabrera, Chin, Comrie, Dickens, Ferreras, Fidler, Foster, Garodnick, James, Koo, Koppell, Lander, Mark-Viverito, Mendez, Reyna, Richards, Rivera, Rose and Van Bramer.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to distribute information on college savings plans to all students.**



Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter two of title three of the administrative code of the city of New York is amended by adding a new section 3-209.2 to read as follows:

§3-209.2 *Distribution of college-savings plan materials.* a. *Definitions.* For the purposes of this section:

1. "Department" shall mean the department of education.

2. "School" shall mean any public school in the city of New York under the jurisdiction of the department of education that contains any combination of grades from and including kindergarten through grade twelve.

b. The department shall develop written or electronic materials containing information regarding college savings plans. At a minimum, such written or electronic materials shall include information on (i) how to open a bank account and (ii) college-savings programs available to students. Such written or electronic materials shall be produced and distributed by the department to each school for distribution to every student of such school upon his or her entry into kindergarten, grade six and grade nine and to every student upon his or her entry into a school as a new student.

c. The department shall ensure that written or electronic materials developed pursuant to subdivision b of this section are provided to all schools in sufficient quantity to satisfy the requirements of subdivisions b and d of this section.

d. The department shall ensure that such written materials are available in the main or central office in each school for students and parents who wish to obtain such materials.

§2. This local law shall take effect one hundred and twenty days after its enactment.

Referred to the Committee on Education.

Int. No. 1092

By Council Members Lappin, Chin, Comrie, James, Koo, Lander, Mendez, Richards and Rose.

**A Local Law to amend the New York city building code, in relation to the installation of external electrical hookups.**

Be it enacted by the Council as follows:

Section 1. Section BC 2702 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new subsection BC 2702.4, to read as follows:

**2702.4 Temporary Generators.** An external connection of secondary source of power for temporary generators shall be provided for buildings and structures that are:

a. Served electrically by either a separate spot network for the building or structure that allows the utility company to disconnect electric service to the building or structure, or that have a single main disconnect switch; or

b. In group I-2 occupancies.

**Exceptions:**

1. Buildings or structures with permanently installed generators in accordance with this chapter that supply a secondary source of power for space heating, vertical transportation, domestic water and lighting and power for 50% of occupied spaces.

2. Buildings or structures with interior transformer vaults which are elevated above the design flood elevation in accordance with Appendix G of this code and have a distance in excess of 200 feet from the main distribution to the temporary generator.

**2702.4.1 Switchboard Modifications.** The main electrical distribution for a building or structure shall allow for use of an externally located source of power, such as a portable generator, by means of a manual or automatic switch meeting the requirements of sections 2704.4.1.1 through 2704.4.1.8.

**2704.4.1.1** The switchboard shall be constructed to create a point of connection for temporary cables that connect to a temporary source of power, such as a generator.

**2704.4.1.2** First or second level distribution gear shall be considered permissible connection points for temporary cabling. Cabling extensions from the switchboard(s) shall not be required as part of the permanent installation.

**2704.4.1.3** Connection points can be established "ahead of the main" or as a secondary or tertiary level connection point, provided that the sum total of the connection points does not exceed the equivalent quantity of main (1<sup>st</sup> Level) devices.

**2704.4.1.4** Connection points that are "ahead of the main" shall employ hinged, locking panel sections with warning labels that include the following information:

1. Contact information for the electrical utility company serving the building;

2. Necessary safety procedures to implement a temporary connection; and

3. Maximum cabling and generator size.

**2704.4.1.5** Connection points shall either be established as additional over-current protective devices or as main or branch busway extensions, provided that the connection points permit the full service capacity to be made with temporary cabling.

**2704.4.1.6** A notice shall be posted near the connection points identifying the generator in service, including the phases, voltage, capacity, and any other pertinent information needed to procure a temporary generator.

**2704.4.1.7** In Occupancy Group I-2 structures that are not hospitals the electrical system shall be designed with an electrical "quick-connect" to allow an external generator to be easily connected to power all electrical services.

**2704.4.1.8** In existing and new Occupancy Group I-2 structures that are hospitals, the electrical system shall be designed with an electrical "quick-connect" to allow an external generator to be easily connected and power, at a minimum, emergency power services.

**2704.4.1.9** In existing and new Occupancy Group I-2 structures that are adult homes located within a Special or Moderate Flood Hazard Area as defined by Section G201.2 of Appendix G of this code the electrical system shall be designed with an electrical "quick-connect" to allow an external generator to be easily connected to power all electrical services.

**2704.4.2 Architectural Openings.** Architectural provisions, including but not limited to, doors, hatches, framed openings, access panels, sleeves, and conduit, shall be established and sized to readily permit the installation of temporary cabling in accordance with the New York City Electrical Code.

**2704.4.3 Flood Areas.** External connection routes shall be either located above the design flood elevation or wet flood proofed in accordance with Appendix G of this code.

§ 2. Section BC G304.1.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new Item 7, to read as follows:

**7. Back-up systems.** For Group I-2 occupancies that are adult homes, a back-up generator above the design flood elevation or an electrical quick-connect which allows an external generator to be easily connected to power all electrical services in such facility shall be provided.

§ 3. Section BC G304.1.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new Item 3, to read as follows:

**3. Back-up systems.** All new occupancy group I-2 facilities shall be designed with an electrical quick-connect to allow for an external generator to be easily connected and power all electrical services, except that I-2 facilities that are hospitals shall be designed with an electrical quick-connect that can handle, at a minimum, emergency power services. All new I-2 facilities that are hospitals with heating or cooling equipment located below the design flood elevation shall be designed with a quick-connect that can allow temporary heating or cooling to be connected to such facility.

§ 4. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1093

By Council Members Levin, Chin, Comrie, James, Lander, Mendez, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to removing barriers to usage of temporary flood control and response devices.**

Be it enacted by the Council as follows:

Section 1. Section 18-109 of the administrative code of the city of New York, as amended by chapter 100 of the laws of 1963 and recodified by chapter 907 of the laws of 1985, is amended by adding a new subdivision c to read as follows

c. This section shall not prevent or make unlawful the installation of temporary stairs or ramps complying with section BC 3202.4.3 of the New York city building code.

§2. Section 18-113 of the administrative code of the city of New York, as added by local law number 42 for the year 1939 and recodified by chapter 907 of the laws of 1985, is amended by adding a new subdivision c to read as follows:

*c. This section shall not prevent or make unlawful the installation of temporary stairs or ramps complying with section BC 3202.4.3 of the New York city building code.*

§3. Section BC 3202.1.1 of the New York city building code, as added by local law 33 for the year 2007, is amended to read as follows:

**3202.1.1 Footings.** Exterior wall and column footings may be constructed to project beyond the street line not more than 12 inches (305 mm), provided that the top of the footing is not less than 8 feet (2438 mm) below the ground or sidewalk level. Foundation walls required to support permitted projections may be constructed to project not more than the permitted projection beyond the street line. *In areas of special flood hazard, continuous footings for the support and attachment of removable dryfloodproofing barriers or shields may be constructed to project beyond the street line not more than 12 inches (305 mm) both at grade and below grade.*

§4. Section BC 3202.2 of the New York city building code, as added by local law 33 for the year 2007, is amended by adding a new subsection BC 3202.2.1.9 to read as follows:

**3202.2.1.9 Footings for dryfloodproofing barriers or shields.** *In areas of special flood hazard, continuous footings for the support and attachment of removable dryfloodproofing barriers or shields may be constructed to project beyond the street line not more than 12 inches (305 mm) both at grade and below grade.*

§5. Section BC 3202.4 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**3202.4 Temporary encroachments.** Encroachments of temporary nature shall comply with Sections 3202.4.1 [and 3202.4.2] through 3202.4.3.

