

SUPPLEMENT TO

THE CITY RECORD

THE COUNCIL —STATED MEETING OF

TUESDAY, DECEMBER 10, 2013

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of

Tuesday, December 10, 2013, 3:48 p.m.

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

Council Members

Christine C. Quinn, Speaker

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

Excused: Council Members Ferreras and Gonzalez.

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).

*Newly-elected Council Member Vanessa L. Gibson was ceremonially sworn-in later during these proceedings and is considered present and eligible to vote at this Stated Meeting.

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

INVOCATION

The Invocation was delivered by Rev. Dr. William L. Watkins, Jr. 204 West 118th Street, New York, NY 10026.

Oh God, our help in ages past, our hope for years to come.

First let me say thank you Lord on behalf of all who are gathered here today. Thank you for your many and abundant blessings. Thank you for life itself, for the measure of health we need to fulfill our calling, for sustenance and for friendship. Thank you for the ability to be involved in youthful work and for the honor of bearing appropriate responsibilities. Thanks as well for the freedom to embrace you or the freedom to reject you. Thank you for loving us even so, on your boundless, glorious and gracious nature. In the scriptures you have said that citizens ought to obey the governing authorities, since you have established those very authorities to promote peace and order and justice, therefore I pray for our Mayor, for the various levels of the city officials and in particular, for this assembled New York City Council. I'm asking that you grant them wisdom to govern amid the conflicting interests and issues of our times, a sense of the welfare and true needs of our people, a keen interest for justice and righteousness, for confidence in what is good, fitting and well-pleasing in your sight, the ability to work together in harmony even when there is honest disagreement, personal peace in our lives and joy in the past. I'll pray for the agenda set before the City Council today; please give an assurance of what would please you and would benefit those who live and work in and around our great city, this Lord we pray in your precious name. Amen.

Council Member Dickens moved to spread the Invocation in full upon the Record.

During the Communications from City, County and Borough Offices segment of this Meeting, the Speaker (Council Member Quinn) asked for a Moment of Silence in memory of the following individuals:

NYPD traffic agent Kalyanarat Ranasinghe, 71, was killed while on-duty on November 30, 2013 when he was accidently run over by a truck pulling out of a parking space in midtown Manhattan. He was a telecommunications engineer in his native Sri Lanka before moving to the United Stated with his family in 2001 and joining the NYPD in 2006. He is survived by his wife and their daughter.

Nelson Mandela, 95, former President of South Africa who spent 27 years incarcerated for his fight against apartheid before serving as his country's first black president, died on December 5, 2013. The Speaker (Council Member Quinn) noted that he will be remembered not only as one of the world's greatest champions against the forces of oppression but also for his work on such issues as HIV/AIDS, equality, appropriate rural development and education for all. The Speaker (Council Member Quinn) thanked Council Member Jackson for bringing a poster of Nelson Mandela in the Chambers behind the front dais. The floor was then yielded to Council Member Jackson who praised the memory of Mr. Mandela and read the Mandela quote shown on the poster: "Education is the most powerful weapon which you can use to change the world". The floor was then yielded to Council Members King, Williams, Barron, Rodriguez, Vann, Dilan, Mealy, and Eugene who all spoke in honorable memory of Nelson Mandela.

* * *

During the Communications from City, County and Borough Offices segment of this Meeting, the President Pro Tempore (Council Member Rivera) recognized the following Council Member-elects in the Chambers: Steven Matteo, Assembly Member Alan Maisel, Ritchie Torres, and Robert Cornegy.

ADOPTION OF MINUTES

Council Member Lander moved that the Minutes of the Stated Meeting of November 14, 2013 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-1338

Communication from the Mayor – Mayor’s Veto and Disapproval Message of Introductory Number 951-A - in relation to public notice of final rules.

November 27, 2013

Michael McSweeney
City Clerk of the Council
141 Worth Street
New York, NY 10013

Dear Mr. McSweeney:

Transmitted herewith is the bill disapproved by the Mayor. The bill is as follows:

Introductory Number 951-A

A local law to amend the New York city charter, in relation to public notice of final rules.

Sincerely,

Patrick A. Wehle

cc: Honorable Christine C. Quinn

(The following is the text of the Mayor’s Veto and Disapproval Message of Int No. 951-A:)

November 27, 2013

Hon. Michael McSweeney
City Clerk and Clerk of the Council
141 Worth Street
New York, NY 10013

Dear Mr. McSweeney:

Pursuant to Section 37 of the New York City Charter, I hereby disapprove Introductory Number 951-A, which amends the City’s Administrative Procedure Act ("CAPA") by increasing the amount of notice required for votes on final rules by certain boards and commissions, and which also creates additional procedural hurdles for the Taxi and Limousine Commission ("TLC") to adopt pilot programs.

Introductory Number 951-A provides that boards and commissions may not adopt any final rule unless they have posted the final language on their website and provided the final language to board or commission members at least three calendar days prior to a final vote on the rule. Similarly, Introductory Number 951-A provides that the TLC may not adopt any pilot program unless it has posted the resolution approving the pilot program on its website and provided the resolution to commissioners at least three calendar days prior to a final vote.

These new requirements would harm the public interest by unnecessarily increasing the complexity of the process that boards and commissions must follow in promulgating rules that serve the public interest. Currently, boards and commissions may adopt a final rule, following a public hearing on the rule, simply by a majority

vote in favor at a public meeting. Under Introductory Number 951-A, board or commission members may not adopt a final rule unless it is posted online and distributed to them at least three days in advance of their meeting. Moreover, board or commission members would be bound to the text of the final rule as posted online and distributed in advance unless they voted unanimously to revise it.

These new procedural hurdles would not increase transparency. CAPA already provides for an extensive notice and comment period to allow the public to comment on proposed rules, and to allow boards and commissions to consider those comments before a final vote. The goal of notice and comment — as well as City websites allowing for electronic comments — is to solicit ideas for how to change and improve a rule from the version that was first published in the City Record. These ideas are, of course, taken under consideration by all rulemaking agencies, including boards and commissions. This bill would not expand the opportunity to comment on rules in any meaningful way, nor is it likely that it would provide board or commission members with any new information. Instead, Introductory Number 951-A would disempower boards and commissions by taking away their ability, by anything less than a unanimous vote, to make necessary changes to a rule that may result from discussion of the rule at the public meeting prior to its adoption. Board or commission members who choose to carefully consider a rule before voting to adopt it would be forced to either delay the entire rulemaking process by at least thirty days until the next meeting or to seek unanimous consent for a change they consider necessary. This would have the perverse effect of making board or commissioner members less likely, rather than more likely, to consider public comment on the rule.

Introductory Number 951-A’s micromanagement of TLC’s pilot program approval process is also misguided. TLC has already developed a regularized and transparent process for the review, approval and implementation of pilot programs, which includes the Law Department review and approval of program documents. As with the new CAPA requirements in Introductory Number 951-A, the new restrictions on pilot program approval would have the perverse effect of making the Commission less likely, rather than more likely, to consider public comment on the program, to avoid the likelihood of delay caused by changes that do not have unanimous support.

Because the additional procedures required by Introductory Number 951-A would serve only to prolong rulemaking by boards and commissions without enhancing the efficiency or openness of the regulatory process, I hereby disapprove Introductory Number 951-A.

Sincerely,

Michael R. Bloomberg
Mayor

Cc: The Honorable Christine C. Quinn

Referred to the Committee on Governmental Operations.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES


M 1339

Communication from the Board of Elections - Submitting the Certification of Election of Vanessa L. Gibson, as the new Council Member of the 16th Councilmanic District, Bronx County.

(The following is Page Four of the four-page Certification:)

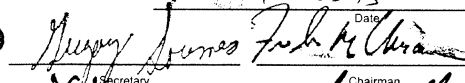
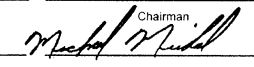
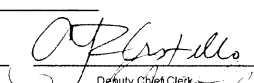
BOARD OF ELECTIONS
IN THE CITY OF NEW YORK
PRINTED AS OF:
12/3/2013 11:20:00AM

Statement and Return Report for Certification
General Election 2013 - 11/05/2013
Bronx County
All Parties and Independent Bodies
Member of the City Council (16th Council District), vote for 1



Total for Member of the City Council (16th Council District) - Bronx County	
PUBLIC COUNTER	14,504
EMERGENCY	73
ABSENTEE/MILITARY	280
FEDERAL	0
SPECIAL PRESIDENTIAL	0
AFFIDAVIT	231
Total Ballots	15,088
Less - Inapplicable Federal/Special/Presidential Ballots	0
Total Applicable Ballots	15,088
VANESSA L. GIBSON (DEMOCRATIC)	12,514
BENJAMIN EGGLESTON (REPUBLICAN)	188
BENJAMIN EGGLESTON (CONSERVATIVE)	55
CARLOS M. SIERRA (INDEPENDENCE)	595
WALTER L. NEWSOME JR. (JOBS & EDUCATION)	389
D.L. WALTERS JR. (WRITE-IN)	1
LIAN HELM (WRITE-IN)	1
Total Votes	13,743
Unrecorded	1,345

We certify this statement to be correct, and have caused the same to be attested by the signatures of the members of the board, or a majority thereof, on

12.03.13
Date

Secretary

Chairman

Deputy Chief Clerk

Canvassing Board
Canvassing Board
Deputy Chief Clerk

Page 4 of 4

Received, Ordered, Printed & Filed.

Ceremonial Oath of Office for Vanessa L. Gibson

At this point, the Speaker (Council Member Quinn) asked that the Majority Leader (Council Member Rivera), the Deputy Majority Leader (Council Member Comrie), the Chair of the Bronx Delegation Council Member Palma, and the Minority Leader (Council Member Oddo) all escort Vanessa L. Gibson into the Chambers for her ceremonial swearing-in as Council Member. The Speaker (Council Member Quinn) also recognized Council Member Gibson’s mother as well as Deputy Bronx Borough President Aurelia Greene.

At this point, the City Clerk and Clerk of the Council (Mr. McSweeney) performed the formal ceremony of swearing-in the newly elected Vanessa L. Gibson as Council Member representing the people of the 16th Council District in the Bronx. Council Member Gibson spoke briefly and thanked those assembled including her mother and other family members and Deputy Borough President Greene as well.

M-1340

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Priscilla Corp., Council District 37, pursuant to Section 19-511(i), of the administrative code of the city of New York.

November 26, 2013

The Honorable Speaker Christine C. Quinn
Attention: Mr. Gary Altman
Council of the City of New York
250 Broadway, 15th Floor
New York, New York 10007

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

Dear Speaker Quinn:

Please be advised that on November 22, 2013 the Taxi & Limousine Commission voted to approve the following for-hire vehicle base license application:

NEW (4):	LICENSE #	COUNCIL DISTRICT
Community Car Service D/b/a Priscilla Corp.	B02671	37
Elal Car Limo. Service L.L. C. D/b/a Fifth Avenue Car Limo. Service	B02674	22
KJ Transportation	B02688	11
QV Queens Inc.	B02647	27
RENEWALS (7):	LICENSE #	COUNCIL DISTRICT
Area’s Two Transportation Inc.	B01452	51
Heights Car & Limo. Inc.	B01636	33
Mexicana High Class Inc. D/b/a Capital Car Service	B00021	21
Jerusalem Car Com. Inc.	B01608	44
Gotham Car Service Inc. D/b/a Legend Car Service	B00256	33
Fast Operating Corp. D/b/a Carmel Car & Limousine Service	B00256	8
Five Star	B01466	40
RENEWAL & OWNERSHIP CHANGE (1):	LICENSE #	COUNCIL DISTRICT
Harbor View Trans of Staten Island	B00112	43

The complete application packages compiled for the above bases are available for your review upon request. If you wish to receive a copy please contact Ms. Michelle Lange, Business Licensing Unit, at langem@tlc.nyc.gov. Please find enclosed herein the original applications for the approved base stations.

Very truly yours,

Christopher Tormey
Director of Applicant Licensing
Licensing & Standards Division
Taxi & Limousine Commission

Referred to the Committee on Transportation.

M-1341

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Fifth Avenue Car Limo. Service, Council District 22, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1342

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license KJ Transportation, Council District 11, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1343

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license QV Queens Inc, Council District 27, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1344

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Area’s Two Transportation Inc., Council District 51, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1345

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Heights Car & Limo. Inc., Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1346

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Mexicana High Class Inc., Council District 21, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1347

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Jerusalem Car Com. Inc., Council District 44, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1348

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Gotham Car Service Inc., Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1349

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Fast Operating Corp., Council District 8, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1350

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Five Star., Council District 40, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-1351

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license Harbor View Trans of Staten Island., Council District 43, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of the TLC letter, please see M-1340 printed above in this Communications from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

LAND USE CALL UPS

M-1352

By Council Member Chin:

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 349 Broome Street, in the Borough of Manhattan, Community District 2, Application no. 20145155 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-1353

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

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application nos. C 140063 ZSK, C 140066 PPK, C 140067 PQK and M 090107(B) MMK and shall be subject to Council review. These items are related to Application nos. N 140064 ZRK and C 140065 ZMK, which are subject to Council review pursuant to Section 197-d of the New York City Charter.

Coupled on Call – Up Vote

LAND USE CALL UP VOTE

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

Affirmative –Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Fidler, Garodnick, Gennaro, Gentile, Gibson, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, 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.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Contracts

Report for Int. No. 1009-A

Report of the Committee on Contracts 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 an annual report on preferred source contract awards.

The Committee on Contracts, to which the annexed amended proposed local law was referred on February 27, 2013 (Minutes, page 439), respectfully

REPORTS:

Introduction

On December 9, 2013, the Committee on Contracts (the Committee), chaired by Council Member Darlene Mealy, will meet to vote on Proposed Int. No. 1009-A, a bill that would require the City to report its utilization of preferred source vendors. The Committee considered a prior version of the bill at a hearing on November 18, 2013.

Background

In order to advance special social and economic goals, New York State law grants selected providers preferred source status for purposes of procurement.¹ Specifically, in 1996, Section 162 of the New York State Finance Law was expanded to include a preferred source procurement mandate for all State agencies, political subdivisions and public benefit corporations.² The mandate requires that, whenever possible, these entities purchase goods and services from a list of preferred vendors that includes, among others, the Department of Correctional Services’ Correctional Industries Program (Corcraft), Industries for the Blind of New York State (IBNYS), and New York State Industries for the Disabled (NYSID).³ These organizations market a broad array of goods and services ranging from supplies, furniture, personal care items and food to data entry, maintenance and janitorial work, mail processing and call center staffing.⁴ Pursuant to the requirement, when agencies need to procure

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¹ See N.Y. State Finance Law § 162.
² *Id.*
³ See NYS Procurement Bulletin, *Preferred Source Guidelines*, available at <http://www.ogs.state.ny.us/procurecounc/pdfdoc/psguide.pdf>.
⁴ See NYS Office of General Services, *List of Preferred Source Offerings*, available at <http://www.ogs.state.ny.us/procurecounc/pdfdoc/pslist.pdf>.

a good or service, they must first determine whether such good or service is provided by one of the preferred source vendors and meets the quality requirements of the agency.⁵ If it does, the agency must purchase the good or service from the preferred vendor provided the vendor offers a price no higher than 15% more than either the market price or the lowest price bid by an otherwise responsible and responsive bidder.⁶

The purpose of the preferred source program is to promote the self-sufficiency and self-determination of preferred source clients and their families, by providing a steady source of demand for the goods and services that they produce, while ensuring that quality and cost remain competitive.⁷ Beyond these primary benefits, preferred source procurement can also reduce the cost of government programs. For example, a 2006 Center for Governmental Research Study of NYSID estimated that the program saved the federal and state governments approximately \$20 million that year in disability assistance that it would otherwise have had to pay to unemployed disability recipients.⁸ Similarly, in addition to the benefits to prisoners, the Corcraft program helps the NYS Department of Correctional Services redeem some of the costs associated with incarceration.⁹

New York City’s Utilization of Preferred Source Vendors

In Fiscal Year 2010,¹⁰ New York City procured \$17 billion worth of supplies, services and construction over the course of almost 56,000 transactions.¹¹ Of this amount, 57 contracts worth a total of \$42 million across 16 agencies were awarded to preferred source vendors.¹² The largest of these was a \$9 million DOT contract with NYSID for cleaning services.¹³ This spending was part of several large multi-year contracts that the City signed with preferred source vendors in FY10, including a \$100 million multi-year contract with IBNYS for a wide array of different supplies, a 10-year \$80 million contract with Corcraft for cleaning products, and \$25 million worth of goods and \$60 million worth of services from NYSID.¹⁴

During this same period, the City spent a total of approximately \$800 million on goods and services overall via requirement contracts.¹⁵ Requirement contracts are contracts in which a vendor agrees to supply the entirety of a City’s requirement for a particular good or service.¹⁶ City agencies are then required to use that contract when procuring that good or service.¹⁷

New York City’s budget is roughly equal to the combined budgets of all other local governments in New York State,¹⁸ thus the City’s compliance with Section 162 of the State Finance Law is vital to the continued resilience of the preferred source vendor program and the benefits it provides. Although the City does provide a large percentage of the preferred source vendor revenues in New York State, some preferred source vendors report that the City is not properly responsive to requests that their products be considered for purchase.

January 2011 Oversight Hearing

In January 2011, the Committee held an oversight hearing to explore the City’s compliance with State Finance Law § 162, at which representatives of NYSID, IBNYS, and Corcraft testified. During the hearing, one representative questioned whether agencies appropriately consulted the preferred source offering list before deciding to solicit bids;¹⁹ all three representatives suggested that they were missing contracting opportunities.²⁰ One representative observed that the City provides no summary of the preferred source products that are procured, noting that this makes it difficult to assess the City’s compliance with the law.²¹ Indeed, the City does not routinely report even aggregate data regarding preferred source contracts.²²

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⁵ *Supra* note 3.
⁶ *Id.* Corcraft prices are preset by the Commissioner of Correctional Services and must not exceed reasonable fair market prices. All other vendor prices are regulated by the New York State Office of General Services and may not exceed 15 percent above prevailing market rates.
⁷ *Id.*
⁸ Kent Gardner, *The Benefits of New York State’s Preferred Source Legislation: An Economic Analysis*, Center for Governmental Research, December 2006, available at http://www.cgr.org/reports/06_R-1506_BenefitsofNYSPrefSourceLegislation.pdf.
⁹ See Corcraft website, *Who We Are*, <http://www.corcraft.org/webapp/wcs/stores/servlet/WhoWeAreView?langId=-1&storeId=10001&catalogId=10051>.
¹⁰ FY 2010 was the last year in which the Mayor’s Office of Contract Services provided detailed information regarding preferred source contracts in its annual report, Agency Procurement Indicators.
¹¹ See Mayor’s Office of Contract Services, *Agency Procurement Indicators, Fiscal Year 2010*, at 14.
¹² *Id.*
¹³ *Supra* note 11 at 13.
¹⁴ *Id.*
¹⁵ *Supra* note 11 at vii, 23.
¹⁶ *Supra* note 11 at 22.
¹⁷ *Id.*
¹⁸ See Office of the State Comptroller, *2010 Annual Report on Local Governments*, June 2010, available at <http://www.osc.state.ny.us/localgov/datanstat/annreport/10annreport.pdf> and New York City Office of Management and Budget, *Financial Plan, Fiscal Years 2010-2014*, June 13, 2010, available at http://www.nyc.gov/html/omb/downloads/pdf/fp07_10.pdf.
¹⁹ See Transcript, Oversight – Preferred Source Vendors, Jan. 31, 2011, Committee on Contracts, at 72.
²⁰ *Id.* at 83 and 87.
²¹ *Id.* at 81-82.
²² Compare Mayor’s Office of Contract Services, *Agency Procurement Indicators, Fiscal Year 2010*, at 14, with Mayor’s Office of Contract Services, *Agency Procurement Indicators, Fiscal Year 2011*, Mayor’s Office of Contract Services, *Agency Procurement Indicators, Fiscal Year*

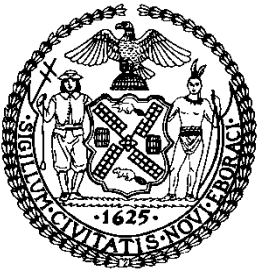
The bill the Committee will vote on today will allow the Council, preferred source vendors, and the public to better evaluate the City’s compliance with State Finance Law § 162.

Proposed Int. No. 1009-A

Proposed Int. No. 1009-A would require the City to publish an annual report detailing agencies’ contracts with preferred source vendors. The report would feature the goods and services set forth in the state’s list of preferred source offerings that were purchased by the City in the previous fiscal year, indicating the dollar value of those offerings purchased from preferred source vendors and those purchased from other (non-preferred source) vendors.

In response to implementation concerns raised by the Administration during the November 18, 2013 hearing, Proposed Int. No. 1009-A was revised to exclude micropurchases—purchases of less than \$20,000—and purchases where the primary purpose of the contract was not the acquisition of preferred source goods or services, and to extend the effective date from 90 days to one year.

(The following is the text of the Fiscal Impact Statement for Int. No. 1009-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY
DIRECTOR

FISCAL IMPACT STATEMENT

INTRO. NO: 1009-A

COMMITTEE:
Contracts

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to an annual report on preferred source contract awards.

SPONSOR(S): Council Members Koppell and Mealy, Lander, Brewer, Chin, Fidler, James, Mendez, Williams, Wills, Lappin, Rodriguez, Van Bramer, Mark-Viverito, Ferreras, Barron, Jackson, and Halloran.

SUMMARY OF LEGISLATION: Proposed Intro. No. 1009-A would require the city chief procurement officer to publish an annual report detailing procurement of preferred source products by each city agency. The report would include, for contracts valued at \$20,000 or more whose primary purpose is to acquire the types of products set forth in the list of preferred source offerings promulgated by the New York State Office of General Services, the total value of each preferred source product procured from preferred source vendors; the total value of such goods procured from non-preferred source vendors; and the total value of all preferred source products procured. Such report would be due to the speaker of the City Council not later than October 1 following the fiscal year included in the report and would be required to be posted on the Mayor’s Office of Contract Services website.

EFFECTIVE DATE: One year following enactment, however city agencies, officers, employees and the city chief procurement officer shall prepare for implementation prior to the effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2015.

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: None

IMPACT ON EXPENDITURES: None.

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

SOURCE OF INFORMATION: Mayor’s Office of Contract Services.

ESTIMATE PREPARED BY: Regina Poreda Ryan, Deputy Director.

2012, and Mayor’s Office of Contract Services, *Agency Procurement Indicators, Fiscal Year 2013*, all available at http://www.nyc.gov/html/mocs/html/research/indicator_reports.shtml.

LEGISLATIVE HISTORY: Intro. No. 1009 was introduced to the City Council on February 27, 2013 and referred to the Committee on Contracts. The Committee held a hearing on November 18, 2013, amended the bill and laid the bill over. The Committee is scheduled to vote on Proposed Intro. 1009-A on December 9, 2013 and the City Council will consider it on December 10, 2013.

DATE SUBMITTED TO COUNCIL: December 9, 2013.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1009-A:)

Int. No. 1009-A

By Council Members Koppell, Mealy, Lander, Brewer, Chin, Fidler, James, Mendez, Williams, Wills, Lappin, Rodriguez, Van Bramer, Mark-Viverito, Ferreras, Barron, Jackson, Dromm, Gentile, Gennaro and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to an annual report on preferred source contract awards.

Be it enacted by the Council as follows:

Section 1. Title 6 of the administrative code of the city of New York is amended by adding a new section 6-136 to read as follows:

§6-136. Reporting on preferred source procurement. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(1) “Agency” shall mean a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

(2) “City chief procurement officer” shall mean the person to whom the mayor has delegated authority to coordinate and oversee the procurement activity of mayoral agency staff, including the agency chief contracting officers and any offices that have oversight responsibility for procurement.

(3) “Preferred source vendors” shall mean vendors identified by New York state as preferred sources pursuant to subdivision two of New York state finance law section one hundred sixty two.

(4) “Preferred source product” shall mean the specific type of good or service identified on the list promulgated by the New York state office of general services pursuant to subdivision three of New York state finance law section one hundred sixty two.

b. Not later than October first of each year, the city chief procurement officer shall submit to the speaker of the city council and publish on the mayor’s office of contract services website a report detailing the city’s procurement of preferred source products during the prior fiscal year. Such report shall include the following information for contracts valued at twenty thousand dollars or more whose primary purpose is the purchase of preferred source products, disaggregated by agency:

(1) the total dollar value of each preferred source product procured from preferred source vendors;

(2) the total dollar value of each preferred source product procured from vendors not identified as preferred source vendors; and

(3) the total dollar value of all preferred source products procured.

§2. This local law shall take effect one year after its enactment into law, provided, however, that city agencies, officers and employees, including but not limited to the city chief procurement officer, shall take such actions as are necessary for its implementation prior to such effective date.

DARLENE MEALY, Chairperson; MICHAEL C. NELSON, ROBERT JACKSON, LETITIA JAMES, MELISSA MARK-VIVERITO; Committee on Contracts, December 9, 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 Education

Report for Int. No. 925-A

Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the department of education to provide data regarding the provision of arts instructional requirements.

The Committee on Education, to which the annexed amended proposed local law was referred on September 12, 2013 (Minutes, page 3483), respectfully

REPORTS:

INTRODUCTION

On Monday, December 9, 2013, the Committee on Education, chaired by Council Member Robert Jackson, will vote on Proposed Int. No. 925-A, a Local Law to amend the New York city charter, in relation to requiring the department of education to provide data regarding the provision of arts instructional requirements. The Committee last held a hearing on an earlier version of this legislation in November 25th, 2013. The New York City Schools’ Chancellor, education advocates, and parent advocacy groups testified.

ANALYSIS

Section one of Proposed Int. No. 925-A would explain in the legislative intent that the Council finds that arts education is an essential element of every child’s education and that the benefits of arts education are well documented and studies have shown that a comprehensive arts education helps students learn more effectively in other areas of the school curriculum including math, science, reading and writing, score higher on the Scholastic Aptitude Test (SAT) and achieve higher levels of academic success in college. In the early grades, the study of dance, music, and visual arts enriches student learning across the entire curriculum. As students move from elementary to middle school, the arts become an important vehicle for self-expression. Finally at the high school level, students can pursue the study of a particular art form in greater depth and consider the options available for advanced study.

Section 2 of Proposed Int. No. 925-A would amend chapter 20 of the New York City Charter by adding a new section 530-f labeled “instructional arts requirement data.” Subdivision (a) of section 530-f would define the term “instructional requirements for the arts” to mean the regulations promulgated within part 100 of Title 8, or successor regulations, of the New York Code Rules and Regulations by the New York State Commissioner of Education. Subdivision (b) of section 530-f would require that not later than February 15, 2014, and on an annual basis thereafter by the 15th of February, the Department of Education shall submit to the Council and post on the Department's website, data regarding the provision of instructional arts requirements in schools for the preceding school year.

Paragraph (1) of subdivision (b) of section 530-f would provide that the report required pursuant to such subdivision (b) shall include but not be limited to the total number and percentage of schools serving students in grades one through six that have met all instructional requirements in all of the following disciplines: music, dance, theatre and visual arts.

Paragraph (2) of subdivision (b) of §530-f would require that the report include the number and percentage of students in grade eight who have:

- i. completed all instruction requirements for the arts.

Paragraph (3) of subdivision (b) of section 530-f would provide that the required report include the number and percentage of high school graduates who have:

- i. completed all instructional requirements for the arts.

Paragraph (4) of subdivision (b) of section 530-f would mandate the reporting of the total number of full-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification. Paragraph (5) of subdivision (b) of section 530-f would require the reporting of the total number of part-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification.

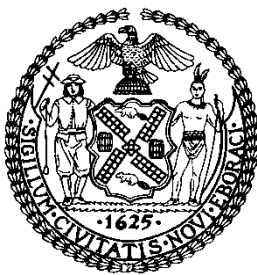
Subdivision (c) of section 530-f would require that data include demographic information regarding the racial and ethnic composition of the school including the percentage of special education students and the percentage of English language learners.

Subdivision (d) of section 530-f would mandate that all information required to be reported by this section shall be aggregated citywide, as well as disaggregated by city council district, community school district and school.

Subdivision (e) of section 530-f would require that no information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 0 and 9 students, or allows another category to be narrowed to between 0 and 9 students, the number shall be replaced with a symbol.

Section two of Proposed Int. No. 925-A would mandate that this local law take effect ninety days after its enactment.

(The following is the text of the Fiscal Impact Statement for Int. No. 925-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: 925-A
COMMITTEE:
Committee on
Education

TITLE: To amend the New York city charter, in relation to requiring the department of education to provide data regarding the provision of arts instructional requirements.

SPONSOR(S): Council Member Jackson, Arroyo, Brewer, Chin, Dromm, Eugene, Fidler, Gentile, James, Koo, Lander, Recchia, Rose, Williams, Lappin, Rodriguez, and Koppell

SUMMARY OF LEGISLATION: Proposed Intro. No. 925-A would require the Department of Education (DOE) to submit to the City Council and post on the DOE’s website a report regarding the provision of arts instruction in schools. The report would include the total number and percentage of: schools serving students in grades 1-6 that have met all instructional requirements in music, dance, theatre, and visual arts; students in eighth grade who have completed all instructional requirements for the arts in grades 7-8; and high school graduates who have completed all instructional requirements for the arts in grades 9-12. In addition, the report would include both the total number of full-time and total number of part-time licensed art instructors on staff for grades 7-12, including but not limited to their areas of arts certification. The data shall also include demographic information regarding the racial and ethnic composition of the schools, as well as the percentage of both special education students and English language learners. All of the required information must be aggregated citywide and disaggregated by City Council district, community school district, and school.

The report must be released by February 15th of each year and contain data regarding the preceding school year.

EFFECTIVE DATE: 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 would be no impact on revenues.

IMPACT ON EXPENDITURES: There would be no impact on expenditures. The DOE already releases an annual report on arts in schools, so the DOE already does much of the data collection and reporting required by this bill. Any additional costs could be absorbed using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Department of Education

ESTIMATE PREPARED BY: Christina Perrotti, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: On September 12, 2012 Intro. 925 was introduced by the Council and referred to the Committee on Education. A hearing was held by the Committee on Education and the legislation was laid over by the Committee on November 25, 2013. An amendment has been proposed, and the legislation is scheduled to be voted on by the Education Committee on December 9, 2013. Upon a

successful vote by the Committee, Proposed Intro. 925-A will be submitted to the Full Council for a vote on December 10, 2013.

DATE SUBMITTED TO COUNCIL: September 12, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 925-A:)

Int. No. 925-A

By Council Members Jackson, Arroyo, Brewer, Chin, Dromm, Eugene, Fidler, Gentile, James, Koo, Lander, Recchia, Rose, Williams, Lappin, Rodriguez, Koppell, Levin, Van Bramer, Greenfield, Barron and Gennaro.

A Local Law to amend the New York city charter, in relation to requiring the department of education to provide data regarding the provision of arts instructional requirements.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that arts education is an essential element of every child’s education. The benefits of arts education are well documented and studies have shown that a comprehensive arts education helps students learn more effectively in other areas of the school curriculum including math, science, reading and writing, score higher on the Scholastic Aptitude Test (SAT), and achieve higher levels of academic success in college. In the early grades, the study of dance, music, theater and visual arts enriches student learning across the entire curriculum. As students move from elementary to middle school, the arts become an important vehicle for self-expression. Finally at the high school level, students can pursue the study of a particular art form in greater depth and consider the options available for advanced study.

§2. Chapter 20 of the New York city charter is amended by adding a new section 530-f to read as follows:

§530-f *Instructional arts requirements data.*

a. *For the purposes of this section:*

“Department” shall mean the department of education of the city of New York.

“Instructional requirements for the arts” shall mean the regulations promulgated within part 100 of title 8, or successor regulations, of the New York code rules and regulations by the New York state commissioner of education.

b. *Not later than February 15th 2014, and on an annual basis thereafter by the 15th of February, the department shall submit to the council and post on the department's website, data regarding the provision of instructional requirements for the arts in schools for the preceding school year. Such report shall include, but not be limited to:*

1. *The total number and percentage of schools serving students in grades one through six that have met all instructional requirements in all of the following disciplines: music, dance, theatre and visual arts;*

2. *The total number and percentage of students in grade eight who have:*
i. completed all instructional requirements for the arts grades seven through eight;

3. *The total number and percentage of high school graduates who have:*
i. completed all instructional requirements for the arts for grades nine through twelve;

4. *The total number of full-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification; and*

5. *The total number of part-time licensed arts instructors on staff for grades seven through twelve including but not limited to their areas of arts certification.*

c. *Data shall include demographic information regarding the racial and ethnic composition of the school and shall include, but shall not be limited to, the percentage of special education students and the percentage of English language learners.*

d. *All information required to be reported by this section shall be aggregated citywide, as well as disaggregated by city council district, community school district and school.*

e. *No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 0 and 9 students, or allows another category to be narrowed to between 0 and 9 students, the number shall be replaced with a symbol.*

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

ROBERT JACKSON, Chairperson; CHARLES BARRON, LEWIS A. FIDLER, G. OLIVER KOPPELL, DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, DANIEL DROMM, STEPHEN T. LEVIN, DEBORAH L. ROSE, MARK S. WEPRIN, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, ERIC A. ULRICH; Committee on Education, December 9, 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 Int. No. 1091-A

Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to distribute information on college savings plans to all students.

The Committee on Education, to which the annexed amended proposed local law was referred on June 24, 2013 (Minutes, page 2079), respectfully

REPORTS:

INTRODUCTION

On Monday, December 9, 2013, the Committee on Education, chaired by Council Member Robert Jackson, will vote on Proposed Int. No. 1091-A, 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. The Committee last held a hearing on an earlier version of this legislation in November 25th, 2013. The New York City Schools’ Chancellor, education advocates, and parent advocacy groups testified.

ANALYSIS

Section one of Proposed Int. No. 1091-A would amend subchapter one of chapter two of title three of the administrative code of the city of New York by adding a new section 3-209.2. Subdivision a of section 3-209.2 would provide the following definitions: “Department” shall mean the department of education; “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.

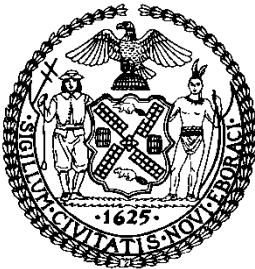
Subdivision b of section 3-209.2 would require that the department develop materials containing information regarding college savings plans. At a minimum, such materials shall include information on (i) college-savings programs available to students, including, but not limited, information regarding New York’s 529 college savings program and (ii) general information regarding tuition at colleges under the authority of the City University of New York and colleges under the authority of the State University of New York and financial aid eligibility. Moreover, the provision would require that such materials be produced and distributed 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.

Subdivision c section 3-209.2 would mandate that the department ensure that materials developed pursuant to subdivision b of such section of the code are provided to all schools in sufficient quantity to satisfy the requirements of subdivisions b and d of section 3-209.2.

Subdivision d of section 3-209.2 would require that the department 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.

Section 2 of Proposed Int. No. 1091-A would mandate that this local law take effect one hundred and twenty days after its enactment.

(The following is the text of the Fiscal Impact Statement for Int. No. 1091-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: 1091-A

COMMITTEE:
Committee on
Education

TITLE: To amend the administrative code of the city of New York, in relation to requiring the department of education to distribute information on

SPONSOR(S): Council Members King, Arroyo, Cabrera, Chin, Comrie, Dickens, Ferreras, Fidler, Garodnick,

college savings plans to all students.

James, Koo, Koppell, Lander, Mark-Viverito, Mendez, Reyna, Richards, Rivera, Rose, Van Bramer, Palma, Rodriguez, Wills, Brewer, Barron, Jackson and Vacca

SUMMARY OF LEGISLATION: Proposed Intro. No. 1091-A would require the Department of Education (DOE) to develop and distribute to students materials containing information regarding college savings plans. The materials shall include, at minimum, information on college-savings programs available to students, including New York’s 529 college savings program; and general information regarding tuition at the City University of New York and State University of New York and financial aid eligibility. These materials would be distributed to all public school students upon entry into kindergarten, sixth grade, and ninth grade, and to every student upon his or her entry into a school as a new student. The DOE would also be required to make these materials available in the main or central office in each school and on the DOE’s website.

EFFECTIVE DATE: This local law would take effect one hundred twenty days after its enactment.

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 would be no impact on revenues.

IMPACT ON EXPENDITURES: Though there would be some costs associated with producing and distributing materials as required by Proposed Intro. No. 1091-A, the Department of Education would be able to absorb these costs into its existing budget. Therefore, there would be minimal to no fiscal impact.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION:Department of Education

ESTIMATE PREPARED BY: Christina Perrotti, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: On June 24, 2013 Intro. 1091 was introduced by the Council and referred to the Committee on Education. A hearing was held by the Committee on Education and the legislation was laid over by the Committee on November 25, 2013. An amendment has been proposed, and Proposed Int. 1091-A is scheduled to be voted on by the Committee on December 9, 2013. Upon a successful vote by the Committee, Proposed Intro. 1091-A will be submitted to the Full Council for a vote on December 10, 2013.

DATE SUBMITTED TO COUNCIL: June 24, 2013.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1091-A:)

Int. No. 1091-A

By Council Members King, Arroyo, Cabrera, Chin, Comrie, Dickens, Ferreras, Fidler, Garodnick, James, Koo, Koppell, Lander, Mark-Viverito, Mendez, Reyna, Richards, Rivera, Rose, Van Bramer, Palma, Rodriguez, Wills, Brewer, Barron, Jackson, Vacca, Levin, Greenfield, Gentile, Eugene, Gennaro and Ulrich.

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:*

- “Department” shall mean the department of education.*
- “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.*
- The department shall develop materials containing information regarding college savings plans. At a minimum, such materials shall include information on (i) college-savings programs available to students including, but not limited to, information regarding New York’s 529 college savings program and (ii) general information regarding tuition at colleges under the authority of the city university of New York and at colleges under the authority of the state university of New York and financial aid eligibility. Such 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.*
- The department shall ensure that 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.*
- The department shall ensure that such written materials are available in the main or central office in each school and that such materials are available on the department’s website for students and parents who wish to obtain such materials.*

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

ROBERT JACKSON, Chairperson; CHARLES BARRON, LEWIS A. FIDLER, G. OLIVER KOPPELL, DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, DANIEL DROMM, STEPHEN T. LEVIN, DEBORAH L. ROSE, MARK S. WEPRIN, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, ERIC A. ULRICH; Committee on Education, December 9, 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 Fire and Criminal Justice Services

Report for Int. No. 143-A

Report of the Committee on Fire and Criminal Justice Services 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 reporting response times for firefighting units and ambulances to fire and medical emergencies.

The Committee on Fire and Criminal Justice Services, to which the annexed amended proposed local law was referred on April 14, 2010 (Minutes, page 1253), respectfully

REPORTS:

I. INTRODUCTION

On December 9, 2013 the Committee on Fire and Criminal Justice Services, chaired by Elizabeth S. Crowley, will consider Proposed Int. No. 143-A, a Local Law to amend the administrative code of the city of New York, in relation to reporting response times for firefighting units and ambulances to fire and medical emergencies. The Committee previously held a hearing on this legislation on June 21, 2013 and received testimony from representatives of the New York City Fire Department (“FDNY”) and other interested parties.

II. BACKGROUND

Fire and Emergency Medical Service (“EMS”) response times traditionally consisted of two main periods of time: dispatch processing time and travel time. The moment at which “response time” was calculated was not when a 9-1-1 operator answered the telephone. Rather, the calculation began when the FDNY received the information regarding the emergency from New York City Police Department (“NYPD”) 9-1-1 call takers or the public. Dispatch processing time was the amount

of time between receipt of information by FDNY/EMS dispatchers and acknowledgment by a fire company or ambulance of the transmittal of information to them. Travel time began as soon as this acknowledgement was sent by a fire company or ambulance back to dispatch. A fire company or ambulance is considered to have arrived at a fire or medical emergency when it arrives at the address of an emergency or fire. Firefighters and Emergency Medical personnel indicate their arrival on Mobile Data Terminals, or may call dispatchers if such terminals are inoperative.

FDNY/EMS Response Times to Fire and Medical Emergencies

In the 2012 Mayor’s Management Report, the FDNY/EMS reported their response times to fire and medical emergencies in various categories such as: (i) average response time to structural fires by fire units; (ii) average response time to structural fires and medical emergencies by fire units; (iii) average response time to life-threatening medical emergencies by ambulance units; (iv) average response time to life-threatening medical emergencies by fire units; (v) combined response time to life-threatening medical emergencies by ambulance and fire units. FDNY/EMS also reports this information on the FDNY website, both Citywide and disaggregating by borough on a monthly and yearly basis.

These categories measure the duration of time between the receipt of an emergency call by FDNY dispatchers or transmittal to FDNY/EMS dispatchers and the arrival of the FDNY/EMS unit to an incident. Critics of this methodology contend that it presents an incomplete picture of the City’s fire and emergency medical service because it does not include the NYPD call-taker time, or in case of a medical emergency, EMS call taker time.

III. PROPOSED INT. NO. 143-A

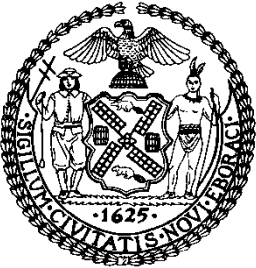
Proposed Int. No. 143-A would name section 15-129 The Ariel Russo Emergency 9-1-1 Response Time Reporting Act. Proposed Int. No. 143-A would require the FDNY to track the duration of time between a report to a 9-1-1 operator of an incident to which fire units or ambulances are required to respond and the time when the first fire unit, which shall include ladders and engines only, or the first ambulance unit arrives on scene in the following categories: (1) average response time to structural fires; (2) average response time to non-structural fires; (3) average response time to non-fire emergencies; (4) average response time to segment 1 medical emergencies, as defined by the department, including cardiac arrest and choking incidents by ambulance units; (5) average response time to life threatening medical emergencies by ambulance units; (6) average response time to life threatening and non-life threatening medical emergencies by ambulance units combined; (7) average response time to life threatening medical emergencies by fire units; (8) combined average response time to life threatening medical emergencies by ambulance and fire units; and (9) percentage of response time of less than 10 minutes to Advanced Life Support medical emergencies by Advanced Life Support ambulances.

Proposed Int. No. 143-A would also require the FDNY to submit a monthly and yearly report to the Council and to the Mayor detailing the response times for each of the above-referenced categories, Citywide and by borough

Proposed Int. No. 143-A has been amended from the original Introduction, Int. No. 143, by naming section 15-129 “The Ariel Russo Emergency 9-1-1 Response Time Reporting Act.” Proposed Int. No. 143-A has also been amended by renumbering the response time categories and expanding such categories to include: (i) average response time to non-structural fires; (ii) average response time to non-fire emergencies; (iii) average response time to segment 1 medical emergencies, as defined by the department, including cardiac arrest and choking incidents by ambulance units; and (iv) average response time to life threatening and non-life threatening medical emergencies by ambulance units combined. Additionally, Proposed Int. No. 143-A has been amended by removing “percentage of response time of less than 6 minutes” from the previous bill’s category five.

The bill will take effect 180 days after enactment into law.

(The following is the text of the Fiscal Impact Statement for Int. No. 143-A:)



THE COUNCIL OF THE CITY
OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK,
DIRECTOR
JEFFREY RODUS, FIRST
DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

INTRO. NO: 143-A
COMMITTEE: Fire and
Criminal Justice Services

TITLE: A Local law to amend the administrative code of the City of New York, in relation to reporting response times for firefighting units and ambulances to fire

SPONSOR(S): Council Members Fidler, Dromm, Ferreras, Gentile, Gonzalez, James, Koppell,

and medical emergencies
Nelson, Reyna, Rodrigues,
Williams, Crowley, Weprin,
Vallone, Cabrera, Garodnick,
Eugene, Vann, Halloran and
Oddo.

SUMMARY OF LEGISLATION: Proposed Intro. 143-A would require the Fire Department (“FDNY”) to track the duration of time between a report to a 911 operator and arrival of the first ladders or engine only, or the first ambulance unit, at an incident in various categories, including: 1) structural fires; 2) non-structural fires; 3) non-fire emergencies; 4) cardiac arrest and choking by ambulance units; 5) other life threatening medical emergencies by ambulance units; 6) life threatening and non-life threatening medical emergencies by ambulance units combined; 7) life threatening medical emergencies by fire units; 8) life threatening medical emergencies by ambulance and fire units combined; and 9) the percentage of response times of less than 10 minutes to life threatening medical emergencies by advance life support units. Proposed Intro. No. 143-A would also require the FDNY to submit, and post on its website, a report on fire and emergency medical service response times to emergencies each month and yearly to the City Council and the Mayor.

EFFECTIVE DATE: One hundred and eighty days after enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2015.

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: None.

IMPACT ON EXPENDITURES: None.

SOURCE OF INFORMATION: New York City Fire Department.