§6. Section BC 3202.4 of the New York city building code, as added by local law 33 for the year 2007, is amended by adding a new subsection BC 3202.4.3 to read as follows:

**3202.4.3 Temporary stairs and ramps in areas of special flood hazard.** *In areas of special flood hazard, temporary stairs and ramps complying with Section G308.5 shall be permitted.*

§7. Section BC G308 of the New York city building code, as added by local law 33 for the year 2007, is amended by adding a new section BC G308.5 to read as follows:

**G308.5 Temporary stairs and ramps.** *Temporary stairs and ramps providing access to elevated doors or elevated means of egress as described by Item 3 of Section 6.2.2 of ASCE 24 shall comply with the applicable provisions of Chapters 10 and 11 of this code.*

§8. Section 6.2.2 of Section BC G501.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

Section 6.2.2. [Item 3 of] Section 6.2.2 (Dry Floodproofing Requirements) is amended by *modifying Item 3 and by adding a new exception to the end of section 6.2.2* to read as follows:

3. Have either:

3.1. All required means of egress elevated to or above the applicable [DFE] *design flood elevation* specified in Table 6-1, capable of providing human ingress and egress during the design flood; or

3.2. At least one elevated door located in close proximity to each required means of egress to the exterior that is to be blocked by flood shields or flood control devices, such that the face of the elevated door itself, and not merely its directional signage, is clearly visible to a person approaching the blocked egress door(s). Such door(s) shall be elevated to at or above the applicable [DFE] *design flood elevation* specified in Table 6-1, capable of providing human ingress and egress during the design flood. Such door(s) shall meet all New York City Building Code requirements for a required means of egress to the exterior of the structure including hardware and signage, but shall not be required to comply with the occupant load calculations, unless the structure is intended for occupancy during the design flood. Such door may be accessed by open steps and shall not be required to comply with Chapter 11 of the New York City Building Code if its only purpose is to provide the supplemental egress and ingress during conditions of flooding and to provide emergency egress at other times.

**Exception:** *During a flood, nonresidential buildings that have been entirely evacuated, except for emergency personnel, shall not be required to maintain more than one means of egress complying with Item 3.*

§9. Section BC G501.1 of the New York city building code, as added by local law 33 for the year 2007, is amended by adding a new subsection 6.2.3 to read as follows:

**Section 6.2.3.** *Section 6.2.3 (Limits on Human Intervention) is amended to read as follows:*

Section 6.2.3 Limits on Human Intervention. Dry floodproofing measures that require human intervention to activate or implement prior to or during a flood, *including temporary stairs or ramps providing access to elevated doors or elevated means of egress, as described by Item 3 of Section 6.2.2*, shall be permitted only when all of the following conditions are satisfied:

1. The flood warning time (alerting potential flood victims of pending flood situation) shall be a minimum of 12 hours, unless the community operates a flood warning system and implements an emergency plan to ensure safe evacuation of flood hazard areas, in which case human intervention is allowed only if the community can provide a minimum flood warning time equal to or longer than the cumulative

(a) time to notify person(s) responsible for installation of floodproofing measures, plus

(b) time for responsible persons to travel to structure to be floodproofed, plus

(c) time to install, activate, or implement floodproofing measures, plus

(d) time to evacuate all occupants from the flood hazard area;

2. All removable shields or covers for openings such as windows, doors, and other openings in walls *and temporary stairs or ramps providing access to elevated doors or elevated means of egress as described by Item 3 of Section 6.2.2* shall be designed to resist flood loads specified in Section 1.6; and

3. Where removable shields *or temporary stairs or ramps providing access to elevated doors or elevated means of egress as described by Item 3 of Section 6.2.2* are to be used, a flood emergency plan shall be approved by the authority having jurisdiction and shall specify, at a minimum, the following information: storage location(s) of the shields *and temporary stairs and ramps*; the method of installation; conditions activating installation; maintenance of shields and attachment devices *and temporary stairs and ramps*; periodic practice of installing shields *and temporary stairs and ramps*; testing sump pumps and other drainage measures; and inspecting necessary material and equipment to activate or implement floodproofing. The flood emergency plan shall be permanently posted in at least two conspicuous locations within the structure.

§10. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Preconsidered Res. No. 1834

**Resolution calling upon Congress to pass and the President to sign S.897/H.R.1979, the Bank on Students Loan Fairness Act, which would reduce the interest rate of federal subsidized Stafford student loans for one year from the current 3.4% to 0.75%.**

By Council Members Mark-Viverito, Arroyo, Brewer, Chin, Comrie, Eugene, Gennaro, Gentile, Jackson, James, King, Koppell, Lander, Lappin, Mendez, Palma, Recchia, Reyna, Richards, Rose and Vann.

**Whereas,** Student loan debt is a growing crisis in the United States; and

**Whereas,** Outstanding student loan debt now total more than \$1 trillion, surpassing total credit card debt, according to the Federal Reserve Bank of New York; and

**Whereas,** To relieve some of the burden of student loan debt, the College Cost Reduction and Access Act of 2007 (CCRAA; P.L. 110-84) reauthorized a portion of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) to set lower interest rates on subsidized Stafford Loans made to undergraduate students from July 1, 2008 through June 30, 2012; and

**Whereas,** Under the CCRAA, the interest rates on subsidized Stafford loans decreased each year from 6% in 2008-09, to 5.6% in 2009-10, to 4.5% in 2010-11, to finally 3.4% in 2011-12; and

**Whereas,** The interest rate was scheduled to increase to 6.8% on July 1, 2012, however, in 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21; P.L. 112-141) extended the fixed interest rate of 3.4% for one year on subsidized Stafford Loans made between July 1, 2012 and June 30, 2013; and

**Whereas,** Under the current law, all new subsidized Stafford Loans made on or after July 1, 2013 will have a fixed interest rate of 6.8%; and

**Whereas,** Congress is now confronted with the issue of whether to allow the 6.8% interest rate take to effect July 1, 2013, or to enact legislation that would establish a different interest rate; and

**Whereas,** Increasing the federal student loan interest rate will put more of a financial burden on students at a time when they are already squeezed by the tight job market and confronted with significantly high debt; and

**Whereas,** As students struggle to pay for their college education, banks receive federal government loans at a rate of 0.75%; and

**Whereas,** S.897, sponsored by Senator Elizabeth Warren and H.R.1979, sponsored by Congressman John Tierney, introduced in May 2013, also known as the “Bank on Students Loan Fairness Act,” would prevent the impending interest rate hike for the 2013-2014 academic year by setting the rate for federal subsidized Stafford loans at the same level of 0.75% offered to banks through the Federal Reserve discount window; and

**Whereas,** This legislation has received support from students and their families, higher education institutions and organizations such as the American Federation of Teachers and Student Debt Crisis; and

**Whereas,** Giving students the same low interest rate as banks would help to decrease student loan debt and strengthen the economy; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon Congress to pass and the President to sign S.897/H.R.1979, the Bank on Students Loan Fairness Act, which would reduce the interest rate of federal subsidized Stafford student loans for one year from the current 3.4% to 0.75%.

Adopted by the Council (preconsidered and approved by the Committee on Higher Education).

Int. No. 1094

By Council Members Mendez, Brewer, Chin, James, Lander, Richards and Rose.

**A Local Law to amend the New York city plumbing code and the administrative code of the city of New York, in relation to requiring residential buildings to provide drinking water to a common area supplied directly through pressure in the public water main.**

*Be it enacted by the Council as follows:*

Section 1. The New York city plumbing code is amended by adding a new section PC 614 to read as follows:

**SECTION PC 614  
EMERGENCY DRINKING WATER ACCESS**

**614.1 Buildings required to provide alternative potable water access.** Buildings with residential occupancies that have a source of water supply other than the public water main, or that have a water pressure booster pump installed in accordance with Section 606.5, shall provide an emergency source of water supply for human ingestion in accordance with Sections 614.1.1 through 614.1.6.

**614.1.1 Emergency source of water fixture.** An emergency source of water fixture shall consist of a faucet for supplying drinking water for human ingestion conforming to Section 424 supplied only by street pressure from the public water main, and either:

1. a sink conforming to Section 418; or
2. a floor drain conforming to Section 412.

**614.1.2 Number of fixtures required.** One emergency source of water fixture for 75 residents as determined by the occupant load of in the building.

**614.1.3 Accessibility.** Emergency source of water fixtures shall be located indoors in an area that is accessible to all tenants of the building.

**614.1.4 Signage.** Required emergency source of water fixtures shall be designated by a legible sign stating: “EMERGENCY DRINKING WATER.” Signs shall be readily visible and located near the emergency source of water fixture, and on the door to any room or closet in which the fixture is located.

**614.1.5 Location.** For any building that is located in a special flood hazard area and is in existence as of January 1, 2014, all emergency source of water fixtures shall be located on a story that is entirely above the design flood elevation specified in ASCE 24, Table 7-1, as modified by Appendix G of the New York City Building Code. Emergency source of water fixtures shall not be located in a bathroom or toilet room.

**614.1.6 Applicability.** On and after January 1, 2019, the requirements of this Section shall be required for all buildings with residential occupancies that have a source of water supply other than the public water main, or that have a water pressure booster pump installed in accordance with Section 606.5.

§ 2. Section 28-101.4.3 of the administrative code of the city of New York is amended by adding new item 14 to read as follows:

14. Emergency source of water supply for human ingestion shall be provided in accordance with section 614 of the New York city plumbing code.

§ 3. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 314 to read as follows:

**ARTICLE 314**

**EMERGENCY DRINKING WATER**

§28-314.1 *Retroactive requirement for residential occupancies. On and after January 1, 2019, the provisions of section 614 of the New York city plumbing code requiring emergency source of water supply for human ingestion shall apply retroactively to all buildings in existence on January 1, 2014.*

§ 4. This local law shall take effect on January 1, 2014.

Referred to the Committee on Housing and Buildings.

Int. No. 1095

By Council Members Nelson, Chin, Comrie, James, Mendez, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to creating a manual on flood construction and protection standards.**

*Be it enacted by the Council as follows:*

Section 1. Article 103 of chapter one of title 28 of the administrative code of the city of New York is amended, by adding a new section 28-103.21, to read as follows:

**§28-103.21 Manual on flood construction and protection standards.** *a. The commissioner shall create and make publicly available, in print and on the department’s website, a manual explaining in detail the flood construction and protection requirements and standards applicable in the city. Such manual shall include, but not be limited to, a description and explanation of the following:*

*1. The materials requirements imposed by applicable flood construction requirements and standards, including the elements of structures subject to such materials requirements;*

*2. The manner in which specific utilities and attendant equipment must be protected from flooding; and*

*3. The application of the flood construction and protection requirements and standards to existing structures.*

*b. The manual on flood construction and protection standards shall be made available in plain English and Spanish and in other languages as determined by the commissioner and shall be updated as necessary to reflect changes to applicable flood construction requirements and standards.*

§2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1096

By Council Members Oddo, Chin, Comrie, Dickens, Fidler, James, Koo, Lander, Mendez, Recchia, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York, the New York city building code, the New York city mechanical code and the New York city fire code, in relation to relocating and protecting building systems in flood-prone areas.**

*Be it enacted by the Council as follows:*

Section 1. Article 90 of section 27-3025 of the administrative code of the city of New York, as added by local law number 39 for the year 2011, is amended by adding a new section 90.10 to read as follows:

**SECTION 90.10** - *Add a new section 90.10 to read as follows:*

**90.10 Areas of Special Flood Hazard and Areas of Moderate Flood Hazard.** *Structures located in areas of special flood hazard and areas of moderate flood hazard, as defined in Section BC G201.1 of the New York City Building Code, shall also comply with the provisions of Appendix G of the New York City Building Code. Where, in any specific case, the provisions of this code conflict with the provisions of Appendix G of the New York City Building Code, the more restrictive shall govern.*

§2. Section BC 202 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding new definitions of “AREA OF MODERATE FLOOD HAZARD,” “MODERATE FLOOD” and “MODERATE FLOOD ELEVATION” in appropriate alphabetical order to read as follows:

**AREA OF MODERATE FLOOD HAZARD.** *See Section G201.2.*

**MODERATE FLOOD.** *See Section G201.2.*

**MODERATE FLOOD ELEVATION.** *See Section G201.2.*

§3. Section BC G201.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding new definitions of “AREA OF MODERATE FLOOD HAZARD,” “MODERATE FLOOD” and “MODERATE FLOOD ELEVATION” in appropriate alphabetical order to read as

follows:

**AREA OF MODERATE FLOOD HAZARD.** *The land delineated in the flood plain on the Flood Insurance Rate Map (FIRM) as subject to a chance of flooding that is 0.2 percent or greater, but less than one percent, in any given year. Areas of moderate flood hazard are designated on the FIRM as X-Zones (shaded) and are also known as the five hundred year flood plain.*

**MODERATE FLOOD.** *The flood having a 0.2 percent chance of being equaled or exceeded in any given year.*

**MODERATE FLOOD ELEVATION.** *The elevation of the moderate flood, including wave height, as specified on the Flood Insurance Rate Map (FIRM) or as determined in accordance with Section G103.3.*

§4. The definition of “DESIGN FLOOD ELEVATION” as set forth in section BC G201.2, as amended by local law number 8 for the year 2008, is amended to read as follows:

**DESIGN FLOOD ELEVATION.** *The applicable elevation specified in ASCE 24, Tables 2-1, 4-1, 5-1, 6-1, or 7-1, depending on the structural occupancy category designated in ASCE 24, Table 1-1, except that for I-2 occupancies that are hospitals, the design flood elevation shall be the greater of (i) the moderate flood elevation or (ii) the applicable elevation specified in ASCE 24, Tables 2-1, 4-1, 5-1, 6-1, or 7-1.*

§5. Item 4 of section BC G304.1.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding new items 4.1, 4.2, 4.3 and 4.4 to read as follows:

**4.1 Fire protection systems and equipment.** *The following fire protection systems and equipment shall be located at or above the design flood elevation specified in ASCE 24, Table 7-1:*

**4.1.1.** *Sprinkler control valves that are not outside stem and yoke valves;*

**4.1.2.** *Fire standpipe control valves that are not outside stem and yoke valves;*

**4.1.3.** *Sprinkler booster pumps and fire pumps except that, in buildings where all occupied floors are less than 300 feet (91.44 m) in height above the lowest level of Fire Department vehicle access and where locating such pumps above the design flood elevation specified in ASCE 24, Table 7-1, is not feasible, sprinkler systems and fire standpipe systems shall be supplied by gravity tanks in accordance with Section 9.1.4(4) of NFPA 13R as modified in Appendix Q;*

**4.1.4.** *Dry pipe valve-related electrically operated alarm appurtenances;*

**4.1.5.** *Electrically activated water and non-water fire extinguishing systems;*

**4.1.6.** *Electrically activated sprinkler systems, pre-action sprinkler systems, deluge sprinkler systems, and combined dry pipe and pre-action sprinkler systems;*

**4.1.7.** *Electrically operated waterflow detection devices serving sprinkler systems; and*

**4.1.8.** *Air compressors serving sprinkler systems;*

**4.2. Fire alarm systems and components.** *At least one zoning indicator panel required in Section BC 907.8.1 of this code shall comply with the following additional requirements:*

**4.2.1.** *The zoning indicator panel and associated controls shall be provided at least five feet (1524 mm) above the design flood elevation specified in ASCE 24, Table 7-1, in a location approved by the department and the Fire Department;*

**4.2.2.** *Where the zoning indicator panel or associated controls are only operable upon transfer of control from another zoning indicator panel, such transfer shall be by a means that is approved by the Fire Department;*

**4.2.3.** *All power supplies for the zoning indicator panel and associated controls, the means of transferring control to the zoning indicator panel and all elements of the fire alarm system shall be located at least five feet (1524 mm) above the design flood elevation specified in ASCE 24, Table 7-1;*

**4.3 Fuel-oil piping systems.** *The following requirements shall apply to*

*fuel-oil piping systems, as defined by Section MC 202 of the New York city mechanical code:*