ESTIMATE PREPARED BY: Regina Poreda Ryan, Deputy Director

LEGISLATIVE HISTORY: On April 14, 2010 Proposed Intro. 143 was introduced to the Council and assigned to the Committee on Fire and Criminal Justice Services. The Committee with the Committees on Public Safety and Technology held a joint hearing and laid the bill over on June 21, 2013. The bill was subsequently amended. The Committee on Fire and Criminal Justice Services will consider the amended bill, Proposed Intro. 143-A on December 9, 2013. If the Committee approves the bill the City Council will vote on Proposed Intro. No. 143-A on December 10, 2013.

DATE SUBMITTED TO COUNCIL: December 9, 2013.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 143-A:)

Int. No. 143-A
By Council Members Fidler, Dromm, Ferreras, Gentile, Gonzalez, James, Koppell, Nelson, Reyna, Rodriguez, Williams, Crowley, Weprin, Vallone, Jr., Cabrera, Garodnick, Eugene, Vann, Vacca, Koo, Van Bramer, Chin, Gennaro, Greenfield, Jackson, Halloran and Oddo.

A Local Law to amend the administrative code of the city of New York, in relation to reporting response times for firefighting units and ambulances to fire and medical emergencies.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 15 of the administrative code of the city of New York is amended by adding a new section 15-129 to read as follows:

§ 15-129 *Reporting of department response times. a. This section shall be known as and may be cited as the “The Ariel Russo Emergency 9-1-1 Response Time Reporting Act”.*

b. The department shall track the duration of time between a report to a 911 operator to which fire units or ambulances are required to respond and the time when the first fire unit, which shall include ladders and engines only, or the first ambulance unit, arrives on scene in the following categories:

- (1) Average response time to structural fires;*
- (2) Average response time to non-structural fires;*
- (3) Average response time to non-fire emergencies;*
- (4) Average response time to segment 1 medical emergencies, as defined*

by the
department, including cardiac arrest and choking incidents by ambulance units;
(5) Average response time to life threatening medical emergencies by ambulance units;
(6) Average response time to life threatening and non-life threatening medical emergencies by ambulance units combined;
(7) Average response time to life threatening medical emergencies by fire units;
(8) Combined average response time to life threatening medical emergencies by ambulance and fire units; and
(9) Percentage of response time of less than 10 minutes to Advanced Life Support medical emergencies by Advanced Life Support ambulances.
c. The department shall submit a monthly and yearly report to the council and to the mayor that it shall also post on its website, detailing the citywide response times for each category required herein, disaggregated by borough.
§2. This local law shall take effect one hundred eighty days after its enactment.

ELIZABETH S. CROWLEY, Chairperson; PETER F. VALLONE, Jr., VINCENT J. GENTILE, ROSIE MENDEZ, MATHIEU EUGENE, YDANIS A. RODRIGUEZ; Committee on Fire and Criminal Justice Services, December 9, 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 Int. No. 803-A

Report of the Committee on Fire and Criminal Justice Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Correction to make its electronic database of people buried at Hart’s Island, since 1977, available on its website.

The Committee on Fire and Criminal Justice Services, to which the annexed amended proposed local law was referred on March 14, 2012 (Minutes, page 674), respectfully

REPORTS:

I. INTRODUCTION

On December 9, 2013 the Committee on Fire and Criminal Justice Services, chaired by Council Member Elizabeth S. Crowley, will consider the above-referenced legislation. The Committee previously held a hearing on this legislation on September 27, 2012 and received testimony from representatives of the New York City Department of Correction (“DOC”) and other interested parties.

II. BACKGROUND

The Department of Correction (“DOC”) maintains and operates the City Cemetery, commonly known as Potter’s Field, located on Hart’s Island, in Long Island Sound, off the Coast of City Island in the Bronx. The cemetery occupies 101 acres of Hart’s Island and is purportedly the largest tax funded cemetery in the world. According to the DOC there are between 750,000 and 1 million people buried in Potter’s Field. In 2010 alone, 670 adults and 476 infants were buried and 81 exhumations were performed at Potter’s Field. Those buried on the island are either unclaimed, unidentified, or have been sent to the island by their families because they could not afford a private burial.

Over the past several years DOC has been criticized regarding the way it runs Potter’s field. Those criticisms have included, among others: (i) the lack of access to Hart’s Island burial records, (ii) poor record keeping by the DOC of burial records, and (iii) the lack of accessibility to Hart Island by the public as well as family and friends of decedents.

In October of 2011 DOC representatives testified at an oversight hearing of the City Council Fire and Criminal Justice Services (“FCJS”) Committee that DOC was in the process of completing an electronic database of Hart’s Island burials but had no firm completion date. According to DOC’s testimony, when completed, the records would contain the identifying information of those buried on the island from 1977 until the present and would be made available on DOC’s website.

At the 2011 FJCS Committee hearing DOC Warden Gregory McLaughlin also testified about DOC’s Hart’s Island visitation policy. If a family member wants to visit a loved one, Warden McLaughlin said the family member would have to contact DOC’s Office of Public Information to be told how to proceed. The prospective visitor would have to identify themselves, establish their relationship with the deceased, and then DOC would arrange for a visit. Notwithstanding this visitation policy, lack of access was reportedly the chief complaint among people familiar with the island. Additionally, Warden McLaughlin acknowledged that DOC

had no written visitation policy. In an effort to address the problems of identifying loved ones buried on Hart’s Island and gaining clarity regarding DOC’s visitation policy, Int. No. 803 and 804, were introduced.

On September 27, 2012 the FCJS Committee held a hearing on Int. No 803 and 804. At the hearing Warden McLaughlin testified that DOC revisited its visitation policy and was making changes. He stated, "Anyone who has determined that a loved one is buried on Hart Island and would like to pay their respects is invited to call the Department of Correction’s Office of Constituent Services to request a visit to Hart Island. No documentation regarding the deceased or relationship with the deceased will be required. If others are interested and space is available, they are welcome as well. The Department will arrange for access to Hart Island at least once a month, weather permitting. DOT’s boat has a limited number of seats; we plan to accommodate requests on a first-come, first-serve basis. If a loved one cannot travel to Hart Island on that day, we will do our best to accommodate the visitor on another day that the ferry is operating. All visits, however, will depend on weather conditions and burial activities." Subsequent to the hearing DOC posted its Hart’s Island visitation policy on its website along with a frequently asked questions page regarding visitation policy.

At the September 27th hearing, DOC Deputy Commissioner Jean Yaremchuk testified in support of Int. No. 803 and indicated the Department had been working to develop a Hart’s Island burial database since 2009. Deputy Commissioner Yaremluck stated that the database could be produced as soon as January of 2013 and would be available on DOC’s website when completed. On April 10, 2013 the DOC announced the database had been launched.

III. PROPOSED INT. NO. 803-A

Bill section one requires the DOC to post and maintain a free, searchable electronic database of all burials on Hart’s Island since 1977 on the department’s website. Codifying this requirement will ensure DOC continues to post and maintain its electronic burial database on its website without charging the public to search the database.

Int. No. 803 was amended by removing the legislative intent section.

IV. PROPOSED INT. NO. 804-A

Bill section one requires the Department of Correction to create a written Hart’s Island visitation policy, post the policy on the DOC website, and make it available to anyone who requests a copy. Codifying this requirement will ensure the visitation policy remains public.

Int. No. 804 was amended by removing the legislative intent section.

(The following is the text of the Fiscal Impact Statement for Int. No. 803-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: 803-A
COMMITTEE: Fire and Criminal Justice Services

TITLE: To amend the administrative code of the city of New York, in relation to requiring the Department of Correction to make its electronic database of people buried at Hart’s Island, since 1977, available on its website.

SPONSOR(S): By Council Members Crowley, Oddo, Vacca, Lander, Cabrera, Dromm, Eugene, Ferreras, James, Koo, Koppell, Koslowitz, Levin, Palma, Rose, Williams, Wills, Weprin, Mendez, Mark-Viverito, Jackson, Rodriguez, and Halloran.

SUMMARY OF LEGISLATION: Proposed Int. No. 803-A would amend the administrative code of the city of New York to require the Department of Correction (“DOC”) to make its electronic database of people buried at Hart’s Island, since 1977, available on its website.

EFFECTIVE DATE: This local law shall take effect thirty days after it shall have been enacted into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 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 would be no impact on revenues from the enactment of this legislation.

IMPACT ON EXPENDITURES: The Department of Correction is already in compliance with the mandates of this legislation. Subsequent to the introduction of Proposed Int. No. 803-A, DOC completed an electronic database of people buried on Hart’s Island since 1977 and posted the database on its website. Proposed Int. No.803-A would codify the requirement, and thus ensure that DOC continues to post and maintain its electronic burial database on its website. Adoption of Proposed Int. 803-A would not impact expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: NA

SOURCE OF INFORMATION: The New York City Department of Correction.

ESTIMATE PREPARED BY: Eisha N. Wright, Unit Head, Finance Division

ESTIMATED REVIEWED BY: Regina Poreda Ryan, Deputy Director, Finance Division

Tanisha Edwards, Chief Counsel, Finance Division

LEGISLATIVE HISTORY: On March 14, 2012, Intro. 803 was introduced by the Council and referred to the Committee on Fire and Criminal Justice Services. On September 27, 2012 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee will consider an amended version of the legislation, Proposed Intro. 803-A, on December 9th, 2013. Following a successful Committee vote, on December 10th, 2013, the City Council will vote on Proposed Int. 803-A.

DATE SUBMITTED TO COUNCIL: March 14, 2012.

Accordingly, this Committee recommends the adoption of Int Nos. 803-A and 804-A.

(The following is the text of Int. No. 803-A:)

Int. No. 803-A

By Council Members Crowley, Oddo, Vacca, Lander, Cabrera, Dromm, Eugene, Ferreras, James, Koo, Koppell, Koslowitz, Levin, Palma, Rose, Williams, Wills, Weprin, Mendez, Mark-Viverito, Jackson, Rodriguez, Van Bramer, Gentile, Gennaro, Greenfield and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Correction to make its electronic database of people buried at Hart’s Island, since 1977, available on its website.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-132 to read as follows:

§ 9-132. Hart’s Island electronic burial database. a. The department of correction shall post and maintain an electronic database of all burials on Hart’s Island since nineteen hundred seventy-seven on the department’s website, and shall not charge a fee to the public to search such database.

§2. This local law shall take effect thirty days after it shall have become a law.

ELIZABETH S. CROWLEY, Chairperson; PETER F. VALLONE, Jr., VINCENT J. GENTILE, ROSIE MENDEZ, MATHIEU EUGENE, YDANIS A. RODRIGUEZ; Committee on Fire and Criminal Justice Services, December 9, 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 Int. No. 804-A

Report of the Committee on Fire and Criminal Justice Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Correction to put its Hart’s Island visitation policy in writing, post it on its website, and make it available to anyone who requests a copy.

The Committee on Fire and Criminal Justice Services, to which the annexed amended proposed local law was referred on March 14, 2012 (Minutes, page 675), respectfully

REPORTS:

(For report, please see the Report of the Committee on Fire and Criminal Justice Services for Int No. 803-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 804-A:

(For Int No. 804-A Fiscal Impact Statement and bill, please see the Report of the Committee on Fire and Criminal Justice Services for Int No. 804-A printed in these Minutes; for Int No. 803-A, please see below)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 804-A
COMMITTEE: Fire and Criminal Justice
Services

TITLE: To amend the administrative code of the city of New York, in relation to requiring the Department of Correction to put its Hart’s Island visitation policy in writing, post it on its website, and make it available to anyone who requests a copy.

SPONSOR(S): By Council Members Crowley, Oddo, Vacca, Lander, Brewer, Cabrera, Dromm, Eugene, Jackson, James, Koo, Koppell, Koslowitz, Levin, Palma, Rose, Wills, Mendez, Mark-Viverito, and Halloran.

SUMMARY OF LEGISLATION: Proposed Int. No. 804-A would amend the administrative code of the city of New York, by requiring the Department of Correction (“DOC”) to put its Hart’s Island visitation policy in writing, post the policy on its website, and make it available to anyone who requests a copy.

EFFECTIVE DATE: This local law shall take effect thirty days after it shall have been enacted into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 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 would be no impact on revenues from the enactment of this legislation.

IMPACT ON EXPENDITURES: The Department of Correction is already in compliance with the mandates of this legislation. Subsequent to the introduction of Proposed Int. No. 804-A, DOC revised its Hart’s Island visitation policy, making it less restrictive, and posted the policy on its website. Proposed Int. No.804-A would codify DOC’s existing policy of posting its Hart’s Island visitation policy on its website, as well as establish a new requirement that DOC produce a written copy to anyone who requests one. Adoption of Proposed Int. No. 804-A would not impact expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: NA

SOURCE OF INFORMATION: The New York City Department of Correction.

ESTIMATE PREPARED BY: Eisha N. Wright, Unit Head, Finance Division

Intro 804-A

Page 1

ESTIMATED REVIEWED BY: Regina Poreda Ryan, Deputy Director, Finance Division
Tanisha Edwards, Chief Counsel, Finance Division

LEGISLATIVE HISTORY: On March 14, 2012, Intro. 804 was introduced by the Council and referred to the Committee on Fire and Criminal Justice Services. On September 27, 2012 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee will consider an amended version of the legislation, Proposed Intro. 804-A. on December 9th, 2013. Following a successful Committee vote, on December 10th, 2013, the City Council will vote on Proposed Int. 804-A.

DATE SUBMITTED TO COUNCIL: March 14, 2012.

Intro 804-A

Page 2

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 804-A:)

Int. No. 804-A

By Council Members Crowley, Oddo, Vacca, Lander, Brewer, Cabrera, Dromm, Eugene, Jackson, James, Koo, Koppell, Koslowitz, Levin, Palma, Rose, Wills,

Mendez, Mark-Viverito, Rodriguez, Van Bramer, Gentile, Gennaro, Greenfield and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Correction to put its Hart’s Island visitation policy in writing, post it on its website, and make it available to anyone who requests a copy.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-133 to read as follows:

§ 9-133. *Hart’s Island visitation policy. a. The department of correction shall reduce its Hart’s Island visitation policy to writing, post such policy on the department of correction website and make it available to anyone who requests a copy.*

§2. This local law shall take effect thirty days after it shall have become a law.

ELIZABETH S. CROWLEY, Chairperson; PETER F. VALLONE, Jr., VINCENT J. GENTILE, ROSIE MENDEZ, MATHIEU EUGENE, YDANIS A. RODRIGUEZ; Committee on Fire and Criminal Justice Services, December 9, 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 of the Committee on General Welfare

Report for Int. No. 1194-A

Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to assessing food security.

The Committee on General Welfare, to which the annexed amended proposed local law was referred on November 14, 2013 (Minutes, page 4765), respectfully

REPORTS:

Introduction

On December 9, 2013, the Committee on General Welfare, chaired by Council Member Annabel Palma, will hold a hearing to vote on Proposed Int. No. 1194-A, a Local Law to amend the New York City Charter and Administrative Code of the City of New York, in relation to assessing food security. This will be the second hearing on this bill; the first hearing was held on November 25, 2013. Robert Doar, Commissioner of the Human Resources Administration (HRA), and representatives from the Food Bank for New York City, the New York City Coalition Against Hunger, City Harvest, Citizens’ Committee for Children and other interested parties testified at that hearing. Amendments were made to the bill following the hearing.

Food Security Assessment in New York City – Proposed Int. No. 1194-A

Background

Households are considered food insecure if at some point during the year they had difficulty providing enough food for all household members due to a lack of resources. Although the federal government measures food security on a national level and some community based organizations examine food security on the City level, currently there is no official measurement of food security by City government. The United States Department of Agriculture’s (USDA) Economic Research Service, in collaboration with the U.S. Census Bureau, conducts research on food security, including an annual survey of approximately 45,000 households nationwide.¹ The USDA found that in 2012, 14.5 percent of U.S. households (17.6 million households) were food insecure,² but due to the small number of New York City residents included, the measurement is insufficient to examine food security issues on the local level.

At the City level, the Department of Health and Mental Hygiene (DOHMH) conducts the Community Health Survey (CHS), an annual telephone survey of approximately 10,000 adults based on a framework developed by the Centers for Disease Control and Prevention (CDC).³ The CHS asks questions about general health status and mental health, health care access, cardiovascular health, diabetes, asthma, immunizations, nutrition and physical activity, smoking, HIV, sexual behavior, alcohol consumption, and cancer screening,⁴ but there are no questions

about food security included in the CHS or the CDC framework. HRA issues quarterly Emergency Food Assistance Program reports, which track the number of individuals served at food pantries and the number of meals served in community kitchens, but the data comes directly from providers and is not verified by HRA.⁵ HRA also provides monthly updates on the number of Supplemental Nutrition Assistance Program (SNAP) recipients.⁶

Additionally, some City-based organizations examine the issue of food security. For example, the New York City Coalition Against Hunger (NYCCAH) produces annual hunger reports that in part utilize the aforementioned USDA/Census Bureau data on food security, but notes that due to the low sample size, the federal data cannot be used for an accurate analysis of food insecurity on a borough-by-borough level.⁷ The 2013 NYCCAH report found that one in six city residents and one in five children lived in homes that could not afford enough food in the 2010-2012 time period.⁸ The Food Bank for New York City (Food Bank) produces an annual “NYC Hunger Experience” report series to track trends in difficulty affording food among New York City residents. The Food Bank contracts with Marist College Institute for Public Opinion to conduct telephone interviews with a random and representative sample of City residents. Socio-demographic findings identify which populations throughout the five boroughs are having the greatest difficulty affording food throughout the year in order to inform policy solutions and address the problem of food poverty. The latest report found that in 2012, one in three New Yorkers had experienced difficulty affording needed food.⁹ Additionally, Feeding America releases data on food security at the national, state, county and congressional district levels, based on data from the USDA.¹⁰ Its measurement of food security is developed by examining factors such as the unemployment rate, median income, and the home ownership rate.¹¹

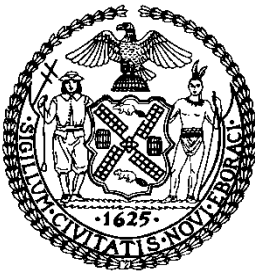
In 2011, the Council enacted a local law which requires the Office of Long-Term Planning and Sustainability (OLTPS) to produce an annual food system metrics report to measure the production, processing, distribution, and consumption of food in and for the City.¹² The food metrics report contains some information about nutrition assistance programs, namely the number of adults sixty-five years or older receiving SNAP and the amount HRA spends on SNAP outreach programs.¹³ The proposed local law would build on that report by adding an annual measurement of food security in the City, including an analysis of existing federal data and the impact and use of governmental food assistance programs. The aim of the proposed local law is to substantially increase understanding of food security issues in the City by developing a comprehensive measurement of the local level of food security.

Analysis

Proposed Int. No. 1194-A would amend section 20 of the City Charter by adding a new subdivision j requiring OLTPS to develop indicators to measure food security in the City, in consultation with DOHMH, HRA, relevant community based organizations, and any others the director of OLTPS may designate. The assessment would be required to include, but is not limited to, an analysis of existing federal data on food security and the impact of governmental nutrition assistance programs. OLTPS would also be required to prepare and present a report on the indicators annually. The local law further amends section 3-120 of the Administrative Code to require inclusion of the report on food security in the OLTPS food metrics report due September 1, 2014, and in every food metrics report thereafter.

¹ U.S. Department of Agriculture, Food Security in the U.S.: Measurement, <http://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/measurement.aspx#.UnEt6IPRaW8> (last visited Nov. 20, 2013).
² Alisha Coleman-Jensen, Mark Nord & Anita Singh, “Household Food Security in the United States in 2012,” United States Department of Agriculture, at 1 (Sept. 2013).
³ New York City Department of Health and Mental Hygiene, Community Health Survey, <http://www.nyc.gov/html/doh/html/data/survey.shtml> (last accessed Dec. 5, 2013).
⁴ *Id.*
⁵ New York City Human Resources Administration, Emergency Food Assistance Quarterly Report, available at http://www.nyc.gov/html/hra/downloads/pdf/facts/efap/efap_stats.pdf.
⁶ New York City Human Resources Administration, HRA Facts, http://www.nyc.gov/html/hra/html/facts/hra_facts.shtml (last accessed Dec. 5, 2013).
⁷ New York City Coalition Against Hunger, “2012 Annual Hunger Survey Report,” (Nov. 2012) at 15, available at http://www.nyccah.org/files/NYCCAH_2012hungerreport.pdf.
⁸ New York City Coalition Against Hunger, “Superstorm of Hunger, Lingering Shortfalls Expose a Tale of Two Food Cities,” (2013) available at <https://nyccah.org/files/FINAL%20Hunger%20Survey%20Report%20Web%20Site.pdf>.
⁹ Food Bank for New York City, Fact Sheet, “NYC Hunger Experience 2012: One City, Two Realities,” available at http://www.foodbanknyc.org/files/dmfile/NYCHunExp2012_HIGHLIGHTS_FINAL2.PDF.
¹⁰ Feeding America, “Map the Meal Gap,” (2013) available at [http://feedingamerica.org/hunger-in-america/hunger-studies/map-the-meal-gap/~media/Files/a-map-2011/2011-mmg-exec-summary.ashx](http://feedingamerica.org/hunger-in-america/hunger-studies/map-the-meal-gap/~/media/Files/a-map-2011/2011-mmg-exec-summary.ashx).
¹¹ *Id.*
¹² Admin. Code § 3-120.
¹³ Admin. Code §§ 3-120 (13),(14).

(The following is the text of the Fiscal Impact Statement for Int. No. 1194-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: 1194-A
COMMITTEE:
General Welfare

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to assessing food security.
SPONSOR(S): Council Members Palma, Cabrera, Chin, James, Koppell, Brewer, and Eugene

SUMMARY OF LEGISLATION: A proposed amendment to section 20 of the New York city charter that requires the director or the director’s designee, in collaboration with the commissioners or respective designees of the Human Resources Administration/Department of Social Services and the Department of Health and Mental Hygiene, community-based organizations, and service providers with relevant experience to establish a set of indicators to assess and track the level of food security in the city, including but not limited to an analysis of existing federal data on food security and the use and impact of governmental nutrition assistance programs.

Food security metrics will be prepared and presented in a report and will be included in the annual city food system metrics report required pursuant to section 3-120 of the code. The first report to include this information is due September 1st and subsequent reports are due in compliance with section 3-120.

EFFECTIVE DATE: Effective Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 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: This legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: The Human Resources Administration/Department of Social Services and the Department of Health and Mental Hygiene can use existing resources to comply with this local law, and there will be no or minimal impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Dohini Sompura, Legislative Financial Analyst

ESTIMATED REVIEWED BY: Latonia McKinney, Deputy Director
Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: Introduced as Intro.1194 on November 14th, 2013 and referred to the General Welfare Committee. A hearing by the General Welfare Committee, Women’s Issues Committee, and the Health Committee was held on November 25th, 2013 and the bill was laid over; Intro. 1194 has been amended, and the amended version, Proposed Int. 1194-A was laid on December 2nd, 2013 and will be considered by the Committee on December 9th, 2013, and upon successful vote by the Committee, will be submitted to the full Council for a vote.

DATE SUBMITTED TO COUNCIL: November 14th, 2013

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1194-A:)

Int. No. 1194-A

By Council Members Palma, Cabrera, Chin, James, Koppell, Brewer, Eugene, Vacca, Van Bramer, Levin, Rodriguez, Gentile and Gennaro.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to assessing food security.

Be it enacted by the Council as follows:

Section 1. Section 20 of the New York city charter is amended by adding a new subdivision j to read as follows:

j. The director or the director’s designee, in consultation with the commissioner of the department of health and mental hygiene, the commissioner of the department of social services/human resources administration, or their respective designees, and community based organizations and service providers with relevant expertise and such other individuals as the director shall designate, shall establish a set of indicators to measure food security. Such indicators shall include but need not be limited to an analysis of existing federal data on food security and the use and impact of governmental nutrition assistance programs. The director, or the director’s designee, shall prepare and present a report on such indicators to be included in the annual city food system metrics report required pursuant to section 3-120 of the code.

§ 2. Subdivision a of section 3-120 of the administrative code of the city of New York, as added by local law 52 for the year 2011, is amended to read as follows:

§ 3-120 Annual city food system metrics report. a. No later than September first, two thousand twelve, and no later than every September first thereafter, the office of long-term planning and sustainability shall prepare and submit to the mayor and the speaker of the city council a report regarding the production, processing, distribution and consumption of food in and for the city of New York during the previous fiscal year. Such report shall include:

1. the number, size in acres, county and type of production of, and annual dollar amount of city financial support received by, farms participating in the watershed agricultural program;

2. the total dollar amount of expenditures by the department of education on milk and other food products that are subject to the United States department of agriculture country of origin labeling requirements, disaggregated and sorted by the product and country of origin in which the essential components of such food products were grown, agriculturally produced and harvested, to the extent such information is reported to the department of education. For any such product where there are multiple countries of origin, the total dollar amount of expenditures, disaggregated by product, shall be separately listed, to the extent such information is reported to the department of education. If the country of origin of milk or fresh whole produce is the United States, for the report due no later than September first, two thousand thirteen, and in every report thereafter, and to the extent such information is reported to the department of education, such report shall include the total dollar amount of expenditures on such milk or fresh whole produce that is local or regional. For purposes of this paragraph, milk or fresh whole produce shall be considered "local" if grown, agriculturally produced and harvested within New York state, and shall be considered "regional" if such food products were grown, agriculturally produced and harvested within the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia or West Virginia;

3. the location, sorted by community board and size in square feet, of each community garden located on city-owned property that is registered with and licensed by the department of parks and recreation, and whether each such garden engages in food production;

4. the number of food manufacturers receiving monetary benefits from the economic development corporation or industrial development agency and the annual dollar amount of such benefits per food manufacturer. For purposes of this paragraph, "food manufacturer" shall mean any natural person, partnership, corporation or other association that processes or fabricates food products from raw materials for commercial purposes, provided that it shall not include any establishment engaged solely in the warehousing, distribution or retail sale of products;

5. the daily number of truck and rail trips to or through Hunts Point Market for the purpose of delivering food to Hunts Point Market, to the extent such information is available. For purposes of this paragraph, "Hunts Point Market" shall mean the food distribution center located in Hunts Point in the borough of the Bronx, and shall include the meat, fish and produce markets operating at such location;

6. for the report due no later than September first, two thousand thirteen, and in every fifth report thereafter, the amount of grocery store space per capita, sorted by community board, and the number of grocery stores that opened during the past five calendar years, sorted by community board, to the extent such information is available. The office of long-term planning and sustainability shall request such

information, as necessary, from the New York state department of agriculture and markets;

7. the number, community board, and number of employees, of grocery stores receiving financial benefits under the food retail expansion to support health program;

8. the number of establishments participating in the healthy bodega initiative administered by the department of health and mental hygiene, sorted by borough;

9. the number of job training programs administered by the department of small businesses services or the workforce investment board to aid individuals seeking work in food manufacturing, food supply, food service or related industries, sorted by borough;

10. the total number of meals served by city agencies or their contractors, including but not limited to meals served in public schools, hospitals, senior centers, correctional facilities, and homeless shelters, and not including food sold in vending machines or by a concessionaire, sorted by agency;

11. for each required city agency food standard developed pursuant to executive order number one hundred twenty-two, dated September nineteenth, two thousand eight, the total number of programs or other relevant entities that purchase, prepare or serve meals, not including food sold in vending machines or by a concessionaire, that are in full compliance with each such standard and the total number that are not in full compliance with each such standard, sorted by agency;

12. the number of and amount of annual revenue earned from vending machines located in facilities operated by the department of education;

13. the number of persons sixty-five years or older receiving benefits through the supplemental nutritional assistance program ("SNAP") administered by the United States department of agriculture;

14. the number and description of, and dollar amount spent by, the human resources administration on SNAP outreach programs;

15. the number and description of, and dollar amount spent on, nutrition education programs administered by the human resources administration and department of health and mental hygiene;

16. the number of salad bars in public schools and in hospitals operated by the health and hospitals corporation, respectively, sorted by borough;

17. the total amount expended by the department of citywide administrative services to purchase water other than tap water;

18. information concerning the green cart initiative administered by the department of health and mental hygiene, including the number of applications for permits, the number of permits issued, the number of persons on the waiting list, the number of violations issued to green carts, the location of such carts when such violations were issued and, to the extent such information is available, the number of permit holders who accept electronic benefit transfer, sorted by borough; [and]

19. the number of vendors at greenmarkets, farmers' markets and similar markets operated by the council on the environment of New York city or any successor entity, and the average number of vendors at such markets, sorted by borough[.]; and

20. for the report due no later than September first, two thousand fourteen, and in every report thereafter, contents of the report on food security as required by subdivision j of section 20 of the charter.

§ 3. This local law shall take effect immediately.

ANNABEL PALMA, Chairperson; GALE A. BREWER, MARIA del CARMEN ARROYO, YDANIS A. RODRIGUEZ, BRADFORD S. LANDER, STEPHEN T. LEVIN, JAMES G. VAN BRAMER, RUBEN WILLS; Committee on General Welfare, December 9, 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 of the Committee on Governmental Operations

Report for Int. No. 1172-A

Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the regulation of lobbying, and to repeal section 3-214 of the administrative code of the city of New York, relating to the monthly docket of statements of registration required to be compiled by the city clerk.

The Committee on Governmental Operations, to which the annexed amended proposed local law was referred on October 30, 2013 (Minutes, page 4468), respectfully

REPORTS:

INTRODUCTION

Today, the Committee on Governmental Operations, chaired by Council Member Gale Brewer, will vote on Proposed Int. No. 1172-A. The primary purpose of this bill is to implement, with some changes, the recommendations of the New York City Lobbying Commission’s Final Report, which was issued on March 13, 2013. This bill was previously heard in this committee on November 7.

BACKGROUND

The New York City Lobbying Commission (the Commission) was appointed by Speaker Quinn and Mayor Bloomberg in February of 2011.¹ The Commission spent two years reviewing the City’s lobbying laws and their implementation by the City Clerk. This review included seven public meetings or hearings from March through September of 2011. The Commission’s Final Report was released on March 13, 2013.

The Commission was created pursuant to the Council and Mayor’s 2006 revisions to the City’s lobbying laws.² These reforms were “designed to strengthen the integrity, transparency and accessibility of City government and to reassure New Yorkers that their elected representatives were acting in the City’s interests and not on behalf of special interests.”³ To accomplish these objectives, the 2006 legislation “strengthen[ed] enforcement and penalties,” “create[d] a mandatory electronic filing system for lobbyists,” “prevent[ed] lobbyists’ campaign contributions from being matched with public funds,” and “ban[ned] all gifts from lobbyists to public officials.”⁴ It also called for the formation of a joint Mayoral-Council Commission to recommend improvements to the laws, evaluate whether the dollar thresholds triggering registration should be increased, and review the performance of the Clerk, which led to the creation of the Commission in 2011.

Since the 2006 amendments to the lobbying laws, the number of registered lobbyists has increased by approximately 50%; the Clerk has, for the first time, levied penalties and fines against lobbyists who do not comply with the lobbying laws; the Clerk has audited over 100 lobbyists; and the e-Lobbyist electronic filing system has been put into place.⁵

To build on these successes, the Commission’s Final Report made recommendations in four key areas: 1) “Expand, and where necessary, clarify the definition of ‘lobbying activities’ to cover additional types of advocacy activities and at the same time increase the dollar threshold so that smaller organizations, whose advocacy on their own behalf is minimal, will no longer have to register;” 2) “Enhance the education and outreach activities by the Clerk so that those engaged in the activities covered by the expanded scope of the law and those currently operating outside of the system are aware of their filing obligations;” 3) “Enhance enforcement efforts to target unregistered and non-compliance lobbying and bring unregistered lobbyists into the City’s system; and” 4) “Require continuing technological changes and increase the availability of public information to facilitate the filing process and increase transparency surrounding lobbying activities in New York City.”⁶

The Commission’s Final Report also recommended “calling on the State to accept the City filings for lobbyists who register under the State Lobbying Act solely by virtue of their lobbying activity in New York City.”⁷ This is the purpose of Res. No. 1988, which is being voted on today in addition to Int. No. 1172-A.

Finally, the Commission recommends that three to four years after the implementation of any of its recommendations, another Commission be empanelled to review the operations of the City’s lobbying laws.

CHANGES TO PROPOSED INT. NO. 1172-A

Since Int. No. 1172 was heard on November 7, the following changes have been made to the legislation:

- The terms “architects” and “architecture firms” were defined to expressly include landscape architects and architecture firms.
- The requirement that the next Lobbying Commission include a recommendation on whether the dollar threshold for registration should be increased was removed. This provision was in the language creating the last Lobbying Commission because it was anticipated that threshold limits would be an issue that required examination. However, in the section requiring the next Commission, the language that it should recommend general improvements is sufficiently broad to encompass all changes the Commission might wish to recommend.
- New sections were added requiring the City Clerk to send information to the Mayor’s Office on Contract Services when granting extensions for periodic reports and statements of registration. The Doing Business Database is updated to reflect persons engaged in lobbying when these reports come are received, so it is helpful to the Mayor’s Office of Contract Services (which runs the Database) to be aware of extensions so they can enter information into the system as quickly as possible and avoid time periods in which individuals who do business with the City are not included.

- Language requiring the City Clerk to create a training program “as soon as practicable” was eliminated in favor of a one year implementation deadline for such development.
- Clients were added to the bill’s amnesty program, which had previously applied only to lobbyists. This change avoids scenarios in which lobbyists who take advantage of the amnesty program would inadvertently expose clients to penalties who would not be able to take advantage of the program.
- The amnesty program was modified to require a summary of the entity’s previous year’s lobbying activities, rather than a full accounting of all lobbying activities. The change was made to prevent situations in which individuals and entities would be unsure of what records to keep (because the City Clerk would not have yet promulgated all the rules by this law) but would be required to do a full accounting as if they were in compliance with the law beginning fully on January 1, 2014. In addition, this summary would need to be provided for the period from one year prior to the start of amnesty program until the filing of the application.
- The effective date was changed for the new threshold amounts, from 150 days to January 1, 2014, so that the amounts would be in effect for the full year.
- The effective date was changed for the provisions requiring assistance from the Department of Information Technology and Telecommunications (“DOITT”), from whenever DOITT and the City Clerk certify that such changes are ready, to two years or whenever such certification has taken place, whichever is sooner. This change will ensure that all of these provisions are implemented within two years.
- Technical changes were made to fix typos and clarify language.

ANALYSIS OF PROPOSED INT. NO. 1172-A

Section 1

Section 1 of the bill expands and clarifies the definition of lobbying and lobbying activities. Under the bill, lobbying includes attempts to influence any determination by the council as a whole, or by any individual council member, with respect to the normal steps of the legislative and oversight process – drafting, introduction, amendment, and passage or defeat, and the calendaring and scope of an oversight hearing. This definition applies equally to resolutions as it does to legislation. Likewise, attempts to influence the Mayor’s actions with respect to legislation – be they supporting, opposing, approving or disapproving any legislation or resolution, including legislation that has not yet been introduced are lobbying, as are attempts to influence the issuance, repeal, or substance of a mayoral executive order. Attempts to influence whether or not an agency proposes a rule is added to the definition of lobbying, as are the decision of whether or not to hold, or any decision with respect to the timing of, any rate making proceeding before an agency, and the agenda of any board or commission. Finally, attempts to influence decisions by city officials, officers, or employees to, in their official capacity, support or oppose federal or state legislation or rulemaking is included in the definition of lobbying.

Section 2

Section 2 of the bill carves out a number of exemptions from the definition of lobbying for architects and engineers (A&Es). Under current law, there is no distinction between a law firm lobbyist, a government relations professional, and an architect or engineer who, for example, attempts to influence a land use determination. A 1987 opinion by the Clerk states that attempts to influence boards and commissions, including community boards and the City Planning Commission, constitute lobbying unless the decision being made is adjudicatory in nature.⁸ Under this section of the proposed law, A&Es who appear before or otherwise communicate with community boards would not be engaged in lobbying if the decision about which the community board’s decision-making relates is an adjudicatory proceeding, such as a proceeding before the Board of Standards and Appeals. The performance of design work and drafting of project plans by architects and engineers, and people working under them, would not be considered lobbying, even if such work is preceded or followed by lobbying. A&Es who appear before or otherwise communicate with 1) the City Planning Commission with respect to an authorization under the zoning resolution, or 2) a decision relating to property by any board or commission other than the City Planning Commission, would not be engaged in lobbying so long as such authorization or decision is of only “minor importance”. Whether such an authorization or decision is one of minor importance will be determined under rules to be promulgated by the City Clerk, which will include the size and cost of the relevant project, the size and value of the property being worked on, and the size of the A&E firms that typically work on the type of project being considered. Finally, A&Es who perform work under contract with the City on capital projects under the direction of a city agency would not be engaged in lobbying when they perform such work.

Section 3

Section 3 clarifies that the terms “expenses” and “expenditures” are both used in the lobbying laws and refer to the expenses and expenditures incurred by or reimbursed to a lobbyist for lobbying.

Section 4

Section 4 defines the terms “architect” and “architecture firm” as including landscape architects and landscape architecture firms. These terms were intended to be included in the blanket terms “architect” and “architecture firm,” but were explicitly singled out for clarity.

Section 5

Section 5 adds to the information required to be provided in the City Clerk’s annual report. It adds the types and number of requests for assistance received, the average times for initial response and final resolution for such requests, the number of first-time filing lobbyists, the most commonly lobbied subjects, such as specific bills, contracts, or hearing topics, the officials most commonly targeted by lobbyists, and the lobbyists receiving the highest compensation.

Section 6

Section 6 requires the City Clerk to take steps to identify lobbyists who are not registered under the lobbying laws. A review of certain sources of information is specifically required. These are the registration statements filed with the state analogue to the City Clerk’s Lobbying Bureau – the Joint Commission on Public Ethics; notices of appearances before city agencies, including the City Planning Commission and the Landmarks Preservation Commission; and the City’s “Doing Business Database.” The City Clerk is required under the bill to work with city agencies and the Council to develop notices and advertisements placed in media with the intent to reach those who do business with the City to alert them to the requirements of the lobbying laws and their potential responsibilities under such laws. Section 6 further requires the creation of an online training program for lobbyists, which would supplement the existing in-person training that the City Clerk makes available. Working with the Department of Investigation, the City Clerk is required to include an anti-corruption component in such training at such time as it is available.

Section 7

Section 7 requires the Mayor and Council to appoint a new Lobbying Commission between three and four years after the passage of the bill. This Commission would be structured similarly to the Commission that issued the 2013 Final Report.

Section 8

Section 8 changes the minimum spending threshold to trigger the lobbying law’s reporting requirements from \$2,000 per year to \$5,000 per year. For architecture and engineering firms, or solo architect or engineers who lobby, the threshold increases to \$10,000 per year. The filing of an annual registration is due January 15, rather than the previous deadline of January 1, due to the City Clerk’s common practice of granting extensions to January 15. Lobbyists and their clients must enroll in the e-Lobbyist system prior to the lobbyist filing an annual statement of registration.

Section 9

Section 9 amends the requirements for the statement of registration to make clear that a lobbyist who has or expects to lobby before more than one person or agency must list all of the people and agencies before which they have lobbied or expect to lobby. A similar change is made in sections 16 and 26 with respect to periodic reports and annual reports, respectively.

Section 10

Section 10 clarifies that, if a lobbyist does work for more than one client, each such client requires a separate statement of registration.

Section 11

Section 11 allows lobbyists to avoid amending their statement of registration solely due to their lobbying on issues, or before individuals, that they did not contemplate on their registration. Predicting what specific issues, bills, rules or other items a lobbyist will lobby on, and who such lobbying will be before, at the start of the year is difficult, if not impossible, and this change recognizes that a failure to predict these should not require an updated statement of registration given the inclusion of such information on periodic reports. Section 11 further eliminates language stating that amendments to the statement of registration do not require the lobbyist to amend the entire registration form, as this provision does not comport with how the e-Lobbyist system handles amendments.

Section 12

Section 12 requires the Clerk to forward notices of extension for the filing of a statement of registration to the Mayor’s Office of Contract Service within one business day of receipt.

Section 13

Section 13 repeals section 3-214 of the administrative code. This section requires the City Clerk to compile a monthly registration docket of all information received each month pursuant to the annual statement of registration section.

Section 14

Section 14 is a technical amendment to eliminate a reference to section 3-214, which this bill would repeal.

Section 15

Section 15 creates a more limited periodic filing requirement for organizations and individuals that lobby solely on their own behalf, do not utilize outside lobbyists, and spend between \$5,000 and \$10,000 per year on lobbying expenses. Such organizations and individuals must file two periodic reports, rather than the usual six. Section 15 also brings the triggering amounts of money for periodic reporting into line with the amount for an annual statement of registration. It also sets up a schedule of six periodic reports throughout the year, which conform to the state reporting periods for lobbying and the rules of the City Clerk.

Section 16

Just as section 9 of the bill, described above, requires lobbyists to include all persons and agencies before which they have or expect to lobby in a registration statement, section 16 makes clear that, if a lobbyist lobbies before more than one person or agency, all such persons or agencies must be included in the applicable periodic reports as well.

Section 17

Section 17 requires that expenses incurred by lobbyists continue to be reported in periodic reports, but removes the words “expended” and “received” from those expenses to be reported, as those words are unnecessary so long as all expenses incurred are reported.

Section 18

Section 18 adds a requirement to report expenses incurred by the lobbyist that are reimbursed by a client in the lobbyist’s periodic reports.

Section 19

Section 19, consistent with amendments to the lobbying laws in other sections of the bill, changes the standard for reporting lobbyist earnings from money the lobbyist has “expended, received or incurred” to money the lobbyist has “earned or incurred”. The intent here is to make clear that reporting is based on the accrual method of accounting, rather than the cash method.

Section 20

Section 20 is a technical amendment to reletter a subdivision to make room for the subdivision created in section 21.

Section 21

Section 21 requires that changes in the information reported in a periodic report filed by a lobbyist be reported to the City Clerk. It further requires that, if the Clerk grants an extension in a filing deadline for a periodic report, the Clerk forwards such extension to the Mayor’s Office of Contract Services within one business day.

Section 22

Section 22 makes expenses incurred by lobbyists reportable under the fundraising/political consulting reporting requirements of the lobbying law.

Section 23

Section 23 is a technical amendment to reletter a subdivision to make room for the subdivision created in section 24.

Section 24

Section 24 requires that changes in the information reported in a fundraising/political consulting report be reported to the City Clerk.

Section 25

Section 25 makes clear that clients should report their lobbying expenses on the accrual method of accounting, and increases the threshold for reporting from \$2,000 in annual reportable expenses to \$5,000, mirroring the changes for reporting by lobbyists.

Section 26

Section 26 makes clear that, if a lobbyist lobbies before more than one person or agency, all such persons or agencies must be included in the applicable annual report. This clarification mirrors the clarifications of section 9 and section 16 for statements of registration and periodic reports, respectively.

Section 27

Section 27 makes clear that lobbyists are to utilize the accrual method of accounting in their reporting of annual earnings.

Section 28

Section 28 requires certain lobbyists to complete a training program developed by the City Clerk. For lobbying organizations with five or more employees that engage in lobbying, and with thirty or more clients, at least two employees must complete the training program every two years. At least one of these employees must have engaged in lobbying within one year prior to the date of the training. For smaller firms, firms with fewer clients, or individuals who lobby and are required to register, at least one employee must complete the training every two years. New lobbyists must have at least one employee register for the Clerk’s training program within fifteen days of the date the lobbyist begins lobbying. This provision is expected to require additional staffing in the Clerk’s office to perform the required trainings. The Final Report contemplated one additional full time staffer for education and outreach.

Section 29

Section 29 is a technical amendment to bring the style of lettering subdivisions in section 3-220 of the law into conformity with the rest of the lobbying law.

Section 30

Section 30 requires that improvements be made to the lobbyist database that is accessible to the public. The database is required to be searchable by lobbyist name, client name, the person and/or agency before which the lobbying occurred, and the local law number, bill number, resolution number, rule number, or other information about the subject of the lobbying such that the public can identify and search by lobbying topic.

Section 31

Section 31 is a technical amendment to correct the misspelling of “willful” in section 3-222 of the lobbying law.

Section 32

Section 32 is a technical amendment to correct the misspelling of “willfully” in section 3-223 of the lobbying law, and to make other technical changes.

Section 33

Section 33 eliminates the requirement that the penalties for late filing conform with the schedule established by the state, replacing such requirement with a penalty of \$10 per day per late report for first time filers and \$25 per day per late report for non-first time filers. This penalty schedule conforms to the rules promulgated by the Clerk in the wake of the 2006 amendments to the law. Unlike the misdemeanor penalty, which becomes enforceable only after a fourteen day notice period, late filing penalties begin accruing as soon as a required filing is late. Late filing penalties may be waived, in writing, at the discretion of the City Clerk upon the submission of documents by the entity seeking the waiver. In determining whether a waiver shall be granted, the Clerk must take the following factors into account: 1) whether and how often the entity has filed late in the past; 2) the size of the entity, as expressed by its annual operating budget; 3) whether the lobbyist lobbies solely on its own behalf as opposed to lobbying on behalf of other clients; 4) the amount of unreported lobbying activity; and 5) the reasons for late filing, and the significance of the impediments that the entity faced. Entities that have a history of late filing, are large, lobby on behalf of others, fail to report large amounts of lobbying activity, and/or do not face unusual barriers to timely filing are less likely than organizations that do not fit these criteria to receive a partial or full waiver of the late filing fees.

Section 34

Section 34 requires the City Clerk to create an amnesty program by rule for lobbyists and clients that have not registered with the City Clerk since December 10, 2006. The amnesty program created by this section may last no longer than six months, and shall only come into effect following an education and publicity campaign by the Clerk. The Clerk must consult with city agencies and the Council to develop notices and advertisements that will most effectively reach people and organizations doing business with the City. Lobbyists and clients who intend to participate in the amnesty program may, but are not required to, file written notice with the City Clerk stating their intent to participate. Such validly given notice will stop the Clerk from assessing any late filing or civil penalties for lobbying from December 10, 2006 to the date of such filing. Any lobbyist making such a filing must comply with the lobbying laws in their entirety from the date of such filing on, as the amnesty program will not protect them from late filing, civil, or criminal penalties for activities occurring after the filing of such notice. Whether or not a lobbyist or client gave such notice, all lobbyists and clients wishing to participate in the amnesty program must apply in writing. After validly applying for the program, and providing a summary of the lobbying activities performed or received in the period from one year prior to the beginning of the amnesty program until the date of such application (or, in the case of those who filed a notice of intent to participate, until such date as such notice was filed), on a form created by, and including information required by, the Clerk, the Clerk shall waive any late filing penalties and civil penalties for activity from December 10, 2006 to the application filing date or the date that notice was given of the intent to utilize the amnesty program.

Section 35

Section 35 is the effective date section of the bill. Each section takes effect one hundred fifty days after its enactment, with the following exceptions: 1) subdivision (f) of section 3-212, requiring the creation of an online training program for

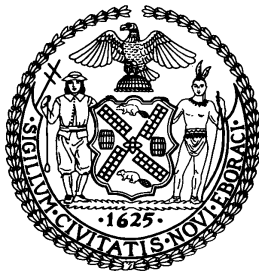
lobbyists, takes effect when the City Clerk and the Department of Information Technology and Telecommunications (DoITT) certify that they are capable of implementing it, or within two years of enactment, whichever is sooner; 2) paragraph 2 of subdivision (a) of section 3-216, creating a more limited reporting regime for entities that lobby solely on their own behalf in modest amounts, takes effect when the City Clerk and DoITT certify that they are capable of implementing it, or within two years of enactment, whichever is sooner; 3) subdivision (b) of section 3-221, requiring the public-facing database to be searchable by a number of fields, takes effect when the City Clerk and DoITT certify that they are capable of implementing it, or within two years of enactment, whichever is sooner; 4) subdivision (h) of section 3-219, requiring that lobbyists complete certain training requirements, takes effect one year after its enactment; and 5) the new, higher thresholds for registration contained in subdivision (a) of section 3-213, paragraphs one and three of subdivision (a) of section 3-216, and paragraph two of subdivision (a) of section 3-217, take effect on January 1, 2014.

ANALYSIS OF RES. NO. 1988

Res. No. 1988 calls on the New York State Assembly and Senate to pass, and the Governor to sign, legislation requiring the Joint Committee on Public Ethics, the state body charged with enforcing the state’s lobbying laws, to accept filings by lobbyists to the City Clerk from lobbyists who are required to file with the state solely due to their lobbying of New York City officials. The state has similar, though in certain ways less stringent, filing requirements to the City, but does not accept lobbyist filings with the City for its own filings.

¹ The members of the Commission were Herbert E. Berman, the chair of the Commission, and Jamila Ponton Bragg, Lesley C. Horton, Margaret Seay Morton, and Elisa Velasquez.
² Local Laws 15, 16, and 17 of 2006.
³ NYC Lobbying Commission Final Report, March 13, 2013, page 6-7.
⁴ NYC Lobbying Commission Final Report, March 13, 2013, page 15.
⁵ NYC Lobbying Commission Final Report, March 13, 2013, page 2.
⁶ NYC Lobbying Commission Final Report, March 3, 2013, page 3-4.
⁷ NYC Lobbying Commission Final Report, March 3, 2013, page 69.
⁸ NYC Clerk Advisory Opinions 1987-4 and 1987-8.

(The following is the text of the Fiscal Impact Statement for Int. No. 1172-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. 1172-A
COMMITTEE:
Governmental Operations

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the regulation of lobbying, and to repeal section 3-214 of the administrative code of the city of New York, relating to the monthly docket of statements of registration required to be compiled by the city clerk.	SPONSORS: By The Speaker (Council Member Quinn) and Council Member Brewer (in conjunction with the Mayor)
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SUMMARY OF LEGISLATION: Proposed Int. No. 1172-A would amend the administrative code of the city of New York, in relation to the regulation of lobbying. Among the many provisions and clarifications, Proposed Intro. 1172-A does the following:

- Expand and clarify the definition of lobbying and lobbying activities;
- Carve out a number of exemptions from the definition of lobbying for architects and engineers;
- Add to the information required to be provided in the City Clerk’s annual report;
- Require the City Clerk to take steps to identify lobbyists who are not registered under the lobbying laws. A review of certain sources of information is specifically required;
- Require that the Mayor and Council appoint a new Lobbying Commission between three and four years after the passage of the bill;
- Change the minimum spending threshold to trigger the lobbying law’s reporting requirements from \$2,000 per year to \$5,000 per year;
- Create a more limited periodic filing requirement for organizations and individuals that lobby solely on their own behalf, do not utilize outside lobbyists, and spend between \$5,000 and \$10,000 per year on lobbying expense;
- Require that the City Clerk create an amnesty program by rule for lobbyists that have not registered with the City Clerk since December 10, 2006;
- Call for the creation of an online training program for lobbyists; and
- Clarify that the terms “expenses” and “expenditures” are both used in the lobbying laws and refer to the expenses and expenditures incurred by or reimbursed to a lobbyist for lobbying.

EFFECTIVE DATE: This local law would take effect one hundred fifty days after its enactment with several exceptions which are outlined in the legislation

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2015

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY15
Revenues (+)	*	*	*
Expenditures (-)	\$5,800	\$190,000	\$190,000
Net	\$5,800	\$190,000	\$190,000

* (See Below)

IMPACT ON REVENUES: There are several provisions in this legislation that may have a minimal impact on revenues generated by lobbying registration filing fees and noncompliance penalties. It would be difficult to quantify with any accuracy the net fiscal impact of these provisions. It is likely that provisions that could potentially increase revenues would be offset by provisions that could potentially decrease revenues. Therefore, it can be assumed that this legislation would have minimal fiscal impact with regard to the City’s revenues.

IMPACT ON EXPENDITURES: In order to comply with the new requirements in this legislation, the Office of the City Clerk would need to hire 1 full-time non-administrative staffer at a total reoccurring cost of \$60,000 per year. The Office would also require \$10,000 per year for additional transportation expenses.

Furthermore, the implementation of this legislation would require one-time expenses of \$20,000 to advertise the aforementioned amnesty program and \$100,000 to develop an on-line training program for lobbyists. A reoccurring cost of \$10,000 would subsequently be required to maintain the on-line training program.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division,
Office of Management and Budget,
Office of the City Clerk

ESTIMATE PREPARED BY: John Russell, Principal Legislative Financial Analyst

ESTIMATE REVIEWED BY: Latonia Mckinney, Deputy Director, and Tanisha Edwards, Finance Counsel

HISTORY: This legislation was introduced to the full Council on October 30, 2013 as Int. 1172 and referred to the Committee on Governmental Operations. The Committee held a hearing on November 7, 2013, an amendment was proposed and the legislation was laid over. An amended version of the legislation, Proposed Intro. 1172-A, will be considered by the Committee on December 9, 2013, and upon successful vote of the Committee, Proposed Intro. 1172-A will be submitted to the Full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1172-A:)

Int. No. 1172-A
By The Speaker (Council Member Quinn) and Council Members Brewer, Koo, Koslowitz and Halloran (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the regulation of lobbying, and to repeal section 3-214 of the administrative code of the city of New York, relating to the monthly docket of statements of registration required to be compiled by the city clerk.

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision (c) of section 3-211 of the administrative code of the city of New York, as amended by local law number 67 for the year 1993, is amended to read as follows:

(1) The term “lobbying” or “lobbying activities” shall mean any attempt to influence:

(i) *any determination made by the city council or any member thereof with respect to the introduction, passage [or], defeat, or substance of any local [law] legislation or resolution [by the city council],*

(ii) *[the approval or disapproval of any local law or resolution by the mayor] any determination made by the mayor to support, oppose, approve, or disapprove any local legislation or resolution, whether or not such legislation or resolution has been introduced in the city council,*

(iii) *any determination made by an elected city official or an officer or employee of the city with respect to the procurement of goods, services or construction, including the preparation of contract specifications, or the solicitation, award or administration of a contract, or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies,*

(iv) *any determination made by the mayor, the city council, the city planning commission, a borough president, a borough board or a community board with respect to zoning or the use, development or improvement of real property subject to city regulation,*

(v) *any determination made by an elected city official or an officer or employee of the city with respect to the terms of the acquisition or disposition by the city of any interest in real property, with respect to a license or permit for the use of real property of or by the city, or with respect to a franchise, concession or revocable consent,*

(vi) *the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law,*

(vii) *the decision to hold, timing or outcome of any rate making proceeding before an agency, [or]*

(viii) *the agenda or any determination of a board or commission[.],*

(ix) *any determination regarding the calendaring or scope of any city council oversight hearing,*

(x) *the issuance, repeal, modification or substance of a mayoral executive order, or*

(xi) *any determination made by an elected city official or an officer or employee of the city to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.*

§ 2. Paragraph 3 of subdivision (c) of section 3-211 of the administrative code of the city of New York, as amended by local law number 67 for the year 1993, is amended to read as follows:

(3) The following persons and organizations shall be deemed not to be engaged in “lobbying activities”:

(i) persons engaged in advising clients, rendering opinions and drafting, in relation to proposed legislation, resolutions, rules, rates, or other proposed legislative, executive or administrative action, where such persons do not themselves engage in an attempt to influence such action;

(ii) newspapers and other periodicals and radio and television stations, and owners and employees thereof, provided that their activities are limited to the publication or broadcast of news items, editorials or other comment, or paid advertisements;

(iii) persons who participate as witnesses, attorneys or other representatives in public rule making or rate making proceedings of an agency, with respect to all participation by such persons which is part of the public record thereof and all preparation by such persons for such participation;

(iv) persons who appear before an agency in an adjudicatory proceeding;

(v) persons who prepare or submit a response to a request for information or comments by the city council or one of its committees, the mayor, or other elected city official or an agency;

(vi) (A) contractors or prospective contractors who communicate with or appear before city contracting officers or employees in the regular course of procurement planning, contract development, the contractor selection process, the administration of a contract, or the audit of a contract, when such communications or appearances are made by such contractors or prospective contractors personally, or through;

1. such officers and employees of the contractor or prospective contractor who are charged with the performance of functions relating to contracts;

2. subcontractors or prospective subcontractors who are or will be engaged in the delivery of goods, services or construction pursuant to the contract of such officers and employees of the subcontractor or prospective subcontractor who are charged with the performance of functions relating to contracts; or

3. persons who provide technical or professional services, as defined in clause (B) of this subparagraph, on behalf of such contractor, prospective contractor, subcontractor or prospective subcontractor.

(B) For the purposes of clause (A) of this subparagraph:

1. “technical services” shall be limited to advice and analysis directly applying any engineering, scientific, or other similar technical discipline;

2. “professional services” shall be limited to advice and analysis directly applying any legal, accounting or other similar professional discipline in connection with the following elements of the procurement process only: dispute resolution, vendor protests, responsiveness and responsibility determinations, determinations of prequalification, suspensions, debarments, objections to registration pursuant to section 328 of the charter, contract interpretation, negotiation of contract terms after the award of a contract, defaults, the termination of contracts and audit of contracts. Any person who provides professional services pursuant to this subparagraph in connection with elements of the procurement process not specified above in this item, whether prior to, in connection with or after the award of a contract, shall be deemed to be engaged in lobbying activities, unless such person is deemed not to be engaged in lobbying activities under another provision of this paragraph; and

3. “city contracting officers or employees” shall not include elected officials or deputies of elected officials or any person not duly authorized to enter into and administer contracts and make determinations with respect thereto; [and]

(vii) persons or organizations who advertise the availability of goods or services with fliers, leaflets or other advertising circulars[.];

(viii) *architects and engineers who communicate with or appear before a community board with respect to any action of such board, provided that the proceeding before the final decision-making board or commission to which the action relates is an adjudicatory proceeding;*

(ix) *architects and engineers who perform design work and draft plans pursuant to their state-issued professional license, or persons who work under the direct supervision of an architect or engineer who holds such a license, even if such work is preceded or followed by lobbying or lobbying activity as defined in paragraph one of this subdivision;*

(x) (A) *architects and engineers who communicate with or appear before boards or commissions with respect to:*

1. *an authorization by the city planning commission pursuant to the zoning resolution designated as minor by the city clerk; or*

2. *a decision related to real property by any other board or commission designated as minor by the city clerk.*

(B) *For the purposes of clause (A) of this subparagraph, the city clerk shall promulgate rules designating authorizations and decisions as “minor” based on the following factors:*

1. *the size and cost of the relevant project;*

2. *the size, class, and/or value of the property to which the relevant project relates; and*

3. *the size of the architecture or engineering firm typically involved in the type of project at issue.*

(C) *For the purposes of this subparagraph, “class” shall mean any of the classes of property defined in section 1802 of the real property tax law; and*

(xi) architects and engineers, or their designees, who perform work, including communications with and appearances before boards or commissions, on capital projects under the direction of a city agency, provided that such work is performed pursuant to a contract, or subcontract of such contract, between such architects or engineers and the city agency directing such capital project.

§ 3. Subdivision (f) of section 3-211 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(f) The [term] *terms* “expenditure” or “*expense*” shall mean any *expenditures or expenses, respectively*, incurred by or reimbursed to the lobbyist for lobbying.

§ 4. Section 3-211 of the administrative code of the city of New York is amended by adding a new subdivision (j) to read as follows:

(j) *The terms “architect” or “architecture firm” shall include landscape architects and landscape architecture firms, respectively.*

§ 5. Subdivision (c) of section 3-212 of the administrative code of the city of New York, as added by local law number 15 for the year 2006, is amended to read as follows:

(c) The city clerk shall prepare and post on the internet an annual report relating to the administration and enforcement of the provisions of this subchapter. Such report shall contain information regarding (i) the number of complaints received from the public and the disposition of such complaints; (ii) the number and amount of civil penalties imposed pursuant to subdivisions (a), (b), (c) and (d) of section 3-223 of this subchapter; (iii) the number and duration of orders issued pursuant to subdivision (a) of section 3-223 of this subchapter; (iv) the number of random audits conducted by the city clerk and outcomes thereof; (v) compliance programs developed and implemented for lobbyists and clients; [and] (vi) *the types and number of requests for assistance related to the lobbying law received by the city clerk, and, as soon as practicable, the average response and resolution times of such requests;* (vii) *the number of lobbyists filing statements of registration pursuant to section 3-213 of this subchapter for the first time;* (viii) *the subject matter of lobbying activity most frequently reported by lobbyists;* (ix) *the lobbying targets most frequently reported by lobbyists;* (x) *the lobbyists that received the highest compensation; and* (xi) such other information and analysis as the city clerk deems appropriate. Such report shall be posted on the internet no later than March first of each year and shall contain information relating to the preceding calendar year.

§ 6. Section 3-212 of the administrative code of the city of New York is amended by adding new subdivisions (e) and (f) to read as follows:

(e) (1) *The city clerk shall develop a protocol to review sources of information that may assist the city clerk in identifying lobbyists required to file statements of registration pursuant to section 3-213 of this subchapter who have not filed. Such review shall include, but need not be limited to, the following sources:*

(i) *statements of registration filed with the state joint commission on public ethics pursuant to section 1-e of the legislative law that contain information indicating that the lobbyist expects to engage in “lobbying” or “lobbying activities” as defined in paragraph one of subdivision c of section 3-211 of this subchapter;*

(ii) *notices of appearances compiled by city agencies, including, but not limited to, the landmarks preservation commission and the city planning commission, identifying the representative of an applicant; and*

(iii) *the “doing business database” as defined in subdivision twenty of section 3-702 of the code.*

(2) *The city clerk shall work with city agencies and the city council to develop notices and advertisements to be placed in print and electronic media intended to reach persons and organizations doing business with the city that will inform them of the requirements set forth in this subchapter.*

(f) *The city clerk shall develop an online training program for lobbyists. Such program shall include information and training regarding conduct that may subject lobbyists and clients to the criminal and civil penalties set forth in this subchapter. As soon as practicable, the city clerk, in conjunction with the department of investigation, shall incorporate an anti-corruption component in such training.*

§ 7. Subdivision (e) of the section 3-212 of the administrative code of the city of New York, as added by local law number 15 for the year 2006, is relettered subdivision (g) and amended to read as follows:

[(e) Twenty-four] (g) *Between thirty-six and forty-eight months after the effective date of the section of the local law that [added] amended this subdivision, the mayor and the city council shall jointly appoint a commission to review and evaluate the activities and performance of the city clerk in implementing the provisions of this subchapter. Within six months of such appointment the commission shall report to the mayor and city council on its review and evaluation which report shall include any administrative and legislative recommendations on [strengthening] improving the administration and enforcement of this subchapter[, as well as whether the commission would recommend raising the dollar threshold for the filing of a statement of registration]. The commission shall be comprised of five members and the mayor and the city council shall jointly designate a chair from among the members.*

§ 8. Subdivision (a) of section 3-213 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(a) (1) Every lobbyist shall annually file with the city clerk, on forms prescribed by the city clerk, a statement of registration for each calendar year, provided, however, that the filing of such statement of registration shall not be required of any lobbyist who in any year does not [expend,] *earn or incur* [or

receive] an amount in excess of [two] *five* thousand dollars *or, if the lobbyist is an architect or engineer, or an architecture or engineering firm, ten thousand dollars*, of *combined* reportable compensation and expenses, as provided in paragraph five of subdivision (b) of section 3-216 of this subchapter, for the purposes of lobbying.

(2) Such filing shall be completed on or before January [first] *fifteenth* by those persons who have been retained, employed or designated as lobbyists on or before December [fifteenth] *thirty-first* of the previous calendar year who reasonably anticipate that in the coming year they will [expend,] *earn* or incur [or receive] combined reportable compensation and expenses in an amount in excess of [two] *five* thousand dollars *or, if the lobbyist is an architect or engineer, or an architecture or engineering firm, ten thousand dollars*. For those lobbyists retained, employed or designated after December [fifteenth] *thirty-first*, and for those lobbyists who, subsequent to their retainer, employment or designation, reasonably anticipate combined reportable compensation and expenses in excess of such amount, such filing must be completed within fifteen days thereafter[, but in no event later than ten days after the actual incurring or receiving of such reportable compensation and expenses].

(3) *Before a lobbyist files a statement of registration pursuant to paragraph one of this subdivision, the lobbyist and its client shall enroll in the electronic filing system.*

§ 9. Paragraph 6 of subdivision (c) of section 3-213 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(6) the [name] *names* of the [person or agency] *persons and agencies* before which the lobbyist [is lobbying] *has lobbied* or expects to lobby;

§ 10. Subdivision (c) of section 3-213 of the administrative code of the city of New York is amended by adding a new paragraph 8 to read as follows:

(8) *if the lobbyist is retained, employed or designated by more than one client, a separate statement of registration shall be required for each such client.*

§ 11. Paragraph 1 of subdivision (d) of section 3-213 of the administrative code of the city of New York, as amended by local law number 23 for the year 2007, is amended to read as follows:

(1) Whenever there is a change in the information filed by the lobbyist in the [original] statement of registration, *other than a change to information submitted pursuant to paragraphs five and six of subdivision (c) of this section*, an amended statement shall be submitted to the city clerk on forms prescribed by the city clerk within ten days after such change occurs, except as provided in paragraph two of this subdivision[; however, this shall not require the lobbyist to amend the entire registration form].

§ 12. Section 3-213 of the administrative code of the city of New York is amended by adding a new subdivision (g) to read as follows:

(g) *If the city clerk grants an extension allowing a lobbyist to file a statement of registration later than the deadline contained in paragraph two of subdivision (a) of this section, the city clerk shall forward notice of such extension no later than the end of the following business day to the mayor's office of contract services for inclusion in the "doing business database" as defined in subdivision twenty of section 3-702 of the code.*

§ 13. Section 3-214 of the administrative code of the city of New York is REPEALED.

§ 14. Section 3-215 of the administrative code of the city of New York, as amended by local law number 15 for the year 2006, is amended to read as follows:

§3-215 Termination of retainer, employment or designation. Upon the termination of a lobbyist's retainer, employment or designation, such lobbyist and the client on whose behalf such service has been rendered shall both give [written] notice to the city clerk *in the electronic filing system* within thirty days after the lobbyist ceases the activity that required such lobbyist to file a statement of registration; however, such lobbyist shall nevertheless comply with the reporting requirements of section 3-216.1 of this subchapter and the reporting requirements for the last periodic reporting period up to the date such activity has ceased as required by this subchapter and both such parties shall each file the annual report required by section 3-217 of this subchapter. [The city clerk shall enter notice of such termination in the appropriate monthly registration docket required by section 3-214 of this subchapter.]

§ 15. Subdivision (a) of section 3-216 of the administrative code of the city of New York, as amended by local law number 23 for the year 2007, is amended to read as follows:

(a) (1) [any] *Any* lobbyist, *except a lobbyist described in paragraph two of this subdivision*, required to file a statement of registration pursuant to section 3-213 of this subchapter who in any lobbying year [expends, receives] *earns* or incurs combined reportable compensation and expenses in an amount in excess of [two] *five* thousand dollars *or, if the lobbyist is an architect or engineer, or an architecture or engineering firm, ten thousand dollars*, as provided in paragraph five of subdivision (b) of this section, for the purpose of lobbying, shall file with the city clerk [a first] periodic [written report] *reports*, on forms prescribed by the city clerk,[which to the extent practicable shall be identical in form to the periodic reporting forms used by the New York Temporary State Commission on Lobbying, or any successor thereto,] by the fifteenth day next succeeding the end of the reporting period on which the cumulative total for such lobbying year equaled such sum. Such reporting periods shall be the period from January first [to March thirty-first, April first to May thirty-first, June first to September thirtieth, and October first to] *through the last day of February, March first through April thirtieth, May first through June thirtieth, July first through August thirty-first, September first through October thirty-first, and November first through December thirty-first*[, or such other dates as the city clerk

shall designate by rule to conform the periodic reporting periods with the periodic reporting periods of the New York Temporary State Commission on Lobbying, or any successor thereto].

(2) *Any lobbyist that is an organization required to file a statement of registration pursuant to section 3-213 of this subchapter that lobbies solely on its own behalf by utilizing the services of its employees and that, in any lobbying year, earns or incurs combined reportable compensation and expenses in an amount in excess of five thousand dollars, but equal to or less than ten thousand dollars, as provided in paragraph five of subdivision (b) of this section, for the purpose of lobbying, shall file with the city clerk periodic reports, on forms prescribed by the city clerk, by the fifteenth day next succeeding the end of the reporting period on which the cumulative total for such lobbying year equaled such sum. Such reporting periods shall be the period from January first to June thirtieth, and July first to December thirty-first.*

(3) Any lobbyist making a report pursuant to paragraph one *or two* of this subdivision shall thereafter file with the city clerk, on forms prescribed by the city clerk, a periodic report for each reporting period that such person [expends, receives] *earns* or incurs combined reportable compensation and expenses in an amount in excess of [five hundred] *one thousand* dollars for the purposes of lobbying during such reporting period. Such report shall be filed not later than the fifteenth day next succeeding the end of such reporting period and shall include the amounts so [expended, received] *earned* or incurred during such reporting period and the cumulative total during the lobbying year.

§ 16. Paragraph 4 of subdivision (b) of section 3-216 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(4) the [person or agency] *names of the persons and agencies* before which the lobbyist has lobbied;

§ 17. Subparagraph (i) of paragraph 5 of subdivision (b) of section 3-216 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(i) the compensation paid or owed to the lobbyist, and any expenses [expended, received or] incurred by the lobbyist for the purpose of lobbying.

§ 18. Paragraph 5 of subdivision (b) of section 3-216 of the administrative code of the city of New York is amended by adding a new subparagraph (vi) to read as follows:

(vi) *the expenses reimbursed by the client.*

§ 19. Subdivision (c) of section 3-216 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(c) Notwithstanding any inconsistent provision of this section, where a lobbyist required to file a statement of registration pursuant to section 3-213 of this subchapter is not required to file a periodic report pursuant to subdivision (a) or (b) of this section because [he or she] *such lobbyist* has not [expended, received] *earned* or incurred compensation and expenses as therein specified, [he or she] *such lobbyist* shall file a periodic report stating that [he or she] *such lobbyist* has not [expended, received] *earned* or incurred such compensation and expenses by the fifteenth day next succeeding the end of the reporting period.

§ 20. Subdivision (d) of section 3-216 of the administrative code of the city of New York is relettered subdivision (e).

§ 21. Section 3-216 of the administrative code of the city of New York is amended by adding new subdivisions (d) and (e) to read as follows:

(d) *Whenever there is a change in the information filed by a lobbyist in a report filed pursuant to this section, an amended report shall be submitted to the city clerk on forms prescribed by the city clerk.*

(e) *If the city clerk grants an extension allowing a lobbyist to file a periodic report later than the deadline contained in paragraph one or two of subdivision (a) of this section, as applicable, the city clerk shall forward notice of such extension no later than the end of the following business day to the mayor's office of contract services for inclusion in the "doing business database" as defined in subdivision twenty of section 3-702 of the code.*

§ 22. Subparagraph (i) of paragraph 3 of subdivision (b) of section 3-216.1 of the administrative code of the city of New York, as added by local law number 15 for the year 2006, is amended to read as follows:

(i) the compensation paid or owed to the lobbyist *and any expenses incurred by the lobbyist* for such fundraising and/or political consulting activities[.];

§ 23. Subdivision (d) of section 3-216.1 of the administrative code of the city of New York is relettered subdivision (e).

§ 24. Section 3-216.1 of the administrative code of the city of New York is amended by adding a new subdivision (d) to read as follows:

(d) *Whenever there is a change in the information filed by a lobbyist in a report filed pursuant to this section, an amended report shall be submitted to the city clerk on forms prescribed by the city clerk.*

§ 25. Paragraph 2 of subdivision (a) of section 3-217 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(2) any client retaining, employing or designating a lobbyist or lobbyists, if during the year such client [expended, received or incurred] *owed* an amount in excess of [two] *five* thousand dollars *or, if the lobbyist is an architect or engineer, or an architecture or engineering firm, ten thousand dollars*, of combined reportable compensation [or] *and* expenses, as provided in paragraph five of subdivision (c) of this section, for the purposes of lobbying.

§ 26. Paragraph 4 of subdivision (c) of section 3-217 of the administrative code of the city of New York, as amended by local law number 15 for the year 2006, is amended to read as follows:

(4) the [person or agency] *names of the persons and agencies* before which such lobbyist has lobbied;

§ 27. Subparagraph (i) of paragraph 5 of subdivision (c) of section 3-217 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

(i) the compensation [paid or owed to] *earned* by each such lobbyist, and any other expenses paid or incurred by such client for the purpose of lobbying.

§ 28. Section 3-219 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. To complete a training program on the requirements of this subchapter, developed by the city clerk, as follows:

(1) Each lobbyist required to file a statement of registration pursuant to section 3-213 of this subchapter that (i) lists five or more officers or employees who engage in lobbying activities or who are employed in the division that engages in lobbying activities and (ii) identifies thirty or more clients on whose behalf such organization has been retained shall designate two officers or employees to complete the training program biennially. At least one such officer or employee shall have engaged in lobbying activities in the year prior to such training.

(2) All other lobbyists required to file a statement of registration pursuant to section 3-213 of this subchapter shall designate at least one officer or employee to complete the training program biennially.

(3) Any lobbyist filing a statement of registration pursuant to section 3-213 of this subchapter for the first time shall designate at least one officer or employee who shall register for such training program within fifteen days of the lobbyist's commencement of lobbying.

§ 29. Section 3-220 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

§3-220 Retention of records. Every person to whom this subchapter is applicable shall keep for at least five years a detailed and exact account of:

[(1)] (a) all compensation of any amount or value whatsoever;

[(2)] (b) the name and address of every person paying or promising to pay compensation of fifty dollars or more and the date thereof;

[(3)] (c) all expenditures made by or on behalf of the client; and

[(4)] (d) the name and address of every person to whom any item of expenditure exceeding fifty dollars is made, the date thereof and receipted bill for [said] such expenditure.

§ 30. Section 3-221 of the administrative code of the city of New York, as amended by local law number 15 for the year 2006, is amended to read as follows:

§3-221 Filing of statements and reports. (a) Any statement or report required by this subchapter shall be filed by electronic transmission in a standard format as required by the city clerk. Statements, reports[, dockets] and any other information required to be kept on file in the office of the city clerk for public inspection pursuant to this subchapter shall be kept in a computerized database and shall be posted on the internet as soon as practicable.

(b) The computerized database maintained pursuant to subdivision (a) of this section shall be searchable by, at a minimum, lobbyist name, client name, person or agency before which lobbying activities took place, and the local law number with year, bill number, resolution number, rule number, or other information sufficient to identify the matter on which lobbying has occurred.

§ 31. Section 3-222 of the administrative code of the city of New York, as added by local law number 14 for the year 1986, is amended to read as follows:

§3-222 Certification. All statements and reports required under this subchapter shall contain the following declaration: "I certify that all statements made on this statement are true and correct to the best of my knowledge and belief and I understand that the [wilful] *willful* making of any false statement of material fact herein will subject me to the provisions of law relevant to the making and filing of false instruments and will render such statement null and void."

§ 32. Subdivision (a) of section 3-223 of the administrative code of the city of New York, as amended by local law number 15 for the year 2006, is amended to read as follows:

(a) Except as provided for in subdivision (b) of this section, any person or organization who knowingly and [wilfully] *willfully* violates any provision of this subchapter shall be guilty of a class A misdemeanor. In addition to such criminal penalties, [said] *such* person or organization shall be subject to a civil penalty, in an amount not to exceed thirty thousand dollars, to be assessed by the city clerk, or an order to cease all lobbying activities subject to the jurisdiction of the city clerk for a period of time as determined by [said] *such* clerk not to exceed sixty days, or both such civil penalty and order.

§ 33. Subdivision (c) of section 3-223 of the administrative code of the city of New York, as amended by local law number 23 for the year 2007, is amended to read as follows:

(c) [The city clerk shall designate by rule penalties for late filing of any statement or report required by this subchapter, which shall conform with the schedule established by the New York Temporary State Commission on Lobbying, or any successor thereto, for such charges.] *(1) Following a failure to make and file any [such] statement or report required by this subchapter, the city clerk shall notify the person or organization of such fact by certified mail that such filing must be made within fourteen business days of the date of mailing of such notice. The failure to file any statement or report within such time shall constitute a class A misdemeanor. In*

addition to such criminal [and late] penalties, [said] *such* person or organization shall be subject to a civil penalty, in an amount not to exceed twenty thousand dollars, to be assessed by the city clerk. For the purposes of this subdivision, the chief administrative officer of any organization required to file a statement or report shall be the person responsible for making and filing such statement or report unless some other person prior to the due date thereof has been duly designated to make and file such statement or report.

(2) Any lobbyist or client who has never previously filed a statement of registration or any other report required by this subchapter shall be charged a late filing penalty of ten dollars for each day a required statement or report is late. If more than one statement or report is late, the total late filing penalty shall be equal to the sum of ten dollars per day multiplied by the number of such late statements or reports. Any other lobbyist or client shall be charged a late filing penalty of twenty-five dollars for each day a required statement or report is late. If more than one statement or report is late, the total late filing penalty shall be equal to the sum of twenty-five dollars per day multiplied by the number of such late statements or reports. Late filing penalties may be waived or reduced at the discretion of the city clerk. A lobbyist or client seeking a waiver or reduction of late filing penalties shall submit documentation as required by the city clerk. A decision to grant such a waiver or reduction shall be made in writing by the city clerk. The city clerk shall take the following factors into account in determining whether a waiver or reduction is appropriate:

(i) whether and how often the lobbyist or client has filed late in the past;

(ii) the annual operating budget of the lobbyist or client;

(iii) whether the lobbyist lobbies solely on its own behalf;

(iv) for periodic reports, the number of lobbying matters, number of hours spent working on those matters, and amount of compensation and expenditures that were not reported during the relevant period; and

(v) the significance of the impediments to timely filing faced by the lobbyist or client.

§ 34. Section 3-223 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

(i)(1) The city clerk shall by rule establish an amnesty program for any lobbyist who was required to have filed, but has never filed, a statement of registration pursuant to section 3-213 of this subchapter, or any client who was required to have filed, but has never filed, an annual report pursuant to section 3-217 of this subchapter, at any time on or after December tenth, two thousand six.

(2) Any lobbyist or client intending to participate in the amnesty program may file a written notice of intent to participate with the city clerk on forms prescribed by the city clerk, stating his, her or its intention to participate in such program, at any time prior to the effective date of the amnesty program. The city clerk shall not assess any late filing penalties or any civil penalties authorized by this section that could be assessed against any such lobbyist or client for the period from December tenth, two thousand six to the date of the filing of such notice. Any lobbyist or client filing a notice pursuant to this paragraph shall comply with all applicable provisions of this subchapter beginning on the day of such filing.

(3) Any lobbyist or client intending to participate in the amnesty program, including any lobbyist or client who has filed a notice pursuant to paragraph two of this subdivision, shall file a written application on forms prescribed by the city clerk on or after the effective date of the amnesty program, but prior to the expiration of such program. Such application shall include a summary, which shall meet the requirements of the city clerk, of the lobbying activities, fundraising activities or political consulting activities performed by such lobbyist or received by such client from one year prior to the effective date of the amnesty program until the date of such application or valid filing pursuant to paragraph two of this subdivision. Such amnesty program shall provide that upon the filing of such application and upon compliance with all applicable provisions of this subchapter, the city clerk shall waive any late filing penalties and any civil penalties authorized by this section that could be assessed against any such lobbyist or client for the period from December tenth, two thousand six to the date of the filing of such application or, if the lobbyist or client made a valid filing pursuant to paragraph two of this subdivision, to the date of such filing. In addition, any such lobbyist or client shall not be subject to any criminal penalties authorized by this section for the period from December tenth, two thousand six to the date of the filing of such application or, if the lobbyist or client made a valid filing pursuant to paragraph two of this subdivision, to the date of such filing.

(4) The term of the amnesty program established pursuant to this subdivision by rule of the city clerk shall not exceed six months, after which no application for amnesty shall be accepted. Prior to the commencement of, and during the term of, the amnesty program, the city clerk shall publicize the amnesty program so as to maximize public awareness of and participation in such program. The city clerk shall consult with city agencies and the city council to develop notices and advertisements to be placed in print and electronic media that are intended to reach persons and organizations doing business with the city.

(5) Notwithstanding any provision of this subdivision to the contrary, any lobbyist or client who is the subject of any criminal investigation relating to any violation of this subchapter and any lobbyist or client who is a party to any criminal litigation in any court of this state or the United States relating to any violation of this subchapter shall be ineligible to file the notice pursuant to paragraph two of this subdivision or the application pursuant to paragraph three of this subdivision or to otherwise receive relief from late filing penalties, or civil or criminal penalties under the amnesty program established pursuant to this subdivision.

(6) *The city clerk shall promulgate such rules, issue forms and instructions, and take any and all other actions necessary to implement the provisions of this subdivision.*

§ 35. This local law shall take effect one hundred fifty days after its enactment, except that subdivision (f) of section 3-212 of the administrative code of the city of New York, as added by section six of this local law; paragraph two of subdivision (a) of section 3-216 of the administrative code of the city of New York, as amended by section fifteen of this local law; and subdivision (b) of section 3-221 of the administrative code of the city of New York, as added by section thirty of this local law, shall each separately take effect when the city clerk and the department of information technology and telecommunications have certified that the city clerk and department of information technology and telecommunications are capable of implementing such respective provision, or two years after the enactment of this local law, whichever is earlier, and except that subdivision (a) of section 3-213 of the administrative code of the city of New York, as amended by section eight of this local law; paragraphs one and three of subdivision (a) of section 3-216 of the administrative code of the city of New York, as amended by section fifteen of this local law; and paragraph two of subdivision (a) of section 3-217 of the administrative code of the city of New York, as amended by section twenty-five of this local law, shall take effect on January 1, 2014, and except that subdivision h of section 3-219, as added by section twenty-eight of this local law, shall take effect one year after its enactment.

GALE A. BREWER, Chairperson; ERIK MARTIN DILAN, PETER F. VALLONE, Jr., INEZ E. DICKENS; Committee on Governmental Operations, December 9, 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 of the Committee on Housing and Buildings

Report for Int. No. 1176-A

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to electric vehicle charging stations in open parking lots and parking garages.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on October 30, 2013 (Minutes, page 4492), respectfully

REPORTS:

Introduction and Procedural History

On December 10, 2013, the Committee on Housing and Buildings, chaired by Council Member Erik Martin Dilan, will conduct a hearing on Proposed Int. No. 1176-A, a local law in relation to electric vehicle charging stations in open parking lots and parking garages.

On November 12, 2013, the Committee held a hearing on this bill and received testimony from representatives of the Mayor’s Office of Long Term Planning and Sustainability and interested members of the public.

Background

The City estimates that, by 2030, 44 percent of the City’s greenhouse gas emissions will come from the transportation sector, up from 22 percent in 2010.¹ Increasing the use of electric vehicles could potentially reduce these emissions and, over time, save drivers money on fuel and maintenance.² The City expects that, by 2015, 14-16% of all new vehicles purchased in the city will be electric vehicles³

Currently, three types of electric vehicles exist on the market: hybrid electric vehicles (“HEVs”), plug-in hybrid electric vehicles (“PHEVs”), and battery electric vehicles (“BEVs”). HEVs use both an internal combustion engine and an electric battery and typically rely on conventional fuel.⁴ PHEVs are HEVs in which the electric battery is charged by an external source – i.e. the battery is plugged in somewhere.⁵ And BEVs rely exclusively on rechargeable electric batteries.⁶

Both PHEVs and BEVs require that the vehicle have access to an electric charging station. The City’s first public charging station was opened in July 2010,⁷ and there are now over 150 charging stations throughout the city.⁸ However, more charging station infrastructure will likely be needed if electric vehicle usage is to increase.

Proposed Int. No. 1176-A

Proposed Int. No. 1176-A would require that the electrical system for new parking garages and open parking lots be capable of supporting a certain number of electric vehicle charging stations. The bill would impose these same requirements on garages and lots undergoing alterations that would include a permanent increase in the electrical service of the garage or lot.

Bill section one provides the bill’s legislative findings and intent.

Bill section two would provide that existing parking garages and open parking lots undergoing alterations involving an increase in the size of the electrical service of the garage or lot must be capable of supporting electric vehicle charging stations in accordance with sections 406.2.11 or 406.7.11 of the Building Code, as applicable.

Bill section three would require that new parking garages and open parking lots be capable of providing electrical power to 20 percent of the parking spaces in such garage or lot. Exempted from this requirement are (1) garages and lots for occupancy group M buildings (e.g. department stores, retail establishments, markets) and (2) garages and lots for buildings in which at least 50 percent of the residential units are for low income families. The Department of Buildings may also waive this requirement for particular garages and lots that will be in service for less than 3 years.

Bill section four contains the enactment clause and provides that this local law would take effect on the same date that Int. No. 1056, a local law relating to bringing the city’s Construction Codes up to date with international codes, takes effect.

Amendments to Int. No. 1176

The bill has been substantively amended to add the exemption for buildings that include a certain amount of affordable housing units.

Update

On Tuesday, December 10, 2013, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

¹ *PlaNYC: Exploring Electric Vehicle Adoption in New York City* at 4 (Jan. 2010) (“PlaNYC EV Study”), available online at http://www.nyc.gov/html/om/pdf/2010/pr10_nyc_electric_vehicle_adoption_study.pdf. HEVs capture energy from braking to charge their electric batteries.

² *Id.*

³ *Id.* at 3.

⁴ MIT Energy Initiative Symposium, *Electrification of the Transportation System* at 2 (April 2010), available online at <http://mitei.mit.edu/system/files/electrification-transportation-system.pdf>.

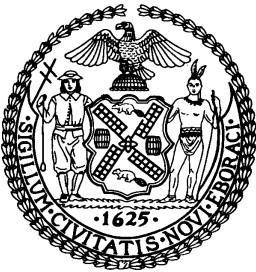
⁵ *Id.*

⁶ *Id.*

⁷ *Mayor Bloomberg, HUD Secretary Donovan and Coulomb Technologies Announce First Public Electric Vehicle Charging Stations In New York City* (July 14, 2010), available online at <http://www1.nyc.gov/office-of-the-mayor/news/313-10/mayor-bloomberg-hud-secretary-donovan-coulomb-technologies-first-public-electric#/0>.

⁸ Information provided by the Mayor’s Office of Long Term Planning and Sustainability.

(The following is the text of the Fiscal Impact Statement for Int. No. 1176-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: 1176-A
COMMITTEE: Housing and
Buildings

TITLE: A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to electric vehicle charging stations in open parking lots and parking garages.

SPONSORS: Council Members Dilan, Koo, Koppell, Vann, Rodriguez and Halloran (by request of the Mayor)

SUMMARY OF LEGISLATION: The proposed legislation would amend the administrative code of the city of New York and the New York city building code to require that newly constructed parking garages and open parking lots, as well as garages and open parking lots that are upgrading their electric capacity, be capable of providing electric vehicle charging in at least 20 percent of the parking spaces of the garage or open parking lot.

However, the bill would grant exemptions to garages and open parking lots that are exclusively retail, garages and open parking lots that the Commissioner of the Department of Buildings finds to be temporary and will be in use for fewer than 3 years, and garages and open parking lots in buildings where at least 50 percent of the units are set aside for people whose incomes are at or below 60 percent of the area’s median income, as determined by the United States Department of Housing and Urban Development.

EFFECTIVE DATE: This legislation would take effect on the same date that a local law of the city of New York for the year 2013, amending 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, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056-A takes effect.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2015.

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: Because DOB will use existing resources to implement this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

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

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Tanisha Edwards, Finance Counsel

HISTORY: This legislation was introduced to the full Council on October 30, 2013 as Proposed Intro. 1176 and was referred to the Committees on Housing and Buildings. A joint hearing was held by the Committees on Housing and Buildings and Transportation on November 12, 2013 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. 1176-A will be heard by the Committee on Housing and Buildings on December 10, 2013. Following a successful Committee vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1176-A:)

Int. No. 1176-A

By Council Members Dilan, Koo, Koppell, Vann, Rodriguez, Vacca, Van Bramer, Mark-Viverito, Chin, Gentile, Gennaro, Greenfield, Jackson, Halloran and Ulrich (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to electric vehicle charging stations in open parking lots and parking garages.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that electric vehicles emit approximately 75% less carbon dioxide (CO2) than average vehicles. Pure battery electric vehicles do not emit tailpipe pollutants such as benzene and

nitrogen oxide, which negatively impact city air quality and resident health. Providing for infrastructure to promote and support electric vehicle use will lead to improvement of the city’s air quality and reduce the city’s production of greenhouse gases.

Electric vehicles require chargers, or Electric Vehicle Supply Equipment (EVSEs). The vast majority of parking facilities are not currently being built to accommodate electric chargers. Building parking facilities that have the capacity to add EVSEs incurs minimal additional costs, while helping to avoid retrofits in the future.

§2. Section 28-101.4.3 of the administrative code of the city of New York, as amended by a local law of the city of New York for the year 2013 amending 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, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056-A, is amended to add a new exception 18, to read as follows:

18. Parking garages and open parking lots. Where an alteration of a parking garage or an open parking lot includes an increase in the size of the electric service, such alteration shall include provisions for the installation of electric vehicle charging stations in accordance with section 406.2.11 or 406.7.11 of the New York city building code, as applicable.

§3. Chapter 4 of the New York city building code is amended by adding new sections 406.2.11 and 406.7.11 to read as follows:

406.2.11 Electric vehicle charging stations. Parking garages shall be capable of supporting electrical vehicle charging stations in accordance with this section. Electrical raceway to the electrical supply panel serving the garage shall be capable of providing a minimum of 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage. The electrical room supplying the garage must have the physical space for an electrical supply panel sufficient to provide 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage. Such raceway and all components and work appurtenant thereto shall be in accordance with the New York City Electrical Code.

Exceptions:

- 1. The provisions of this section shall not apply to parking garages for buildings of occupancy group M (Mercantile).*
- 2. The commissioner may waive compliance with this section if the commissioner determines that the parking garage is a temporary facility that will be in service no longer than 3 years.*
- 3. The provisions of this section shall not apply to parking garages for buildings in which not less than fifty percent of the residential units are for households earning up to sixty percent of the area median income as determined by the United States Department of Housing and Urban Development.*

406.7.11 Electric vehicle charging stations. Open parking lots shall be capable of supporting electric vehicle charging stations in accordance with this section. A minimum of 20 percent of the parking spaces in an open parking lot shall be equipped with electrical raceway capable of providing a minimum supply of 11.5kVA to an EVSE from an electrical supply panel. The raceway shall be no smaller than 1 inch. The electrical supply panel serving such parking spaces must have at least 3.1 kW of available capacity for each stall connected to it with raceway. Such raceway and all components and work appurtenant thereto shall be in accordance with the New York City Electrical Code.