**4.3.1** *Fill piping shall terminate three feet (914 mm) above the greater of (i) the design flood elevation specified in ASCE 24, Table 7-1, or (ii) the moderate flood elevation;*

**4.3.2** *Normal vent piping and emergency vent piping shall terminate three feet (914 mm) above the design flood elevation specified in ASCE 24, Table 7-1;*

**4.4 Plumbing systems and components.** *The structure shall comply with the following requirements:*

**4.4.1** *Relief vents and fresh air intakes. Relief vents and fresh air intakes serving building traps in accordance with Section PC 1002.6 of the New York city plumbing code shall be carried above grade and shall terminate in a screened outlet that is located outside of the building and at or above the design flood elevation specified in ASCE 24, Table 7-1;*

**4.4.2** *Reduced pressure zone backflow preventers. Reduced pressure principle backflow preventers complying with Section PC 608.13.2 of the New York city plumbing code and backflow preventers with intermediate atmospheric vents complying with Section PC 608.13.3 of the New York city plumbing code shall be located at or above the design flood elevation specified in ASCE 24, Table 7-1;*

§6. Section BC G304.1.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new item 2.3.1 to read as follows:

**2.3.1** *Additional requirements. The structure shall comply with Items 4.1 through 4.4 of Section G304.1.1 and the following additional requirements:*

**2.3.2** *Generators and emergency power systems in hospitals. In I-2 occupancies that are hospitals, generators and fuel pumps serving emergency power systems shall be accessible for maintenance and repair during moderate flood conditions;*

§7. Section BC G304.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new item 5.1 to read as follows:

**5.1** *Additional requirements. The structure shall comply with Item 2.3.1 of G304.1.2;*

§8. Section BC G304 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new subsection BC G304.3 to read as follows:

**G304.3 Construction standards for areas of moderate flood hazard.** *In areas of moderate flood hazard, the following standards shall apply to new construction and substantial improvements.*

**G304.3.1 Hospitals.** *I-2 occupancies that are hospitals shall be considered to be in A-Zones and shall comply with Section G304.1.2 and the applicable provisions of ASCE 24.*

**G304.3.2 Fuel-oil piping systems.** *For fuel-oil piping systems, as defined by Section MC 202 of the New York city mechanical code, fill piping shall terminate three feet (914 mm) above the moderate flood elevation;*

§9. Section BC G501.1 of the New York city building code, as amended by local law number 8 for the year 2008, is amended by adding a new subsection 7.2.4 to read as follows:

**Section 7.2.4.** *Section 7.2.4 (Disconnect Switches and Circuit Breakers) is amended to read as follows:*

**7.2.4** *Disconnect Switches and Circuit Breakers. The main disconnect switch, all service disconnecting means, and all circuit breakers and fuse boxes shall be located above and be accessible from the elevation specified in Table 7-1. Switches, all service disconnecting means, and circuit breakers and fuse boxes shall be located no more than 5 ft above the floor, or a platform shall be installed to provide access.*

§10. Section BC G307 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new section BC G307.4 to read as follows:

**G307.4 Elevation of certain tanks and containers serving critical facilities.** *The following tanks and containers shall be located at or above the greater of (i) the design flood elevation specified in ASCE 24, Table 7-1, or (ii) the moderate flood elevation, when serving structures in structural*

occupancy category IV, as designated in ASCE 24, Table 1-1. Such tanks and containers must be designed to maintain service to such structure during flood conditions and shall comply with section 9.6 of ASCE 24:

1. Medical and compressed gas storage tanks, oxygen tanks, and other cryogenic system storage tanks;
2. Hazardous material storage tanks;
3. Stationary compressed gas containers;
4. Stationary cryogenic containers; and
5. Stationary flammable gas storage containers.

§11. The definition of "Design Flood Elevation" as set forth in sections 1.2 of section BC G501.1 of the New York city building code, as amended by local law number 8 for the year 2008, is amended to read as follows:

**Design Flood Elevation**—[The applicable elevation specified in Table 2-1, 4-1, 5-1, 6-1, or 7-1, depending on the structural occupancy category designated in Table 1-1.] *As defined in Section G201 of the New York City Building Code, Appendix G.*

§12. Section BC 903.3 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new subsection BC 903.3.8 to read as follows:

**903.3.8 Location of sprinkler booster pumps.** *Sprinkler booster pumps shall be located in a 2-hour fire-rated enclosure. Such enclosure shall be accessible from a 2-hour fire-rated passageway or stairway.*

§13. Section BC 905.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new subsection BC 905.2.1 to read as follows:

**905.2.1 Location of fire pumps.** *Fire pumps shall be located in a 2-hour fire-rated enclosure. Such enclosure shall be accessible from a 2-hour fire-rated passageway or stairway.*

§14. Section MC 301.13 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended to read as follows:

**301.13 Flood hazard.** For structures located in areas of special flood hazard or areas of moderate flood hazard, mechanical systems, equipment and appliances shall comply with Appendix G of the New York City Building Code.

§15. Section FC 903.2 of the New York city fire code, as added by local law number 26 for the year 2008, is amended by adding a new subsection FC 903.2.14 to read as follows:

**903.2.14 Flood Hazard.** *For structures located in areas of special flood hazard, as defined by Section BC G201.2 of the New York city building code, electrically activated sprinkler systems shall be located at or above the design flood elevation specified in Section 7.1 (Table 7-1) of Section BC G501.1 of the New York city building code.*

§16. Section FC 904.2 of the New York city fire code, as added by local law number 26 for the year 2008, is amended by adding a new subsection FC 904.2.1 to read as follows:

**904.2.1 Flood Hazard.** *For structures located in areas of special flood hazard, as defined by Section BC G201.2 of the New York city building code, electrically activated fire extinguishing systems shall be located at or above the design flood elevation specified in Section 7.1 (Table 7-1) of Section BC G501.1 of the New York city building code.*

§17. Section FC 2703.2.4 of the New York city fire code, as added by local law number 26 for the year 2008, is amended to read as follows:

**2703.2.4 Installation of tanks.** Installation of tanks shall be in accordance with Sections 2703.2.4.1 through [2703.2.4.2] 2703.2.4.3 and with the regulations of the New York State Department of Environmental Conservation as set forth in 6 NYCRR Sections 599.6, 614.7 and 614.13.

§18. Section FC 2703.2.4 of the New York city fire code, as added by local law number 26 for the year 2008, is amended by adding a new subsection FC 2703.2.4.3 to read as follows:

**2703.2.4.3 Flood Hazard.** *Notwithstanding any other provision in this section, for structures located in areas of special flood hazard, as defined by Section BC G201.2 of the New York city building code, hazardous material storage tanks shall comply with Section BC G307.4 of the New York city building code.*

§19. Section FC 3003.3.3 of the New York city fire code, as added by local law number 26 for the year 2008, is amended by adding a new subsection FC 3003.3.3.1 to read as follows:

**3003.3.3.1 Flood Hazard.** *Notwithstanding any other provision in this section, for structures located in areas of special flood hazard, as defined by Section BC G201.2 of the New York city building code, stationary*

*compressed gas containers shall comply with Section BC G307.4 of the New York city building code.*

§20. Section FC 3203.1.2 of the New York city fire code is REPEALED and replaced with a new section FC 3203.1.2 to read as follows:

**3203.1.2 Flood Hazard.** *Notwithstanding any other provision in this section, for structures located in areas of special flood hazard, as defined by Section BC G201.2 of the New York city building code, stationary cryogenic containers shall comply with Section BC G307.4 of the New York city building code.*

§21. Section FC 3503.1.2 of the New York city fire code, as added by local law number 26 for the year 2008, is amended by adding a new subsection FC 3503.1.2.1 to read as follows:

**3503.1.2.1 Areas of Special Flood Hazard.** *Notwithstanding any other provision in this section, in areas of special flood hazard, as defined by Section BC G201.2 of the New York city building code, stationary flammable gas containers shall comply with Section BC G307.4 of the New York city building code.*