Exceptions:

- 1. The provisions of this section shall not apply to open parking lots for buildings of occupancy group M (Mercantile).*
- 2. The commissioner may waive compliance with this section if the commissioner determines that the open parking lot is a temporary facility that will be in service no longer than 3 years.*
- 3. The provisions of this section shall not apply to open parking lots for buildings in which not less than fifty percent of the residential units are for households earning up to sixty percent of the area median income as determined by the United States Department of Housing and Urban Development.*

§4. This local law shall take effect on the same date that a local law of the city of New York for the year 2013, amending 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, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056-A takes effect.

ERIK MARTIN DILAN Chairperson; JOEL RIVERA, GALE A. BREWER, LEROY G. COMRIE, Jr., LEWIS A. FIDLER, ROBERT JACKSON, LETITIA JAMES, MELISSA MARK-VIVERITO, ROSIE MENDEZ, ELIZABETH S. CROWLEY, JUMAANE D. WILLIAMS, ERIC A. ULRICH, JAMES S. ODDO; Committee on Housing and Buildings, December 10, 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. 951

Report of the Committee on Land Use in favor of approving Application No. C 080322 ZMK submitted by Forest Lots, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, changing the zoning from M1-1 to R6A, R7A, R6A/C2-4 and R7A/C2-4 and from M3-1 to M1-2 and establishing C2-4 District with the proposed R6A and R7A districts, for approximately five and a half blocks in the Borough of Brooklyn, Community District 4, Council District 34.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on October 30, 2013 (Minutes, page 4527), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 4C 080322 ZMK

City Planning Commission decision approving an application submitted by Forrest Lots, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b.

INTENT

This zoning map amendment along with the other related actions would facilitate the development of ten mixed-use buildings with 977 units of housing, including 242 units of affordable housing, and 54,132 square feet of ground floor retail space in Brooklyn Community District 4.

PUBLIC HEARING

DATE: November 12, 2013

Witnesses in Favor: TenWitnesses Against: Eleven

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, IgnizioAgainst: NoneAbstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, IgnizioAgainst: BarronAbstain: None

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

Res. No. 2061

Resolution approving the decision of the City Planning Commission on ULURP No. C 080322 ZMK, a Zoning Map amendment (L.U. No. 951).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on October 25, 2013 its decision dated October 23, 2013 (the "Decision"), on the application submitted by Forrest Lots, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 13b, which in conjunction with the other related actions would facilitate the development of ten mixed-use buildings with 977 units of housing, including 242 units of affordable housing, 54,132 square feet of ground floor retail space, 504 accessory off-street parking spaces, and publicly accessible open space to be located in the Bushwick section of Brooklyn, Community District 4 (ULURP No. C 080322 ZMK), Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to Applications N 110179 ZRK (L.U. No. 952), a zoning text amendment to create new Inclusionary Housing Designated Areas in Brooklyn Community District 4; and C 070250 MMK (L.U. No. 953), a city map amendment to re-establish Stanwix Street between Montieth Street and Forest Street, and Noll Street between Stanwix Street and Evergreen Avenue;

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 November 12, 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 and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on October 11, 2013 (CEQR No. 09DCP002K);

RESOLVED:

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

- (1)The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2)Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action to be approved, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3)The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A in the City Planning Commission Report (C 080322 ZMK), those mitigation measures that were identified as practicable; and
- (4)No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as Exhibit A in the City Planning Commission Report (C 080322 ZMK), as same may be modified with any necessary administrative or technical changes, all as acceptable to counsel to the Department, is executed, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Kings.

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 080322 ZMK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 13b, by:

1. changing from an M1-1 District to an R6A District property bounded by:

- a. Flushing Avenue, Bushwick Avenue, the southwesterly centerline prolongation of Forrest Street, Garden Street, a line 100 feet southeasterly of Flushing Avenue, and Beaver Street;

b. a line midway between Flushing Avenue and Montieth Street, a line 100 feet southwesterly of Stanwix Street, Forrest Street, and a line 100 feet northeasterly of Bushwick Avenue; and

c. a line 100 feet southeasterly of Noll Street, a line 100 feet southwesterly of Evergreen Avenue, Melrose Street, and Stanwix Street;
2. changing from an M1-1 District to an R7A District property bounded by:

a. Flushing Avenue, Stanwix Street, Forrest Street, a line 100 feet southwesterly of Stanwix Street, a line midway between Flushing Avenue and Montieth Street, a line 100 feet northeasterly of Bushwick Avenue, Forrest Street, and Bushwick Avenue; and

b. Noll Street, Evergreen Avenue, Melrose Street, and a line 100 feet southwesterly of Evergreen Avenue, a line 100 feet southeasterly of Noll Street, and Stanwix Street;
3. changing from an M3-1 District to an M1-2 District property bounded by Flushing Avenue, Evergreen Avenue, Noll Street, and Stanwix Street;
4. establishing within a proposed R6A District a C2-4 District bounded by Flushing Avenue, Bushwick Avenue, the southwesterly centerline prolongation of Forrest Street, Garden Street, a line 100 feet southwesterly of Bushwick Avenue, a line 100 feet southeasterly of Flushing Avenue, and Beaver Street;
5. establishing within a proposed R7A District a C2-4 District bounded by:

a. Flushing Avenue, Stanwix Street, Montieth Street, a line 100 feet southwesterly of Stanwix Street, a line midway between Flushing Avenue and Montieth Street, a line 100 feet northeasterly of Bushwick Avenue, Forrest Street, and Bushwick Avenue; and

b. Noll Street, Evergreen Avenue, Melrose Street, and a line 100 feet southwesterly of Evergreen Avenue;

as shown on a diagram (for illustrative purposes only) dated June 3, 2013, and subject to the conditions of CEQR Declaration E-315, Community District 4, Borough of Brooklyn.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 952
Report of the Committee on Land Use in favor of approving Application No. N 110179 ZRK submitted by Forrest Lots, LLC pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, concerning APPENDIX F (Inclusionary Housing Designated Areas), relating to the application of the Inclusionary Housing Program to proposed R6A and R7A Districts in the Borough of Brooklyn, Community District 4, Council District 34.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on October 30, 2013 (Minutes, page 4527), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 4N 110179 ZRK

City Planning Commission decision approving an application submitted by Forrest Lots, LLC, pursuant to Section 201 of the New York City Charter for an

amendment of the Zoning Resolution of the City of New York, concerning APPENDIX F (Inclusionary Housing Designated Areas), relating to the application of the Inclusionary Housing Program to proposed R6A and R7A Districts.

INTENT

This zoning text amendment along with the other related actions would facilitate the development of ten mixed-use buildings with 977 units of housing, including 242 units of affordable housing, and 54,132 square feet of ground floor retail space in Brooklyn Community District 4.

PUBLIC HEARING

DATE: November 12, 2013

Witnesses in Favor: TenWitnesses Against: Eleven

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, Ignizio
Against: NoneAbstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approved the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: BarronAbstain: None

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

Res. No. 2062
Resolution approving the decision of the City Planning Commission on Application No. N 110179 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning APPENDIX F (Inclusionary Housing Designated Areas), relating to the application of the Inclusionary Housing Program to proposed R6A and R7A Districts in Community District 4, Borough of Brooklyn (L.U. No. 952).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on October 25, 2013 its decision dated October 23, 2013 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Forrest Lots, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, concerning APPENDIX F (Inclusionary Housing Designated Areas), relating to the application of the Inclusionary Housing Program to proposed R6A and R7A Districts in Community District 4, (Application No. N 110179 ZRK), Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to applications C 080322 ZMK (L.U. No. 951), a proposed amendment to the Zoning Map for approximately five and a half blocks in Brooklyn Community District 4 to change the zoning from M1-1 to R6A, R7A, R6A/C2-4 and R7A/C2-4 and from M3-1 to M1-2; and C 070250 MMK (L.U. No. 953), a city map amendment to re-establish Stanwix Street between Montieth Street and Forest Street, and Noll Street between Stanwix Street and Evergreen Avenue;

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 November 12, 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 and the Final Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on October 11, 2013 (CEQR No. 09DCP002K);

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action to be approved, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A in the City Planning Commission Report (C 080322 ZMK), those mitigation measures that were identified as practicable; and
- (4) No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as Exhibit A in the City Planning Commission Report (C 080322 ZMK), as same may be modified with any necessary administrative or technical changes, all as acceptable to counsel to the Department, is executed, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Kings.

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 110179 ZRK, 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 as follows:

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F
INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include # Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing Designated Areas# are mapped in #Commercial districts#, the residential district equivalent has instead been specified for each map.

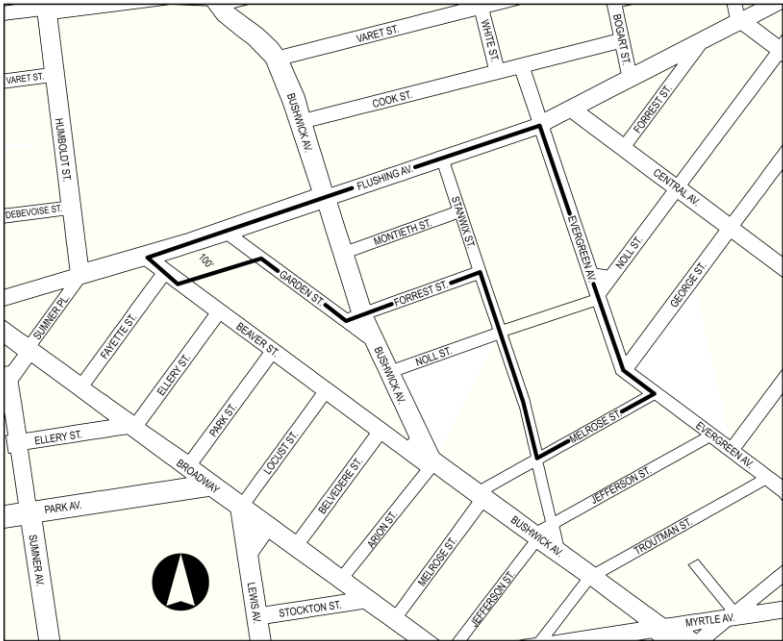
Table of #Inclusionary Housing Designated Areas# by Zoning Map

Zoning Map	Community District	Inclusionary Housing Map
1d	Bronx CD 7	Map 1
3b	Bronx CD 4	Map 1
3c	Bronx CD 6	Maps 1-3
3c	Bronx CD 7	Map 1
3d	Bronx CD 3	Map 1
3d	Bronx CD 6	Maps 2-5
5d	Manhattan CD 7	Map 1
6a	Manhattan CD 9	Map 1, Map 2
6a	Manhattan CD 10	Map 1
6a	Manhattan CD 11	Map 1

6a	Bronx CD 1	Map 1
6a	Bronx CD 4	Map 1
6b	Manhattan CD 10	Map 1
6b	Manhattan CD 11	Map 1
8b	Manhattan CD 4	Map 1
8c	Manhattan CD 4	Map 2
8c	Manhattan CD 7	Map 2
8d	Manhattan CD 4	Map 3, Map 4
8d	Manhattan CD 5	Map 1
8d	Manhattan CD 6	Map 1
8d	Queens CD 2	Map 3
9a	Queens CD 1	Map 1
9b	Queens CD 1	Map 2
9b	Queens CD 2	Map 1
9d	Queens CD 2	Map 1, Map 2
12a	Manhattan CD 1	Map 1
12a	Manhattan CD 2	Map 1
12c	Manhattan CD 3	Map 1
12c	Brooklyn CD 1	Map 1, Map 2
12d	Brooklyn CD 1	Map 2, Map 3
12d	Brooklyn CD 2	Map 1, Map 4
12d	Brooklyn CD 3	Map 3
13a	Brooklyn CD 1	Map 1, Map 2
13b	Brooklyn CD 1	Map 2, Map 4
13b	Brooklyn CD 3	Maps 3-5
<u>13b</u>	<u>Brooklyn CD 4</u>	<u>Map 1</u>
14d	Queens CD 8	Map 1
14d	Queens CD 12	Map 1
16b	Brooklyn CD 7	Map 2
16c	Brooklyn CD 2	Map 1-3
16c	Brooklyn CD 3	Map 1
16c	Brooklyn CD 6	Map 1
16c	Brooklyn CD 8	Map 1
16d	Brooklyn CD 7	Map 1
16d	Brooklyn CD 8	Map 1
16d	Brooklyn CD 14	Map 2
17a	Brooklyn CD 3	Map 1-5
17a	Brooklyn CD 8	Map 1
17b	Brooklyn CD 8	Map 1
17b	Brooklyn CD 14	Map 2
22a	Brooklyn CD 7	Map 2
22c	Brooklyn CD 7	Map 2
22c	Brooklyn CD 14	Maps 1-3
23a	Brooklyn CD 14	Map 2
28d	Brooklyn CD 13	Map 1

* * *

Brooklyn, Community District 4
In the R6A and R7A Districts within the area shown on the following Map 1:
Map 1.



Portion of Community District 4, Brooklyn

* * *

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 953
Report of the Committee on Land Use in favor of approving Application no. C 070250 MMK submitted by Forrest Lots, LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City map to re-establish Stanwix Street between Montieth Street and Forest Street, and Noll Street between Stanwix Street and Evergreen Street, in the Borough of Brooklyn, Community District 4, Council District 34. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on October 30, 2013 (Minutes, page 4528), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 4C 070250 MMK

City Planning Commission decision approving an application submitted by Forrest Lots, LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the establishment of Stanwix Street between Montieth Street and Forrest Street;
- the establishment of Noll Street between Stanwix Street and Evergreen Avenue;
- the extinguishment of a sewer easement; and
- the modification and adjustment of block dimensions and grades;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2722 dated June 9, 2010 and signed by the Borough President.

INTENT

This city map change along with the other related actions would facilitate the development of ten mixed-use buildings with 977 units of housing, including 242 units of affordable housing, and 54,132 square feet of ground floor retail space in Brooklyn Community District 4.

PUBLIC HEARING

DATE: November 12, 2013

Witnesses in Favor: TenWitnesses Against: Eleven

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, Ignizio
Against: NoneAbstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: BarronAbstain: None

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

Res. No. 2063
Resolution approving the decision of the City Planning Commission on ULURP No. C 070250 MMK, an amendment to the City Map (L.U. No. 953).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on October 25, 2013 its decision dated October 23, 2013 (the "Decision"), on the application submitted by Forrest Lots, LLC, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of Stanwix Street between Montieth Street and Forrest Street;
- the establishment of Noll Street between Stanwix Street and Evergreen Avenue;
- the extinguishment of a sewer easement; and
- the modification and adjustment of block dimensions and grades;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2722, dated June 9, 2010 and signed by the Borough President, (ULURP No. C 070250 MMK), Community District 4, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to applications C 080322 ZMK (L.U. No. 951), a proposed amendment to the Zoning Map for approximately five and a half blocks in Brooklyn Community District 4 to change the zoning from M1-1 to R6A, R7A, R6A/C2-4 and R7A/C2-4 and from M3-1 to M1-2; and N 110179 ZRK (L.U. No. 952), a zoning text amendment to create new Inclusionary Housing Designated Areas in Brooklyn Community District 4;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 12, 2013;

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

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on October 11, 2013 (CEQR No. 09DCP002K);

RESOLVED:

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

- The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action to be approved, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration marked as Exhibit A in the City Planning Commission Report (C 080322 ZMK), those mitigation measures that were identified as practicable; and

- (4) No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as Exhibit A in the City Planning Commission Report (C 080322 ZMK), as same may be modified with any necessary administrative or technical changes, all as acceptable to counsel to the Department, is executed, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of Kings.

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

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 070250 MMK, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the establishment of Stanwix Street between Montieth Street and Forrest Street;
- the establishment of Noll Street between Stanwix Street and Evergreen Avenue;
- the extinguishment of a sewer easement; and
- the modification and adjustment of block dimensions and grades;

including authorization for any acquisition or disposition of real property related thereto, in Community District 4, Borough of Brooklyn, in accordance with Map No. X-2722 dated June 9, 2010 and signed by the Borough President, subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. X-2722 dated June 9, 2010, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.; and
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 964

Report of the Committee on Land Use in favor of approving Application No. C 140035 ZSX submitted by KNIC Partners, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41(b) of the Zoning Resolution to allow an indoor arena with a maximum seating capacity of 5,800 seats located within 200 feet of a Residence District, and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 (Required Off-Street Loading Berths), in connection with the conversion of an existing building (Kingsbridge Armory), on property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2), in the Borough of the Bronx, Community District 7, Council District 14.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4797), respectfully

REPORTS:

SUBJECT

BRONX CB - 7

C 140035 ZSX

City Planning Commission decision approving an application submitted by KNIC Partners, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41(b) of the Zoning Resolution to allow an indoor arena with a maximum seating capacity of 5,800 seats located within 200 feet of a Residence District, and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 (Required Off-Street Loading Berths), in connection with the conversion of an existing building (Kingsbridge Armory), on property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2), in a C4-4 District.

INTENT

This grant of a special permit in conjunction with the other related actions would facilitate the construction of the Kingsbridge National Ice Center.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Twenty Witnesses Against: Three

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, Ignizio
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: Barron **Abstain:** *None*

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

Res. No. 2064

Resolution approving the decision of the City Planning Commission on ULURP No. C 140035 ZSX (L.U. No. 964), for the grant of a special permit pursuant to Section 74-41(b) of the Zoning Resolution to allow an indoor arena with a maximum seating capacity of 5,800 seats located within 200 feet of a Residence District, and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 (Required Off-Street Loading Berths), in connection with the conversion of an existing building (Kingsbridge Armory), on property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2), in a C4-4 District, Borough of the Bronx.

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), on the application submitted by KNIC Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-41(b) of the Zoning Resolution to allow an indoor arena with a maximum seating capacity of 5,800 seats located within 200 feet of a Residence District, and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 (Required Off-Street Loading Berths), in connection with the conversion of an existing building (Kingsbridge

Armory), on property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2), in a C4-4 District, (ULURP No. C 140035 ZSX), Community District 7, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 140033 ZMX (L.U. No. 965), proposed amendment to the Zoning Map, Section No. 3c, changing from an R6 to a C4-4 District; N 140034 ZRX (L.U. No. 966), a zoning text amendment which would allow by Special Permit, an arena with a capacity greater than 2,500 but no greater than 6,000 to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements; and C 140036 PPX (L.U. No. 967), a disposition of two (2) City-owned properties (Block 3247, Lot 10 and p/o Lot 2) restricted to the approval of the Special Permit;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-41 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 5, 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 and the Final Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on October 25, 2013 (CEQR No. 13DME013X).

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to this approval, in accordance with an environmental commitment letter, dated October 29, 2013, from the Deputy Mayor for Economic Development, those project components related to the environment and mitigation measures that were identified as practicable; and
- (4) The Decision together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140035 ZSX, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The property that is the subject of this Application (C 140035 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Brisbin Brook Beynon architects and SCI Architects, PC, filed with this Application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
Z.1	Zoning Computations	10/29/2013
Z.2	Site Plan	07/23/2013
Z.3	Longitudinal & Cross Sections	07/23/2013
Z.4	Level 1/ Main Ice Level Plan	07/23/2013
Z.5	Sub Level 1 Basement Level Plan	10/29/2013
Z.6	Sub Level 2/ Cellar Level Plan	10/29/2013
Z.7	Level 2/ Balcony Level Plan	07/23/2013
Z.8	Level 3/ Upper Mezzanine Level Plan	07/23/2013
Z.9	Level 4/ Upper Ice Level Plan	07/23/2013
Z.10	Signage Plan –	07/23/2013

- North & South Proposed Elevations

Z.11Signage Plan07/23/2013

East & West Proposed Elevations
2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city’s or such employee’s or agent’s failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 965

Report of the Committee on Land Use in favor of approving Application No. C 140033 ZMX submitted by KNIC Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 3c, changing from an R6 District to a C4-4 District property bounded by West 195th Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue, in the Borough of the Bronx, Community District 7, Council District 14.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4798), respectfully

REPORTS:

SUBJECT

BRONX CB - 7

C 140033 ZMX

City Planning Commission decision approving an application submitted by KNIC Partners, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3c, changing from an R6 District to a C4-4 District property bounded by West 195th Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue, as shown on a diagram (for illustrative purposes only) dated July 22, 2013.

INTENT

This zoning map amendment, in conjunction with the other related actions, would facilitate the construction of the Kingsbridge National Ice Center.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Twenty **Witnesses Against:** Three

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, Ignizio
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: Barron
Abstain: *None*

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

Res. No. 2065

Resolution approving the decision of the City Planning Commission on ULURP No. C 140033 ZMX, a Zoning Map amendment (L.U. No. 965).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), on the application submitted by KNIC Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section 3c, rezoning property from an R6 District to a C4-4 District which in conjunction with the other related actions would facilitate the development of an indoor ice arena in the Kingsbridge Heights neighborhood of the Bronx, Community District 7, (ULURP No. C 140033 ZMX), Borough of the Bronx (the "Application");

WHEREAS, the application is related to Applications C 140035 ZSX (L.U. No. 964), a Special Permit pursuant to ZR 74-41 (b) to allow an indoor arena with a maximum capacity of 5,800 seats and to modify the sign provisions of Sections 32-64 and 32-655 and the loading requirements of Section 36-62; N 140034 ZRX (L.U. No. 966), a zoning text amendment which would allow by Special Permit, an arena with a capacity greater than 2,500 but no greater than 6,000 to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements; and C 140036 PPX (L.U. No. 967), a disposition of two (2) City-owned properties (Block 3247, Lot 10 and p/o Lot 2) restricted to the approval of the Special Permit;

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 December 5, 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 and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on October 25, 2013 (CEQR No. 13DME013X).

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to this approval, in accordance with an environmental commitment letter, dated October 29, 2013, from the Deputy Mayor for Economic Development, those project components related to the environment and mitigation measures that were identified as practicable; and
- (4) The Decision together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140033 ZMX, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 3c, changing from an R6 District to a C4-4 District property bounded by West 195th Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue, as shown on a diagram (for illustrative purposes only) dated July 22, 2013, Community District 7, Borough of the Bronx.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 966

Report of the Committee on Land Use in favor of approving Application No. N 140034 ZRX submitted by KNIC partners, LLC pursuant to Section 201 of the New York City Charter, for an amendment of Zoning Resolution Section74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) to allow by a special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district, and modifications of certain signage and loading berth requirements, in the Borough of the Bronx.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4798), respectfully

REPORTS:

SUBJECT

BRONX CB - 7 N 140034 ZRX

City Planning Commission decision approving an application submitted by KNIC Partners, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) to allow by a special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements.

INTENT

This zoning text amendment, in conjunction with the other related actions, would facilitate the construction of the Kingsbridge National Ice Center.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Twenty **Witnesses Against:** Three

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, Ignizio
Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: Barron **Abstain:** *None*

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

Res. No. 2066

Resolution approving the decision of the City Planning Commission on Application No. N 140034 ZRX, for an amendment of the Zoning Resolution of the City of New York, relating to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) to allow by a special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements in Community District 7, Borough of the Bronx (L.U. No. 966).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by KNIC Partners, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, relating to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) to allow by a special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements, which along with the related actions, would facilitate approximately 794,900 square feet of new uses, including nine ice rinks (274,400 square feet); approximately 64,300 square feet of related program space, including a wellness/off-ice training center, curling rinks, and lockers/equipment storage; approximately 58,100 square feet of related food and beverage, concession, and retail space; and approximately 50,000 square feet of community facility space and an accessory parking garage containing approximately 457 spaces development (Application No. N 140034 ZRX), Community District 7, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 140035 ZSX (L.U. No. 964), a Special Permit pursuant to Zoning Resolution Section 74-41 (b) to allow an indoor arena with a maximum capacity of 5,800 seats and to modify the sign provisions of Sections 32-64 and 32-655 and the loading requirements of Section 36-62; C 140033 ZMX (L.U. No. 965), proposed amendment to the Zoning Map, Section No. 3c, changing from an R6 to a C4-4 District; and C 140036 PPX (L.U. No. 967), a disposition of two (2) City-owned properties (Block 3247, Lot 10 and p/o Lot 2) restricted to the approval of the Special Permit;

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 December 5, 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 and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on October 25, 2013 (CEQR No. 13DME013X).

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to this approval, in accordance with an environmental commitment letter, dated October 29, 2013, from the Deputy Mayor for Economic Development, those project components related to the environment and mitigation measures that were identified as practicable; and
- (4) The Decision together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140034 ZRX, 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 as follows:

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

* * *

74-41
Arenas, Auditoriums, Stadiums or Trade Expositions

- (a) In C4, C6, C7 or C8 Districts or any #Manufacturing District#, the City Planning Commission may permit arenas, auditoriums or stadiums with a capacity in excess of 2,500 seats, or trade expositions with a rated capacity in excess of 2,500 persons, provided that the following findings are made:
- (a)(1) that the principal vehicular access for such #use# is not located on a local #street# but is located on an arterial highway, a major #street# or a secondary #street# within one-quarter mile of an arterial highway or major #street#;
- (b)(2) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;
- (c)(3) that such #use# is not located within 200 feet of a #Residence District#,
- (d)(4) that adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exits, are provided to prevent traffic congestion;
- (e)(5) that vehicular entrances and exits for such #use# are provided separately and are located not less than 100 feet apart; and
- (f)(6) that due consideration has been given to the proximity of bus and rapid transit facilities to serve such #use#.

(b) In C4, C6, C7 or C8 Districts or any #Manufacturing District# in the Community Districts listed below, the City Planning Commission may permit an indoor arena with a maximum seating capacity of 6,000 within 200 feet of a #Residence District#, and in conjunction with such arena, permit modifications of the provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-655 (Height of Signs in all other Commercial Districts), and 36-62 (Required Accessory Off-street Loading Berths), provided that the following findings are made:

(1) findings (1), (2), (4), (5) and (6) of paragraph (a) of this Section are met;

(2) that open space surrounding such arena will be located and arranged to provide adequate pedestrian gathering areas to minimize disruption to the surrounding areas;

(3) the arena includes noise attenuation features and measures which serve to reduce arena-related noise in the surrounding area, including at nearby #residences#,

(4) where Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts) are modified, a #signage# plan has been submitted showing the location, size, height and illumination of all #signs# on the #zoning lot#, and the Commission finds that all such #signs# and any illumination from or directed upon such #signs# are located and arranged so as to minimize any negative effects from the arena #use# on nearby #residences#, and

(5) where Section 36-62 (Required Accessory Off-street Loading Berths) is modified, a loading plan has been submitted that addresses the operational needs of all servicers of the arena and shows the number, location and arrangement of all loading berths on the #zoning lot#, and the Commission finds that such loading plan is adequate to address the loading demand generated by the arena #use# and has received assurances that the arena operator will implement such plan in accordance with its terms .

(i) Community District 7 in the Borough of the Bronx

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs# or requirements for soundproofing of arenas or auditoriums, shielding of floodlights, screening of open #uses# or surfacing all access roads or driveways.

* * *

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 967

Report of the Committee on Land Use in favor of approving Application No. C 140036 PPX submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o Lot 2), in the Borough of the Bronx, Community District 7, Council District 14. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4798), respectfully

REPORTS:

SUBJECT

BRONX CB - 7

C 140036 PPX

City Planning Commission decision approving an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o Lot 2), restricted to the conditions pursuant to NYC Zoning Resolution (ZR) Section 74-41(b) Special Permit (C 140035 ZSX).

INTENT

This disposition of city-owned property in conjunction with the other related actions would facilitate the construction of the Kingsbridge National Ice Center.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Twenty Witnesses Against: Three

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

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

Against: None Abstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio

Against: Barron Abstain: None

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

Res. No. 2067

Resolution approving the decision of the City Planning Commission on ULURP No. C 140036 PPX, for the disposition of city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o Lot 2), restricted to the conditions pursuant to NYC Zoning Resolution (ZR) Section 74-41(b) Special Permit, (C 140036 PPX), Borough of the Bronx (L.U. No. 967).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the New York City Department of Citywide Administrative Services, for the disposition of city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o Lot 2), restricted to the conditions of the related-action Special Permit Application No. C 140035 ZSX (L.U. No. 964) pursuant to NYC Zoning Resolution (ZR) Section 74-41(b), (Application No. C 140036 PPX), Community District 7, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 140035 ZSX (L.U. No. 964), a Special Permit pursuant to ZR 74-41 (b) to allow an indoor arena with a maximum capacity of 5,800 seats and to modify the sign provisions of Sections 32-64 and 32-655 and the loading requirements of Section 36-62; C 140033 ZMX (L.U. No. 965), proposed amendment to the Zoning Map, Section No. 3c, changing from an R6 to a C4-4 District; and N 140034 ZRX (L.U. No. 966), a zoning text amendment which would allow by Special Permit, an arena with a capacity greater than 2,500 but no greater than 6,000 to be located within 200 feet of a residential district, and allow modifications of certain signage and loading berth requirements;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 5, 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 and the Final Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on October 25, 2013 (CEQR No. 13DME013X).

RESOLVED:

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

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with an environmental commitment letter, dated October 29, 2013, from the Deputy Mayor for Economic Development, those project components related to the environment and mitigation measures that were identified as practicable; and
- (4) The Decision together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d 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 140036 PPX, incorporated by reference herein, the Council approves the Decision for the disposition of city-owned property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2) subject to the restrictions of the related-action Special Permit Application No. C 140035 ZSX (L.U. No. 964) pursuant to New York City Zoning Resolution Section 74-41(b) as approved by the City Planning Commission and the New York City Council.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 971
Report of the Committee on Land Use in favor of approving Application No. C 140019 HAK submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area and Project for properties located at 16 DuPont Street and 219 West Street in the Borough of Brooklyn, and approval of the disposition of such properties, Community District 1, Council District 33. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law and 197-c of the New York City Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4800), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 1 **C 140019 HAK**

City Planning Commission decision approving an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:

a. the designation of property located at 16 Dupont Street (Block 2494, Lot 6) and 219 West Street (Block 2472, p/o Lot 32), as an Urban Development Action Area; and

b. an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a mixed-use development including affordable housing and open space.

INTENT

This UDAAP action in conjunction with the other related actions would facilitate development of a mixed-use development including affordable housing and open space, Community District 1, Borough of Brooklyn.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Thirteen **Witnesses Against:** Four

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Levin, Gonzalez, Dickens, Koo
Against: Barron **Abstain:** *None*

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: Barron **Abstain:** *None*

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

Res. No. 2068
Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 140019 HAK, approving the designation of property located at 16 Dupont Street (Block 2494, Lot 6) and 219 West Street (Block 2472, p/o Lot 32), Borough of Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 971; C 140019 HAK).

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of property located at 16 Dupont Street (Block 2494, Lot 6) and 219 West Street (Block 2472, p/o Lot 32), as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area; and

pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by the Department of Housing Preservation and Development to facilitate development of a mixed-use development including affordable housing and open space, Community District 1, Borough of Brooklyn (ULURP No. C 140019 HAK) (the "Application");

WHEREAS, the Application is related to applications N 140028 ZRK (L.U. No. 972), a Zoning Text Amendment to facilitate the development of affordable housing, open space, and a public school; N 140022 ZAK (L.U. No. 973), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas, and in conjunction therewith the rear yard requirements of Section 62-332 on Zoning Lot 5b-1; N 140020 ZAK (L.U. No. 974), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location, area and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas; and Application No. 20145125 SCK (L.U. No. 990) a new, approximately 640-Seat primary/intermediate school facility to be located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn;

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

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its recommendations regarding the Application on December 6, 2013 and December 10, 2013;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on December 5, 2013;

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

WHEREAS, the Council has considered the relevant environmental issues and the revised negative declaration (CEQR No. 14DCP004K) issued on November 6, 2013 (the "Revised Negative Declaration").

RESOLVED:

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

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

The Council approves the designation of the Disposition Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law.

The Council approves the disposition of such property to a developer selected by the Department of Housing Preservation and Development.

The Project shall be developed in a manner consistent with the project summary dated December 9, 2013, submitted by HPD, a copy of which is attached hereto.

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in this report, C 140019 HAK and incorporated by reference herein, the Council approves the Decision of the City Planning Commission, subject to the following conditions:

- 1. That HPD require, as a condition of sale of City-owned land that is the subject of this action, that development of the 431 units of affordable housing herein referred to as the "Points of Agreement units" or "POA units," or the appropriate phase of the POA units, and any and all

development taking place directly on the City-owned land to be disposed of pursuant to this approval (Block 2494, Lot 6 and Block 2472, p/o Lot 32) comply with urban design guidelines attached as Attachment A to the City Planning Commission Report (C 140019 HAK).

- 2. That HPD require, as a condition of sale of the City-owned land that is the subject of this action, or the appropriate phase of such sale, that restrictive declarations, acceptable to Counsel to the City Planning Commission, be recorded by the developer against the sites of any buildings containing POA units, or a portion of the POA units associated with the a phase of the sale, ensuring, that upon construction of a certain number of the POA units, child care funding is provided by the developer to ACS for publicly provided child care vouchers. The terms for provision of child care funding required pursuant to the restrictive declarations are set forth in Attachment B attached to the City Planning Commission Report (C 140019 HAK) and will ensure that the development reflects the child care PCRE described in the Environmental Assessment Statement (14DCP004K) for this and the related actions.
- 3. That HPD require, as a condition of sale of the City-owned land that is the subject of this action that restrictive declarations, acceptable to Counsel to the City Planning Commission, be recorded by the developer against the sites of the buildings containing POA units (or the appropriate phase of the POA units) and the school, and that HPD impose deed restrictions or restrictive declarations on the City-owned properties to be conveyed, ensuring that proper construction techniques are employed for the construction of the school, the buildings containing the POA units, and any development taking place on the City-owned site to be disposed. Such construction techniques are set forth in Attachment C attached to the City Planning Commission Report (C 140019 HAK) and will ensure that the development reflects the construction PCRE described in the Environmental Assessment Statement (14DCP004K) for this and the related actions.
- 4. That HPD require, as a condition of sale of the City-owned land that is the subject of this action, or the appropriate phase of such sale, the provision of funding for transit improvements to ensure that the development reflects the transit PCRE described in the Environmental Assessment Statement (14DCP004K) for this and the related actions.
- 5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the disposition approval hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said disposition approval. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission to disapprove any application for modification, cancellation or amendment of the authorization.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 972

Report of the Committee on Land Use in favor of approving Application No. N 140028 ZRK submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, concerning section 11-13 (Public Parks), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), and 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) relating to the development of parkland and schools, in the Borough of Brooklyn, Community District 1, Council District 33.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4800), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 1N 140028 ZRK

City Planning Commission decision approving an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), and 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) relating to the development of parkland and schools.

INTENT

This zoning text amendment in conjunction with the other related actions would facilitate development of a mixed-use development including affordable housing and open space, Community District 1, Borough of Brooklyn.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Thirteen Witnesses Against: Four

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Levin, Gonzalez, Dickens, Koo
Against: BarronAbstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: BarronAbstain: None

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

Res. No. 2069

Resolution approving the decision of the City Planning Commission on Application No. N 140028 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), and 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) relating to the development of parkland and schools in Community District 1, Borough of Brooklyn (L.U. No. 972).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 28, 2013 its decision dated November 6, 2013 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), and 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) relating to the development of parkland and schools (Application No. N 140028 ZRK), Community District 1, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to Applications N 140019 HAK (L.U. No. 971), an Urban Development Action Area Project designation, approval, and disposition to facilitate the development of affordable housing and public open space; N 140022 ZAK (L.U. No. 973), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location and dimension requirements of Section 62-50 for visual corridors and waterfront public

access areas, and in conjunction therewith the rear yard requirements of Section 62-332 on Zoning Lot 5b-1; N 140020 ZAK (L.U. No. 974), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location, area and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas; and Applicatin No. 20145125 SCK (L.U. No. 990), a new, approximately 640-Seat primary/intermediate school facility to be located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn;

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 December 5, 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 and the revised negative declaration, issued on November 6, 2013 (CEQR No. 14DCP004K).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140028 ZRK, 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 as follows:

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Article 1
Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-10
ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS, AND INCORPORATION OF MAPS

* * *

11-13
Public Parks

District designations indicated on #zoning maps# do not apply to #public parks#, except as set forth in Section 105-91 (Special District Designation on Public Parks) and in paragraph (c) of Section 62-351 (Special floor area regulations). In the event that a #public park# or portion thereof is sold, transferred, exchanged, or in any other manner relinquished from the control of the Commissioner of Parks and Recreation, no building permit shall be issued, nor shall any #use# be permitted on such former #public park# or portion thereof, until a zoning amendment designating a zoning district therefore has been adopted by the City Planning Commission and has become effective after submission to the City Council in accordance with the provisions of Section 71-10 (PROCEDURE FOR AMENDMENTS).

* * *

Article IV
Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-35

Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

On #waterfront blocks# in #Inclusionary Housing designated areas# in Community District 1, Borough of Brooklyn, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

62-351

Special floor area regulations

* * *

(c)

Special regulations for Parcel 5e within Waterfront Access Plan BK-1

On Parcel 5e within Waterfront Access Plan BK-1, in the event that a property is #developed# as a #public park#, such property shall continue to be considered part of a #zoning lot# for the purposes of generating #residential floor area# based on the #residential floor area ratio# applicable to the property prior to its #development# as a #public park#. In no event shall the #floor area# generated by the property #developed# as a #public park# be utilized within the #public park#, but may be utilized pursuant to Section 62-353 (Special floor area, lot coverage and residential density distribution regulations). Floor space within any structure constructed pursuant to an agreement with the Department of Parks and Recreation within such #public park# shall be exempt from the definition of #floor area#.

(d)

Special regulations for Parcel 5d within Waterfront Access Plan BK-1

On Parcel 5d within Waterfront Access Plan BK-1, up to 120,000 square feet of floor space within a public #school#, constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, shall be exempt from the definition of #floor area# and from #lot coverage# requirements for the purposes of calculating the permitted #floor area ratio# and #lot coverage# for #community facility uses# and the maximum #floor area ratio# and total permitted #lot coverage# of the #zoning lot#.

* * *

62-354

Special height and setback regulations

Within Waterfront Access Plan BK-1, the provisions of Section 62-341 (Developments on land and platforms) are modified, as follows:

* * *

(j)

On Parcel 5d, the provisions of paragraphs (c)(1) and (c)(2) shall be modified for public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, as follows:

- (1)the maximum base height provisions of paragraph (c)(1) shall not apply; and
- (2)the maximum #building# height provisions of paragraph (c)(2) shall be modified to permit a maximum #building# height of 100 feet or six #stories#, whichever is less.

62-355

Special yard regulations

On Parcel 5d within Waterfront Access Plan BK-1, the #yard# provisions of Section 24-36 (Minimum Required Rear Yards) shall not apply to public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education.

* * *

62-90

WATERFRONT ACCESS PLANS

* * *

62-93

Borough of Brooklyn

* * *

62-931

Waterfront Access Plan BK-1: Greenpoint-Williamsburg

Maps BK-1a through BK-1c in paragraph (f) of this Section show the boundaries of the area comprising the Greenpoint-Williamsburg Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on May 11, 2005, as follows:

* * *

Parcel 5a:	Block 2472, Lot 100
Parcel 5b:	Block 2472, Lot 32, south of the prolongation of the northern #street line# of DuPont Street
	Block 2494, Lot 6
Parcel 5c:	Block 2472, Lot 2
	Block 2494, Lot 1
	Block 2502, Lot 1
	Block 2510, Lot 1
	Block 2520, Lot 57
Parcel 5d:	Block 2494, Lot 1
Parcel 5e:	Block 2472, Lot 32, north of the prolongation of the northern #street line# of DuPont Street
Parcel 6:	Block 2472, Lot 75

* * *

(d)

Special public access provisions by parcel

The provisions of Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified at the following designated locations which are shown on Map BK-1b in paragraph (f) of this Section:

- (1)Parcels 1 and 2

* * *

(4)

Parcel 5b

The portion of Block 2472, Lot 32, located within Parcel 5b shall constitute a #zoning lot# for the purpose of applying all #waterfront public access area# and #visual corridor# provisions of Sections 62-50 through 62-90, inclusive.

(4)(5)

Parcel 5c

- (ii)#Supplemental public access area#

Two #supplemental public access areas# shall be provided on Parcel 5c. A #supplemental public access area# shall be bounded by the southern boundary of the required Green Street #upland connection#, the #shore

public walkway#, the southern boundary of Parcel 5c and the northern prolongation of the eastern boundary of the #shore public walkway# required in Parcel 7.

The remaining required #supplemental public access area# shall be provided either on the #pier# or distributed evenly as a widening of the #shore public walkway# located between the Eagle Street and Green Street #upland connections#. If any #supplemental public access area# is located on the #pier#, one shade tree shall be required for each 1,000 square feet of #supplemental public access area#, but in no event shall more than four shade trees be required. A shading element may be substituted for the required shade trees at a rate of 450 square feet of shade element per tree.

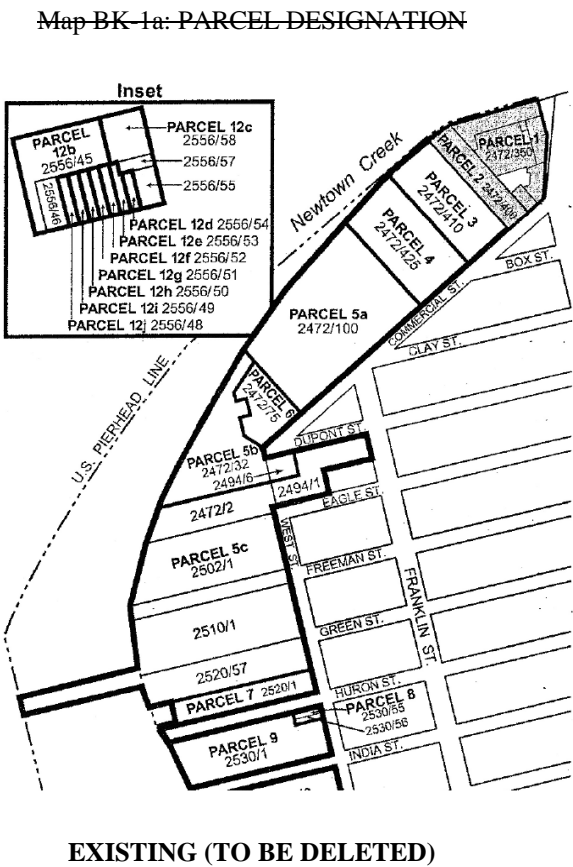
The total #lot area# utilized in the calculation of required #supplemental public access area# for Parcel 5c, pursuant to Section 62-57, shall include the #lot area# within Parcel 5d.

(6) Parcel 5e

The portion of Block 2472, Lot 32, located within Parcel 5e shall constitute a #zoning lot# for the purpose of applying all #waterfront public access area# and #visual corridor# provisions of Sections 62-50 through 62-90, inclusive.

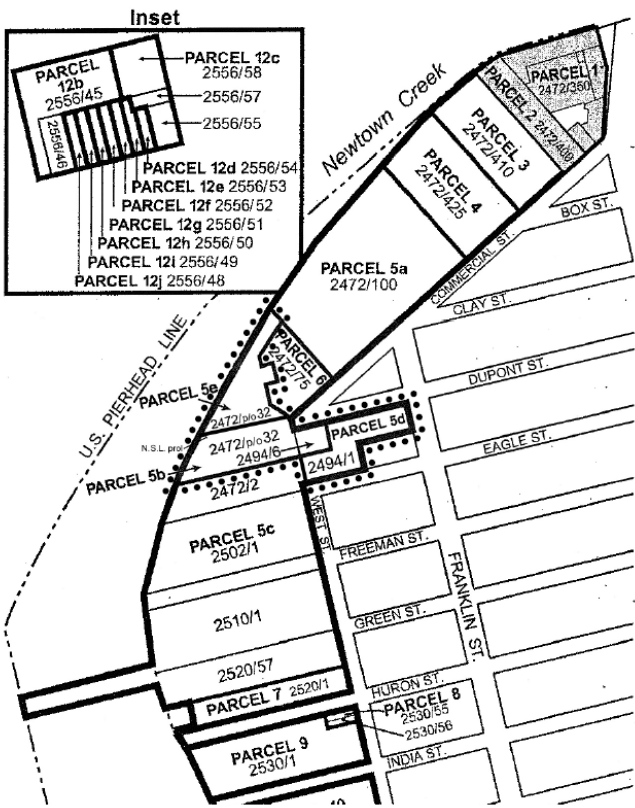
(5) (7)	Parcel 7	*	*	*
(6) (8)	Parcels 9, 10 and 11	*	*	*
(7) (9)	Parcel 13	*	*	*
(8) (10)	Parcel 14	*	*	*
(9) (11)	Parcel 15	*	*	*
(10) (12)	Parcels 19, 20, 21 and 22	*	*	*
(11) (13)	Parcel 25	*	*	*
(12) (14)	Parcel 26	*	*	*
(13) (15)	Parcel 27	*	*	*

NOTE: Maps BK-1a to BK-1c to be amended to show Parcels 5d and 5e



EXISTING (TO BE DELETED)

MAP BK-1a: PARCEL DESIGNATION



[Area being changed is outlined in dotted line]

PROPOSED

[Maps BK-1b and BK-1c to be changed consistent with changes to Map BK-1a shown above]

* * *

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 973

Report of the Committee on Land Use in favor of approving Application No. N 140022 ZAK submitted by Greenpoint Landing Associates LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location and minimum dimensions requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and 7 waterfront yards), in connection with a proposed mixed-use development on property located at 219 West Street (Zoning Lot 5b-1, Block 2472, p/o of Lot 32), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5b), in the Borough of Brooklyn, Community District 1, Council District 33. This application is subject to review of the Council only if called up by a vote of the Council pursuant 62-822(a) of the NYC Zoning Resolution.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4801), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 1 N 140022 ZAK

City Planning Commission decision approving an application submitted by Greenpoint Landing Associates, for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location requirements and

minimum dimensions requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed mixed-use development on property located at 219 West Street (Zoning Lot 5b-1, Block 2472, p/o of Lot 32), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5b).

INTENT

This authorization in conjunction with the other related actions would facilitate development of a mixed-use development including affordable housing and open space, Community District 1, Borough of Brooklyn.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: **Thirteen** Witnesses Against: **Four**

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Levin, Gonzalez, Dickens, Koo
Against: Barron Abstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: Barron Abstain: None

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

Res. No. 2070

Resolution approving the decision of the City Planning Commission for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location and minimum dimensions requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed mixed-use development on property located at 219 West Street (Zoning Lot 5b-1, Block 2472, p/o of Lot 32), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5b), Borough of Brooklyn (Non-ULURP No. N 140022 ZAK; L.U. No. 973).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), on the application submitted by Greenpoint Landing Associates LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location requirements and minimum dimensions requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed mixed-use development on property located at 219 West Street (Zoning Lot 5b-1, Block 2472, p/o of Lot 32), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5b), Community District 1, Borough of Brooklyn (Non-ULURP No. N 140022 ZAK) (the "Application");

WHEREAS, the application is related to Applications C 140019 HAK (L.U. No. 971), an Urban Development Action Area Project designation, approval, and disposition to facilitate the development of affordable housing and public open space; N 140028 ZRK (L.U. No. 972), a Zoning Text Amendment to facilitate the development of affordable housing, open space, and a public school; N 140020 ZAK

(L.U. No. 974), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location, area and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas, and in conjunction therewith the rear yard requirements of Section 62-332 for Zoning Lot 5a; and Application No. 20145125 SCK (L.U. No. 990), a new, approximately 640-Seat primary/intermediate school facility to be located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 5, 2013;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822(a)(1) of the Zoning Resolution of the City of New York;

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 and the revised negative declaration (CEQR No. 14DCP004K), issued on November 6, 2013 (the "Revised Negative Declaration");

RESOLVED:

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

Pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140022 ZAK, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The development that is the subject of this application (N 140022 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans, prepared by Handel Architects LLP and James Corner Field Operations, and filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
Z-001	ULURP Master Plan	07-15-2013
G-050.00	Survey	08-29-2013
L-001.00	WPAA Diagram	07-08-2013
L-101.00	Zoning Calculations Chart 1	07-08-2013
L-102.00	Zoning Calculations Chart 2	07-08-2013
L-103.00	Zoning Calculations Chart 3	07-08-2013
L-104.00	Zoning Calculations Chart 4	07-08-2013
L-110.00	WPAA Layout Plan	07-08-2013
L-120.00	Material Plan	07-08-2013
L-130.00	Seating Plan	07-08-2013
L-131.00	Seating Schedule	07-08-2013
L-140.00	Furnishing Plan (and Signage)	07-08-2013
L-150.00	Planting Plan (Trees)	07-08-2013
L-151.00	Planting Plan (Grasses, Perennials, Vines)	07-08-2013
L-160.00	Lighting Plan	07-08-2013
L-165.00	Lighting Plan Photometrics	07-08-2013
L-170.00	Grading Plan	07-08-2013
L-210.00	Site Details – Paving & Edging	07-08-2013
L-211.00	Site Details – Paving & Edging	07-08-2013
L-220.00	Site Details – Steps and Walls	07-08-2013

L-230.00	Site Details – Guardrails & Handrails	07-08-2013
L-240.00	Site Details – Furnishing	07-08-2013
L-241.00	Site Details – Furnishing 4	07-08-2013
L-242.00	Site Details – Furnishing	07-08-2013
L-250.00	Site Details – Lighting	07-08-2013
L-260.00	Site Details – Planting	07-08-2013
L-270.00	Site Details – Signage	07-08-2013
L-271.00	Site Details – Signage	07-08-2013
L-300.00	Site Sections/Section through Dupont St. V.C.	07-08-2013
L-301.00	Site Sections 4	07-08-2013
L-302.00	Site Sections 4	07-08-2013

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report on the related application for a UDAAP approval (C140019 HAK) with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, Kings County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the authorization.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this authorization.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 974

Report of the Committee on Land Use in favor of approving Application No. N 140020 ZAK submitted by Greenpoint Landing Associates LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), and Section 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg), in connection with a proposed mixed-use development on property located at 37 Commercial Street (Zoning Lot 5a, Block 2472, Lot 100), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5a), in the

Borough of Brooklyn, Community District 1, Council District 33. This application is subject to review of the Council only if called up by a vote of the Council pursuant to 62-822(a) of the NYC Zoning Resolution.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4801), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 1N 140020 ZAK

City Planning Commission decision approving an application submitted by Greenpoint Landing Associates, LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear Yards and Waterfront Yards), and Section 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg), in connection with a proposed mixed-use development on property located at 37 Commercial Street (Zoning Lot 5a, Block 2742, Lot 100), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5a).

INTENT

This authorization in conjunction with the other related actions would facilitate development of a mixed-use development including affordable housing and open space, Community District 1, Borough of Brooklyn.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Thirteen Witnesses Against: Four

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Levin, Gonzalez, Dickens, Koo
Against: BarronAbstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: BarronAbstain: None

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

Res. No. 2071

Resolution approving the decision of the City Planning Commission for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear Yards and Waterfront Yards), and Section 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg), in connection with a proposed mixed-use development on property located at 37 Commercial Street (Zoning Lot 5a, Block 2742, Lot 100), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5a), Borough of Brooklyn (Non-ULURP No. N 140020 ZAK; L.U. No. 974).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 8, 2013 its decision dated November 6, 2013 (the "Decision"), on the application submitted by Greenpoint Landing Associates, LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear Yards and Waterfront Yards), and Section 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg), in connection with a proposed mixed-use development on property located at 37 Commercial Street (Zoning Lot 5a, Block 2742, Lot 100), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5a), Community District 1, Borough of Brooklyn (Non-ULURP No. N 140020 ZAK) (the "Application");

WHEREAS, the application is related to Applications C 140019 HAK (L.U. No. 971), an Urban Development Action Area Project designation, approval, and disposition to facilitate the development of affordable housing and public open space; N 140028 ZRK (L.U. 972), a Zoning Text Amendment to facilitate the development of affordable housing, open space, and a public school; N 140022 ZAK (L.U. 973), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas, and in conjunction therewith the rear yard requirements of Section 62-332 on Zoning Lot 5b-1; and Application No. 20145125 SCK (L.U. No. 990), a new, approximately 640-Seat primary/intermediate school facility to be located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 5, 2013;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822(a)(1) of the Zoning Resolution of the City of New York;

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 and the revised negative declaration (CEQR No. 14DCP004K), issued on November 6, 2013 (the “Revised Negative Declaration”);

RESOLVED:

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

Pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 140020 ZAK, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1.
- The development that is the subject of this application (N 140020 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following approved plans, prepared by Handel Architects LLP and James Corner Field Operations, and filed with this application and incorporated in this resolution:

<u>Dwg.</u>	<u>Title</u>	<u>Last Date</u>
<u>No.</u>		<u>Revised</u>
Z-001	ULURP Master Plan	07-15-2013
G-050.00	Survey	07-08-2013
L-001.00	WPAA Diagram	07-08-2013
L-101.00	Zoning Calculations Chart 1	07-08-2013
L-102.00	Zoning Calculations Chart 2	07-08-2013

L-103.00	Zoning Calculations Chart 3	07-19-2013
L-104.00	Zoning Calculations Chart 4	07-08-2013
L-110.00	WPAA Layout Plan	07-08-2013
L-120.00	Material Plan	07-08-2013
L-130.00	Seating Plan	07-08-2013
L-131.00	Seating Schedule	07-08-2013
L-140.00	Furnishing and Signage Plan	07-08-2013
L-150.00	Planting Plan (Trees)	07-08-2013
L-151.00	Planting Plan (Grasses + Perennials + Vines)	07-08-2013
L-160.00	Lighting Plan	07-19-2013
L-165.00	Lighting Plan Photometrics	07-08-2013
L-170.00	Grading Plan	07-08-2013
L-180.00	WPAA Layout Enlargement Plan	07-08-2013
L-210.00	Site Details - Paving & Edging	07-08-2013
L-211.00	Site Details – Paving & Edging	07-08-2013
L-220.00	Site Details - Steps and Walls	07-08-2013
L-230.00	Site Details – Guardrails and Handrails	07-08-2013
L-231.00	Site Details - Fence + Gate	07-08-2013
L-240.00	Site Details – Furnishing	07-08-2013
L-241.00	Site Details – Furnishing	07-08-2013
L-242.00	Site Details – Furnishing	07-08-2013
L-243.00	Site Details – Furnishing	07-08-2013
L-244.00	Site Details – Furnishing	07-08-2013
L-250.00	Site Details – Lighting	07-08-2013
L-260.00	Site Details – Planting	07-08-2013
L-270.00	Site Details – Signage	07-08-2013
L-271.00	Site Details – Signage	07-08-2013

- | | | |
|----------|---|------------|
| L-300.00 | Site Sections- Section through Franklin Street V.C. | 07-08-2013 |
| L-301.00 | Site Sections 1 | 07-08-2013 |
| L-302.00 | Site Sections 2 | 07-08-2013 |
| L-303.00 | Site Section 3 | 07-08-2013 |
2.

Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application.
3.

Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4.

Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report on the related application for UDAAP approval (C 140019 HAK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, King County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5.

Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the authorization hereby granted.
6.

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

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 975

Report of the Committee on Land Use in favor of approving Application no. 20145095 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of PQ 550 Hudson Inc, d/b/a Le Pain Quotidien, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 550 Hudson Street, in the Borough of Manhattan, Community District 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 14, 2013 (Minutes, page 4802), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2 20145095 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of PQ 550 Hudson Inc., d/b/a Le Pain Quotidien, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 550 Hudson Street.

INTENT

To allow an eating or drinking place located on a property which abuts the street to continue to maintain and operate an unenclosed service area on the sidewalk of such street.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: One Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

The Subcommittee recommends that the Land Use Committee approve the Petition.

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, Ignizio
Against: None Abstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Barron, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: None Abstain: None

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

Res. No. 2072

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 550 Hudson Street, Borough of Manhattan (20145095 TCM; L.U. No. 975).

By Council Members Comrie and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on November 4, 2013 its approval dated November 1, 2013 of the petition of PQ 550 Hudson Inc., d/b/a Le Pain Quotidien, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 550 Hudson Street, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 20-226(g) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on December 5, 2013; and

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

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE

D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 988

Report of the Committee on Land Use in favor of approving Application No. C 140001 ZMM submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 8b, changing from an R8A District to an R8 District property bounded by West 19th Street and West 18th Street, in the Borough of Manhattan, Community District 4, Council District 3.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 26, 2013 (Minutes, page 4925), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4C 140001 ZMM

City Planning Commission decision approving an application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 8b, changing from an R8A District to an R8 District property bounded by a line midway between West 19th Street and West 18th Street, and a line 450 feet westerly of Ninth Avenue, as shown on a diagram (for illustrative purposes only) dated July 8, 2013.

INTENT

This application will facilitate the development of a residential building with up to 158 permanently affordable units, community facility space and outdoor recreational space in Community District 4.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Seven
Against: TwelveWitnesses

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Weprin, Rivera, Reyna, Comrie, Jackson, Vann, Garodnick, Lappin, Wills, Ignizio
Against: NoneAbstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Barron, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: NoneAbstain: None

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

Res. No. 2073

Resolution approving the decision of the City Planning Commission on ULURP No. C 140001 ZMM, a Zoning Map amendment (L.U. No. 988).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on November 22, 2013 its decision dated November 20, 2013 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 8b, to facilitate the development of a residential building with up to 158 permanently affordable units, community facility space and outdoor recreational space, Community District 4, Borough of Manhattan (ULURP No. C 140001 ZMM) (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 December 5, 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 and the Negative Declaration issued on July 5, 2013 (CEQR No. 13CHA002M);

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140001 ZMM, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 8b, changing from an R8A District to an R8 District property bounded by a line midway between West 19th Street and West 18th Street, a line 400 feet westerly of Ninth Avenue, West 18th Street, and a line 450 feet westerly of Ninth Avenue, as shown on a diagram (for illustrative purposes only) dated July 8, 2013, Community District 4, Borough of Manhattan.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 990

Report of the Committee on Land Use in favor of approving Application No. 20145125 SCK pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 640-seat primary school facility, located on the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1), in the Borough of Brooklyn, Community District 1, Council District 33.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 26, 2013 (Minutes, page 4926), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 1 20145125 SCK

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 640-Seat Primary/Intermediate School Facility located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn, Community School District No. 14.

INTENT

To construct a new, approximately 640-seat, primary/intermediate school in the Williamsburg section of Brooklyn to serve Community School District 14. This project along with the other related actions comprise the Greenpoint Landing development.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Thirteen Witnesses Against: Four

SUBCOMMITTEE RECOMMENDATION

DATE: December 10, 2013

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

In Favor: Levin, Gonzalez, Dickens, Koo
Against: Barron Abstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: Barron Abstain: None

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

Res. No. 2074

Resolution approving the site plan for a new, approximately 640-Seat Primary/Intermediate School Facility to be located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn, Community School District 14, Borough of Brooklyn (Non-ULURP No. 20145125 SCK; Preconsidered L.U. No. 990).

By Council Members Comrie and Levin.

WHEREAS, the New York City School Construction Authority submitted to the Council on October 1, 2013, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 640-Seat Primary/Intermediate School Facility to be located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn, Community Board No. 1, Borough of Brooklyn, Community School District No. 14 (the "Site Plan");

WHEREAS, the Application is related to Applications C 140019 HAK (L.U. No. 971), an Urban Development Action Area Project designation, approval, and disposition to facilitate the development of affordable housing and public open space; N 140028 ZRK (L.U. No. 972), a Zoning Text Amendment to facilitate the development of affordable housing, open space, and a public school; N 140022 ZAK (L.U. No. 973), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas, and in conjunction therewith the rear yard requirements of Section 62-332 on Zoning Lot 5b-1; and N 140020 ZAK (L.U. No. 974), an Authorization by the City Planning Commission pursuant to 62-822(a) of the Zoning Resolution to modify location, area and dimension requirements of Section 62-50 for visual corridors and waterfront public access areas;

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

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on December 5, 2013;

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

WHEREAS, the Council has considered the relevant environmental issues and the revised negative declaration (CEQR No. 14DCP004K) issued on November 6, 2013 (the “Revised Negative Declaration”).

RESOLVED:

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

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 991

Report of the Committee on Land Use in favor of approving Application No. 20145166 HAQ submitted by the Department of Housing Preservation and Development (HPD), for approval pursuant to Section 694 of the New York General Municipal Law for an amendment to a project previously approved as a Urban Development Action Area and Project for property located at 503 Onderdonk Avenue (Block 3405, Lot 11), in the Borough of Queens, Community District 5, Council District 34. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 26, 2013 (Minutes, page 4927), respectfully

REPORTS:

SUBJECT

QUEENS CB - 5 20145166 HAQ

Application submitted by the Department of Housing Preservation and Development (HPD), for approval pursuant to Section 694 of the New York General Municipal Law for an amendment to a project previously approved as a Urban Development Action Area and Project (UDAAP) for property located at 503 Onderdonk Avenue (Block 3405, Lot 11), Borough of Queens, Council District 34.

INTENT

To amend a previously approved UDAAP project to allow the ground floor units to continue its community facility use as an ambulance station and that the units on the second floor be rented to income-eligible families.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Two Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 5, 2013

The Subcommittee recommends that the Land Use Committee approve the Amended Project.

In Favor: Levin, Dickens, Koo
Against: Barron Abstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Barron, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: None Abstain: None

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

Res. No. 2075

Resolution approving an amendment to a previously approved Urban Action Area Development Project located at 503 Onderdonk Avenue (Block 3405/Lot 11), Borough of Queens (L.U. No. 991; 20145166 HAQ).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on November 7, 2013 its request dated October 28, 2013 that the Council take the following actions regarding the following project located at 503 Onderdonk Avenue (Block 3405/Lot 11), Community District 5, Council District 34, Borough of Queens (“Amended Project”):

Approve the amended project pursuant to Section 694 of the General Municipal Law to allow the ground floor units to continue its community facility use as an ambulance station and the second floor units be rented to income-eligible families;

WHEREAS, the HPD request is related to a previous approval of the City Council on January 29, 2003, Resolution No. 681 of 2003; L.U. No. 329, (the “Original Plan and Project”);

WHEREAS, upon due notice the Council held a public hearing on the Amended Project on December 5, 2013;

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

RESOLVED:

The Council approves the Amended Project pursuant to Section 694 of the General Municipal Law.

The Amended Project shall be developed in a manner consistent with the Project Summary submitted by HPD, a copy of which is attached hereto.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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. 992

Report of the Committee on Land Use in favor of approving Application No. 20145167 HAQ submitted by the Department of Housing Preservation and Development (HPD), for approval of a real property tax exemption pursuant to Section 696 of the New York General Municipal Law for a previously approved Urban Development Action Area and Project for property located at 154-11 118th Avenue (Block 12204, Lot 258), in the Borough of Queens, Community District 12, Council District 28. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on November 26, 2013 (Minutes, page 4927), respectfully

REPORTS:

SUBJECT

QUEENS CB - 1220145167 HAQ

Application submitted by the Department of Housing Preservation and Development (HPD), for approval of a real property tax exemption pursuant to Section 696 of the New York General Municipal Law for a previously approved Urban Development Action Area and Project for property located at 154-11 118th Avenue (Block 12204, Lot 258), Borough of Queens, Council District 28.

INTENT

To approve a tax exemption pursuant to Section 696 of the General Municipal Law for a previously approved Urban Development Action Area and Project.

PUBLIC HEARING

DATE: December 5, 2013

Witnesses in Favor: Two Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 5, 2013

The Subcommittee recommends that the Land Use Committee approve the requests made by HPD.

In Favor: Levin, Barron, Dickens, Koo
Against: None Abstain: None

COMMITTEE ACTION

DATE: December 10, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Rivera, Reyna, Barron, Jackson, Vann, Palma, Arroyo, Dickens, Garodnick, Lappin, Mendez, Koo, Levin, Weprin, Williams, Wills, Ignizio
Against: None Abstain: None

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

Res. No. 2076

Resolution approving a real estate tax exemption pursuant to Section 696 of the General Municipal Law for a previously approved Urban Development Action Area Project located at 154-11 118th Avenue (Block 12204, Lot 258), Borough of Queens (L.U. No. 992; 20145167 HAQ).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on November 7, 2013 its request dated October 28, 2013 that the Council take the following actions regarding a previously approved Urban Development Action Area Project (the "Project") located at 154-11 118th Avenue (Block 12204, Lot 258), Borough of Queens (the "Exemption Area"):

Approve the exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption");

WHEREAS, the Council has previously been deemed to have taken the following actions:

- Found that the present status of the Exemption Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 140079 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, Zoning Map, Section Nos. 18a, 18b, 18c and 18d:

A. CD 9

1.

eliminating from within an existing R4A District a C1-2 District bounded by a line 150 feet northwesterly of Liberty Avenue, 135th Street, a line 100 feet northwesterly of Liberty Avenue, and 133rd Street;
2.

eliminating from within an existing R5 District a C1-2 District bounded by:

a.

a line 150 feet southeasterly of Atlantic Avenue, a line midway between 83rd Street and 84th Street, a line 280 feet southeasterly of Atlantic Avenue, 84th Street, a line 100 feet northwesterly of 95th Avenue, and 83rd Street;

b.

a line 100 feet northwesterly of 101st Avenue, 99th Street, a line 100 feet southeasterly of 101st Avenue, and 93rd Street; and

c.

a line 150 feet northwesterly of Liberty Avenue, Van Wyck Expressway, Liberty Avenue, 133rd Street, a line 100 feet northwesterly of Liberty Avenue, and 135th Street;
3.

eliminating from within an existing R3-1 District a C2-2 District bounded by:

a.

91st Avenue, a line 100 feet northeasterly of Rockaway Boulevard, 77th Street, and Rockaway Boulevard; and

b.

a line 150 feet northeasterly of Rockaway Boulevard, a line 150 feet northerly of Atlantic Avenue, 81st Street, Atlantic Avenue, Rockaway Boulevard, and 79th Street;
4.

eliminating from within an existing R4-1 District a C2-2 District bounded by:

a.

a line 100 feet southeasterly of 101st Avenue, 103rd Street, a line 150 southeasterly of 101st Avenue, and a line midway between 102nd Street and 101st Street;

b.

a line 150 feet northwesterly of 101st Avenue, a line midway between 105th Street and 106th Street, a line 100 feet northwesterly of 101st Avenue, and 102nd Street; and

c.

a line 100 feet southeasterly of 101st Avenue, a line midway between 112th Street and 113th Street, a line 150 feet southeasterly of 101st Avenue, and 105th Street;
5.

eliminating from within an existing R4A District a C2-2 District bounded by:

a.

a line 150 feet northwesterly of 101st Avenue, 127th Street, a line 100 feet northwesterly of 101st Avenue, and a line midway between 10th Street and 106th Street;

b.

a line 150 feet northwesterly of 101st Avenue, 132nd Street, a line 100 feet northwesterly of 101st Avenue, and 130th Street;

c.

a line 100 feet southeasterly of 101st Avenue, 132nd Street, a line 150 feet southeasterly of 101st Avenue, and 130th Street; and

d.

a line 100 feet southeasterly of 101st Avenue, 127th Street, a line 150 southeasterly of 101st Avenue, and a line midway between 113th Street and 112th Street;
6.

eliminating from within an existing R5 District a C2-2 District bounded by:

- a.

Rockaway Boulevard, Atlantic Avenue, a line 150 feet southerly of Rockaway Boulevard, 75th Street, a line 100 feet northerly of 93rd Avenue, Eldert Lane, a line 150 feet northerly of 91st Avenue, and a line 100 feet easterly of Eldert Lane;
- b.

a line 150 feet northwesterly of 101st Avenue, 86th Street, Rockaway Boulevard, 87th Street, a line 150 feet northeasterly of Rockaway Boulevard, 88th Street, a line 150 feet northwesterly of 101st Avenue, 89th Street, Rockaway Boulevard, 88th Street, a line midway between 101st Avenue and 102nd Avenue, 81st Street, a line 150 feet southeasterly of 101st Avenue, 77th Street, Liberty Avenue, and Drew Street;
- c.

a line 150 feet northwesterly of 101st Avenue, 102nd Street, a line 100 feet northwesterly of 101st Avenue, 127th Street, a line 100 feet southeasterly of 101st Avenue, 105th Street, 101st Avenue, 103rd Street, a line 100 feet southeasterly of 101st Avenue, a line midway between 102nd Street and 101st Street, a line 150 feet southeasterly of 101st Avenue, 101st Street, 101st Avenue, and 100th Street; and
- d.

a line 100 feet northwesterly of 101st Avenue, 132nd Street, a line 100 feet southeasterly of 101st Avenue, and 130th Street;
7.

changing from an R5 District to an R4-1 District property bounded by:

a.

95th Avenue, 78th Street, a line 100 feet southeasterly of 97th Avenue, a line midway between 77th Street and 78th Street, a line 100 feet northwesterly of 101st Avenue, a line midway between 76th Street and 77th Street, a line 100 feet southeasterly of 97th Avenue, and 76th Street;

b.

a line 100 feet southeasterly of 95th Avenue, a line 100 feet southwesterly of Rockaway Boulevard, Digby Place, 97th Avenue, 84th Street, a line 100 feet southeasterly of 97th Avenue, a line 100 feet southwesterly of Rockaway Boulevard, 85th Street, a line 300 feet northwesterly of 101st Avenue, 86th Street, a line 100 feet northwesterly of 101st Avenue, a line midway between 81st Street and 82nd Street, a line 100 feet southeasterly of 97th Avenue, 81st Street, 97th Avenue, and a line midway between 80th Street and 81st Street;

c.

Atlantic Avenue, 86th Street, 95th Avenue, 85th Street, a line 100 feet northeasterly of Rockaway Boulevard, 95th Avenue, 83rd Street, a line 175 feet southeasterly of Atlantic Avenue, and 82nd Street;

d.

a line 200 feet southeasterly of 95th Avenue, 89th Street, a line 100 feet southeasterly of 95th Avenue, a line midway between 89th Street and 90th Street, a line 50 feet southeasterly of 95th Avenue, 90th Street, 95th Avenue, a line midway between 91st Street and 92nd Street, a line 75 feet northwesterly of 97th Avenue, 91st Street, a line 100 feet southeasterly of 97th Avenue, 92nd Street, a line 100 feet southeasterly of 95th Avenue, a line midway between 93rd Street and 94th Street, 95th Avenue, 96th Street, Atlantic Avenue, a line 115 feet northeasterly of 96th Street, a line 190 feet northwesterly of 95th Avenue, 97th Street, a line 260 feet northwesterly of 95th Avenue, a line 100 feet northeasterly of 97th Street, 95th Avenue, 98th Street, a line 100 feet northwesterly of 101st Avenue, 88th Street, a line 450 feet southeasterly of 97th Avenue, a line midway between 87th Street and 88th Street, a line 350 feet southeasterly of 97th Avenue, 87th Street, a line 50 feet northeasterly of Rockaway Boulevard, a line midway between 86th Street and 87th Street, a line 150 feet southeasterly of 97th Avenue, and 86th Street;

e.

a line 100 feet southeasterly of 101st Avenue, 88th Street, 102nd Avenue, 89th Street, 102nd Road, 90th Street, a line 100 feet southwesterly of Rockaway Boulevard, 103rd Avenue, and a line 200 feet southwesterly of 86th Street;

f.

a line 100 feet southeasterly of 101st Avenue, a line midway between 97th Street and 98th Street, 103rd Avenue, 92nd Street, a line 100 feet northeasterly of Rockaway Boulevard, and 90th Street;

g.

a line 100 feet northwesterly 103rd Avenue, 114th Street, a line 90 feet northwesterly of 103rd Avenue, 127th Street,

- 103rd Avenue, and a line midway between 101st Street and 102nd Street; and

h.

a line 100 feet southeasterly of 101st Avenue, a line midway between 102nd Street and 101st Street, a line 150 feet southeasterly of 101st Avenue, and 101st Street;

8.

changing from a C8-1 District to an R4-1 District property bounded by 82nd Street, a line 100 feet northeasterly of Rockaway Boulevard, and a line 175 feet southeasterly of Atlantic Avenue;

9.

changing from an R5 District to an R4B District property bounded by:

a.

Rockaway Boulevard, 75th Street, a line 100 feet southwesterly of Rockaway Boulevard, a line midway between 75th Street and 76th Street, a line perpendicular to the westerly street line of 76th Street distant 115 feet southerly (as measured along the street line) from the point of intersection of the southwesterly street line of Rockaway Boulevard and the westerly street line of 76th Street, 76th Street, a line 100 feet southwesterly of Rockaway Boulevard, 78th Street, Atlantic Avenue, 78th Street, a line 100 feet southeasterly of Atlantic Avenue, a line 100 feet southwesterly of Rockaway Boulevard, a line midway between 80th Street and 81st Street, a line 50 feet northwesterly of 95th Avenue, 81st Street, 95th Avenue, 76th Street, a line 100 feet northwesterly of 97th Avenue, 75th Street, a line 120 feet northwesterly of 101st Avenue, Drew Street, 95th Avenue, and Eldert Lane; and

b.

a line 100 feet southeasterly of 97th Avenue, a line midway between 78th Street and 80th Street, a line 300 feet northwesterly of 101st Avenue, a line midway between 80th Street and 81st Street, a line 100 feet southeasterly of 97th Avenue, a line midway between 81st Street and 82nd Street, a line 100 feet northwesterly of 101st Avenue, and a line midway between 77th Street and 78th Street;

10.

changing from an R5 District to an R5B District property bounded by:

a.

a line 100 feet northwesterly of 97th Avenue, 76th Street, a line 100 feet southeasterly of 97th Avenue, a line midway between 76th Street and 77th Street, a line 100 feet northwesterly of 101st Avenue, and 75th Street;

b.

95th Avenue, 82nd Street, a line 100 feet southeasterly of 95th Avenue, a line midway between 80th Street and 81st Street, 97th Avenue, 81st Street, a line 100 feet southeasterly of 97th Avenue, a line midway between 80th Street and 81st Street, a line 300 feet northwesterly of 101st Avenue, a line midway between 78th Street and 80th Street, a line 100 feet southeasterly of 97th Avenue, and 78th Street; and

c.

a line 100 feet southeasterly of 101st Avenue, 81st Street, Liberty Avenue, and 77th Street;

11.

changing from an R3-1 District to an R6B District property bounded by 79th Street, a line perpendicular to the westerly street line of 80th Street distant 70 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Atlantic Avenue and the westerly street line of 80th Street, 80th Street, a line perpendicular to the easterly street line of 80th Street distant 80 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Atlantic Avenue and the easterly street line of 80th Street, a line midway between 80th Street and 81st Street, Atlantic Avenue, and Rockaway Boulevard;

12.

changing from an R5 District to an R6B District property bounded by:

a.

Rockaway Boulevard, Atlantic Avenue, 78th Street, a line 100 feet southwesterly of Rockaway Boulevard, 76th Street, a line perpendicular to the westerly street line of 76th Street distant 115 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of 76th Street and the southwesterly street line of Rockaway Boulevard, a line midway between 75th Street and 76th Street, a line 100 feet southwesterly of Rockaway Boulevard, and 75th Street;

b.

a line 100 feet southerly of Rockaway Boulevard, 81st Street, a line 50 feet northwesterly of 95th Avenue, and a line midway between 80th Street and 81st Street;

c.

a line 175 feet southeasterly of Atlantic Avenue, 83rd Street, a line 100 feet northwesterly of 95th Avenue, and a line 100 feet northeasterly of Rockaway Boulevard;

d.

95th Avenue, a line 100 feet northeasterly of Rockaway Boulevard, 85th Street, 97th Avenue, 86th Street, a line 150 feet southeasterly of 97th Avenue, a line midway between 86th Street and 87th Street, a line 50 feet northeasterly of Rockaway Boulevard, 87th Street, a line 350 feet southeasterly of 97th Avenue, a line midway between 87th Street and 88th Street, a line 450 feet southeasterly of 97th Avenue, 88th Street, a line 100 feet northwesterly of 101st Avenue, 132nd Street, a line 100 feet southeasterly of 101st Avenue, 101st Street, 101st Avenue, 100th Street, a line 100 feet southeasterly of 101st Avenue, 90th Street, a line 100 feet northeasterly of Rockaway Boulevard, 92nd Street, 103rd Avenue, a line 100 feet southwesterly of Rockaway Boulevard, 90th Street, 102nd Road, 89th Street, 102nd Avenue, 88th Street, a line 100 feet southeasterly of 101st Avenue, 77th Street, Liberty Avenue, Drew Street, a line 120 feet northwesterly of 101st Avenue, 75th Street, a line 100 feet northwesterly of 101st Avenue, 86th Street, a line 300 feet northwesterly of 101st Avenue, 85th Street, a line 100 feet southwesterly of Rockaway Boulevard, a line 100 feet southeasterly of 97th Avenue, 84th Street, Rockaway Boulevard, and the southeasterly centerline prolongation of 83rd Street;

e.

a line 100 feet northwesterly of Liberty Avenue, the Van Wyck Expressway, Liberty Avenue, and 133rd Street; and

f.

Digby Place, a line 100 feet southwesterly of Rockaway Boulevard, and 97th Avenue;

13.

changing from a C8-1 District to an R6B District property bounded by Atlantic Avenue, 82nd Street, a line 175 feet southeasterly of Atlantic Avenue, a line 100 feet northeasterly of Rockaway Boulevard, a line 100 feet northwesterly of 95th Avenue, 83rd Street, Rockaway Boulevard, 84th Street, 97th Avenue, a line 100 feet southwesterly of Rockaway Boulevard, 82nd Street, 95th Avenue, 81st Street, a line 100 feet southwesterly of Rockaway Boulevard, a line 100 feet southeasterly of Atlantic Avenue, and 78th Street;

14.

changing from an M1-2 District to an R6B District property bounded by 101st Avenue, 101st Street, a line 100 feet southeasterly of 101st Avenue, and 100th Street;

15.

establishing within an existing R5 District a C1-3 District bounded by 95th Avenue, a line midway between 93rd Street and 94th Street, a line 100 feet southeasterly of 95th Avenue, and a line midway between 91st Street and 92nd Street;

16.

establishing within an existing R3-1 District a C2-3 District bounded by 91st Avenue, a line 100 feet northeasterly of Rockaway Boulevard, 77th Street, and Rockaway Boulevard;

17.

establishing within an existing R4A District a C2-3 District bounded by a line 100 feet southeasterly of 101st Avenue, Lefferts Boulevard, a line 150 feet southeasterly of 101st Avenue, and a line midway between Lefferts Boulevard and 118th Street;

18.

establishing within an existing R5 District a C2-3 District bounded by Atlantic Avenue, 88th Street, a line 100 feet southeasterly of Atlantic Avenue, and 86th Street;

19.

establishing within a proposed R6B District a C2-3 District bounded by:

a.

Rockaway Boulevard, 79th Street, a line perpendicular to the westerly street line of 80th Street distant 70 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Atlantic Avenue and the westerly street line of 80th Street, 80th Street, a line perpendicular to the easterly street line of 80th Street distant 80 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Atlantic Avenue and the easterly street line of 80th Street, a line midway between 80th Street and 81st Street, Atlantic Avenue, 82nd Street, a line 175 feet southeasterly of Atlantic Avenue, 83rd Street, 95th Avenue, a line 100 feet northeasterly of Rockaway

Boulevard, 85th Street, 97th Avenue, 86th Street, a line 150 feet southeasterly of 97th Avenue, a line midway between 86th Street and 87th Street, a line 50 feet northeasterly of Rockaway Boulevard, 87th Street, a line 350 feet southeasterly of 97th Avenue, a line 75 feet northeasterly of Rockaway Boulevard, a line midway between 87th Street and 88th Street, a line 450 feet southeasterly of 97th Avenue, a line 75 feet northeasterly of Rockaway Boulevard, 88th Street, a line 100 feet northwesterly of 101st Avenue, 90th Street, 101st Avenue, 91st Street, a line 100 feet northwesterly of 101st Avenue, 93rd Street, 101st Avenue, 94th Street, a line 100 feet northwesterly of 101st Avenue, 99th Street, a line 100 feet southeasterly of 101st Avenue, 90th Street, a line 100 feet northeasterly of Rockaway Boulevard, 91st Street, Rockaway Boulevard, 103rd Avenue, a line 100 feet southwesterly of Rockaway Boulevard, 90th Street, 102nd Road, 89th Street, Rockaway Boulevard, 88th Street, a line 100 feet southeasterly of 101st Avenue, 77th Street, Liberty Avenue, Drew Street, a line 120 feet northwesterly of 101st Avenue, 75th Street, a line 100 feet northwesterly of 101st Avenue, 86th Street, a line 300 feet northwesterly of 101st Avenue, 85th Street, a line 100 feet southerly of Rockaway Boulevard, a line 100 feet southeasterly of 97th Avenue, 84th Street, 97th Avenue, Digby Place, a line 100 feet southwesterly of Rockaway Boulevard, 82nd Street, 95th Avenue, 81st Street, a line 50 feet northwesterly of 95th Avenue, a line midway between 80th Street and 81st Street, a line 100 feet southwesterly of Rockaway Boulevard, a line 100 feet southeasterly of Atlantic Avenue, 78th Street, Atlantic Avenue, 78th Street, a line 100 feet southwesterly of Rockaway Boulevard, 76th Street, a line perpendicular to the westerly street line of 76th Street distant 115 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of 76th Street and the southwesterly street line of Rockaway Boulevard, a line midway between 75th Street and 76th Street, a line 100 feet southwesterly of Rockaway Boulevard, and 75th Street;

- b. a line 100 feet northwesterly of 101st Avenue, 132nd Street, a line 100 feet southeasterly of 101st Avenue, 105th Street, 101st Avenue, 103rd Street, a line 100 feet southeasterly of 101st Avenue, and 100th Street; and
- c. a line 100 feet northwesterly of Liberty Avenue, Van Wyck Expressway, Liberty Avenue, and 133rd Street;

B. CD 10

- 1. eliminating from within an existing R3-2 District a C1-2 District bounded by:
 - a. a line 150 feet northwesterly of Liberty Avenue, 127th Street, Liberty Avenue, a line 150 feet southeasterly of Liberty Avenue, 123rd Street, Liberty Avenue, and 123rd Street; and
 - b. Liberty Avenue, Van Wyck Expressway, a line 150 feet southeasterly of Liberty Avenue, and 134th Street;
- 2. eliminating from within an existing R4 District a C1-2 District bounded by:
 - a. a line 150 feet northerly of Rockaway Boulevard, a line 150 feet northerly of Liberty Avenue, 98th Street, a line 150 feet southerly of Rockaway Boulevard, a line 150 feet southerly of Liberty Avenue, Cross Bay Boulevard, 107th Avenue, a line midway between 93rd Street and Cross Bay Boulevard, a line 150 feet southerly of Liberty Avenue, 93rd Street, Liberty Avenue, and Woodhaven Boulevard;
 - b. a line 150 feet northwesterly of Liberty Avenue, 118th Street, a line 150 feet southeasterly of Liberty Avenue, and 111th Street;
 - c. a line 150 feet northwesterly of 111th Avenue, a line 100 feet northeasterly of Lefferts Boulevard, a line 150 feet southeasterly of 111th Avenue, 118th Street, 111th Avenue, and Lefferts Boulevard;
 - d. 109th Avenue, 107th Street, a line 150 feet northerly of Rockaway Boulevard, 108th Street, a line 150 feet southerly of Rockaway Boulevard, Centreville Street, Rockaway Boulevard, and the southeasterly centerline prolongation of 106th Street;

- e. 134th Avenue, the northerly centerline prolongation of 94th Street, Linden Boulevard, 95th Street, a line 150 feet southerly of Linden Boulevard, and Cross Bay Boulevard; and
- f. Pitkin Avenue, 86th Street, a line 150 feet southerly of Pitkin Avenue, and 84th Street;

- 3. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a. a line 265 feet northerly of Liberty Avenue, 98th Street, a line 150 feet northwesterly of Liberty Avenue, and a line midway between 98th Street and 97th Street; and
 - b. a line perpendicular to the southwesterly street line of 94th Street distant 225 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 103rd Avenue and the southwesterly street line 94th Street, 94th Street, and Rockaway Boulevard;
- 4. eliminating from within an existing R3-2 District a C2-2 District bounded by:
 - a. a line 100 feet northwesterly of Liberty Avenue, 131st Street, 103rd Avenue, 133rd Street, Liberty Avenue, 134th Street, a line 150 feet southeasterly of Liberty Avenue, 127th Street, Liberty Avenue, and 127th Street; and
 - b. Linden Boulevard, 114th Street, Rockaway Boulevard, 118th Street, 115th Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 150 feet northerly of Rockaway Boulevard, 120th Street, a line 150 feet southerly of Rockaway Boulevard, and a line 275 feet westerly of 114th Street;
- 5. eliminating from within an existing R4 District a C2-2 District bounded by:
 - a. Liberty Avenue, 77th Street, a line 100 feet southerly of Liberty Avenue, and 75th Street;
 - b. Liberty Avenue, 93rd Street, a line 150 feet southerly of Liberty Avenue, and 87th Street;
 - c. a line 100 feet northwesterly of Liberty Avenue, 111th Street, a line 150 feet southeasterly of Liberty Avenue, a line midway between 102nd Street and 101st Street, Liberty Avenue, and 103rd Street;
 - d. a line 150 feet northerly of Rockaway Boulevard, 110th Street, Rockaway Boulevard, and 109th Street; and
 - e. a line 150 feet northerly of Rockaway Boulevard, 113th Street, Linden Boulevard, Rockaway Boulevard, and 111th Street;
- 6. eliminating from within an existing R5 District a C2-2 District bounded by:
 - a. 103rd Avenue, 93rd Street, Rockaway Boulevard, 94th Street, a line 150 feet northerly of Rockaway Boulevard, Woodhaven Boulevard, Rockaway Boulevard, 94th Street, Liberty Avenue, 93rd Street, a line 150 feet northerly of Liberty Avenue, and 92nd Street; and
 - b. a line 150 feet northwesterly of Liberty Avenue, 111th Street, a line 100 feet northwesterly of Liberty Avenue, 103rd Street, Liberty Avenue, and 102nd Street;
- 7. changing from an R3-2 District to an R3A District property bounded by:
 - a. a line 100 feet southeasterly of Liberty Avenue, 133rd Street, a line 130 feet southeasterly of Liberty Avenue, 134th Street, a line 120 feet southeasterly of Liberty Avenue, 135th Street, a line 100 feet southeasterly of Liberty Avenue, the centerline of the northeasterly service road of Van Wyck Expressway, 105th Avenue and its northeasterly centerline prolongation, 133rd Street, 107th Avenue, and 123rd Street; and
 - b. a line 100 feet southerly of Rockaway Boulevard, a line midway between 118th Street and Lefferts Boulevard, a

line 240 feet southerly of Rockaway Boulevard, a line midway between Lefferts Boulevard and 120th Street, Hawtree Creek Road, 135th Avenue, 115th Street, a line 100 feet southerly of 135th Avenue, and 114th Street;

8. changing from an R4 District to an R3A District property bounded by 133rd Avenue, a northeasterly boundary line of the Long Island Rail Road right-of-way (Rockaway Beach Division), Pitkin Avenue, and 97th Street;
9. changing from a C8-1 District to an R3A District property bounded by a line 100 feet southerly of Rockaway Boulevard, 114th Street, a line 500 feet southerly of 133rd Avenue, and a line 100 feet westerly of 114th Street;
10. changing from an R3-2 District to an R3X District property bounded by a line 100 feet southerly of 135th Avenue, 115th Street, a line 200 feet southerly of 135th Avenue, a line midway between 115th Street and 116th Street, a line 180 feet northerly of 149th Avenue, 116th Street, a line 100 feet northerly of 149th Avenue, 117th Street, a line 150 feet southerly 135th Avenue, 118th Street, 135th Avenue, a line midway between 118th Street and Lefferts Boulevard, 149th Avenue, a line midway between Lefferts Boulevard and 120th Street and its southerly prolongation, Southern Parkway, and 114th Street and its southerly centerline prolongation;
11. changing from an R4 District to an R3X District property bounded by Pitkin Avenue, a northeasterly boundary line of the Long Island Rail Road right-of-way (Rockaway Beach Division), North Conduit Avenue, Albert Road, a line 200 feet westerly of 95th Street, a line 90 feet southerly of Albert Road, Cross Bay Boulevard, 149th Avenue, a line 100 feet easterly of Cross Bay Boulevard and its southerly prolongation, a line 100 feet northerly of 149th Avenue, and 97th Street;
12. changing from an R3-2 District to an R4-1 District property bounded by a line 150 feet northwesterly of Liberty Avenue, 127th Street, a line 100 feet northwesterly of Liberty Avenue, and 123rd Street;
13. changing from an R4 District to an R4-1 District property bounded by:

a. Liberty Avenue, a northwesterly boundary line of Bayside Cemetery and its northeasterly and southwesterly prolongations, 80th Street, Pitkin Avenue, a line midway between 80th Street and 79th Street, a line 260 feet northerly of Sutter Avenue, 79th Street, a line 160 feet northerly of Sutter Avenue, a line midway between 78th Street and 79th Street, Glenmore Avenue, and 79th Street;

b. a line 100 feet southwesterly of Pitkin Avenue, 81st Street, Sutter Avenue, Pitkin Avenue, 86th Street, 133rd Avenue, a line midway between 85th Street and 86th Street, a line 160 feet southerly of 133rd Avenue, 85th Street, Dumont Avenue, 83rd Street, a northeasterly and easterly boundary line of Joseph P. Addabbo Memorial Park and its southeasterly and northerly prolongations, 133rd Avenue, 81st Street, a northerly and northeasterly boundary line of Joseph P. Addabbo Memorial Park and its easterly and northwesterly prolongations, and 80th Street;

c. Sutter Avenue, Cross Bay Boulevard, a line 90 feet southerly of 133rd Avenue, Silver Road, Cross Bay Boulevard, Gold Road, a line 525 feet southeasterly from Sitka Street, Desarc Road, a line 200 feet northwesterly of Redding Street, a line perpendicular to the southwesterly street line of Desarc Road distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Desarc Road and the northwesterly street line of Redding Street, Pitkin Avenue, a line 100 feet northwesterly of Redding Street, a line 100 feet northeasterly of Albert Road and its northwesterly prolongation, a line 200 feet southeasterly of Redding Street, Albert Road, 149th Avenue, North Conduit Avenue, 88th Street, Pitkin Avenue, a line 360 feet northwesterly of Sitka Street, Desarc Road, 133rd Avenue, a line perpendicular to the northeasterly street line of Gold Road distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Gold Road and the easterly street line of 89th Street, Silver Road, a line 130 feet southerly of Sutter Avenue, Gold Road, a line 175 feet northerly of 133rd Avenue, and 88th Street;