§22. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1097

By Council Members Recchia, Chin, Fidler, Gentile, James, Koo, Koppell, Lander, Mendez, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring backup power sources for fire and life safety communications systems.**

*Be it enacted by the Council as follows:*

Section 1. The first paragraph of subsection 700.12(A) of section 27-3025 of the administrative code of the city of New York, as added by local law number 39 for the year 2011, is amended to read as follows:

**700.12(A)** Storage batteries may be used as a source of power for emergency lighting systems and shall be of suitable rating and capacity to supply and maintain the total load for a minimum period of 1½ hours, without the voltage applied to the load falling below 87½ percent of normal. *Storage batteries shall be used as a source of power for emergency and life safety telecommunications systems and shall be of suitable rating and capacity to supply and maintain the total load for a minimum period of 8 hours, without the voltage applied to the load falling below 87 ½ percent of normal.* Storage batteries may be used for other emergency systems only where special permission is granted for such use.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 1835

**Resolution to establish that the interest rate be 9% per annum for Fiscal Year 2014 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 Members Recchia, James and Koo.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, as amended by Local Law No. 66 of 2008, the Banking Commission is required to recommend to the City Council, not later than the 25<sup>th</sup> 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 two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$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 13, 2013, the Prime Rate stands at three and one-quarter percent (3.25%) as published by the Federal Reserve Board of Governors; and

**Whereas**, It is in the City's best interest to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission recommends to the City Council that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is 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 cooperative apartments, be nine percent (9%) per annum for Fiscal 2014; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the interest rate be nine percent (9%) per annum for Fiscal Year 2014 for non-payment of taxes on 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 cooperative apartments.

Referred to the Committee on Finance.

Res. No. 1836

**Resolution to establish that the interest rate be 18% per annum for Fiscal Year 2014 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 Members Recchia and James.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, as amended by Local Law No. 66 of 2008, the Banking Commission is required to recommend to the City Council, not later than the 25<sup>th</sup> 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 two hundred fifty thousand dollars (\$250,000), or over two hundred fifty thousand dollars (\$250,000) per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate of at least six percent (6%) 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 13, 2013, the Prime Rate stands at three and one-quarter percent (3.25%) as published by the Federal Reserve Board of Governors; 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 recommends to the City Council that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is over two hundred fifty thousand dollars (\$250,000), or over two hundred fifty thousand dollars (\$250,000) per residential unit for cooperative apartments, be eighteen percent (18%) per annum for Fiscal 2014; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be eighteen percent (18%) per annum for Fiscal Year 2014 for non-payment of taxes on properties with an assessed value of over two hundred fifty thousand dollars (\$250,000), or over two hundred fifty thousand dollars (\$250,000) per residential unit for cooperative apartments.

Referred to the Committee on Finance.

Res. No. 1837

**Resolution to establish that the interest rate to be charged for Fiscal Year 2014 for non-payment of water rents and sewer rents be 9% per annum for real property where the assessed value is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

By Council Members Recchia, James and Koo.

**Whereas**, Pursuant to sections 11-312(c) and 11-313(e) 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 25<sup>th</sup> of May of each year, the proposed interest rate to be charged for non-payment of water rents and sewer rents; and

**Whereas**, Sections 11-312 and 11-313 of the Administrative Code of the City of New York, as amended by Local Law No. 62 of 2005, allow the Council to adopt interest rates to be charged for non-payment of water rents and sewer rents that become due and payable on or after July 1, 2005 pursuant to section 11-224.1 of the Administrative Code of the City of New York; and

**Whereas**, Section 11-224.1 of the Administrative Code of the City of New York, as amended by Local Law No. 66 of 2008, requires the Banking Commission 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"), to be charged for non-payment of taxes on 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 cooperative apartments; and

**Whereas**, The Banking Commission notes that as of May 13, 2013, the Prime Rate stands at three and one-quarter percent (3.25%) as published by the Federal Reserve Board of Governors; and

**Whereas**, As reflected Mayor's communication, M-[ ], the Banking Commission recommends to the City Council that the interest rate to be charged for non-payment of water rents and sewer rents be nine percent (9%) per annum for Fiscal Year 2014 where the assessed value of the property is 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 cooperative apartments; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate to be charged for Fiscal Year 2014 for non-payment of water rents and sewer rents be nine percent (9%) per annum for real property where the assessed value is 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 cooperative apartments.

Referred to the Committee on Finance.

Res. No. 1838

**Resolution to establish that the interest rate to be charged for Fiscal Year 2014 for non-payment of water rents and sewer rents be 18% per annum for real property where the assessed value is over \$250,000, or over \$250,000 per residential unit for cooperative apartments.**

By Council Members Recchia, James and Koo.

**Whereas**, Pursuant to sections 11-312(c) and 11-313(e) 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 25<sup>th</sup> of May of each year, the proposed interest rate to be charged for non-payment of water rents and sewer rents; and

**Whereas**, Sections 11-312 and 11-313 of the Administrative Code of the City of New York, as amended by Local Law No. 62 of 2005, allow the Council to adopt interest rates to be charged for non-payment of water rents and sewer rents that become due and payable on or after July 1, 2005 pursuant to section 11-224.1 of the Administrative Code of the City of New York; and

**Whereas**, Section 11-224.1 of the Administrative Code of the City of New York, as amended by Local Law No. 66 of 2008, requires the Banking Commission to propose a rate at least six percent (6%) 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"), to be charged for non-payment of taxes on 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 cooperative apartments; and

**Whereas**, The Banking Commission notes that as of May 13, 2013, the Prime Rate stands at three and one-quarter percent (3.25%) as published by the Federal Reserve Board of Governors; and

**Whereas**, The Banking Commission recommends to the City Council that the interest rate to be charged for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for Fiscal Year 2014 where the assessed value of the 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 cooperative apartments; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate to be charged for Fiscal Year 2014 for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for real property where the assessed value is more than two hundred fifty thousand dollars (\$250,000), or more than two hundred fifty thousand dollars (\$250,000) per residential unit for cooperative apartments.

Referred to the Committee on Finance.

Res. No. 1839

**Resolution to establish that the discount percentage for early payment of real estate taxes be set at 1.0% per annum for Fiscal Year 2014.**

By Council Members Recchia, Dickens, James, Koo and Mendez.

**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 on the fifth day of June preceding such ensuing fiscal year, or at any time thereafter; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 14, 2013, that the discount percentage for early payment of real estate taxes for Fiscal Year 2014 be set at one percent (1.0%) per annum; and

**Whereas**, This Resolution provides that the discount percentage for early payment of real estate taxes shall be set at one percent (1.0%) per annum for Fiscal Year 2014; 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 percent (1.0%) per annum for Fiscal Year 2014.

Referred to the Committee on Finance.

Int. No. 1098

By Council Members Richards, Chin, James, Koo, Koppell, Lander, Mendez and Rose.

**A Local Law to amend the New York city plumbing code, in relation to preventing the backflow of sewage.**

*Be it enacted by the Council as follows:*

Section 1. Section 715.1 of the plumbing code of the city of New York is amended by adding a new section 715.1.1 to read as follows:

**715.1.1 Backwater valves in special flood hazard areas.** *Building drains serving buildings located in Special Flood Hazard Areas, as established by Section G102.2 of Appendix G of the New York City Building Code, shall be provided with a backwater valve at the point of exit from the building and downstream from the building trap.*

§ 2. Section 1002.6 of the plumbing code of the city of New York is amended by adding a new section 1002.6.1 to read as follows:

**1002.6.1 Backwater valves in special flood hazard areas.** *Backwater valves shall be provided on the building storm drainage system in accordance with Section 715 for all buildings located in the Special Flood Hazard Areas, as established by Section G102.2 of Appendix G of the New York City Building Code.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 1099

By Council Members Richards, Chin, James, Koo, Lander, Mendez, Recchia and Rose.

**A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to preventing wind damage to existing buildings.**

*Be it enacted by the Council as follows:*

Section 1. Section 28-101.4.3 of the administrative code of the city of New York is amended by adding a new item 14, to read as follows:

**14.** *The installation and alteration of curtain wall systems, windows, doors, attachments, fixtures, building mounted equipment, and equipment enclosures shall be governed by section 1609 of the New York city building code.*

§ 2. Section 1609.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**1609.1 Applications.** Buildings, structures and parts thereof shall be designed to withstand the minimum wind loads prescribed herein. Decreases in wind loads shall not be made for the effect of shielding by other structures. *Curtain wall systems, windows, doors, building mounted equipment such as cooling towers, fans, tanks, air conditioning units, hoods, louvers, antennae, plumbing fixtures, gas appliances, and equipment enclosures shall be designed to remain intact and firmly attached to such building, structure, or part thereof when subjected to such minimum wind loads. The design or ability of such systems, windows, doors, fixtures, building mounted equipment, and equipment enclosures to withstand minimum wind loads through gravity or friction shall be verified either by engineering calculations or manufacturer certification.*

§ 3. Chapter 24 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new section 2403.7 to read as follows:

**2403.7. Protection from wind born debris.** *The following buildings shall be protected with an impact resistant covering or glazing in accordance with the Missile Levels and Wind Zones specified in ASTM E1886 and ASTM E1996 or other approved test methods and performance criteria:*

*1. Buildings in Structural Occupancy Category IV, as defined in Table 1604.5, located in wind exposure C or D, as defined in Section 1609.4,*

*2. Buildings in Structural Occupancy Category III, as defined in Table 1604.5, located in exposure D, as defined in Section 1609.4 where the glazing of such building encloses areas of assembly for 300 or more persons or areas of in-place shelter.*

**Exception:** *Glazing shall be permitted to be unprotected if it is located over 60 feet above the ground and over 30 feet above aggregate-surfaced roofs, including roofs with gravel or stone ballast located within 1,500 feet of the building.*

§ 4. Chapter 4 of the New York city mechanical code, is amended by adding a new section 401.5.4 to read as follows:

**401.5.4 Wind-driven rain rating.** *All exterior louvers for building ventilation and exhaust systems shall either:*

*1. Receive an A rating according to ACMA Standard 500L for wind-driven rain penetration for a 50 mile per hour wind velocity with a rainfall rate of eight inches per hour; or*

*2. Be installed on a plenum configured to intercept any wind driven rain penetrating the louver and prevent the rain from entering the building*

*ductwork system. Such plenum shall be waterproofed and equipped with a drainage system to convey water penetrating the louver to storm or sanitary drains.*

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

Referred to the Committee on Housing and Buildings.

Preconsidered Res. No. 1840

**Resolution calling upon Congress to pass and the President to sign S.1066, the Federal Student Loan Refinancing Act by Senator Gillibrand, which would help reduce student debt.**

By Council Members Rodriguez, Dickens, Arroyo, Brewer, Chin, Comrie, Eugene, Gennaro, Gentile, Jackson, Koppell, Lander, Lappin, Mark-Viverito, Mendez, Palma, Reyna, Richards, Rose and Vann.

**Whereas,** The United States Department of Education (“U.S. DOE”) indicated that millions of students will continue to pursue secondary education with the assistance of student loans; and

**Whereas,** However, many borrowers are struggling or unable to meet their financial obligations, some before they even complete their degrees; and

**Whereas,** The amount of outstanding student debt nationwide surpasses \$1 trillion dollars, with \$864 billion attributed to federal government loans and \$150 billion to private loans, according to the Consumer Protection Financial Bureau; and

**Whereas,** In the first quarter of 2012, the outstanding student debt for New York State residents totaled \$66.8 billion, according to the latest data by the Federal Reserve Bank of New York; and

**Whereas,** As of 2010, the average student loan debt for public and private college graduates in New York was the tenth highest in the nation, according to the Project on Student Debt, which is administered by the Institute for College Access and Success; and

**Whereas,** The U.S. DOE cites that nearly 11 percent of New York State graduates, or 24,800 borrowers, have defaulted on their student loans between 2009 and 2012; and

**Whereas,** Interest rates on Federal Stafford Loans are scheduled to double from the current rate of 3.4 percent to 6.8 percent on July 1, 2013 due to the expiration of the one-year extension of the 3.4 percent rate contained in the Moving Ahead for Progress in the 21<sup>st</sup> Century Act; and

**Whereas,** Like other students across the country, there are approximately 422,000 individuals in New York State who will be impacted by the rate increase, according to New York State Comptroller Thomas DiNapoli; and

**Whereas,** Moreover, the average New York student would have to pay an estimated \$993 more in Stafford Loans if Congress does not act to prevent this devastating hike before July 1, 2013; and

**Whereas,** Students in New York City are significantly impacted by student loan debt; and

**Whereas,** In New York City, the average debt of graduates with federal loans from the 2010-2011 school year was more than \$20,000, according to Senator Kirsten Gillibrand; and

**Whereas,** Senator Gillibrand stated that “more [C]ity graduates and middle class families are burdened by student loans than ever before and are struggling to repay a higher amount of debt than ever before”; and

**Whereas,** Senator Gillibrand also stated that “our young people should be able to refinance in that same way that our businesses and homeowners do”; and

**Whereas,** To address the burden faced by graduates struggling to repay their federal student loans, Senator Gillibrand introduced S.1066, also known as the “Federal Student Loan Refinancing Act,” on May 23, 2013; and

**Whereas,** The Federal Student Loan Refinancing Act would enable individuals who have an interest rate above 4 percent to refinance for a lower, fixed interest rate of 4 percent; and

**Whereas,** During a time of high unemployment, tuition hikes, and exorbitant textbook costs, New Yorkers are forced to turn to loans to pay for a college education; and

**Whereas,** Doubling the interest rate of federal Stafford loans will add an additional burden to students which puts them at greater risk of falling behind in their payments or going into default on their loans; and

**Whereas,** Senator Gillibrand’s legislation would bring much needed relief to many New Yorkers and students nationwide; now, therefore, be it

**Resolved,** That the Council of the City of New York supports the Federal Student Loan Refinancing Act by Senator Gillibrand to help reduce student debt.

Adopted by the Council (preconsidered and approved by the Committee on Higher Education).

Int. No. 1100

By Council Members Ulrich, Chin, Ferreras, Fidler, James, Koo, Koppell, Lander, Mendez, Palma, Recchia, Richards and Rose.

**A Local Law to amend the New York city building code, in relation to keeping residential stairwells and hallways lit during blackouts.**

*Be it enacted by the Council as follows:*

Section 1. Section BC 1002 of the New York city building code is amended by adding a new definition to be placed in alphabetical order to read as follows:

**LUMENS.** *The unit of luminous flux, equal to the luminous flux emitted in a unit solid angle by a point source of one candle intensity.*

§ 2. Section BC 1006 of the New York city building code is amended by adding a new subdivision 1006.4 to read as follows:

**1006.4 Backup lighting system.** *Exit access corridors, exit passageways, exit stairways, and interior exit discharge elements serving occupancies in Groups I-1, R-1, and R-2 shall be provided with a backup lighting system in accordance with Section 1006.4.1 and Section 1006.4.2.*

**Exceptions:**

1. *Buildings in Group R-2 occupancy that are four stories or less and do not contain more than three dwelling units per story.*

2. *Where the emergency power source for the illumination required in Section 1006.3 is an on-site generator utilizing natural gas from the public utility street main as a fuel supply, as permitted in Section 2702.*

3. *Any level of a stairwell that is provided with not less than 12 square feet of exterior glazed opening facing onto a public way, or onto a yard or court.*

4. *Public corridors that are provided with exterior glazed openings facing onto a public way, or onto a yard or court. The net glazed area shall not be less than 6 percent of the floor area of the corridor.*

**1006.4.1 Backup lighting system power source.** *The power supply from the backup lighting system power source shall be available no later than 10 seconds after the building's emergency power system fails and shall last for a duration of not less than 120 hours.*

**1006.4.2 Performance of backup lighting system.** *Not less than 60 lumens of light output shall be provided at each stairway entrance and discharge. Not less than 60 lumens of light output shall be provided at every 30 feet of public corridor. The backup lighting system shall be designed and installed so that the failure of any individual lighting element shall not leave in total darkness any space the requires emergency illumination.*

§ 3. This local law shall take effect January 1, 2014.