- d. a line 100 feet southeasterly of Liberty Avenue, a line midway between 109th Street and 110th Street, 107th Avenue, 108th Street, a line 375 feet northwesterly of 107th Avenue, a line midway between 106th Street and 107th Street, a line 175 feet northwesterly of 107th Avenue, 105th Street, 107th Avenue, a line 200 feet southeasterly of 107th Avenue, a line midway between 105th Street and 106th Street, a line 100 feet northeasterly of Rockaway Boulevard, and 104th Street;
- e. a line 100 feet southerly of Liberty Avenue, 118th Street, a line 200 feet southeasterly of Liberty Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 100 feet northwesterly of 107th Avenue, a line midway between 122nd Street and 123rd Street, a line 200 feet southeasterly of Liberty Avenue, 123rd Street, a line 100 feet northwesterly of 109th Avenue, 122nd Street, 107th Avenue, 121st Street, a line 125 feet northwesterly of 109th Avenue, 120th Street, 107th Avenue, and 117th Street;
- f. a line 100 feet southwesterly of Rockaway Boulevard, Centreville Street, a line 100 feet southerly of Rockaway Boulevard, 108th Street, Linden Boulevard, 107th Street, a line 180 feet southerly of Sutter Avenue, 106th Street, a line 170 feet southerly of Sutter Avenue, 105th Street, a line perpendicular to the southeasterly street line of Centreville Street distant 250 feet southwesterly (as measured along the street line) from the point of intersection of the southerly street line of Sutter Avenue and the southeasterly street line of Centreville Street, Centreville Street, and 103rd Street;
- g. 109th Avenue, a line midway between 109th Street and 110th Street, a 120 feet northerly of Rockaway Boulevard, 109th Street, a line 100 feet northerly of Rockaway Boulevard, and 107th Street;
- h. a line 350 feet northwesterly of 111th Avenue, 113th Street, a line 80 feet northerly of Rockaway Boulevard, and a line midway between 111th Street and 112th Street;
- i. Albert Road, North Conduit Avenue, a northeasterly boundary line of the Long Island Rail Road right-of-way (Rockaway Beach Division), Nassau Expressway, and a line 120 feet easterly of 95th Street and its southerly prolongation; and
- j. a line 150 feet northerly of Liberty Avenue, 118th Street, a line 100 feet northerly of Liberty Avenue, and 111th Street;

14. changing from an R5 District to an R4-1 District property bounded by:

a. 103rd Avenue, a line 100 feet southeasterly of Rockaway Boulevard, 92nd Street, a line 100 feet northerly of Liberty Avenue, and 88th Street;

b. 103rd Avenue, 98th Street, a line 100 feet southeasterly of 103rd Avenue, 97th Street, a line 200 feet southeasterly of 103rd Avenue, a line midway between 96th Street and 97th Street, a line 150 northerly of Liberty Avenue, 96th Street, a line 150 feet northeasterly of Rockaway Boulevard, Cross Bay Boulevard, a line 100 feet northeasterly of Rockaway Boulevard, a line midway between 93rd Street and 94th Street, a line 100 feet southerly of 103rd Avenue, and 93rd Street; and

c. 103rd Avenue, 131st Street, a line 100 feet northwesterly of Liberty Avenue, 127th Street, a line 150 feet northwesterly of Liberty Avenue, 123rd Street, a line 200 feet northwesterly of Liberty Avenue, a line midway between 120th Street and 121st Street, a line 280 feet southeasterly of 103rd Avenue, 120th Street, a line 200 feet northwesterly of Liberty Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 220 feet southerly of 103rd Avenue, Lefferts Boulevard, a line 300 feet northwesterly of Liberty Avenue, a line midway between Lefferts Boulevard and 118th Street, a line 200 feet northwesterly of Liberty Avenue, 118th Street, a line 150 feet northerly and northwesterly of Liberty Avenue, 111th Street, a line 100 feet northwesterly of Liberty Avenue, 102nd Street, Liberty Avenue, and 101st Street;

15. changing from a C4-2 District to an R4-1 District property bounded by:

- | | |
|--|--|
| <p>a. a line 200 feet northwesterly of Liberty Avenue, a line midway between Lefferts Boulevard and 118th Street, a line 300 feet northwesterly of Liberty Avenue, Lefferts Boulevard, a line 400 feet southeasterly of 103rd Avenue, a line midway between Lefferts Boulevard and 118th Street, a line 480 feet southeasterly of 103rd Avenue, and 118th Street;</p> <p>b. a line 200 feet northwesterly of Liberty Avenue, 120th street, a line 150 feet northwesterly of Liberty Avenue, and a line midway between Lefferts Boulevard and 120th Street;</p> <p>c. a line 200 feet northwesterly of Liberty Avenue, 123rd Street, a line 100 feet northwesterly of Liberty Avenue, and a line midway between 120th Street and 121st Street;</p> <p>d. a line 100 feet southeasterly of Liberty Avenue, 123rd Street, a line 200 feet southeasterly of Liberty Avenue, and a line midway between 122nd Street and 123rd Street; and</p> <p>e. a line 100 feet southeasterly of Liberty Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 200 feet southeasterly of Liberty Avenue, and 118th Street;</p> | <p>c. a line 375 feet northwesterly of 107th Avenue, 108th Street, 107th Avenue, 109th Street, 109th Avenue, a line 100 feet northerly of Rockaway Boulevard, a line midway between 105th Street and 106th Street, a line 200 feet southeasterly of 107th Avenue, 105th Street, 107th Avenue, 105th Street, a line 175 feet northwesterly of 107th Avenue, and a line midway between 106th Street and 107th Street;</p> <p>d. a line 100 feet southeasterly and southerly of Liberty Avenue, 117th Street, 107th Avenue, 120th Street, 109th Avenue, a line midway between 118th Street and Lefferts Boulevard, Linden Boulevard, 113th Street, a line 350 feet northwesterly of 111th Avenue, a line midway between 111th Street and 112th Street, a line 80 feet northerly of Rockaway Boulevard, 110th Street, a line 120 feet northerly of Rockaway Boulevard, a line midway between 109th Street and 110th Street, 109th Avenue, 112th Street, 107th Avenue, and a line midway between 109th Street and 110th Street;</p> <p>e. a line 200 feet southeasterly of Liberty Avenue, a line midway between 122nd Street and 123rd Street, a line 100 feet northwesterly of 107th Avenue, and a line midway between Lefferts Boulevard and 120th Street; and</p> <p>f. a line 100 feet northwesterly of 109th Avenue, 123rd Street, Linden Boulevard, a line midway between Lefferts Boulevard and 120th Street, 111th Avenue, 120th Street, a line 425 feet southeasterly of 109th Avenue, a line midway between 120th Street and 121st Street, a line 100 feet southeasterly of 109th Avenue, 121st Street, 109th Avenue, and 121st Street;</p> |
| <p>16. changing from a C8-1 District to an R4-1 District property bounded by:</p> <p>a. Desarc Road, a line perpendicular to the southwesterly street line of Desarc Road distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Desarc Road and the westerly street line of Redding Street, and a line 200 feet northwesterly of Redding Street;</p> <p>b. a line 100 feet northerly of Albert Road, a line 225 feet easterly of Redding Street, Albert Road, and a line 200 feet easterly of Redding Street; and</p> <p>c. 103rd Avenue, 88th Street, and a line 100 feet northerly of Liberty Avenue;</p> | <p>21. changing from a C4-2 District to an R4A District property bounded by a line 100 feet southeasterly of Liberty Avenue, a line midway between 122nd Street and 123rd Street, a line 200 feet southeasterly of Liberty Avenue, and a line midway between Lefferts Boulevard and 120th Street;</p> |
| <p>17. changing from an M1-1 District to an R4-1 District property bounded by a line 350 feet southerly of 103rd Avenue, 101st Street, a line 100 feet northerly of Liberty Avenue, and 100th Street;</p> | <p>22. changing from a C8-1 District to an R4A District property bounded by a line 75 feet westerly of 94th Street, a line 130 feet northerly of Pitkin Avenue, and a line 100 feet easterly of Cross Bay Boulevard;</p> |
| <p>18. changing from an M1-2 District to an R4-1 District property bounded by 103rd Avenue, 99th Street, a line 100 feet southeasterly of 103rd Avenue, and 98th Street;</p> | <p>23. changing from an R4 District to an R4B District property bounded by:</p> |
| <p>19. changing from an R3-2 District to an R4A District property bounded by Linden Boulevard, a line midway between Lefferts Boulevard and 118th Street, a line 100 feet northwesterly of 115th Avenue, a line 80 feet northerly of Rockaway Boulevard, and 114th Street;</p> | <p>a. 133rd Avenue, 87th Street, a line 100 feet southerly of 133rd Avenue, a line midway between 86th Street and 87th Street, Dumont Avenue, the southerly prolongation of the westerly street line of 86th Street, a line 100 feet southerly of Dumont Avenue, the northeasterly boundary line of a park and its northwesterly prolongation, Dumont Avenue, 85th Street, a line 160 feet southerly of 133rd Avenue, and a line midway between 85th Street and 86th Street;</p> |
| <p>20. changing from an R4 District to an R4A District property bounded by:</p> <p>a. Liberty Avenue, 78th Street, Glenmore Avenue, a line midway between 78th Street and 79th Street, a line 160 feet northerly of Sutter Avenue, 79th Street, a line 260 feet northerly of Sutter Avenue, a line midway between 79th Street and 80th Street, Pitkin Avenue, 80th Street, North Conduit Avenue, and 75th Street;</p> <p>b. a line 100 feet southerly of Liberty Avenue, a line 100 feet northeasterly of 93rd Street, 107th Avenue, Cross Bay Boulevard, a line 150 feet southerly of Liberty Avenue, 95th Street, a line perpendicular to the easterly street line of 95th Street distant 150 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 95th Street and the southerly street line of Rockaway Boulevard, 96th Street, a line 100 feet southerly of Rockaway Boulevard, 98th Street and the southeasterly centerline prolongation, 133rd Avenue, 97th Street, a line 100 feet northerly of 149th Avenue, a line 100 feet easterly of Cross Bay Boulevard, a line 200 feet southerly of 134th Avenue, a line 100 feet westerly of 94th Place, 134th Avenue, a line 100 feet easterly of Cross Bay Boulevard, 133rd Avenue, Cross Bay Boulevard, Sutter Avenue, 88th Street, 133rd Avenue, a line midway between 87th Street and 88th Street, a line 100 feet southerly of</p> | <p>b. a line 100 feet southerly of Sutter Avenue, a line midway between 87th Street and 88th Street, 133rd Avenue, Pitkin Avenue, a line midway between 86th Street and 87th Street, a line 260 feet southerly of Sutter Avenue, and 87th Street;</p> <p>c. 107th Avenue, 112th Street, 109th Avenue, and 109th Street; and</p> <p>d. 107th Avenue, 122nd Street, a line 100 feet northwesterly of 109th Avenue, and 121st Street;</p> |
| | <p>24. changing from an R4 District to an R5D District property bounded by:</p> <p>a. 133rd Avenue, a line 100 feet easterly of Cross Bay Boulevard, 134th Avenue, a line 100 feet southwesterly of 94th Place, a line 200 feet southeasterly of 134th Avenue, a line 100 feet easterly of Cross Bay Boulevard, a line 75 feet westerly of 94th Street, a line 150 feet southerly of Linden Boulevard, Cross Bay Boulevard, Silver Road, a line 90 feet southerly of 133rd Avenue, and Cross Bay Boulevard; and</p> |

- b. a line 200 feet northwesterly of Redding Street, Pitkin Avenue, and a line perpendicular to the southwesterly street line of Desarc Road distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Desarc Road and the northwesterly street line of Redding Street;

25. changing from a C8-1 District to an R5D District property bounded by Gold Road, Cross Bay Boulevard, a line 75 feet westerly of 94th Street, a line 100 feet easterly of Cross Bay Boulevard and its southerly prolongation, 149th Avenue, Albert Road, a line 225 feet southeasterly of Redding Street, a line 100 feet northeasterly of Albert Road and its northwesterly prolongation, a line 100 feet northwesterly of Redding Street, Pitkin Avenue, a line 200 feet northwesterly of Redding Street, a line perpendicular to the southwesterly street line of Desarc Road distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Desarc Road and the northwesterly street line of Redding Street, Desarc Road, and a line 525 feet southeasterly of Sitka Street;

26. changing from an R5 District to an R6A District property bounded by:

a. a line 220 feet southeasterly of 103rd Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 300 feet northwesterly of Liberty Avenue, and Lefferts Boulevard; and

b. a line 280 feet southeasterly of 103rd Avenue, a line midway between 120th Street and 121st Street, a line 200 feet northwesterly of Liberty Avenue, and 120th Street;

27. changing from a C4-2 District to an R6A District property bounded by 118th Street, a line 480 feet southeasterly of 103rd Avenue, a line midway between Lefferts Boulevard and 118th Street, a line 400 feet southeasterly of 103rd Avenue, Lefferts Boulevard, a line 300 feet northwesterly of Liberty Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 150 feet northwesterly of Liberty Avenue, 120th Street, a line 200 feet northwesterly of Liberty Avenue, a line midway between 120th Street and 121st Street, a line 100 feet northwesterly of Liberty Avenue, 123rd Street, Liberty Avenue, 123rd Street, and a line 100 feet southeasterly of Liberty Avenue;

28. changing from an R3-2 District to an R6B District property bounded by a line 100 feet northwesterly of Liberty Avenue, 131st Street, 103rd Avenue, Liberty Avenue, the centerline of the northeasterly service road of the Van Wyck Expressway, a line 100 feet southerly of Liberty Avenue, 135th Street, a line 120 feet southerly of Liberty Avenue, 134th Street, a line perpendicular to the southwesterly street line of 134th Street distant 130 feet southeasterly (as measured along the street line) from the point of intersection of the southerly street line of Liberty Avenue and the southwesterly street line of 134th Street, 133rd Street, a line 100 feet southeasterly of Liberty Avenue, 123rd Street, Liberty Avenue, and 123rd Street;

29. changing from an R4 District to an R6B District property bounded by:

a. Liberty Avenue, Cross Bay Boulevard, Woodhaven Boulevard, a line 150 feet northerly of Rockaway Boulevard, 96th Street, a line 150 feet northerly of Liberty Avenue, 98th Street, a line 100 feet southwesterly of Rockaway Boulevard, 96th Street, a line perpendicular to the easterly street line 95th Street distant 150 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 95th Street and the southerly street line of Rockaway Boulevard, 95th Street, a line 150 feet southerly of Liberty Avenue, Cross Bay Boulevard, 107th Avenue, a line 100 feet northeasterly of 93rd Street, a line 100 feet southerly of Liberty Avenue, and 84th Street; and

b. a line 100 feet northwesterly of Liberty Avenue, 118th Street, a line 100 feet southeasterly of Liberty Avenue, a line midway between 101st Street and 102nd Street, Liberty Avenue, and 103rd Street;

30. changing from an R5 District to an R6B District property bounded by:

a. 103rd Avenue, 93rd Street, a line 100 feet southeasterly of 103rd Avenue, a line midway between 93rd Street and 94th Street, a line 100 feet northeasterly of Rockaway Boulevard, Woodhaven Boulevard, Cross Bay Boulevard, Liberty Avenue, 93rd Street, a line 150 feet northerly of Liberty Avenue, 92nd Street, and a line 100 feet southwesterly of Rockaway Boulevard;

b. a line 100 feet northwesterly of Liberty Avenue, 103rd Street, Liberty Avenue, and 102nd Street; and

c. a line 480 feet southeasterly of 103rd Avenue, 98th Street, a line 150 feet northerly of Liberty Avenue, and a line midway between 97th Street and 98th Street;

31. changing from a C8-1 District to an R6B District property bounded by a line 100 feet northerly of Liberty Avenue, 92nd Street, a line 150 feet northerly of Liberty Avenue, 93rd Street, Liberty Avenue, and 103rd Avenue;

32. changing from an M1-1 District to an R6B District property bounded by:

a. a line 100 feet northerly of Liberty Avenue, 101st Street, Liberty Avenue, and 100th Street; and

b. Rockaway Boulevard, 99th Street, a line 100 feet southerly of Rockaway Boulevard, a line perpendicular to the northeasterly street line of 98th Street distant 150 feet southeasterly (as measured along the street line) from the point of intersection of the southerly street line of Rockaway Boulevard and the northeasterly street line of 98th Street, and 98th Street;

33. establishing within an existing R3-2 District a C1-3 District bounded by Linden Boulevard, a line midway between Lefferts Boulevard and 120th Street, 115th Avenue, and a line midway between Lefferts Boulevard and 118th Street;

34. establishing within an existing R4 District a C1-3 District bounded by a line 100 feet northwesterly of 111th Avenue, a line 100 feet northeasterly of Lefferts Boulevard, 111th Avenue, a line midway between Lefferts Boulevard and 120th Street, Linden Boulevard, a line midway between Lefferts Boulevard and 118th Street, 111th Avenue, and Lefferts Boulevard;

35. establishing within a proposed R4-1 District a C1-3 District bounded by:

a. Pitkin Avenue, a line 100 feet easterly of 85th Street, a line 100 feet northerly of 133rd Avenue, 85th Street, a line 195 feet northerly of 133rd Avenue, and a line 100 feet westerly of 85th Street; and

b. Sutter Avenue, Cross Bay Boulevard, a line 100 feet southerly of Sutter Avenue, and a line 100 feet westerly of Cross Bay Boulevard;

36. establishing within a proposed R4A District a C1-3 District bounded by:

a. Linden Boulevard, 95th Street, a line 100 feet southerly of Linden Boulevard, and 94th Street; and

b. a line 340 feet southerly of 134th Avenue, a line 100 feet westerly of 97th Street, Linden Boulevard, a line 90 feet easterly of 96th Place, a line 100 feet southerly of Linden Boulevard, 96th Place, a line 280 feet northerly of Pitkin Avenue, a line 80 feet easterly of 96th Street, Linden Boulevard, and a line 175 feet westerly of 97th Street;

37. establishing within a proposed R5D District a C1-3 District bounded by:

a. 133rd Avenue, a line 100 feet easterly of Cross Bay Boulevard, 134th Avenue, a line 100 feet westerly of 94th Place, a line 200 feet southerly of 134th Avenue, a line 100 feet easterly of Cross Bay Boulevard, Linden Boulevard, Cross Bay Boulevard, Silver Road, a line 75 feet westerly of Cross Bay Boulevard, a line 90 feet southerly of 133rd Avenue, and Cross Bay Boulevard; and

b. Pitkin Avenue, a line 100 feet easterly of Cross Bay Boulevard and its southerly prolongation, 149th Avenue, Albert Road, a line 225 feet southeasterly of Redding

Street, a line 100 feet northeasterly of Albert Road and its northwesterly prolongation, and a line 100 feet northwesterly of Redding Street;

38. establishing within an existing R3-2 District a C2-3 District bounded by Linden Boulevard, 114th Street, Rockaway Boulevard, 117th Street, a line 100 feet northwesterly of 15th Avenue, 118th Street, 115th Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 100 feet northerly of Rockaway Boulevard, 120th Street, a line 100 feet southerly of Rockaway Boulevard, a line midway between Lefferts Boulevard and 120th Street, a line 240 feet southerly of Rockaway Boulevard, a line midway between Lefferts Boulevard and 118th Street, a line 100 feet southerly of Rockaway Boulevard, and a line 275 feet northerly of 114th Street;
39. establishing within a proposed R3A District a C2-3 District bounded by a line 100 feet southeasterly of Liberty Avenue, a line 65 feet northeasterly of 123rd Street, a line perpendicular to the northeasterly street line of 123rd Street distant 125 feet southerly (as measured along the street line) from the point of intersection of the southeasterly street line of Liberty Avenue and the northeasterly street line of 123rd Street, and 123rd Street;
40. establishing within an existing R4 District a C2-3 District bounded by:
- a. 109th Avenue, 107th Street, a line 100 feet northerly of Rockaway Boulevard, 108th Street, a line 100 feet southerly of Rockaway Boulevard, Centreville Street, Rockaway Boulevard, and the southeasterly centerline prolongation of 106th Street;
 - b. a line 120 feet northerly of Rockaway Boulevard, 110th Street, Rockaway Boulevard, and 109th Street; and
 - c. a line 80 feet northerly of Rockaway Boulevard, 113th Street, Linden Boulevard, Rockaway Boulevard, and 111th Street;
41. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. a line 100 feet southeasterly of Liberty Avenue, a line midway between Lefferts Boulevard and 118th Street, a line 500 feet northerly of 107th Avenue, and 118th Street;
 - b. a line 100 feet southeasterly of Liberty Avenue, a line midway between Lefferts Boulevard and 120th Street, a line 510 feet northwesterly of 107th Avenue, and Lefferts Boulevard; and
 - c. a line 400 feet southeasterly of 103rd Avenue, 121st Street, a line 100 feet northwesterly of Liberty Avenue, and a line midway between 120th Street and 121st Street;
42. establishing within a proposed R4A District a C2-3 District bounded by:
- a. a line 100 feet southeasterly of Liberty Avenue, 121st Street, a line 580 feet northwesterly of 107th Avenue, a line midway between 120th Street and 121st Street, a line 560 feet northwesterly of 107th Avenue, and 120th Street;
 - b. a line 100 feet southeasterly of Liberty Avenue, a line midway between 122nd Street and 123rd Street, a line 610 feet northwesterly of 107th Avenue, and a line midway between 121st Street and 122nd Street; and
 - c. Liberty Avenue, 77th Street, a line 100 feet southerly of Liberty Avenue, and 75th Street;
43. establishing within a proposed R5D District a C2-3 District bounded by Linden Boulevard, a line 100 feet easterly of Cross Bay Boulevard, Pitkin Avenue, a line perpendicular to the southwesterly street line of Desarc Road distant 160 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Desarc Road and the northwesterly street line of Redding Street, Desarc Road, a line 525 feet southeasterly of Sitka Street, Gold Road, and Cross Bay Boulevard;
44. establishing within a proposed R6A District a C2-3 District bounded by a line 480 feet southeasterly of 103rd Avenue, a line midway between Lefferts Boulevard and 118th Street, a line 400 feet southeasterly of 103rd Avenue, Lefferts Boulevard, a line 220 feet southeasterly of 103rd Avenue, a line midway between Lefferts

Boulevard and 120th Street, a line 150 feet northwesterly of Liberty Avenue, 120th Street, a line 450 feet southeasterly of 103rd Avenue, a line midway between 120th Street and 121st Street, a line 100 feet northwesterly of Liberty Avenue, 123rd Street, Liberty Avenue, 123rd Street, a line 660 feet northwesterly of 107th Avenue, a line midway between 122nd Street and 123rd Street, a line 100 feet southeasterly of Liberty Avenue, a line midway between 121st Street and 122nd Street, a line 630 feet northwesterly of 107th Avenue, 121st Street, a line 100 feet southeasterly of Liberty Avenue and 118th Street; and

45. establishing within a proposed R6B District a C2-3 District bounded by:
- a. 103rd Avenue, 93rd Street, a line 100 feet southeasterly of 103rd Avenue, a line 100 feet northeasterly of Rockaway Boulevard, Woodhaven Boulevard, a line 150 feet northeasterly of Rockaway Boulevard, 96th Street, a line 120 feet northerly of Liberty Avenue, 97th Street, a line 150 feet northerly of Liberty Avenue, a line midway between 97th Street and 98th Street, a line 480 feet southeasterly of 103rd Avenue, 98th Street and its southeasterly centerline prolongation, Rockaway Boulevard, 99th Street, a line 100 feet southerly of Rockaway Boulevard, a line perpendicular to the northeasterly street line of 98th Street distant 150 feet southeasterly (as measured along the street line) from the point of intersection from the northeasterly street line of 98th Street and the southerly street line of Rockaway Boulevard, 98th Street, a line 100 feet southerly of Rockaway Boulevard, 96th Street, a line perpendicular to the northeasterly street line 95th Street distant 150 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 95th Street and the southerly street line of Rockaway Boulevard, 95th Street, a line 150 feet southerly of Liberty Avenue, Cross Bay Boulevard, 107th Avenue, a line 100 feet northeasterly of 93rd Street, a line 100 feet southerly of Liberty Avenue, 87th Street, Liberty Avenue, 103rd Avenue, a line 100 feet northerly of Liberty Avenue, 92nd Street, and a line 100 feet southwesterly of Rockaway Boulevard;
 - b. a line 100 feet northerly of Liberty Avenue, 101st Street, Liberty Avenue, and 100th Street;
 - c. a line 100 feet northwesterly and northerly of Liberty Avenue, 118th Street, a line 100 feet southerly and southeasterly of Liberty Avenue, a line midway between 101st Street and 102nd Street, Liberty Avenue, and 102nd Street; and
 - d. a line 100 feet northwesterly of Liberty Avenue, 131st Street, 103rd Avenue, Liberty Avenue, Van Wyck Expressway, a line 100 feet southeasterly of Liberty Avenue, 135th Street, a line 120 feet southeasterly of Liberty Avenue, 134th Street, a line perpendicular to the southwesterly street line of 134th Street distant 130 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Liberty Avenue and the southwesterly street line of 134th Street, 133rd Street, a line 100 feet southeasterly of Liberty Avenue, 123rd Street, Liberty Avenue, and 123rd Street;

as shown on a diagram (for illustrative purposes only) dated September 9, 2013 and subject to the conditions of CEQR Declaration E-320, Community Districts 9 and 10, Borough of Queens.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO; Committee on Land Use, December 10, 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 of the Committee on Parks and Recreation

Report for Int. No. 1188-A

Report of the Committee on Parks and Recreation in favor of approving and adopting, as amended, a Local Law in relation to the naming of fifty-six thoroughfares and public places, Miguel Angel (Mike) Amadeo Way, Borough of the Bronx, Private First Class Carlos James Lozada Place, Borough of the Bronx, Rivera Avenue, Borough of the Bronx, P.O. Calabrese and P.O. Keegan Plaza, Borough of Manhattan, Miles Davis Way, Borough of Manhattan, Janet Freeman Way, Borough of Manhattan, Private Danny Chen Way, Borough of Manhattan, Bishop Roderick R. Caesar Sr. Way, Borough of Queens, Apostle John H. Boyd Sr. Way, Borough of Queens, Reverend Lucile C. Hill Way, Borough of Queens, Rev. Charles W. Mixon Way, Borough of Queens, Dora Young Way, Borough of Queens, Pope John Paul II Way, Borough of Queens, Teachers College Way, Borough of Manhattan, Sylvia P. Woods Way, Borough of Manhattan, St. James Place, Borough of Manhattan, Grace Gold Way, Borough of Manhattan, Dr. John L.S. Holloman Way, Borough of Manhattan, Dr. Billy Taylor Way, Borough of Manhattan, Jeanne, Jules, Morty Manford PFLAG Way, Borough of Queens, Richard Italiano Corner, Borough of Queens, Firefighter Michael G. Behette 9/11 Memorial Way, Borough of Brooklyn, John and Dorothy Maguire Way, Borough of Brooklyn, Tom Kane Way, Borough of Brooklyn, Mrs. Geri Cilmi Place PS 41, Borough of Queens, Salman Hamdani Way EMT, NYPD Cadet 9-11-01, Borough of Queens, Fr. Wissa Bessada Way, Borough of Staten Island, Korean War Veterans Way, Borough of Staten Island, Firefighter Peter J. Carroll Way, Borough of Staten Island, Mary V. Lauro Way, Borough of the Bronx, Emanuel and Adam Gold Plaza, Borough of Queens, Yolanda Sanchez Place, Borough of Manhattan, Charlie Palmieri Way, Borough of Manhattan, William Creech Vietnam Veteran Way, Borough of Staten Island, Herbert Ellis Smith “Smitty” Way, Borough of Staten Island, Joseph N. Esposito “Lighthouse Joe” Corner, Borough of Staten Island, Father Capodanno Place, Borough of Staten Island, Edward A. Tierney, Sr. Corner, Borough of Staten Island, Soccer Hall of Famer John “Jack” Hynes Way, Borough of Staten Island, Paramedic Lt. David G. Restuccio Way, Borough of Staten Island, SSG Michael H. Ollis Way, Borough of Staten Island, Brandon Romero Plaza, Borough of Manhattan, Firefighter William Tropea Way, Borough of Brooklyn, John Mulhern Way, Borough of Brooklyn, Natale “Nat” Cerini Corner, Borough of the Bronx, Guadalupe Rodriguez Way, Borough of Manhattan, Addison Branch Way, Borough of Staten Island, William S. Klapach Way, Borough of Staten Island, Major Walter M. Murphy, Jr. Way, Borough of Staten Island, Carmine Granito and William Smith Way, Borough of Staten Island, Elias Karmon Way, Borough of the Bronx, The Honorable Gloria D’Amico Place, Borough of Queens, Sunnyside Gardens Arena Way, Borough of Queens, Walter McCaffrey Place, Borough of Queens, Dr. Joan Maynard Way, Borough of Brooklyn, Birdel’s Records Way, Borough of Brooklyn and the repeal of sections 9, 11, 13, 40 and 46 of local law number 50 for the year 2013, the repeal of section 24 of local law number 34 for the year 2003 and the repeal of section 40 of local law number 48 for the year 2012.

The Committee on Parks and Recreation, to which the annexed amended proposed local law was referred on November 14, 2013 (Minutes, page 4742), respectfully

REPORTS:

On December 10, 2013, the Committee on Parks and Recreation will hold a hearing to vote on Proposed Int. No. 1188-A which co-names fifty-six (56) thoroughfares and public places. The Committee first considered Proposed Int. No. 1188-A on December 5, 2013. The Council acts upon the authority granted in subdivision (b) of section 25-102.1 of the New York City Administrative Code which states:

Unless the local law specifically provides otherwise, any local law changing the name of a street, park, playground or portion thereof, or any facility or structure, located and laid out on the city map, that bears a name indicated on the city map shall not be construed to require a change in such name as it is indicated on the city map; provided, however, that in the case of a local law changing the name of a street or portion thereof, the name added by such local law shall be posted on a sign placed adjacent to or near a sign bearing the name of such street or portion thereof indicated on the city map.

The following street name changes are not to be construed as a change in the City Map, but as additional names to be posted near or adjacent to the street or location indicated on the City Map.

Section 1. Miguel Angel (Mike) Amadeo Way

Introduced by Council Member Arroyo

Miguel Angel Amadeo was born in Bayamón, Puerto Rico and was the son of composer Alfredo “Titi” Amadeo. In 1948, he moved to New York and settled in the Bronx. As a composer and guitarist, his first bolero, “Cruel desilusión” was recorded in 1954 and in the early 1950s he founded the group Trío Los Tres Reyes. He composed boleros and guarachas and his songs have been recorded by Celia Cruz, El Gran Combo, Danny Rivera and Hector Lavoe, among others. He worked for Bartolo Alvarez in his famous store in El Barrio, Casa Latina. Later he worked for Barolo’s nephew, Al Santiago, at his Bronx music store Casalegre, and for his record label, Alegre. Amadeo bought Casa Hernández at 786 Prospect Avenue in 1969 and managed the store under the name Casa Amadeo. During the 1980s when the neighborhood was falling apart, he kept the store going, even when he was the only tenant in the building. Due to the store’s history and its significance to NYC’s Puerto Rican community (it opened in 1941 and is the oldest Latin music store in New York City), the store is listed in the National Register of Historic Places in 2003, the first Puerto Rican site to be nominated to the National Register. In 2008, Mr. Amadeo was a Grand Marshall for the National Puerto Rican Day Parade.

Section 2. Private First Class Carlos James Lozada Place

Introduced by Council Member Arroyo

Carlos James Lozada was born in Puerto Rico and later settled in the Bronx. He joined the United States Army and was sent to Vietnam and assigned to Co. A, 2nd Battalion, 503 Infantry, 173rd Airborne Brigade in 1967. He was posthumously awarded the Medal of Honor in December 1969, for distinguishing himself in the Battle of Dak To where he was killed in combat.

Section 3. Rivera Avenue

Introduced by Council Member Arroyo

Mariano Rivera is known as The Great One, the Sandman, the Hammer of God, and Mo. A five-time world champion playing with the New York Yankees from 1995 until 2013, he is considered the best closing pitcher in the history of baseball. He is Major League Baseball’s all-time leader in post-season saves and post-season Earned Run Average (ERA). He was a 13-time All-Star, won five American League Rolaids Relief Man Awards, three Delivery Man of the Year Awards and finished in the top three in voting for the American League Cy Young Award four times. He is Major League Baseball’s career leader in saves with 652 and games finished with 952. He donates more than \$500,000 annually to underprivileged children in the United States and his home country of Panama. He founded the Mariano Rivera Foundation which provides a range of services including mentoring programs and creating computer labs that provide underprivileged students with resources.

Section 4. P.O. Calabrese and P.O. Keegan Plaza

Introduced by Council Member Brewer

Officer Seraphin Calabrese was assigned to Transit District 1. He was killed in the line of duty with his own weapon while attempting an arrest at the Columbus Circle subway station. The suspect immediately grabbed Officer Calabrese's gun and shot him. Another nearby transit officer apprehended the suspect.

Police Officer Joseph Keegan was assigned to Transit District 1 and served with the New York City Transit Police Department for over 15 years. While patrolling the Columbus Circle subway station, he attempted to arrest a fare evader and was killed in the line of duty with his own gun. The suspect was arrested in Central Park later in the day during a massive manhunt. He was later convicted of second degree murder and sentenced to 25 years to life in prison.

Section 5. Miles Davis Way

Introduced by Council Member Brewer

Miles Dewey Davis III was a jazz icon recognized as one of the most innovative and influential jazz musician-composers of the 20th century. He was one of the first African-Americans to own a townhouse on the Upper West Side where he composed, collaborated and rehearsed at 312 West 77th Street for 25 years. It was there that he collaborated with pianist Bill Evans on the album Kind of Blue, the best-selling album in the history of jazz music. Kind of Blue has sold more than 4 million copies and is certified quadruple platinum. He won nine Grammys, received a Grammy Lifetime Achievement Award, a Sonning Lifetime Achievement Award and other United States and International honors. He was recognized as a National Endowment for the Arts (NEA) Jazz Master in 1984 and was inducted into the Rock and Roll Hall of Fame in 2006.

Section 6. Janet Freeman Way

Introduced by Council Member Chin

Janet Freeman was a community organizer and tenant advocate, founder of the Croman Tenants Association, the Coalition to Protect Public Housing and Section 8, and of Co-op Watch, to prevent evictions through phony conversions. She started campaigns to organize tenants against some of the neighborhood’s most aggressive landlords, phony demolitions, and harassment. As lead organizer for the Neighborhood Coalition to Fight Proliferation of Bars, she defended the local Little Italy/Chinatown neighborhood’s character, fighting against invasive cabarets and upscale nightlife. She became a founding member of the Coalition for Justice for Lincoln Swados in 1989, after she learned about the death of Lincoln Swados, a disabled tenant who died after his landlord, as part of a co-op conversion, built a construction shed around his apartment, effectively blocking his access to the street. She created the Lower East Side Co-op Watch, where she organized tenants in

buildings undergoing conversion and created a database to analyze and track co-op conversions, both to challenge them individually and to raise the issue to the public, the media, and elected officials. She joined with public-housing activists to create the Lower East Side Coalition to Save Public Housing & Section 8. She founded the Coalition of Tenants in Croman-Owned Buildings, organized tenants in Extell-owned buildings, and worked with tenants in Shaoul buildings. She also fought the commercial transformation of the neighborhood, leading the fight against the proliferation of bars and nightlife in and around Little Italy and Chinatown.

Section 7. Private Danny Chen Way

Introduced by Council Member Chin

Danny Chen was born and raised in Chinatown and attended P.S. 130, I.S. 131 and graduated from Pace High School. He enlisted in the United States Army and served with C Company, 3rd Battalion, 21st Infantry Regiment, 1st Stryker Brigade Combat Team, 25th Infantry Division in Afghanistan. On October 3, 2011, he committed suicide as a result of being hazed and maltreated by several superiors. Eight superiors were subsequently found guilty in connection with his death either by court martial or administrative proceedings. On January 2, 2013, President Obama signed the National Defense Authorization Act which contains provisions requiring the military to take affirmative steps to prevent hazing.

Section 8. Bishop Roderick R. Caesar Sr. Way

Introduced by Council Member Comrie

Roderick R. Caesar was born in St. Lucia, West Indies. He Joined the United States Army in 1919 and later joined the Harlem Pentecostal Church where he was taught the Word of God. He became a deacon and taught Sunday School and was ordained an Elder. In 1932, he established the Bethel Gospel Mission on South Road in Jamaica, Queens. He purchased 110-15 New York Boulevard and it became known as the Bethel Gospel Tabernacle. In 1947, he established the Bethel Bible Institute and began a full Gospel hour radio broadcast. He founded the Bethel G.T. Federal Credit Union and was elevated to the office of Bishop in the United Pentecostal Council of the Assemblies of God Inc. He served as Eastern District Bishop and later as the National Bishop. He served as Bishop Emeritus of the District and National Councils.

Section 9. Apostle John H. Boyd Sr. Way

Introduced by Council Member Comrie

Rev. John Boyd moved to New York City at the age of 16 and graduated from George Washington High School. In 1944, Dr. Boyd was drafted into the United States Army, where he attained the rank of First Sergeant. After three years of service, he received an honorable discharge. Dr. Boyd later received his Doctor of Divinity degree from the United Christian College in Brooklyn. He founded New Greater Bethel Ministries in 1972. He erected a small tent on the corner of Linden and Francis Lewis Boulevards in Cambria Heights that over the years grew into a thriving ministry with more than 2,000 members. In 1975, the church acquired the Cambria Heights theater complex and that became its new home. The congregation established a food pantry and a soup kitchen, giving free meals to hundreds of homeless individuals. Boyd also created the Set Free Prison Ministry, to help meet the spiritual needs of the incarcerated. Greater Bethel created a 24-hour prayer line, with counselors ready to minister to those in need, even in the middle of the night. The church also spread its message of faith through the Voice of Bethel radio broadcast, reaching nearly 150 million listeners worldwide. In 1993, the congregation expanded to include a location at 215-32 Jamaica Avenue in Queens Village, which could accommodate 1,500 people, and contained a Christian literature and media center, a drama center and recording and television studios. Boyd studied at the Manhattan Bible Institute and earned his Doctrine of Divinity from the United Christian College. He received numerous awards for his spiritual work including being awarded “Man of the Year” by The New York Christian Times. Superintendent Brian Fischer of the Queensborough Correctional Facility recognized Boyd for his outstanding work with the Inmate Community Improvement Program.

Section 10. Reverend Lucile C. Hill Way

Introduced by Council Member Comrie

Rev. Lucile Chambers Hill was born in Chester, Pennsylvania. She was ordained a Full Elder in the United Methodist Church (UMC) in 2007. Rev. Hill faithfully served Long Island People’s UMC as a Provisionary Member from 2004 through 2008 and Epworth UMC in the Bronx from 2008 until her death in 2013. Rev. Hill also founded the Theater of Dance Movement using her amazing talents and superior education to enrich the lives of those in the community and indeed the residents of the City. The Lucile Hill Theatre of Dance Movement not only trained thousands of young students but gave them the hope and promise of careers in teaching or the cultural arts. And also she championed liturgical dance at the renowned Allen A.M.E. Cathedral and other Houses of Worship.

Section 11. Rev. Charles W. Mixon Way

Introduced by Council Member Comrie

Rev. Charles Mixon was pastor of the Maranatha Baptist Church, which he founded and built into an institution for 27 years. When he started the church, there were seven members, and that including himself and his wife. Today, there are approximately 1,300 members. For the first four years, he paid \$300 a month to rent a building on Springfield Blvd., which the church bought in 1979 and has called home ever since. It later bought two more buildings on the same block and has plans to build an education center. Mixon did more than preach. He and other men in the

congregation laid the cinder-block foundation for the new sanctuary after the original building was torn down. In keeping with another tradition, members of the congregation accompanied Mixon when he walked the several blocks from his home to the church for the dedication ceremony. Mixon arrived in New York in the early '70s, studied theology at a Manhattan Bible school and was ordained in 1975 at the Wayside Baptist Church in Williamsburg, Brooklyn, where he had served as a deacon. Three months later, he was founding his own congregation. He was heavily involved in community issues that ranged from voting rights to education, and for years he was a member of Community Board 13.

Section 12. Dora Young Way

Introduced by Council Member Comrie

Honorable Dora Young was a long time and very active member of the Addisleigh Park Civic Association in Addisleigh Park, Queens was married to the Postmaster of Jamaica, Queens her beloved Evie. She was a native of Winston Salem, North Carolina. She became a member of the United Democratic Club (later the Guy R Brewer United Democratic Club) of Jamaica, Queens and soon found that political action was a way to gain economic, social and civil justice for the residents of the communities of Southeast Queens. She rose to become Executive Member of the Guy R Brewer Club along with her colleague and friend of many years former Council Deputy Majority Leader, Archie Spigner. She took a leading role in electing the first persons of color to become Assembly Member, Council Member, State Senator, Congress Member and Borough President in Queens and encouraged more women to join the judiciary. She was the female District Leader for part B of the 29th AD, Queens, Vice Chair of the Queens Democratic Party and active in the Jamaica Branch of the NAACP , the Queens Women Political Caucus, the Education Action Program for Social Concern , Proctor Hopson Post, V.F.W. s and the “Deltas” whom she loved . She was proud of the fact that she was a founder the Guy R. Brewer Learning Center which sponsored scholarships and recognized the prominent. One of her many joys was marrying happy couples as the Deputy City Clerk of Queens. She was a loyal member of St. Benedict the Moor Roman Catholic Church and will never be forgotten.

Section 13. Pope John Paul II Way

Introduced by Council Member Crowley

Pope John Paul II born Karol Józef Wojtyła reigned as pope of the Catholic Church for almost 27 years, from October 16, 1978 until his death, making his the second-longest pontificate (or the third-longest, as enumerated by Roman Catholic tradition). He was the first non-Italian to reign since the 16th century. His early reign was marked by his opposition to communism, and he is often credited as one of the forces which brought about the fall of the Soviet Union. The man from Poland will be remembered as the "people's Pope." Respected around the world by both Christians and non-Christians, the reach of Pope John Paul II extended across the globe. His papacy is remembered by his tireless ecumenical approach to accommodate other Christian sects as well as to forge a better understanding with the Islamic world. At his funeral, many non-Christian faiths were represented, including representatives from Islam and Buddhism.

Section 14. Teachers College Way

Introduced by Council Member Dickens

This co-naming will commemorate Teachers College, the oldest and largest graduate school of education in the United States. For over 100 years, Teachers College has been a leader in the field of education and is ranked among the nation’s best.

Section 15. Sylvia P. Woods Way

Introduced by Council Member Dickens

Sylvia P. Woods was known as “The Queen of Soul Food.” She worked at various jobs, including a beauty shop, hat factory and from 1954 to 1962, she worked in a restaurant. In 1962, she bought her own restaurant with an initial total capacity limited to 35 patrons. Her success and hard work later resulted in the restaurant’s expansion to accommodate 450 patrons. Her family subsequently developed a catering business and an expansive line of Sylvia’s food products, which includes many of her special sauces, vegetables, spices, syrup, corn bread and pan cake mixes. Her products are sold in local shops and specialty stores throughout the world. She developed two franchises at John F. Kennedy Airport Terminal, as well as having purchased the two remaining stores on Lenox Avenue and several nearby brownstones on 126th street. She also produced two cookbooks entitled, “Sylvia’s Soul Food Cookbook,” published in 1992 and “Sylvia’s Family Soul Food Cookbook,” published in 1999. She established a world renowned restaurant where visitors from all over the world came to dine at, “Sylvia’s Restaurant.” She also received countless awards, proclamations and appeared in numerous national and international media outlets, as well as having been acknowledged by dignitaries from all over the world. The Woods family founded the Herbert and Sylvia Woods Scholarship Endowment Fund which offers college scholarships to local residents of Harlem. In 2003, she was awarded a New York Post Liberty Medal for serving thousands of free meals to charitable groups each year.

Section 16. St. James Place

Introduced by Council Member Dickens

This co-naming will commemorate St. James Church which was opened in 1859.

Section 17. Grace Gold Way

Introduced by Council Member Dickens

Grace Gold was studying at Barnard College as a freshman when she was killed by a falling piece of masonry at Broadway and 115th Street. This accident led to the City Council passing Local Law 10 which requires that the facades of buildings seven stories and taller be inspected every five years and that hazardous conditions be corrected.

Section 18. Dr. John L.S. Holloman Way

Introduced by Council Member Dickens

John L. S. Holloman Jr. was a doctor who battled for health care for the poor, attacked racist practices in the American Medical Association and was a prominent early voice warning of the threat of AIDS among minorities, but he was best known as president of the city's public hospital corporation in the mid-1970's. At the time, he was reportedly the country's highest-ranking black person in health care. He also fought for better care for inmates. He attended segregated elementary schools and the integrated Dunbar High School. After graduating from Virginia Union University, an all-black college, he went to medical school at the University of Michigan. He joined the Army Air Corps as medical officer in the unit headed by Benjamin O. Davis, the first black general. After the war, he completed his residency at Harlem Hospital Center and began a private practice in Harlem. He also established a laboratory to train black lab technicians. He was a founder of the Medical Committee for Civil Rights, the medical arm of the civil rights movement. He took care of people during the voting rights march from Selma to Montgomery in 1965 with Martin Luther King. In 1974, he was appointed by then New York City Mayor Abraham D. Beame, president of the four-year-old hospitals corporation. He taught public health at the University of North Carolina, was a consultant to the Harlem Health Task Force of the federal Health, Education and Welfare Department, and was a staff member of the Health Subcommittee of the House Ways and Means Committee, among other things. He was one of the longest-serving board members of the State University of New York from 1966 to 1995. He pressed for health care as a basic right and he campaigned tirelessly for national health insurance.

Section 19. Dr. Billy Taylor Way

Introduced by Council Member Dickens

Billy Taylor was pianist, composer, arranger, conductor, lecturer and author. He earned a doctorate in music education from the University of Massachusetts in 1975 and later had a higher profile on television than any other jazz musician of his generation. He was a cultural correspondent on the CBS News program “Sunday Morning” and was the musical director of David Frost’s syndicated nighttime talk show from 1969 to 1972. He taught jazz courses at Long Island University, the Manhattan School of Music, among others. He worked with some of the biggest names in jazz early in his career and later led a trio that worked regularly in New York nightclubs and recorded many albums. He also helped bring jazz to predominantly black neighborhoods with Jazzmobile, an organization he founded in 1965 to present free outdoor concerts by nationally known musicians at street corners and housing projects throughout New York City. He lectured about jazz at music schools and wrote articles for DownBeat, Saturday Review and other publications on jazz. He later had a long-running concert-lecture series at the Metropolitan Museum of Art. In 1958, he was the musical director of an NBC television show, “The Subject Is Jazz” and a year later, he was hired by WLIB, a Harlem radio station as both a disc jockey and program director, and remained in those positions until 1969. He was a founding partner of Inner City Broadcasting, which bought WLIB in 1971. At National Public Radio, he hosted “Jazz Alive” in the late 1970s and also hosted “Billy Taylor’s Jazz at the Kennedy Center.” In 1968, he was appointed to New York City’s new Cultural Council and was an adviser to the Kennedy Center for the Performing Arts in Washington. In 1980, he was a member of an advisory panel that called for greater support for jazz from the National Endowment for the Arts. He received a \$20,000 Jazz Masters award and was also given a National Medal of Arts in 1992. He wrote more than 300 compositions.

Section 20. Jeanne, Jules, Morty Manford PFLAG Way

Introduced by Council Member Dromm

PFLAG promotes the health and well-being of gay, lesbian, bisexual and transgender persons through support to cope with an adverse society, education, information and advocacy to end discrimination and secure equal civil rights. PFLAG was founded in 1973 and has become the world’s leading organization for allies of the LGBT community. Founder Jeanne Manford, was posthumously awarded the Presidential Citizens Medal in 2013.

Section 21. Richard Italiano Corner

Introduced by Council Member Dromm

Richard Italiano was the district manager and former chairman of Community Board 4. He was born and raised in Corona and attended St. Leo School and Newtown High School. He served as a coach for St. Leo’s Athletic Association and Co-Director of St. Leo’s Teen Center. He joined Community Board 4 as part of its Youth Services Committee in 1984. Between 1995 and 2004, he served as the CB4’s chairman, and became district manager in 2005. In addition to serving on CB4, he was a member of several community organizations, including the Flushing Meadows Corona Park Conservancy, the New York Hospital Queens Community Advisory Council and the Italian Heritage and Culture Committee of Queens County. He also served on the board of directors for Italian Charities of America. He was instrumental in planning and completing projects such as the Arthur Ashe Tennis

Stadium and the Queens Center Mall expansion. Richard Italiano was Chair of CB4 beginning the year just before the Arthur Ashe stadium was built. He worked in the capacity of Chair of the Board, and during the time that the stadium was being proposed, he was a CB Member and At-Large Director. He was also a member of the Community Emergency Response Team (CERT), the Queens Traffic Safety Board, Queens Boulevard Traffic Safety Task Force, Flushing Meadow Corona Park Conservancy, Queens Vanguard Community Advisory Board of the National Children’s Study, the 110th Precinct Community Council, the Forest Hills Chamber of Commerce and the Queens Vietnam Memorial Committee.

Section 22. Firefighter Michael G. Behette 9/11 Memorial Way

Introduced by Council Member Gentile

Michael G. Behette joined Ladder 172 Engine 330 on September 5, 1981. He received many medals and commendations for his work as a New York City Firefighter. After 9/11, he started working at Ground Zero to recover his fallen brothers and fellow Americans for months. In February 2011, he was diagnosed with metastatic lung cancer directly related to his exposure at Ground Zero. He passed away on September 17, 2012.

Section 23. John and Dorothy Maguire Way

Introduced by Council Member Gentile

John Maguire was one of the founders of the Bay Ridge Ambulance Volunteer Organization (BRAVO) and was a successful attorney. He joined the Marine Corps in the 1940’s and served in World War II. After returning from the war, he enrolled in Brooklyn Law School. A trained EMT, he along with other civic leaders formed BRAVO composed entirely of volunteers in order to help relieve the city’s overworked 911 emergency system in the early 1970’s. BRAVO is still active today.

Section 24. Tom Kane Way

Introduced by Council Member Gentile

Tom Kane was a life-long resident of Bay Ridge who was dedicated to the youth of his community. He was very active in sports, development and arts. He coached CYO baseball for many years and also served as the Commissioner of Baseball for St. Patrick’s Parish. He worked as a behavioral therapist for Thursday’s Child, an early intervention program for Autistic children and also joined the board of directors of the Francesco Loccisano Memorial Foundation, an organization that helps families with children fighting cancer. He spent years performing with every theater group in the area and penned his own musical in 1993 for Xaverian’s Alumni group, “The Life and Times of Matthew Ryan.” Soon after he co-founded BrooklynONE Theater and Film which serves as a place for artists to explore the craft of filmmaking which still exists today. He also worked as community editor and contributing writer for the Bay Ridge Eagle and the Brooklyn Daily Eagle.

Section 25. Mrs. Geri Cilmi Place PS 41

Introduced by Council Member Halloran

Geri Cilmi was a New York City Science Facilitator. She participated in the District’s Professional Development of Observation Series Excellence in Education in which she presented many workshops at the New York City Association for Supervision and Curriculum Development Share Fair for Excellence At Fordham University. She served as Vice President of E.S.S.A (Elementary School Science Association) where she created and presented “Saturday Science,” sponsored by both E.S.S.A and S.C.O.N.Y.C (Science Counsel of New York City) at Stuyvesant High School. She was a speaker and presenter at conferences for the Foundation for the Future Comprehensive Early Childhood Education sponsored by the Office of N.Y.C. Field Studies and Board of Education. She was involved with the Talented and Gifted Programs at Long Island University teaching and supervising gifted children. She was involved with the New York Zoological Society with programs dealing with baby gorillas. She also participated in the science pilot program F.O.S.S (Full Option Science System) as staff developer and facilitator for 8 years, working with 2nd, 4th and 5th grade teachers to create new and exciting ways to teach scientific principles to children. She worked for and assisted the Ally Pond Environmental Center at St John's University with the preservation of water sanctuaries in Queens and was involved in activities at Crochran Park to help save water habitats. Her program was Called C.L.E.A.N.U.P.S. (Children Learn Environmental Activities in Nature Under their own Protection and Supervision). She used the pond as an outdoor laboratory. The idea was that children gain a richer understanding about community responsibility. In addition, she worked after school on remedial programs for students who needed additional instruction in reading and writing techniques.

Section 26. Salman Hamdani Way EMT, NYPD Cadet 9-11-01

Introduced by Council Member Halloran

Salman Hamdani was a NYS Certified EMT and a Cadet with the NYPD who went to help those in need on the morning of September 11th. He was killed in the line of duty.

Section 27. Fr. Wissa Bessada Way

Introduced by Council Member Ignizio

Fr. Wissa Bessada was an archpriest and a driving force behind the construction of the Archangel Michael and St. Mena Church in Great Kills. He was born in Qina, Egypt and studied at Cairo University and later graduated from Coptic

Seminary College in Cairo in 1965 and served in St. Mark’s Church before moving to St. Louis, Mo in 1979. In 1980, he was sent to Staten Island to a local Coptic congregation. In 1992, he purchased what was formerly the Masonic Temple of Great Kills and converted it to a Coptic Church. He volunteered throughout the tri-state area feeding the hungry at soup kitchens and organizing food drives, helped build homes with Habitat for Humanity and Project Hospitality and started an Angel Tree program for underserved children. He held an annual festival which spread Egyptian culture to the local area, started many programs to educate members of the community and hosted English courses for immigrants. He also began a Boy Scouts of America and CYO basketball league in his church.

Section 28. Korean War Veterans Way

Introduced by Council Member Ignizio

This co-naming will honor the veterans who fought in the Korean War.

Section 29. Firefighter Peter J. Carroll Way

Introduced by Council Member Ignizio

Peter Carroll was killed on September 11, 2001.

Section 30. Mary V. Lauro Way

Introduced by Council Member Koppell

Mary V. Lauro graduated from Hunter College in 1947 and later went to work for Adhesive Products Corporation where she co-invented Monzini, a synthetic casting compound used by many museums in dinosaur skeletons and other exhibits and also sculptors and makeup artists. She was also very active in her community and worked unpaid as a community leader for a quarter century. She served as the president of the Wakefield Taxpayers and Civic League (WTCL) for 25 years and wrote about her community in a weekly column for the Bronx News. WTCL was formed in 1913 and is one of the oldest community organizations in the city. Under the strong leadership of Ms. Lauro, WTCL took on a variety of issues within the community which included a 10 year battle to shut down a drug and prostitution infested OTB parlor and fighting for more police officers. WTCL initiated the study which changed zoning regulations for motels in residential areas. Ms. Lauro worked to improve the quality of life in the diverse community of Wakefield. She was inclusive of everyone and united Wakefield residents in preserving the integrity of the community. She established strong relationships with neighboring communities and worked closely with the Woodlawn Taxpayers Association. In addition, Mary was a former member of CB 12, an active parishioner of Saint Frances of Rome and a member (who held various leadership positions) in the 47th Precinct Community Council, the Wakefield Civilian Patrol and the Safe Way Safe Home Program.

Section 31. Emanuel and Adam Gold Plaza

Introduced by Council Member Koslowitz

Emanuel R. Gold was the senior ranking Democrat in the New York State Senate. He attended Stuyvesant High School, Cornell University of Arts and Sciences and Cornell Law School and was engaged in the private practice of law in New York City. He began his career in public service by serving from 1965 – 1968 as Counsel to the Majority Leader of the New York State Assembly. In 1967, he served as Counsel to the Majority Leader of the Constitutional Convention and was elected to the Assembly at a Special Election in 1970, and served in that chamber until his election to the Senate in a Special Election the following year. In 1978, he was selected by Governor Carey as the only Senate representative on the New York State Executive Advisory Committee on Sentencing. He was appointed as the Senate Deputy Minority Leader in 1978 and served in that position through 1994. In 1996, he was named the Ranking Member on the Senate Finance Committee. In addition he served on the Rules Committee and the Judiciary Committee. He was the prime sponsor of over 80 laws. In 1994, he authored a law which required that New York State's educational curriculum be expanded so that children are taught about human rights violations, including the Holocaust and slavery. In 1977, he crafted the nation's first "Son of Sam" law which provides victims of notorious literate criminals with the opportunity to be compensated from profits the criminal gained from the sale of their story. He also sponsored laws which require all prescription drugs in capsule or tablet form to be labeled, thereby allowing swift identification of the drug in the event of a medical emergency. During his Senate service, he chaired a Task Force on Rental Housing which played a strong advisory role during the State's takeover of the housing system. He also served as the lone Senate Democrat on the Administrative Regulations Review Commission, appointed as the Minority Leader's representative on the Court Facilities Capital Review Board, was the recipient of numerous community and civic awards, was a member of the Board of Directors of the Men's Club of the Jewish Center of Kew Gardens Hills and was a trustee of that Synagogue. He is also a trustee of the Kidney Foundation of New York.

Section 32. Yolanda Sanchez Place

Introduced by Council Member Mark-Viverito

Yolanda Sanchez was a leader in the Puerto Rican community. She was a longtime resident and community activist in East Harlem and also an author, educator, social worker, community organizer, and administrator. She also served as a National Urban Fellow at Harvard University. She was an active member on the nominations committee for Centro’s 100 Puerto Ricans Campaign and was considered a defender of Latino rights in New York City and was the executive director of, and helped create, the Puerto Rican Association for Community Affairs (PRACA) in the 1960’s. She joined the staff of ASPIRA in 1962, where she organized leadership development programs for the youth. She was the founding

member and later president of the National Latinas Caucus, former president of the East Harlem Council for Human Services, and a former director of CUNY’s office of Puerto Rican programs. She was instrumental in the creation of three major institutions for the poor and working class of East Harlem: Taino Towers (Section 8 housing), Boriken Health Center (primary care) and Casabe Houses (senior housing). She also was founder of Muevete (youth conference). She was most recently the program coordinator for the CACHE Cultural Arts Program hosted by Casabe Houses. She was honored at Hunter College’s Silberman School of Social Work with its first Trailblazer Award which recognized her extraordinary achievements as a social worker and organizer.

Section 33. Charlie Palmieri Way

Introduced by Council Member Mark-Viverito

Charlie Palmieri was one of the major forces in the development of Latin and Latin Jazz music in New York City and Puerto Rico from 1950’s to the 1980’s. He was a frequent collaborator and confidante of many of the giants of Latin music including Tito Puente, Tito Rodriguez and Vicente Valdez. During his long musical career he was an in demand composer and arranger, led the popular dance band La Duboney, recorded with the Alegre All-Stars, Cachao Lopez Band, Tico All-Stars, Cesta All-Stars and Grupo Folklorico y Experimental New York. He also worked as the Artists and Repertoire Director for the Cana Record Company and taught music for many years at the Johnny Colon Music Program in East Harlem.

Section 34. William Creech Vietnam Veteran Way

Introduced by Council Member Oddo

William L. Creech served in the United States Navy from 1966 – 1969 and was stationed aboard the USS Boston serving off the coast of Vietnam. He also served with the United States Naval Reserve from 1969 – 1971. He received many service related awards and medals including the Navy Combat Action Ribbon, the National Defense Service Medal, the Vietnam Service Medal with one Bronze Star, the Order of Silver Rose, the Republic of Vietnam Meritorious Unit Citation, the State of New York Medal for Merit and the State of New York Conspicuous Service Star. He worked for the Metropolitan Transit Authority and retired as a supervisor in 2005. He was very supportive to military veterans and served as the Commander of Disabled American Veterans, a member of the American Legion, Veterans of Foreign Wars and also served on the board of the Thomas J. Tori Chapter, Vietnam Veterans of America. He was also a member of the Elm Park Civic Association.

Section 35. Herbert Ellis Smith “Smitty” Way

Introduced by Council Member Oddo

Herbert Ellis Smith enlisted in the United States Navy during the Vietnam War and served on the USS R.E. Krauss and the USS Lester. He was awarded the National Defense Service Medal, the Vietnam Service Medal and the Combat Action Ribbon. When he returned to Staten Island in 1973, he began working for the New York City Department of Parks and Recreation (DPR) as a seasonal employee and worked his way up to a Park Supervisor at High Rock Park. Over his 37-years career with DPR, he managed more than 85 New York City Parks and supervised over 800 employees. He was honored as the City’s Employee of the Month and was awarded many Certificates of Appreciation for his work at Prospect Park, Washington Square Park, Riverside Park and many playgrounds. He was a first responder at the World Trade Center on 9/11 and joined the recovery effort as a heavy equipment operator. He also volunteered at and supported the Vietnam Veterans Memorial Fund, Help Hospitalized Veterans, Autism Speaks, the Juvenile Diabetes Foundation, the Volunteers of America and the Fischer House Foundation.

Section 36. Joseph N. Esposito “Lighthouse Joe” Corner

Introduced by Council Member Oddo

Joseph N. Esposito enlisted in the United States Army at the age of 21 and served in the Korean War. After the war, he founded the Lighthouse Research for Preservation with the purpose of making others aware of the importance of lighthouses. He became the President of New York Harbor Lights and was the go-to person when it came to lighthouse information. He volunteered as Keeper of the Staten Island Lighthouse from 1992 – 2001. He was quintessential in saving the Romer Shoals Lighthouse from destruction and assisted with the restoration of the Fort Wadsworth Lighthouse. He was also instrumental in bringing the National lighthouse Museum to Staten Island and created scale replicas of Staten Island’ lighthouses which are on display at Fort Wadsworth and Miller Field and will eventually be placed in the National Lighthouse Museum section dedicated to him. He received the Certificate of Merit from Rear Admiral Richard E. Bennis, United States Coast Guard Activities.

Section 37. Father Capodanno Place

Introduced by Council Member Oddo

Father Capodanno was born in Staten Island and later attended Fordham University before entering the Maryknoll Missionary Seminary and was ordained a Roman Catholic priest in 1957. In December of 1965, he received his commission as a lieutenant in the Navy Chaplain Corps. He was assigned to the First Marine Division in Vietnam. During Operation Swift in the Thang Binh District of the Que Son Valley, the 5th Marines encountered a large North Vietnamese unit of approximately 2,500 men and 26 Marines had been killed. Father Capodanno went among the wounded and dying, giving last rites and was killed by enemy fire. He was posthumously awarded the Medal of Honor.

Section 38. Edward A. Tierney, Sr. Corner

Introduced by Council Member Oddo

In 1917, Edward A. Tierney, Sr. sailed abroad the first ship of United States Army Engineer units bound for Europe soon after the United States entered World War I. As a color-guard sergeant, he served on various battle fields in France until the end of the war. He was then assigned for one year to the United States Army of Occupation at headquarters housed in a hillside castle overlooking the Rhine River in Germany. Many members of his family have also served and continue to serve in the United States Military today.

Section 39. Soccer Hall of Famer John “Jack” Hynes Way

Introduced by Council Member Oddo

John “Jack” Hynes was a World War II veteran and Purple Heart recipient who later became a decorated New York City Firefighter. During WWII, he was hit by shrapnel at the Battle of the Bulge in Bastogne, Belgium. He underwent five operations and had no feeling in his left calf as a result of his injuries. After the war, he resumed his soccer career in the ASL and was selected for the United States national team that traveled to Mexico City for the North American Zone Championships where he set up a pair of goals as the U.S. team earned a spot in the World Cup by beating Cuba. In 1956, he led the ASL in scoring and was named Most Valuable Player. After his soccer career ended, he served on the New York City Fire Department. He started the soccer program at Monsignor Farrell High School where he had an outstanding coaching record and also served as president of the Silver Lake Soccer Club. He was selected to the National Soccer Hall of Fame in 1977 and was later elected into the Staten Island Sports Hall of Fame.

Section 40. Paramedic Lt. David G. Restuccio Way

Introduced by Council Member Oddo

David G. Restuccio provided pre-hospital emergency medical care to the citizens of New York City for over 30 years, first as a paramedic for the NYC EMS under the Health and Hospitals Corporation and then as a paramedic and lieutenant for the New York City Fire Department. After he retired, he continued to serve as a paramedic with the Staten Island University North Shore Health Care System. He survived both World Trade Center attacks leading frightened and injured people away from the towers. He also volunteered to separate victims’ remains from the debris of the World Trade Center. He was killed after a collision while transporting a patient for medical care at Staten Island University Hospital. While traveling at a high rate of speed, a driver lost control of his car and slammed into the ambulance. He was honored by the New York State Volunteer Ambulance Association, the Regional Council of New York City, the New York State Department of Health and received a star which resides on the EMS Memorial Tree of Life.

Section 41. SSG Michael H. Ollis Way

Introduced by Council Member Oddo

Michael H. Ollis enlisted in the United States Army and served in the 10th Mountain Division’s 2nd Battalion, 22nd Infantry Regiment, 1st Brigade Combat Team based at Fort Drum in Northern, New York in 2006. He served in Iraq and Afghanistan before being sent to Afghanistan again for his last tour of duty. He was killed in the line of duty when his squad came under insurgent fire in the Ghazni Province of Afghanistan.

Section 42. Brandon Romero Plaza

Introduced by the Speaker Council Member Quinn

Brandon Romero was killed while helping his cousin move out of an abusive boyfriend’s apartment. When his cousin’s boyfriend showed up at the apartment with a gun, Mr. Romero tried to wrestle the gun away from the boyfriend. He was killed in the altercation.

Section 43. Firefighter William Tropea Way

Introduced by Council Member Recchia, Jr.

William Tropea was a part of the 9/11 rescue effort at the World Trade Center. He had to retire from the FDNY as a result of health problems many believed were a direct result of working at Ground Zero after the attacks.

Section 44. John Mulhern Way

Introduced by Council Member Reyna

John Mulhern was very dedicated to the Williamsburg community. He was involved with the preschoolers at Nuestros Ninos Child Development School, the Transfiguration Parish’s Basketball League, the Kiwanis Club and Brooklyn A for nearly 40 years. He also co-founded and volunteered at the Southside Community Mission, which dealt with housing, child care, senior services, homeless shelter and hospice care. He also, became involved with the Young Christian Workers, a leadership youth group formed in the late 1950’s to spearhead community projects. In 1970, he left the priesthood and worked in the Lindsay Administration’s Office of Neighborhood Services where he was instrumental in planning and founding Brooklyn Legal Services Corporation A. Later he became involved with the Nuestros Ninos Child Development School, a program serving approximately 600 children, from infants to fifth-graders. The program provides a variety of services such as home day care for infants and offers after-school programs and activities for older students.

Section 45. Natale “Nat” Cerini Corner

Introduced by Council Member Rivera

Natale “Nat” Cerini was an immigrant from Rome, Italy who came to America and settled in the Arthur Avenue section of the Bronx with little English speaking skills. He opened the Roma Luncheonette when he was 17 years old which also serves as a place for many local immigrants to get assistance in filling out immigration documents. In 1977, he started Cerini Income Tax and later purchased the 17-family apartment building located at 2328 Hughes Ave. In 1978, he became a citizen of the United States. In the early 1970's he was a coach for a local soccer organization called the Bronx Italian Soccer Club and later went on to start a new youth Soccer club called Arcobaleno Soccer Club. With the help of then Governor Cuomo, Congressman Biaggi and Senator Calandra, he was instrumental in converting a garbage dump at Third Ave and 186th Street into a soccer field. In 1983, he became the president of the Italian American Federation of the Bronx and lower Westchester assisting in the welfare, cultural, and recreational affairs of the Italian community in the Bronx. The organization raised thousands of dollars for children of Italian immigrants for college tuitions. In the late 1970's, along with then-Senator John Calandra, he was instrumental in constructing the Enrico Fermi Cultural Center located in Little Italy which has served the area since 1981. In addition to offering a full range of services for residents, the center also offers special programming, exhibits, and extensive collections for borrowing and reference related to Italian and Italian American culture, language, and history. He also helped start a young Italian organization called SIAMO, "We Are". The organization provides classes on Italian culture, traditions and language for the community. He also traveled to people’s homes that were incapable of coming out to see him with immigration or tax questions.

Section 46. Guadalupe Rodriguez Way

Introduced by Council Member Rodriguez

Guadalupe Rodriguez founded The Heights Center for Immigrants Advocacy, Inc., a grassroots group that emerged to empower minorities through the provision of educational supportive services. It was founded in 1994. The center was set up to improve participants' quality of life and integration in America. The leadership is committed to provide educational services to reinforce academic achievement for higher order skills. A social service component aims to improve parents and children communication, and to foster school home connection. Similarly, the immigration component seeks to strengthen family reunification, immigration and naturalization status and voter's registration.

Section 47. Addison Branch Way

Introduced by Council Member Rose

Addison Branch was a founding member and former president of the Mud Lane Society for the Renaissance of Stapleton. He served in the United States Army during World War II, stationed at Fort Dix, New Jersey, and in Japan during the occupation. For more than 30 years, he served as an educator and administrator for the City Department of Education. As president and founder of the Mud Lane Society, a not-for-profit organization, he was deeply involved in promoting and improving the village of Stapleton. The organization continues today restoring Victorian and historic homes, as well as small businesses. He was a member of the Stapleton Local Development Corporation and a life member of the NAACP. For years, he opened his restored Victorian home to the Staten Island community for cultural and social events. Every Christmas, he welcomed guests into his home after the annual Festival of Lessons and Carols at St. Paul’s Memorial Episcopal Church, Stapleton. In the late 1970’s and early 1980’s, he served on the board of Snug Harbor Cultural Center, Livingston.

Section 48. William S. Klapach Way

Introduced by Council Member Rose

William S. Klapach was United States Army combat photographer and decorated World War II veteran. He served in the United States Army from 1943 until 1945, as a technician 5th grade in the 196th Signal Photo Company, and was awarded a Bronze Star. His historic photos included one of the Italian dictator Mussolini, hanging at a gas station in Milan, after his execution in April 1945. He also served a personal guard to U.S. Army generals Dwight D. Eisenhower and George S. Patton. After WWII, he worked as an electrician, and then elevator mechanic for the federal government, based on Governor’s Island, for over 20 years. He was then employed as a school safety agent for the City Board of Education, and retired in 1994. He was a founding member of the North Shore Rescue Squad, former commander of the Slosson American Legion Post, and long-time active member of the Merrell American Legion Post and Knights of Columbus. He was active in the Twyford-Muche baseball leagues for many years, and was a member of the Greater N.Y. Sandlot Alliance for over 50 years, the S.I. Varsity Club, and the S.I. Baseball Old-Timers. He was also a long-time parishioner of Assumption St. Paul R.C. Church in New Brighton.

Section 49. Major Walter M. Murphy, Jr. Way

Introduced by Council Member Rose

Walter M. Murphy, Jr. was killed in action in Vietnam. He was posthumously awarded the Silver Star Medal.

Section 50. Carmine Granito and William Smith Way

Introduced by Council Member Rose

Carmine Granito and William Smith were killed in combat during WWII in Okinawa, Japan.

Section 51. Elias Karmon Way

Introduced by Council Member Vacca

Elias Karmon was a longtime resident of the Pelham Parkway neighborhood in the Bronx and community activist, philanthropist and businessman. He served on the board and was president of the Pelham Parkway Jewish Center, a local synagogue, and also served on the board of several organizations such as the Bronx House, South Bronx Mental Health Council, the Bronx Dance Theater, Bronx Community College Foundation, Beth Abraham Hospital Foundation, Bronx Jewish Community Council, Bronx Special Olympics, Bronx Boys and Girls Club and Bronx Y.M.C.A. He also served as president of the Bronx Chamber of Commerce for four years, as well as, positions including Treasurer, Second Vice President and First Vice President of the organization. He also served as a board member of the South Bronx Overall Economic Development Corporation, which was one of the first organizations established to help rebuild the South Bronx. He is also one of the founders of Ponce de Leon Federal Bank, which was one of the few institutions that continued to provide financial services to South Bronx residents in 1970’s and 1980’s and was also a founding member and former chairman of The Bronx Branch of the Urban League, which was established in the borough in 1950. In 1984, the New York Urban League cited him as a Charter Member and Founder of The Bronx Office and was honored for his service. Also, the Elias Karmon Scholarship is awarded annually to students at the CUNY Bronx colleges.

Section 52. The Honorable Gloria D’Amico Place

Introduced by Council Member Vallone, Jr.

Gloria D’ Amico was a longtime Astoria resident and activist. She served as a board member of the Salah M. Hassanein Variety Boys and Girls Club of Queens. Every year the club co-sponsors the Hon. Gloria D’ Amico Fun Run/Walk held in Astoria Park. She was very involved with the Immaculate Conception in Astoria and was president of the Rosary and Altar Society chairing numerous fundraising events, providing valuable assistance to the church and its youth. For nearly ten years, she served on the board of directors of Sharing and Caring, an agency which provided multiple forms of support for women with breast cancer. She actively supported the affiliation of Western Queens Hospital with Mount Sinai Hospital resulting in improved community health resources at Mount Sinai. For nineteen years, she served as Queens County Clerk and was the first woman ever to hold the position. Under her guidance the county became the first in the city to implement a jury duty call-in system making it easier for potential jurors to find out if they had to serve.

Section 53. Sunnyside Gardens Arena Way

Introduced by Council Member Van Bramer

The Sunnyside Garden Arena was originally built as a tennis club by Jay Gould in the 1920s. The club was sold in 1945 and turned into an arena that staged boxing matches, as well as wrestling, roller derby and kick-boxing until it was shut down in 1977. Emile Griffith and Gerry Cooney are among the boxers that fought at the 2,000-seat arena, as well as the actor Tony Danza. The Sunnyside Arena was often used as a stepping stone by New York area fighters before they moved on to larger venues, such as Madison Square Garden. One of the biggest events held at the venue was a John F. Kennedy presidential rally in 1960. In addition, proms were held there and the movie Mr. Universe was filmed there. The building was sold and torn down in 1977.

Section 54. Walter McCaffrey Place

Introduced by Council Member Van Bramer

Walter McCaffrey attended Monsignor McClancey Memorial High School in East Elmhurst and later graduated from Iona College. He served as chairman of Queens Community Board 2, and chief-of-staff first to then Manhattan Borough President Andrew Stein, and later to Congressman Thomas Manton. In 1985, he was elected to the first of four terms in the New York City Council representing Woodside, Long Island City and Sunnyside for 16 years. In the Council, he chaired the Zoning and Franchises Subcommittee and was a member of the Land Use, Finance, Public Safety and Transportation Committees. He was instrumental in getting the library built in Long Island City that was named after Rep. Geraldine Ferraro. He also helped establish the five borough’s first homeless shelter for war veterans and its first police suicide prevention program.

Section 55. Dr. Joan Maynard Way

Introduced by Council Member Vann

Joan Maynard’s life work was preserving a 19th century settlement of free blacks in Brooklyn. She was the driving force behind the preservation of Weeksville, the pre-Civil War community of freed slaves on the edge of Crown Heights, just south of Bedford-Stuyvesant. Despite having no official training as a preservationist, Maynard charged on, and succeeded in reintroducing the country to a once-thriving Brooklyn community that included New York’s first black police officer and first black female physician. She was born in Brooklyn on Aug. 29, 1928, and graduated from Empire State College of the State University of New York. In 1968, four small cottages were discovered on the edge of Crown Heights that are believed to be all that remained of Weeksville, which dates to 1838. Through efforts led by Maynard, schoolchildren and a small group of volunteers, the houses were designated a city

landmark in 1970 and added to the National Register of Historic Places in 1972. She was the founding member of the Weeksville Society, where as president and later executive director she oversaw several renovations to the houses over the years. In 2004, the most extensive of the renovations were completed. In 2012, the Weeksville houses were opened to the public following their \$3 million renovation.

Section 56. Birdel’s Records Way

Introduced by Council Member Vann


This co-naming will commemorate Birdel’s Records, a record store that was open for more than a half century until recently. Birdel’s Records opened in 1944 in Bedford-Stuyvesant. Through the years, the store drew such R&B legends as James Brown, Al Green, Patti LaBelle and Barry White who came to sign autographs.

Section 57. The REPEAL of Sections 9, 11, 13, 40 and 46 of Local Law number 50 for the year 2013. This section repeals Sections 9, 11, 13, 40 and 46 of Local Law number 50 for the year 2013.

Section 58. The REPEAL of Section 24 of Local Law number 34 for the year 2003. This section repeals Section 24 of Local Law number 34 for the year 2003.

Section 59. The REPEAL of Section 40 of Local Law number 48 for the year 2012. This section repeals Section 40 of Local Law number 48 for the year 2012.

(The following is the text of the Fiscal Impact Statement for Int. No. 1188-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: 1188-A
COMMITTEE: Parks

TITLE: A Local Law in relation to the naming of fifty-six thoroughfares and public places.	SPONSOR(S): By The Speaker (Council Member Quinn) and Council Members Arroyo, Brewer, Chin, Comrie, Crowley, Dickens, Dromm, Gentile, Halloran, Ignizio, Koppell, Koslowitz, Mark-Viverito, Oddo, Recchia, Jr., Reyna, Rivera, Rodriguez, Rose, Vacca, Vallone, Jr., Van Bramer, Vann and James
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In relation to the naming of fifty-six thoroughfares and public places, Miguel Angel (Mike) Amadeo Way, Borough of the Bronx, Private First Class Carlos James Lozada Place, Borough of the Bronx, Rivera Avenue, Borough of the Bronx, P.O. Calabrese and P.O. Keegan Plaza, Borough of Manhattan, Miles Davis Way, Borough of Manhattan, Janet Freeman Way, Borough of Manhattan, Private Danny Chen Way, Borough of Manhattan, Bishop Roderick R. Caesar Sr. Way, Borough of Queens, Apostle John H. Boyd Sr. Way, Borough of Queens, Reverend Lucile C. Hill Way, Borough of Queens, Rev. Charles W. Mixon Way, Borough of Queens, Dora Young Way, Borough of Queens, Pope John Paul II Way, Borough of Queens, Teachers College Way, Borough of Manhattan, Sylvia P. Woods Way, Borough of Manhattan, St. James Place, Borough of Manhattan, Grace Gold Way, Borough of Manhattan, Dr. John L.S. Holloman Way, Borough of Manhattan, Dr. Billy Taylor Way, Borough of Manhattan, Jeanne, Jules, Morty Manford PFLAG Way, Borough of Queens, Richard Italiano Corner, Borough of Queens, Firefighter Michael G. Behette 9/11 Memorial Way, Borough of Brooklyn, John and Dorothy Maguire Way, Borough of Brooklyn, Tom Kane Way, Borough of Brooklyn, Mrs. Geri Cilmi Place PS 41, Borough of Queens, Salman Hamdani Way EMT, NYPD Cadet 9-11-01, Borough of Queens, Fr. Wissa Bessada Way, Borough of Staten Island, Korean War Veterans Way, Borough of Staten Island, Firefighter Peter J. Carroll Way, Borough of Staten Island, Mary V. Lauro Way, Borough of the Bronx, Emanuel and Adam Gold Plaza, Borough of Queens, Yolanda Sanchez Place, Borough of Manhattan, Charlie Palmieri Way, Borough of Manhattan, William Creech Vietnam Veteran Way, Borough of Staten Island, Herbert Ellis Smith “Smitty” Way, Borough of Staten Island, Joseph N. Esposito “Lighthouse Joe” Corner, Borough of Staten Island, Father Capodanno Place, Borough of Staten Island, Edward A. Tierney, Sr. Corner, Borough of Staten Island, Soccer Hall of Famer John “Jack” Hynes Way, Borough of Staten Island, Paramedic Lt. David G. Restuccio Way, Borough of Staten Island, SSG Michael H. Ollis Way, Borough of Staten Island, Brandon Romero Plaza, Borough of Manhattan, Firefighter William Tropea Way, Borough of Brooklyn, John Mulhern Way, Borough of Brooklyn, Natale “Nat” Cerini Corner, Borough of the Bronx, Guadalupe Rodriguez Way, Borough of Manhattan, Addison Branch Way, Borough of Staten Island, William S. Klapach Way, Borough of Staten Island, Major Walter M. Murphy, Jr. Way, Borough of Staten Island, Carmine Granito and William Smith Way, Borough of Staten Island, Elias Karmon Way, Borough of the Bronx, The Honorable Gloria D’Amico Place, Borough of Queens, Sunnyside Gardens Arena Way, Borough of Queens, Walter McCaffrey Place, Borough of Queens, Dr. Joan Maynard Way, Borough of Brooklyn, Birdel’s Records Way, Borough of Brooklyn and the repeal of sections 9, 11, 13, 40 and 46 of local law number 50 for the year 2013, the repeal of section 24 of local law number 34 for the year 2003 and the repeal of section 40 of local law number 48 for the year 2012.

SUMMARY OF LEGISLATION: The proposed law would add, through the posting of additional signs, the following name:

New Name	Present Name	Limits
Miguel Angel (Mike) Amadeo Way	None	At the southwest corner of Prospect Avenue and Westchester Avenue
Private First Class Carlos James Lozada Place	None	At the intersection of Willis Avenue and East 135th Street

Intro 1188-APage 1

Rivera Avenue	None	At the intersection of 161st Street and River Avenue
P.O. Calabrese and P.O. Keegan Plaza	None	At the southeast corner of 60th Street and Broadway
Miles Davis Way	None	At the northwest corner of West 77th Street and West End Avenue
Janet Freeman Way	None	At the intersection of Elizabeth Street and Kenmare Street
Janet Freeman Way	None	At the intersection of Elizabeth Street and Kenmare Street
Private Danny Chen Way	Elizabeth Street	Between Canal Street and Bayard Street
Bishop Roderick R. Caesar Sr. Way	None	At the intersection of Guy R. Brewer Boulevard and 110 th Road
Apostle John H. Boyd Sr. Way	None	At the intersection of 219 th Street and Linden Boulevard
Reverend Lucile C. Hill Way	None	At the intersection of 201 st Street and Linden Boulevard
Rev. Charles W. Mixon Way	None	At the intersection of 112 th Avenue and Springfield Boulevard
Dora Young Way	None	At the southeast corner of 197 th Street and Linden Boulevard
Pope John Paul II Way	56 th Road	Between 61 st Street and 64 th Street
Teachers College Way	120 th Street	Between Broadway and Amsterdam Avenue
Sylvia P. Woods Way	None	At the intersection of West 126 th Street and Malcolm X Boulevard
St. James Place	East 126 th Street	Between Madison Avenue and Park Avenue
Grace Gold Way	West side of Broadway	Between 115 th Street and 116 th Street
Dr. John L.S. Holloman Way	None	At the northwest corner of 135 th Street and Madison Avenue
Dr. Billy Taylor Way	None	At the southeast corner of 138 th Street and Fifth Avenue
Jeanne, Jules, Morty Manford PFLAG Way	171 st Street	Between 33 rd Avenue and 35 th Avenue
Richard Italiano Corner	None	At the northeast corner of 102 nd Street and Strong Avenue
Firefighter Michael G. Behette 9/11 Memorial Way	None	At the intersection of 85 th Street and Fifth Avenue
John and Dorothy Maguire Way	None	At the intersection of 79 th Street and Fifth Avenue
Tom Kane Way	None	At the intersection of 88 th Street and Colonial Road
Mrs. Geri Cilmi Place PS 41	214 Lane	Between 34 th Avenue and 35 th Avenue
Salman Hamdani Way EMT, NYPD Cadet 9-11-01	204 th Street	Between 35 th Avenue and 34 th Avenue
Fr. Wissa Bessada Way	None	At the northeast corner of Lindenwood Road and Amboy Road
Korean War Veterans Way	None	At the northeast corner of Vespa Avenue and Arden Avenue
Firefighter Peter J. Carroll Way	None	Aligned with the Surf Avenue sign on the northeast corner of Surf Avenue and Loretto Street
Mary V. Lauro Way	Matilda Avenue	Between East 236 th Street and East 237 th Street
Emanuel and Adam Gold Plaza	None	At the intersection of 70 th Avenue and Queens Boulevard
Yolanda Sanchez Place	None	At the southeast corner of East 120 th Street and Lexington Avenue

Charlie Palmieri Way	None	At the northwest corner of East 112 th Street and Park Avenue
William Creech Vietnam Veteran Way	None	At the intersection of Felton Street and Lamberts Lane
Herbert Ellis Smith "Smitty" Way	None	At the intersection of Rockland Avenue and Nevada Avenue
Joseph N. Esposito "Lighthouse Joe" Corner	None	At the intersection of Husson Street and Buel Avenue
Father Capodanno Place	None	At the intersection of Bank Place and Newberry Avenue
Edward A. Tierney, Sr. Corner	None	At the intersection of West Fingerboard Road and Clove Road
Soccer Hall of Famer John "Jack" Hynes Way	None	At the intersection of Tysens Lane and Hyland Boulevard
Paramedic Lt. David G. Restuccio Way	None	At the intersection of Sheraden Avenue and Westwood Avenue
SSG Michael H. Ollis Way	None	At the intersection of Burbank Avenue and South Railroad Avenue
Brandon Romero Plaza	None	At the northwest corner of West 19 th Street and Ninth Avenue
Firefighter William Tropea Way	None	At the northwest corner of West 11 th Street and Highlawn Avenue
John Mulhern Way	None	At the intersection of South 4 th Street and Hewes Street
Natale "Nat" Cerini Corner	None	At the southwest corner of Belmont Avenue and East 187 th Street
Guadalupe Rodriguez Way	West 173 rd Street	Between Fort Washington and Haven
Addison Branch Way	None	Underneath the St. Paul's Avenue sign at the northeast corner of St. Paul's Avenue and Taxtler Place
William S. Klapach Way	None	At the northeast corner of Fillmore Street and Lafayette Avenue
Major Walter M. Murphy, Jr. Way	None	At the southwest corner of Windsor Road and Manor Road
Carmine Granito and William Smith Way	None	Underneath the Brighton Avenue sign at the intersection of Brighton Avenue and Lafayette Avenue
Elias Karmon Way	None	At the northeast corner of Thwaites Place and Barker Avenue
The Honorable Gloria D'Amico Place	None	At the intersection of 21 st Drive and Shore Boulevard
Sunnyside Gardens Arena Way	None	At the intersection of 45 th Street and Queens Boulevard
Walter McCaffrey Place	None	At the intersection of 61 st Street and Woodside Avenue
Dr. Joan Maynard Way	Buffalo Avenue	Between St. Marks Avenue and Bergen Street
Birdel's Records Way	Nostrand Avenue	Between Atlantic Avenue and Fulton Street

EFFECTIVE DATE: This local law would take effect immediately upon its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014

FISCAL IMPACT STATEMENT:

	Effective FY14	FY Succeeding Effective FY15	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$16,100	\$0	\$16,100
Net	\$16,100	\$0	\$16,100

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

IMPACT ON EXPENDITURES: This legislation would require approximately 56 signs at \$37.50 each and an additional \$14,000 (\$250 per sign) for the installation of these signs. The total cost of enacting this legislation would be approximately \$16,100.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: City Council Finance Division

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

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

LEGISLATIVE HISTORY: This legislation was introduced as intro. 1188 by Council and referred to the Committee on Parks and Recreation on November 14, 2013. Intro. 1188 was subsequently amended as proposed intro. 1188-A. A hearing was held and the legislation laid over by the Committee on December 5, 2013. Proposed intro. 1188-A will be re-considered by the Committee on December 10, 2013 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Fiscal Impact Schedule

New Name	Number of Signs	Cost	Installation (street signs only)	Total Cost
Miguel Angel (Mike) Amadeo Way	1	37.5	250	287.50
Private First Class Carlos James Lozada Place	1	37.5	250	287.50
Rivera Avenue	1	37.5	250	287.50
P.O. Calabrese and P.O. Keegan Plaza	1	37.5	250	287.50
Miles Davis Way	1	37.5	250	287.50
Janet Freeman Way	1	37.5	250	287.50
Janet Freeman Way	1	37.5	250	287.50
Private Danny Chen Way	1	37.5	250	287.50
Bishop Roderick R. Caesar Sr. Way	1	37.5	250	287.50
Apostle John H. Boyd Sr. Way	1	37.5	250	287.50
Reverend Lucile C. Hill Way	1	37.5	250	287.50

Rev. Charles W. Mixon Way	1	37.5	250	287.50
Dora Young Way	1	37.5	250	287.50
Pope John Paul II Way	1	37.5	250	287.50
Teachers College Way	1	37.5	250	287.50
Sylvia P. Woods Way	1	37.5	250	287.50
St. James Place	1	37.5	250	287.50
Grace Gold Way	1	37.5	250	287.50
Dr. John L.S. Holloman Way	1	37.5	250	287.50
Dr. Billy Taylor Way	1	37.5	250	287.50
Jeanne, Jules, Morty Manford PFLAG Way	1	37.5	250	287.50
Richard Italiano Corner	1	37.5	250	287.50
Firefighter Michael G. Behette 9/11 Memorial Way	1	37.5	250	287.50
John and Dorothy Maguire Way	1	37.5	250	287.50
Tom Kane Way	1	37.5	250	287.50
Mrs. Geri Cilmi Place PS 41	1	37.5	250	287.50
Salman Hamdani Way EMT, NYPD Cadet 9-11-01	1	37.5	250	287.50
Fr. Wissa Bessada Way	1	37.5	250	287.50
Korean War Veterans Way	1	37.5	250	287.50
Firefighter Peter J. Carroll Way	1	37.5	250	287.50
Mary V. Lauro Way	1	37.5	250	287.50
Emanuel and Adam Gold Plaza	1	37.5	250	287.50
Yolanda Sanchez Place	1	37.5	250	287.50
Charlie Palmieri Way	1	37.5	250	287.50
William Creech Vietnam Veteran Way	1	37.5	250	287.50
Herbert Ellis Smith "Smitty" Way	1	37.5	250	287.50
Joseph N. Esposito "Lighthouse Joe" Corner	1	37.5	250	287.50
Father Capodanno Place	1	37.5	250	287.50
Edward A. Tierney, Sr. Corner	1	37.5	250	287.50
Soccer Hall of Famer John "Jack" Hynes Way	1	37.5	250	287.50
Paramedic Lt. David G. Restuccio Way	1	37.5	250	287.50
SSG Michael H. Ollis Way	1	37.5	250	287.50
Brandon Romero Plaza	1	37.5	250	287.50
Firefighter William Tropea Way	1	37.5	250	287.50
John Mulhern Way	1	37.5	250	287.50
Natale "Nat" Cerini Corner	1	37.5	250	287.50
Guadalupe Rodriguez Way	1	37.5	250	287.50
Addison Branch Way	1	37.5	250	287.50
William S. Klapach Way	1	37.5	250	287.50
Major Walter M. Murphy, Jr. Way	1	37.5	250	287.50
Carmine Granito and William Smith Way	1	37.5	250	287.50
Elias Karmon Way	1	37.5	250	287.50
The Honorable Gloria D'Amico Place	1	37.5	250	287.50
Sunnyside Gardens Arena Way	1	37.5	250	287.50

Walter McCaffrey Place	1	37.5	250	287.50
Dr. Joan Maynard Way	1	37.5	250	287.50
Birdel's Records Way	56	\$2,100	\$14,000	\$16,100

Corner, Borough of the Bronx, Guadalupe Rodriguez Way, Borough of Manhattan, Addison Branch Way, Borough of Staten Island, William S. Klapach Way, Borough of Staten Island, Major Walter M. Murphy, Jr. Way, Borough of Staten Island, Carmine Granito and William Smith Way, Borough of Staten Island, Elias Karmon Way, Borough of the Bronx, The Honorable Gloria D’Amico Place, Borough of Queens, Sunnyside Gardens Arena Way, Borough of Queens, Walter McCaffrey Place, Borough of Queens, Dr. Joan Maynard Way, Borough of Brooklyn, Birdel’s Records Way, Borough of Brooklyn and the repeal of sections 9, 11, 13, 40 and 46 of local law number 50 for the year 2013, the repeal of section 24 of local law number 34 for the year 2003 and the repeal of section 40 of local law number 48 for the year 2012.