Referred to the Committee on Housing and Buildings.

Int. No. 1101

By Council Members Vacca, Chin, James, Koo, Lander, Mendez, Recchia, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to voluntarily installed emergency power systems and natural gas usage.**

*Be it enacted by the Council as follows:*

Section 1. Section 700.12 of section 27-3025 of the administrative code of the city of New York, as added by local law number 39 for the year 2011, is amended to read as follows:

**SECTION 700.12**

Section 700.12 - Revise [the fourth paragraph, add a new Exception] Section 700.12 to read as follows and delete the FPNs:

**700.12 General Requirements.** *Current supply shall be such that, in the event of failure of the normal supply to, or within, the building or group of buildings concerned, emergency power shall be available within the time required for the application but not to exceed 60 seconds except that, where power for emergency lighting shall not be available within 10 seconds, storage batteries shall be used to provide power for emergency lighting within 10 seconds of such failure. The supply system for emergency purposes, in addition to the normal services to the building and meeting the general requirements of this section, shall be one or more of the types of systems described in 700.12(A) through (E). Unit equipment in accordance with 700.12(F) shall satisfy the applicable requirements of this article.*

*In selecting an emergency source of power, consideration shall be given to the occupancy and the type of service to be rendered, whether of minimum duration, as for evacuation of a theater, or longer duration, as for supplying emergency power and lighting due to an indefinite period of current failure from trouble either inside or outside the building.*

*Equipment shall be designed and located so as to minimize the hazards that might cause complete failure due to flooding, fires, icing, and vandalism.*

Fire, sprinkler, standpipe, smoke detection, oxygen, nitrous oxide and other alarm or extinguishing systems shall be connected to the line side of the service equipment and shall have separate overcurrent protection.

*Exception: Such systems installed for local area protection only[,] may connect ahead of the supply area protect.*

§2. Section BC 2702.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**2702.1 Installation.** Emergency systems shall be installed in accordance with the New York City Electrical Code, NFPA 110 and NFPA 111[, and]. *Systems relying on fuel supplies other than natural gas shall have an on-premises fuel supply sufficient for not less than 6-hour full-demand operation of the system. [However, for R-2 occupancies required to provide emergency power systems pursuant to the provisions of Section 403.11.2, and for voluntarily installed emergency power systems, natural] Natural gas from the public utility street main shall be permitted as fuel supply.*

§3. Section BC 2702.1.2 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

**2702.1.2 Capacity.** The emergency power system shall have a capacity and rating that supplies all equipment required to be operational at the same time.

*Exception: For buildings having occupied floors located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access and at least one elevator serving all floors, voluntarily installed emergency power systems may comply with Section 2702.4 in lieu of this section.*

§4. Section BC 2702 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding a new section BC 2702.4 to read as follows:

**2702.4 Voluntarily installed emergency power systems.** *Voluntarily installed emergency power systems shall comply with Sections 2702.4.1 and 2702.4.2.*

**2702.4.1 Required loads.** *Voluntarily installed emergency power systems shall be capable of providing emergency power to the following systems, where such systems are required by this code or otherwise installed:*

1. *Emergency lighting;*

2. *Fire alarm systems; and*

3. *For buildings having occupied floors located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access, at least one elevator serving all floors.*

**2702.4.2 Manual transfer switch.** *For buildings having occupied floors located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access and at least one elevator serving all floors, voluntarily installed emergency power systems may be equipped with a manual transfer switch for supplying power to at least one elevator serving all floors by shedding all other loads.*

§5. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 1841

**Resolution calling on the United States Congress to pass and the President to sign The State Witness Protection Act of 2013.**

By Council Members Vallone Jr., Koo, Mendez and Rose.

**Whereas,** There are many ways people seek to interfere with witnesses in court proceedings in an effort to influence the outcome of those proceedings; and

**Whereas**, For example, witnesses or others close to them are physically injured or threatened with physical injury in an attempt to dissuade them from testifying in court; and

**Whereas**, If the penalties for witness intimidation and/or other types of witness tampering in state or local judicial proceedings were made to be a federal offense, we would likely experience a reduction in the frequency of individuals using such tactics to discourage witnesses from coming forward, and ultimately, witnesses would feel more assured and justice would benefit; and

**Whereas**, Failure to establish federal penalties for interfering with witnesses, allows defendants to compromise the judicial process by successfully threatening witnesses into fleeing, recanting, or refusing to testify; and

**Whereas**, In 2012, there were a series of violent crimes in the Buffalo region of New York that left law enforcement frustrated by the increasing reluctance of witnesses to come forward with information relating to crimes; and

**Whereas**, On May 8, 2013, the United States (U.S.) Senate introduced S.901, also known as The State Witness Protection Act of 2013; and

**Whereas**, The State Witness Protection Act of 2013 seeks to protect witnesses by amending the federal criminal code to impose criminal penalties on any individual who kills or attempts to kill a witness in a state or local judicial proceeding or uses physical violence against a witness; and

**Whereas**, Additionally, federal criminal penalties would be imposed on individuals found guilty of (i) influencing, delaying, or preventing the testimony or attendance of such witness at a state or local judicial proceeding; (ii) preventing the production of a record or document in a state or local judicial proceeding; (iii) causing or inducing any person to withhold testimony or evidence, destroying evidence, evading the legal process, or be absent from a state or local judicial proceeding; (iv) hindering, delaying, or preventing any person from providing information to a state or local law enforcement officer or judge; or (v) retaliating against any person for attending a state or local judicial proceeding or providing information to a law enforcement officer; and

**Whereas**, The Witness Protection Act of 2013 is supported by U.S. Senator Charles E. Schumer from New York, who calls for swift passage of the bill; and

**Whereas**, The U.S. Senate should pass The State Witness Protection Act of 2013, the U.S. House of Representatives should introduce and pass a companion bill, and the President should sign The State Witness Protection Act of 2013 in order to increase public safety and promote participation in America's judicial process; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the United States Congress to reintroduce and pass, and the President to sign a State Witness Protection Act.

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1102

By Council Members Van Bramer, Chin, Ferreras, James, Koo, Lander, Mendez, Palma and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to improving hazardous materials storage pursuant to the New York city community right-to-know law.**

*Be it enacted by the Council as follows:*

Section 1. Subdivision c of section 24-718 of the administrative code of the city of New York is amended to read as follows:

(c) [On or before July first, nineteen hundred ninety-four, the] *The* commissioner, in consultation with the emergency response agencies, shall by rule establish the contents of a risk management plan, which shall be designed to prevent the accidental release and to minimize the consequences of any such release of any extremely hazardous or regulated toxic substance. The plan shall include but need not be limited to: (1) a site plan; (2) a safety review of design for new and existing equipment and processes; (3) an emergency response program, including an emergency response plan, emergency response training, and emergency response exercises; (4) standard operating procedures; (5) a preventive maintenance program for equipment; (6) a training program for equipment operators, including duration and type of training, and retraining; (7) accident investigation procedures; and (8) a risk assessment program, including a hazard analysis and a consideration of the use of alternate equipment and alternate substances. *For facilities any portion of which exists in a special flood hazard area, as established by section G102.2 of appendix G of the New York city building code, the risk management plan shall also include a plan to ensure that extremely hazardous and regulated toxic substances are located in areas that have been dry floodproofed in accordance with ASCE 24, or are located on a story that is entirely above the design flood elevation specified in ASCE 24, table 7-1, as modified by appendix G of the New York city building code.*

§ 2. This local law shall take effect ninety days after enactment, except that the commissioner of environmental protection shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Res. No. 1842

**Resolution calling upon the United States Congress to pass and the President of the United States to sign the Restore Honor to Service Members Act, which would upgrade to honorable those discharge classifications received by gay and lesbian service members solely because of their sexual orientation.**

By Council Members Van Bramer, the Speaker (Council Member Quinn), Brewer, Chin, Comrie, Dickens, Dromm, Ferreras, James, Koppell, Lander, Lappin, Mark-Viverito, Mendez, Palma, Richards, Rose and Jackson.

**Whereas**, Beginning during World War II, the United States Armed Forces excluded gay and lesbian individuals from military service and provided for the discharge of homosexual service members; and

**Whereas**, A service member's discharge from the military is classified according to the characterization of their service; and

**Whereas**, Many benefits and services provided to veterans are only offered to those who received honorable or general discharges; and

**Whereas**, Between 1993 and 2011, a legislative compromise subsequently known as the "Don't Ask, Don't Tell" policy barred inquiries into a service member's sexual orientation without credible evidence of homosexual behavior while prohibiting openly gay, lesbian, and bisexual individuals from military service; and

**Whereas**, Under the Don't Ask, Don't Tell policy, service members discharged due to their sexual orientation generally received honorable discharges, however, some of those accused of committing a "homosexual act" such as holding hands with a member of the same sex received less than honorable discharges; and

**Whereas**, Many individuals discharged from the military because of their sexual orientation prior to the implementation of Don't Ask, Don't Tell received dishonorable or otherwise punitive discharges; and

**Whereas**, Following the repeal of Don't Ask, Don't Tell policy in September 2011, the United States Armed Forces recognizes the service and sacrifices of all service members, regardless of sexual orientation, and allows gay and lesbian individuals to serve openly in the United States military; and

**Whereas**, In June 2013, Congressmen Mark Pocan and Charles Rangel announced legislation, the Restore Honor to Service Members Act, that would provide for the upgrade of discharges that were otherwise honorable, but were not classified as such due to the service member's sexual orientation; and

**Whereas**, The Restore Honor to Service Members Act would also remove any reference to a service member's sexual orientation from their military record; now, therefore, be it

**Resolved**, That the New York City Council calls upon the United States Congress to pass and the President of the United States to sign the Restore Honor to Service Members Act, which would upgrade to honorable those discharge classifications received by gay and lesbian service members solely because of their sexual orientation.

Referred to the Committee on Veterans.

L.U. No. 853

By Council Member Recchia:

**Block 2534, Lot 8, Bronx, Community District No. 4, Council District No. 16**

Referred to the Committee on Finance.

L.U. No. 854

By Council Member Recchia:

**Logan Plaza, Block 1970, Lots 2 and 9, Manhattan Community District No. 9, Council District No. 7**

Referred to the Committee on Finance.

L.U. No. 855

By Council Member Recchia:

**Multifamily Preservation Loan Program Stamtisch, 299 Wyckoff Avenue, Block 3329, Lot 1, Brooklyn Community District No. 4, Council District No. 37.**

Referred to the Committee on Finance.

L.U. No. 856

By Council Member Recchia:

Promenade Apartments, Block 2215, Lot 42, Manhattan Community District No.8, Council District No. 10

Referred to the Committee on Finance.

At this point the Speaker (Council Member Quinn) made the following announcements:

ANNOUNCEMENTS:

Tuesday, June 25, 2013

Note Time Change

Committee on ECONOMIC DEVELOPMENT 11:00 A.M. Oversight - Industrial and Commercial Abatement Program: Where are we five years later? Committee Room - 250 Broadway, 16th Floor Karen Koslowitz, Chairperson

Deferred

Committee on IMMIGRATION 10:00 A.M. Agenda to be announced Committee Room - 250 Broadway, 14th Floor Daniel Dromm, Chairperson

Addition

Committee on CIVIL RIGHTS 10:00 A.M. Proposed Int. 974-A - By Council Members Vacca, Lander, Palma, Rose, Lappin, Arroyo, Brewer, Chin, Eugene, Ferreras, Gentile, Jackson, James, Koo, Koppell, Koslowitz, Mendez, Reyna, Rivera, Williams, Rodriguez, Mark-Viverito, Crowley, Gonzalez and Ulrich - A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination in employment based on pregnancy, childbirth, or a related condition. Committee Room - 250 Broadway, 14th Floor Deborah Rose, Chairperson

Note Topic Addition

Committee on HOUSING AND BUILDINGS 1:00 P.M. Proposed Int. 477-A - By Council Members Cabrera, Williams, Barron, Brewer, Chin, Dromm, Foster, Garodnick, Gonzalez, Greenfield, Jackson, James, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Palma, Rose, Vann, Wills, Rivera, Dickens, The Public Advocate Bill de Blasio and Council Members Eugene, Arroyo, Rodriguez, Levin, Recchia, Van Bramer, Weprin, Nelson and Halloran - A Local Law to amend the administrative code of the City of New York, in relation to a tenants bill of rights and responsibilities. Int 1056 - By Council Member Dilan (by request of the Mayor) - A Local Law to amend the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code and the New York city fuel gas code in relation to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, with differences that reflect the unique character of the city and clarifying and updating administration and enforcement of such codes and the 1968 code. Committee Room - 250 Broadway, 16th Floor Erik Martin-Dilan, Chairperson

Deferred

Committee on SMALL BUSINESS 1:00 P.M. Agenda to be announced Committee Room - 250 Broadway, 14th Floor Diana Reyna, Chairperson

Note Topic Addition

Committee on GENERAL WELFARE 1:00 P.M. Proposed Res. 543-A - By Council Members Recchia, Greenfield, Brewer, Fidler, Gentile, James, Koppell, Koslowitz, Lander, Mealy, Palma, Rodriguez, Rose, Williams, the Speaker (Council Member Quinn) and Reyna - Resolution calling on the United States House of Representatives and the United States Senate to pass and the President to sign a Farm Bill that preserves funding for the Supplemental Nutritional Assistance Program. Res 1833 - By The Speaker (Council Member Quinn) and Council Members Palma and Dromm - Resolution authorizing the Speaker to intervene, file an amicus brief, or join an amicus brief on behalf of the Council of the City of New York in the litigation captioned Pelegrin v. New York City Human Resources Administration, for the purpose of defending provisions of the New York City Charter that require city agencies to provide public notice and the opportunity for public comment on proposed new rules and rule changes before adoption. Committee Room - 250 Broadway, 14th Floor Annabel Palma, Chairperson

Wednesday, June 26, 2013

Addition

Committee on WOMEN'S ISSUES. 9:30 A.M. Res. 1793 - By The Speaker (Council Member Quinn) and Council Members, Lappin, Ferreras, Mendez, Arroyo, Brewer, Chin, Comrie, Dickens, Dromm, Eugene, Jackson, James, Koppell, Koslowitz, Lander, Palma, Recchia, Richards and Rose - Resolution calling upon the United States Congress to pass and the President to sign the "Stop Deceptive Advertising in Women's Services Act." Committee Room - 250 Broadway, 14th Floor Julissa Ferreras, Chairperson

Addition

Committee on CIVIL SERVICE AND LABOR 11:00 A.M. Int. 97-A - By Council Members Brewer, Lappin, Mendez, Palma, Gonzalez, Ferreras, Koppell, Recchia, Gentile, Mark-Viverito, Rodriguez, James, Williams, Levin, Rose, Jackson, Chin, Barron, Ulrich, Mealy, Nelson, Vann, Crowley, Foster, Lander, Van Bramer, Dromm, Garodnick, Rivera, Cabrera, Eugene, Koslowitz, Vacca, Weprin, Reyna, Arroyo, King, Richards, Wills, Gennaro, Dickens, Comrie and the Public Advocate (Mr. de Blasio) - A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the provision of sick time earned by employees. M 1159 - Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 97-A, in relation to the provision of sick time earned by employees. Committee Room - 250 Broadway, 14th Floor Michael Nelson, Chairperson

Stated Council Meeting Ceremonial Tributes - 1:00 p.m. Agenda - 1:30 p.m. Location ~ Council Chambers ~ City Hall

Whereupon on motion of the Speaker (Council Member Quinn), the President Pro Tempore (Council Member Rivera) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, June 26, 2013.

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council