Be it enacted by the Council as follows:

Section 1. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Miguel Angel (Mike) Amadeo Way	None	At the southwest corner of Prospect Avenue and Westchester Avenue

§2. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Private First Class Carlos James Lozada Place	None	At the intersection of Willis Avenue and East 135 th Street

§3. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rivera Avenue	None	At the intersection of 161 st Street and River Avenue

§4. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
P.O. Calabrese and P.O. Keegan Plaza	None	At the southeast corner of 60 th Street and Broadway

§5. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Miles Davis Way	None	At the northwest corner of West 77 th Street and West End Avenue

§6. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Janet Freeman Way	None	At the intersection of Elizabeth Street and Kenmare Street

§7. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Private Danny Chen Way	Elizabeth Street	Between Canal Street and Bayard Street

§8. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop Roderick R. Caesar Sr. Way	None	At the intersection of Guy R. Brewer Boulevard and 110 th Road

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1188-A:)

Int. No. 1188-A

By The Speaker (Council Member Quinn) and Council Members Arroyo, Brewer, Chin, Comrie, Crowley, Dickens, Dromm, Gentile, Halloran, Ignizio, Koppell, Koslowitz, Mark-Viverito, Oddo, Recchia, Reyna, Rivera, Rodriguez, Rose, Vacca, Vallone, Jr., Van Bramer, Vann, James and Gennaro.

A Local Law in relation to the naming of fifty-six thoroughfares and public places, Miguel Angel (Mike) Amadeo Way, Borough of the Bronx, Private First Class Carlos James Lozada Place, Borough of the Bronx, Rivera Avenue, Borough of the Bronx, P.O. Calabrese and P.O. Keegan Plaza, Borough of Manhattan, Miles Davis Way, Borough of Manhattan, Janet Freeman Way, Borough of Manhattan, Private Danny Chen Way, Borough of Manhattan, Bishop Roderick R. Caesar Sr. Way, Borough of Queens, Apostle John H. Boyd Sr. Way, Borough of Queens, Reverend Lucile C. Hill Way, Borough of Queens, Rev. Charles W. Mixon Way, Borough of Queens, Dora Young Way, Borough of Queens, Pope John Paul II Way, Borough of Queens, Teachers College Way, Borough of Manhattan, Sylvia P. Woods Way, Borough of Manhattan, St. James Place, Borough of Manhattan, Grace Gold Way, Borough of Manhattan, Dr. John L.S. Holloman Way, Borough of Manhattan, Dr. Billy Taylor Way, Borough of Manhattan, Jeanne, Jules, Morty Manford PFLAG Way, Borough of Queens, Richard Italiano Corner, Borough of Queens, Firefighter Michael G. Behette 9/11 Memorial Way, Borough of Brooklyn, John and Dorothy Maguire Way, Borough of Brooklyn, Tom Kane Way, Borough of Brooklyn, Mrs. Geri Cilmi Place PS 41, Borough of Queens, Salman Hamdani Way EMT, NYPD Cadet 9-11-01, Borough of Queens, Fr. Wissa Bessada Way, Borough of Staten Island, Korean War Veterans Way, Borough of Staten Island, Firefighter Peter J. Carroll Way, Borough of Staten Island, Mary V. Lauro Way, Borough of the Bronx, Emanuel and Adam Gold Plaza, Borough of Queens, Yolanda Sanchez Place, Borough of Manhattan, Charlie Palmieri Way, Borough of Manhattan, William Creech Vietnam Veteran Way, Borough of Staten Island, Herbert Ellis Smith “Smitty” Way, Borough of Staten Island, Joseph N. Esposito “Lighthouse Joe” Corner, Borough of Staten Island, Father Capodanno Place, Borough of Staten Island, Edward A. Tierney, Sr. Corner, Borough of Staten Island, Soccer Hall of Famer John “Jack” Hynes Way, Borough of Staten Island, Paramedic Lt. David G. Restuccio Way, Borough of Staten Island, SSG Michael H. Ollis Way, Borough of Staten Island, Brandon Romero Plaza, Borough of Manhattan, Firefighter William Tropea Way, Borough of Brooklyn, John Mulhern Way, Borough of Brooklyn, Natale “Nat” Cerini

§9. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Apostle John H. Boyd Sr. Way	None	At the intersection of 219 th Street and Linden Boulevard

§10. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Reverend Lucile C. Hill Way	None	At the intersection of 201 st Street and Linden Boulevard

§11. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. Charles W. Mixon Way	None	At the intersection of 112 th Avenue and Springfield Boulevard

§12. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dora Young Way	None	At the southeast corner of 197 th Street and Linden Boulevard

§13. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Pope John Paul II Way	56 th Road	Between 61 st Street and 64 th Street

§14. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Teachers College Way	120 th Street	Between Broadway and Amsterdam Avenue

§15. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sylvia P. Woods Way	None	At the intersection of West 126 th Street and Malcolm X Boulevard

§16. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
St. James Place	East 126 th Street	Between Madison Avenue and Park Avenue

§17. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Grace Gold Way	West side of Broadway	Between 115 th Street and 116 th Street

§18. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. John L.S. Holloman Way	None	At the northwest corner of 135 th Street and Madison Avenue

§19. The following intersection name, in the Borough of Manhattan, is hereby

designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Billy Taylor Way	None	At the southeast corner of 138 th Street and Fifth Avenue

§20. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jeanne, Jules, Morty Manford PFLAG Way	171 st Street	Between 33 rd Avenue and 35 th Avenue

§21. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Richard Italiano Corner	None	At the northeast corner of 102 nd Street and Strong Avenue

§22. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter Michael G. Behette 9/11 Memorial Way	None	At the intersection of 85 th Street and Fifth Avenue

§23. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
John and Dorothy Maguire Way	None	At the intersection of 79 th Street and Fifth Avenue

§24. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Tom Kane Way	None	At the intersection of 88 th Street and Colonial Road

§25. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mrs. Geri Cilmi Place PS 41	214 Lane	Between 34 th Avenue and 35 th Avenue

§26. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Salman Hamdani Way EMT, NYPD Cadet 9-11-01	204 th Street	Between 35 th Avenue and 34 th Avenue

§27. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Fr. Wissa Bessada Way	None	At the northeast corner of Lindenwood Road and Amboy Road

§28. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Korean War Veterans Way	None	At the northeast corner of Vespa Avenue and Arden Avenue

§29. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter Peter J. Carroll Way	None	Aligned with the Surf Avenue sign on the northeast corner of Surf Avenue and Loretto Street

§30. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mary V. Lauro Way	Matilda Avenue	Between East 236 th Street and East 237 th Street

§31. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Emanuel and Adam Gold Plaza	None	At the intersection of 70 th Avenue and Queens Boulevard

§32. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Yolanda Sanchez Place	None	At the southeast corner of East 120 th Street and Lexington Avenue

§33. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Charlie Palmieri Way	None	At the northwest corner of East 112 th Street and Park Avenue

§34. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
William Creech Vietnam Veteran Way	None	At the intersection of Felton Street and Lamberts Lane

§35. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Herbert Ellis Smith “Smitty” Way	None	At the intersection of Rockland Avenue and Nevada Avenue

§36. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph N. Esposito “Lighthouse Joe” Corner	None	At the intersection of Husson Street and Buel Avenue

§37. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Father Capodanno Place	None	At the intersection of Bank Place and Newberry Avenue

§38. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Edward A. Tierney, Sr. Corner	None	At the intersection of West Fingerboard Road and Clove Road

§39. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Soccer Hall of Famer John “Jack” Hynes Way	None	At the intersection of Tysens Lane and Hylan Boulevard

§40. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Paramedic Lt. David G. Restuccio Way	None	At the intersection of Sheraden Avenue and Westwood Avenue

§41. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
SSG Michael H. Ollis Way	None	At the intersection of Burbank Avenue and South Railroad Avenue

§42. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Brandon Romero Plaza	None	At the northwest corner of West 19 th Street and Ninth Avenue

§43. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter William Tropea Way	None	At the northwest corner of West 11 th Street and Highlawn Avenue

§44. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
John Mulhern Way	None	At the intersection of South 4 th Street and Hewes Street

§45. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Natale “Nat” Cerini Corner	None	At the southwest corner of Belmont Avenue and East 187 th Street

§46. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Guadalupe Rodriguez Way	West 173 rd Street	Between Fort Washington and Haven

§47. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Addison Branch Way	None	Underneath the St. Paul’s Avenue sign at the northeast corner of St. Paul’s Avenue and Taxter Place

§48. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
William S. Klapach Way	None	At the northeast corner of Fillmore Street and Lafayette Avenue

§49. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Major Walter M. Murphy, Jr. Way	None	At the southwest corner of Windsor Road and Manor Road

§50. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Carmine Granito and William Smith Way	None	Underneath the Brighton Avenue sign at the intersection of Brighton Avenue and Lafayette Avenue

§51. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Elias Karmon Way	None	At the northeast corner of Thwaites Place and Barker Avenue

§52. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
The Honorable Gloria D’Amico Place	None	At the intersection of 21 st Drive and Shore Boulevard

§53. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sunnyside Gardens Arena Way	None	At the intersection of 45 th Street and Queens Boulevard

§54. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Walter McCaffrey Place	None	At the intersection of 61 st Street and Woodside Avenue

§55. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
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Dr. Joan Maynard Way	Buffalo Avenue	Between St. Marks Avenue and Bergen Street
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§56. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Birdel’s Records Way	Nostrand Avenue	Between Atlantic Avenue and Fulton Street

§57. Sections 9, 11, 13, 40 and 46 of local law number 50 for the year 2013 are hereby REPEALED.

§58. Section 24 of local law number 34 for the year 2003 is hereby REPEALED.

§59. Section 40 of local law number 48 for the year 2012 is hereby REPEALED.

§60. This local law shall take effect immediately.

MELISSA MARK-VIVERITO, Chairperson; VINCENT J. GENTILE, JAMES VACCA, ELIZABETH S. CROWLEY, DANIEL DROMM, JAMES G. VAN BRAMER; Committee on Parks and Recreation, December 10, 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 of the Committee on Rules, Privileges and Elections

Report for M-1305

Report of the Committee on Rules, Privileges and Elections in favor of approving the re-appointment by the Mayor of Christopher Collins as a member of the New York City Board of Standards and Appeals.

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on November 14, 2013 (Minutes, page 4541), respectfully

REPORTS:

Topic I: New York City Board of Standards and Appeals – (Mayoral candidate for re-appointment upon advice and consent of the Council)

- Christopher Collins [M-1305]

New York City Charter (“Charter”) § 659 provides for the establishment of an independent Board of Standards and Appeals (“BSA”) located within the Office of Administrative Trials and Hearings (“OATH”). The BSA consists of five Commissioners, each appointed by the Mayor for a term of six years. Pursuant to Charter § 31, appointments to the BSA are made with the advice and consent of the Council. The Charter further provides that one of the BSA’s members shall be a planner with professional qualifications and at least ten years’ experience as a planner; one of the members shall be a registered architect and shall have at least ten years’ experience as an architect; and one of the members shall be a licensed and professional engineer and shall have at least ten years’ experience as an engineer. The particular qualifications of the two remaining members are not delineated in the Charter. The Mayor designates one of the members with the required experience of an architect, planner or engineer to serve as Chair, and designates one of the members to serve as Vice-Chair. In the absence of the Chair, or in the event that a vacancy exists in the office of the Chair, the Vice-Chair acts as Chair of the BSA. No more than two members may reside in one borough. The BSA is empowered to: (1) hear and decide appeals from and review, except as otherwise provided by law, any order, requirement, decision or determination of the Commissioner of Buildings or any Borough Superintendent of Buildings acting under written delegation of power from the Commissioner of Buildings filed in accordance with Charter § 645 (b); (2) hear and decide appeals from and review any order, requirement, decision or determination of the fire Commissioner, or any rule or regulation or amendment or repeal thereof made by the Fire Commissioner; or (3) hear and decide appeals from and review any order, requirement or determination of the Commissioner of Transportation, or the Commissioner of the Department of Business Services¹ made in relation to the structures or uses on water front property under his or her jurisdiction in connection with the application or enforcement of the provisions of the Zoning Resolution of the city of New York (“Zoning Resolution”), the labor law and such other laws, rules, and regulations as may govern the construction, alteration,

maintenance, use, occupancy, safety, sanitary conditions, mechanical equipment and inspection of structures in the City.

The BSA has the power to determine and vary the application of the *Zoning Resolution*, and to issue special permits as authorized by the *Zoning Resolution*. The BSA has the same powers as those exercised by the New York State Department of Labor with respect to buildings situated in the City. The BSA may also consider appeals to vary or modify any rule or regulation or the provisions of any law relating to the construction, use, structural changes, equipment, alteration or removal of buildings or structures, or vaults in sidewalks appurtenant thereto, where there are practical difficulties or unnecessary hardship in carrying out the strict letter of the law, so that the spirit of the law shall be observed, public safety secured and substantial justice done.

Each member of the BSA receives a salary, and may not engage in any other occupation, profession or employment. The Chair earns an annual salary of \$192,198. The Vice-Chair receives \$158,075 annually, while the other members earn an annual salary of \$151,237. Members attend the hearings and executive sessions of the BSA, and perform such other duties as may be required by the Chair. The Mayor fills vacancies for the un-expired term of the member whose place becomes vacant with a person having his or her qualifications.

Mr. Collins is scheduled to appear before the Committee on Rules, Privileges, and Elections on Tuesday, December 10, 2013. If re-appointed, Mr. Collins, a resident of Manhattan will be eligible to serve the remainder of a six-year term that will expire on September 1, 2015. Copies of Mr. Collins’ résumé and report/resolution are annexed to this briefing paper.

Topic II: New York City Planning Commission – (Mayoral candidate for re-appointment upon advice and consent of the Council)

- **Alfred C. Cerullo, III [M-1306]**

Section 192 of the *New York City Charter* (“Charter”) states that there shall be a thirteen-member CPC, with seven appointments made by the Mayor (including the Chair), one by the Public Advocate, and one by each Borough President [*Charter* §192(a)]. All members, except the Chair, are subject to the advice and consent of the Council [*Charter* §192(a)]. Further, the *Charter* states that members are to be chosen for their independence, integrity, and civic commitment [*Charter* §192(a)].

The *Charter* provides that CPC members serve for staggered five-year terms, except for the Chair, who as Director of the Department of City Planning (*Charter* §191), serves at the pleasure of the Mayor [*Charter* §192(a)]. For purposes of Chapter 68 (Conflicts of Interest) of the *Charter*, CPC members, other than the Chair, shall not be considered regular employees of the City [*Charter* §192(b)]. There is no limitation on the number of terms that a CPC member may serve [*Charter* §192(a)]. CPC members are prohibited from holding any other City office while they serve on CPC [*Charter* §192(b)]. The Chair receives an annual salary of \$205,180. The member who is designated as Vice-Chair receives an annual salary of \$62,271. The other members receive an annual salary of \$54,150.

CPC is responsible for:

- undertaking long-range planning for the City’s orderly growth, improvement and future development, including appropriate resources for housing, business, industry, recreation and culture [*Charter* §192(d)];
- assisting the Mayor and other officials in developing the ten-year capital strategy, the four-year capital program and the annual *Statement of Needs* [*Charter* §192(f)];
- overseeing and coordinating environmental reviews under the *City Environmental Quality Review* (“CEQR”), as mandated by state law (*Environmental Conservation Law* – Article 8) [*Charter* §192(e)];
- preparing a zoning and planning report at least once every four years, which includes a review of the *Zoning Resolution*, with any recommendations for changes and proposals for implementing planning policies [*Charter* §192(f)]; and
- approving or disapproving the acquisition by the City of office space [*Charter* §195].

CPC has also promulgated rules:

- establishing minimum standards for certifying *Uniform Land Use and Review Procedure* (“ULURP”) applications and specific time periods for pre-certification review [*Charter* §197-c (i)];

- creating capital site selection criteria[*Charter* §218 (a)];
- setting minimum standards for the form and content of plans for the development of the City and boroughs [*Charter* §197-a (b)]; and
- defining “major concessions [*Charter* §374 (b)].”

Mr. Cerullo is scheduled to appear before the Committee on Rules, Privileges, and Elections on Tuesday, December 10, 2013. Upon re-appointment, Mr. Cerullo, a resident of Staten Island, will be eligible to serve the remainder of a five-year term that will expire on June 30, 2016. Copies of Mr. Cerullo’s résumé and report/resolution are annexed to this briefing paper.

Topic III: New York City Health and Hospitals Corporation – (Council candidate for re-designation)

- **Josephine Bolus [Preconsidered M-1354]**

The New York City Health and Hospitals Corporation (“HHC”) was constituted pursuant to Chapter 1016 of the laws of 1969, thereafter codified §7384 *et seq.* of the *Unconsolidated Laws of the State of New York*. HHC is a public benefit corporation whose purpose is to: (a) provide and deliver high quality, dignified and comprehensive care and treatment for the ill and infirm, both physical and mental, particularly to those who can least afford such services; (b) extend equally to all served, comprehensive health services of the highest quality, in an atmosphere of human care and respect; (c) promote and protect, as both innovator and advocate, the health, welfare and safety of the people of the State of New York and of the City of New York; and (d) join with other health workers and communities in a partnership to promote and protect health in its fullest sense—the total physical, mental and social well-being of the people. *HHC By Laws Article II*.

As provided by law, a Board of Directors consisting of sixteen members administers HHC. As specified in HHC By Laws Article IV, §3, the Administrator of the Health Services Administration, the Commissioner of Health,² the Commissioner of Mental Health, Mental Retardation and Alcoholism Services,³ the Administrator of the Human Resources Administration and the Deputy Mayor/City Administrator, or their successors shall be directors ex-officio. Ten additional directors are appointed by the Mayor, five of whom are designated by the City Council.⁴ The President of HHC serves as the sixteenth director.⁵

Under current HHC By-Laws,⁶ the Board of Directors has established the following standing committees: Executive Committee, Finance Committee, Capital Committee, Medical and Professional Affairs Committee, Quality Assurance Committee, Audit Committee, Community Relations Committee, Strategic Planning Committee, and the Equal Employment Opportunity Committee. Each of the standing committees, except the Audit Committee,⁷ shall be composed of the Chair of the Board with approval of a majority of the Board. In addition to standing committees, the Board, by resolution passed by a majority of the whole number of directors, may designate special committees, each to consist of three or more directors, one of whom shall be the Chair of the Board. The Chair of each committee, both standing and special, shall be designated by a majority vote of the Board.

The term of a director, other than those serving ex-officio and/or at the pleasure of the Board, is for five years. The Mayor shall fill any vacancy which may occur by reason of death, resignation, or otherwise, in a manner consistent with the original appointment. The directors do not receive compensation for their services, but are reimbursed for actual and necessary expenses incurred by them in the performance of their official duties.

Ms. Bolus is scheduled to appear before the Committee on Rules, Privileges and Elections on Tuesday, December 10, 2013. If Ms. Bolus, a resident of Brooklyn is re-designated by the Council, and subsequently re-appointed to HHC by the Mayor, she will be eligible to serve for the remainder of a five-year term that will expire on March 20, 2018. Ms. Bolus has been serving as a holdover since March 20, 2013. A copy of Ms. Bolus’ résumé and report/resolution is annexed to this briefing paper.

Attachments

PROJECT STAFF

Charles W. Davis III, Director
Diandra S. Johnson, Legislative Clerk
Amatulla K. Booth – Counsel, Committee on Rules, Privileges and Elections

¹ Charter § 666 (6)(c) still reads “the Commissioner of Ports and Trade.” The Department of Small Business Services (“DSBS”) is recognized as the successor agency to the Department of Ports and Trade. BSA handles DSBS’ requests for interpretive appeals.

² This agency is now known as the Department of Health and Mental Hygiene. The Commissioner of the Department of Health and Mental Hygiene fills the seat for the Commissioner of the Department of Health.

³ In 2002, the Department of Mental Health, Mental Retardation and Alcoholism Services was merged with the Department of Health. The merged agency has been named the Department of Health and Mental Hygiene. HHC’s *By Laws* have not been amended to reflect this name change. The Director of Community Mental Health Services at the merged agency occupies the seat specified in the *By-Laws* for the Commissioner of the Department of Mental Health, Mental Retardation and Alcoholism Services.

⁴ The Mayor must confirm the Council’s designees in order for these individuals to serve on the Board of Directors.

⁵ The President of HHC is also referred to as the Chief Executive Officer. This individual is chosen by the other fifteen directors and serves at the pleasure of the Board of Directors. According to HHC *By-Laws* Article VII, §4(A), the President shall have general charge of the business and affairs of HHC and shall have the direction of all other officers, agents and employees. He or she shall, if present, and in absence of the Chair of the Board and Vice chair of the Board, preside at all meetings of the Board. The President may assign such duties to the other officers of HHC, as he or she deem appropriate. In HHC *By-Laws* Article VIII, §1, it is noted that the President appoints an Executive Director for each HHC facility. This individual serves at the pleasure of the President. Other duties of the President include the establishment of Community Advisory Boards for each HHC facility. Community Advisory Boards consider and advise HHC with respect to the plans and programs of HHC. See *HHC By-Laws*, Article X1.

⁶ As amended through May 31, 2001.

⁷ The Audit Committee consists of members designated by the Board of Directors other than those serving ex-officio.

(After interviewing the candidates and reviewing the relevant material, the Committee decided to approve the appointment of the nominees. For nominee Alfred C. Cerullo, III [M-1306] and Josephine Bolus [M-1354], please see the Report of the Committee on Rules, Privileges and Elections for M-1306 and 1354, respectively, printed in these Minutes. For nominee Christopher Collins [M-1305], please see immediately below)

Pursuant to § 31 and § 659 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Christopher Collins as a member of the New York City Board of Standards and Appeals to serve for the remainder of a six-year term that expires September 1, 2015.

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

Res. No. 2078

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF CHRISTOPHER COLLINS AS A MEMBER OF THE NEW YORK CITY BOARD OF STANDARDS AND APPEALS.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and § 659 of the New York City Charter, the Council does hereby approve the re-appointment by the Mayor of Christopher Collins as a member of the New York City Board of Standards and Appeals for the remainder of a six-year term expiring on September 1, 2015.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, Jr., ERIK MARTIN DILAN, LEWIS A. FIDLER, ROBERT JACKSON, INEZ E. DICKENS, JAMES VACCA, ELIZABETH S. CROWLEY, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN; Committee on Rules, Privileges and Elections, December 10, 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 M-1306

Report of the Committee on Rules, Privileges and Elections in favor of approving the re-appointment of Alfred C. Cerullo, III as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on November 14, 2013 (Minutes, page 4542), respectfully

REPORTS:

(For Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-1305 printed in these Minutes)

Pursuant to §§ 31 and § 851 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Alfred C. Cerullo, III as a member of the New York City Planning Commission to serve for the remainder of a five-year term that expires on June 20, 2016.

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

Res. No. 2079

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOROF ALFRED C. CERULLO, III AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and § 851 of the *New York City Charter*, the Council does hereby approve the re-appointment by the Mayor of Alfred C. Cerullo, III as a member of the New York City Planning Commission for the remainder of a five-year term, which will expire on June 20, 2016.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, Jr., ERIK MARTIN DILAN, LEWIS A. FIDLER, ROBERT JACKSON, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, ELIZABETH S. CROWLEY, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN; Committee on Rules, Privileges and Elections, December 10, 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).

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

Report for M-1354

Report of the Committee on Rules, Privileges and Elections in favor of approving the re-designation of Josephine Bolus as a member of the New York City Health and Hospitals Corporation.

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on December 10, 2013, respectfully

REPORTS:

(For Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-1305 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to the *Unconsolidated Laws of the State of New York*, § 7384, paragraph 1, the Committee on Rules, Privileges and Elections, hereby approves the re-designation by the Council of Josephine Bolus as a member of the New York City Health and Hospitals Corporation Board of Directors to serve for the remainder of a five year term that will expire on March 20, 2018.

This matter was referred to the Committee on December 10, 2013.

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

Res. No. 2080

RESOLUTION APPROVING THE RE-DESIGNATIONBY THE COUNCIL OF JOSEPHINE BOLUS AS A MEMBER OF THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION.

By Council Member Rivera.

RESOLVED, that pursuant to the *Unconsolidated Laws of the State of New York*, § 7384, paragraph 1, the Council does hereby approve the re-designation of Josephine Bolus as a candidate for re-appointment by the Mayor as a member of the New York City Health and Hospitals Corporation Board of Directors to serve for the remainder of a five-year term that will expire on March 20, 2018

JOEL RIVERA, Chairperson; LEROY G. COMRIE, Jr., ERIK MARTIN DILAN, LEWIS A. FIDLER, ROBERT JACKSON, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, ELIZABETH S. CROWLEY, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN; Committee on Rules, Privileges and Elections, December 10, 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 of the Committee on Sanitation and Solid Waste Management

Report for Int. No. 1140-A

Report of the Committee on Sanitation and Solid Waste Management 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 signs posted upon city-owned grassy areas adjacent to a street.

The Committee on Sanitation and Solid Waste Management, to which the annexed amended proposed local law was referred on August 22, 2013 (Minutes, page 3332), respectfully

REPORTS:

Introduction

On Monday, December 9, 2013, the Committee on Sanitation and Solid Waste Management (the “Committee”), chaired by Council Member Letitia James, will conduct a second hearing and a Committee vote on Proposed Int. No. 1140-A, in relation to signs posted upon city-owned grassy areas adjacent to a street. The bill was originally heard by the Committee on November 22, 2013.

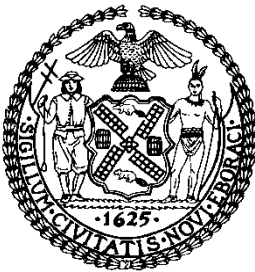
Background

The City’s illegal posting law, found in section 10-119 of the Administrative Code, prohibits any person from posting signs, handbills or other such printed material on City-owned or City-sanctioned property on streets such as sidewalks, lampposts, sign posts, telephone poles and traffic stanchions. The language of the law does not prohibit printed material posted upon on City-owned grass that is adjacent to City streets. Within the last year, certain council members received complaints about an influx of litter caused by printed material placed upon such City property, but DSNY enforcement was unable to address these concerns without a change in section 10-119.

Summary of Proposed Int. No. 1140-A

Section 1 of Proposed Int. No. 1140-A would amend subdivision a of section 10-119 of the Administrative Code to prohibit the posting of signs, handbills and other printed material on city-owned grassy areas adjacent to a street. Section 2 of Proposed Int. No. 1140-A states that this local law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 1140-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: 1140-A

COMMITTEE:
Committee on Sanitation and Solid Waste Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to signs posted upon city-owned grassy areas adjacent to a street.

SPONSOR(S): Council Members Oddo, Fidler, Gentile, James, Koo, Koppell and Rose

SUMMARY OF LEGISLATION: Proposed Int. No. 894-A would amend New York City’s Administrative Code in relation to signs posted upon city-owned grassy areas adjacent to a street.

This legislation would make it unlawful for anyone to paste, post, paint, print, nail or attach or affix by any means any handbill, poster, notice, sign, advertisement, sticker or other printed material upon any city-owned grassy area adjacent to a street that is not posted by order of a city agency.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 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: No impact on revenues is expected.

IMPACT ON EXPENDITURES: No impact on expenditures is expected.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Mayor’s Office of Legislative Affairs
Department of Sanitation (DSNY)

ESTIMATE PREPARED BY: Kate Seely-Kirk, Senior Legislative Financial Analyst

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

LEGISLATIVE HISTORY: On August 22, 2013, Intro. 1140 was introduced by the Council and referred to the Committee on Sanitation and Solid Waste Management. On November 22, 2013 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee will consider an amended version of the legislation, Proposed Intro. 1140-A. on December 10, 2013. Following a successful Committee vote, the Full Council will vote on Proposed Int. 1140-A on December 10, 2013.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1140-A:)

Int. No. 1140-A
By Council Members Oddo, Fidler, Gentile, James, Koo, Koppell, Rose, Dromm, Van Bramer and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to signs posted upon city-owned grassy areas adjacent to a street.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 10-119 of the administrative code of the city of New York, as amended by local law number 2 for the year 2003, is amended to read as follows:

a. It shall be unlawful for any person to paste, post, paint, print, nail or attach or affix by any means whatsoever any handbill, poster, notice, sign, advertisement, sticker or other printed material upon any curb, gutter, flagstone, tree, lamppost, awning post, telegraph pole, telephone pole, public utility pole, public garbage bin, bus shelter, bridge, elevated train structure, highway fence, barrel, box, parking meter, mail box, traffic control device, traffic stanchion, traffic sign (including pole), tree box, tree pit protection device, bench, traffic barrier, hydrant, public pay telephone, *city-owned grassy area adjacent to a street*, any personal property maintained on a [city] street or other city-owned property pursuant to a franchise, concession or revocable consent granted by the city or other such item or structure in any street, or to direct, suffer or permit any servant, agent, employee or other person under his or her control to engage in such activity; provided, however, that this section shall not apply to any handbill, poster, notice, sign, advertisement, sticker or other printed material so posted by or under the direction of the council, or by or under the direction of any city agency, or pursuant to a franchise, concession or revocable consent granted pursuant to chapter fourteen of the charter.

§2. This local law shall take effect immediately.

LETITIA JAMES, Chairperson; MICHAEL C. NELSON, ROBERT JACKSON, MARIA del CARMEN ARROYO; Committee on Sanitation and Solid Waste Management; December 9, 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 of the Committee on Small Business

Report for Int. No. 1191-A

Report of the Committee on Small Business in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to providing business owners the ability to indicate a language preference for agency inspections.

The Committee on Small Business, to which the annexed amended proposed local law was referred on November 14, 2013 (Minutes, page 4759), respectfully

REPORTS:

Introduction

On December 6th, the Committee on Small Business, chaired by Council Member Diana Reyna, will hold a hearing on Proposed Int. No. 1191-A, a local law that would amend the New York City Charter and the Administrative Code of the City of New York, in relation to providing business owners the ability to indicate a language preference for agency inspections. On November 22, 2013, the Committee held its first hearing on Int. No. 1191. The Committee heard and received testimony from the Administration’s Office of Operations, as well as advocates and other stakeholders. Following that hearing, the bill was amended.

BACKGROUND AND ANALYSIS:

A 2011 study by the Fiscal Policy Institute found that 69,411 small business owners in New York City, about 48% of the total number, are immigrants.¹ The study also found that in New York City immigrants own a majority of small businesses in a variety of sectors, including 90% of dry cleaners and taxi and limousine services, 84% of grocery stores, 70% of beauty salons, and 69% of restaurants and other food service businesses.² In spite of these numbers, *The New York Times* reported that “immigrants in New York are less likely than nonimmigrants to own a business that has been running for more than three-and-a-

half years, and more likely to have shut down a business within the past year.”³ Among the reasons, the *Times* cited “a sea of obstacles beyond the normal challenges that all small business owners face” including confusion and lack of awareness about the city’s business regulations and permitting rules due to language barriers.⁴ This bill seeks to improve communication between city agencies and the small businesses they license, permit, and inspect by requiring that small business owners be provided the opportunity to indicate a language preference for inspections conducted by such agencies, and that the city’s business owner’s bill of right inform such business owners of their right to indicate such a preference.

Legislative Summary

Section 1 of the bill would amend the New York City Charter to require the business owner’s bill of rights to include a right to access information in a language other than English and a right to request language interpretation services in connection with agency inspections of the business. Further, section 1 of the bill would require the Mayor’s Office of Operations to develop and implement a plan for business owners to indicate the language in which they would prefer agency inspections be conducted and to the extent practicable inform all relevant agencies of such preferences.

Section 2 of the bill would amend the New York City Charter to require that every application for a permit or a renewal of an existing permit issued by the Department of Health and Mental Hygiene (DOHMH) pursuant to the authorization of the Board of Health provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such permit be conducted, or alternatively that it provide an opportunity to indicate a need for language interpretation services in connection with such inspections. This provision would also provide that failure to comply with such preferences shall not create a cause of action or a defense in any legal or administrative proceeding.

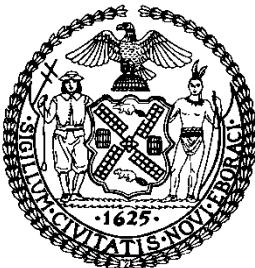
Bill section 3 would create a new subchapter 1 of chapter 3 of title 17 of the Administrative Code to require that every application for a license or permit or a renewal of an existing license or permit issued by DOHMH provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such permit be conducted, or alternatively that it provide an opportunity to indicate a need for language interpretation services in connection with such inspections. This provision would also provide that failure to comply with such preference shall not create a cause of action or a defense in any legal or administrative proceeding.

Section 4 of the bill would amend section 20-107 of the Administrative Code to require that every application for a license or a renewal of an existing license issued by the Department of Consumer Affairs provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such license be conducted, or alternatively that it provide an opportunity to indicate a need for language interpretation services in connection with such inspections. This provision would also provide that failure to comply with such preference shall not create a cause of action or a defense in any legal or administrative proceeding.

Section 5 of the bill specifies that this legislation shall take effect one hundred twenty days after its enactment into law.

¹ FISCAL POLICY INSTITUTE, IMMIGRANT SMALL BUSINESSES IN NEW YORK CITY 1 (2011), available at http://www.fiscalpolicy.org/FPI_ImmigrantSmallBusinessesNYC_20111003.pdf
² *Id.* at 2.
³ Patrick Wall, *Immigrants Play Key Role as City Entrepreneurs, Study Finds*, N.Y. TIMES, Oct. 4, 2011, available at http://cityroom.blogs.nytimes.com/2011/10/04/immigrants-play-key-role-as-city-entrepreneurs-study-finds/?_r=0
⁴ *See Id.*

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



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY
DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1191-A
COMMITTEE:
Small Business

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to providing business owners the ability to indicate a language preference for agency inspections.

SPONSOR(S): Gonzalez, Brewer, Chin, James, Koppell, Nelson, Reyna, Eugene, Koo and King

SUMMARY OF LEGISLATION:

Proposed Intro. 1191-A would amend the New York City Charter to require the office of operations to develop a business owner's bill of rights. The bill of rights shall be in the form of a written document, drafted in plain language that advises business owners of their rights as they relate to agency inspections. The bill of rights shall include, but not be limited to, notice of every business owner's right to: i) consistent enforcement of agency rules; ii) compliment or complain about an inspector or inspectors, and information sufficient to allow a business owner to do so; iii) contest a notice of violation before the relevant local tribunal, if any; iv) an inspector who behaves in a professional and courteous manner; v) an inspector who can answer reasonable questions relating to the inspection, or promptly makes an appropriate referral; [and] vi) an inspector with a sound knowledge of the applicable laws, rules and regulations; vii) access information in languages other than English; and viii) request language interpretation services for agency inspections of the business.

To the extent practicable, the office of operations shall develop and implement a plan for each business owner to indicate the language in which such owner would prefer that agency inspections of the business be conducted. To the extent practicable, the office of operations shall also develop and implement a plan to inform all relevant agencies of such respective language preference.

Every application for a permit or a renewal of an existing permit issued by the commissioner pursuant to this section shall provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such permit be conducted or alternatively for which language interpretation services be provided. Nothing in this subdivision nor any failure to comply with such preference shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

EFFECTIVE DATE: This local law would take effect one hundred and twenty days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2015

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: The legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: It is anticipated that the impact on expenditures resulting from the enactment of this legislation will be de minimis and will be handled internally by the agency using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Mayor’s Office of Management and Budget (OMB) Mayor’s Office of Legislative Affairs

ESTIMATE PREPARED BY: Aliya Ali, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on November 14, 2013 as Proposed Intro. 1191 and was referred to the Committee on Small Business. A hearing was held by the Committee on November 22, 2013 and the bill was laid over. An amended version of the legislation, Proposed Intro. 1191-A, is scheduled to be considered by the Committee on December 6, 2013, and upon successful vote of the Committee, Proposed Intro. 1191-A will be submitted to the Full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

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

Int. No. 1191-A

By Council Members Gonzalez, Brewer, Chin, James, Koppell, Nelson, Reyna, Eugene, Koo, King, Van Bramer, Dromm, Rodriguez, Gennaro, Greenfield and Jackson.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to providing business owners the ability to indicate a language preference for agency inspections.

Be it enacted by the Council as follows:

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

f. 1. The office of operations shall develop a business owner's bill of rights. The bill of rights shall be in the form of a written document, drafted in plain language, that advises business owners of their rights as they relate to agency inspections. The bill of rights shall include, but not be limited to, notice of every business owner's right to: i) consistent enforcement of agency rules; ii) compliment or complain about an inspector or inspectors, and information sufficient to allow a business owner to do so; iii) contest a notice of violation before the relevant local tribunal, if any; iv) an inspector who behaves in a professional and courteous manner; v) an inspector who can answer reasonable questions relating to the inspection, or promptly makes an appropriate referral; [and] vi) an inspector with a sound knowledge of the applicable laws, rules and regulations; vii) *access information in languages other than English; and viii) request language interpretation services for agency inspections of the business.*

2. To the extent practicable, the office of operations shall develop and implement a plan to distribute the bill of rights to all relevant business owners, including via electronic publication on the internet, and to notify such business owners if the bill of rights is subsequently updated or revised. The office of operations shall also develop and implement a plan in cooperation with all relevant agencies to facilitate distribution of a physical copy of the bill of rights to business owners or managers at the time of an inspection, except that if the inspection is an undercover inspection or if the business owner or manager is not present at the time of the inspection, then a copy of the bill of rights shall be provided as soon as practicable.

3. *To the extent practicable, the office of operations shall develop and implement a plan for each business owner to indicate the language in which such owner would prefer that agency inspections of the business be conducted. To the extent practicable, the office of operations shall also develop and implement a plan to inform all relevant agencies of such respective language preference.*

4. The bill of rights shall serve as an informational document only and nothing in this subdivision or in such document shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§ 2. Section 561 of the New York city charter is amended to read as follows:

§ 561. Permits. *a.* The board of health in its discretion may grant, suspend or revoke permits for businesses or other matters in respect to any subject dealt with in the health code and regulated by the department and may prescribe reasonable fees for the issuance of said permits. Whenever the board of health in the health code authorizes the issuance, suspension or revocation of a permit by the commissioner, his action shall be subject to review by the board of health upon an appeal by the party aggrieved under such rules as the board may provide. Such rules may provide in what cases an appeal may stay the action of the commissioner until final determination by the board of health, but notwithstanding any such rule the board of health shall have power to grant or refuse a stay in any particular case.

b. Every application for a permit or a renewal of an existing permit issued by the commissioner pursuant to this section shall provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such permit be conducted or alternatively for which language interpretation services be provided. Nothing in this subdivision nor any failure to comply with such preference shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§ 3. Chapter 3 of title 17 of the administrative code of the city of New York is amended by adding a new subchapter 1 to read as follows:

Subchapter 1 Administrative provisions

§ 17-301 *Language preference for inspections.* Every application for a license or a permit, or the renewal of an existing license or an existing permit to be issued by the commissioner pursuant to this chapter shall provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such license or permit be conducted or alternatively for which language interpretation services be provided. Nothing in this subdivision nor any failure to comply with such preference shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§ 4. Section 20-107 of the administrative code of the city of New York is amended to read as follows:

§ 20-107 Application; filing fee; license fee. *a.* All applications for licenses shall be made to the commissioner or the commissioner's designee in such form and detail as shall be prescribed.

b. Every application for a license or the renewal of an existing license shall provide an opportunity for the applicant to indicate the language in which he or she

would prefer that inspections in connection with such license be conducted. Nothing in this subdivision nor any failure to comply with such preference shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

c. Except as specifically provided in chapter two, every application shall include the license fee for the full license term. If the license is not issued, the lesser of fifty dollars or one-half of the amount of the annual license fee shall be retained by the department as a non-returnable filing fee. In the event a license is issued for less than the full license term, the applicable fee shall be decreased proportionately to the nearest half year, except that in no case shall the fee be less than the fee for one-half year. Where a two year license is surrendered for a reason other than suspension or revocation and less than one year of the license term has expired, the licensee may apply for a refund of an amount equal to one year's license fee. Except as otherwise specifically provided for in chapter two, reference to fees, license fees or any other word of similar import shall be deemed to be the license fee for one year. Notwithstanding any inconsistent provision of this section, whenever the commissioner increases or decreases the term of a type of license pursuant to section 20-108 of this chapter, the fee for such license shall be increased or decreased proportionately and the amount of refund due upon surrender of such license before the expiration of the term for a reason other than suspension or revocation shall be prorated to the unexpired term.

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

DIANA REYNA, Chairperson; MATHIEU EUGENE, MARGARET S. CHIN, PETER A. KOO. RUBEN WILLS, ANDY L. KING; Committee on Small Business, December 9, 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 Transportation

Report for Int. No. 635-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring online publication of commuter van information.

The Committee on Transportation, to which the annexed amended proposed local law was referred on July 28, 2011 (Minutes, page 3799), respectfully

REPORTS:

INTRODUCTION

On December 9, 2013, the Committee on Transportation, chaired by Council Member James Vacca, will hold a hearing on Proposed Int. No. 635-A, a Local Law to amend the Administrative Code of the City of New York, in relation to requiring online publication of commuter van information. This will be the second hearing on this bill. The first hearing was held on October 31, 2013 at which the Committee heard testimony from representatives of the New York City Taxi and Limousine Commission (TLC) as well as other interested stakeholders and community members.

BACKGROUND

Commuter vans serve the transportation needs of many communities, particularly those underserved by other mass transportation options.¹ They are also one of the City’s most flexible transportation services, able to adapt to serve customers during emergencies such as hurricanes and transit strikes.² However, some community groups have complained about various commuter van-related issues, including passengers littering while waiting to be picked up, traffic congestion, and double parking.³ Community leaders have also claimed that the City insufficiently consults with community boards regarding commuter van service applications.⁴

The Administrative Code defines a commuter van as “having a seating capacity of at least nine passengers but not more than twenty passengers” and “carrying passengers for hire in the City duly licensed as a commuter van by [TLC] and not permitted to accept hails from prospective passengers in the street.”⁵ It defines a commuter van service as an entity that “provides a transportation service through the use of one or more commuter vans on a prearranged regular daily basis, over non-specified or irregular routes, between a zone in a residential neighborhood and a location which shall be a work related central location, a mass transit or mass transportation facility, a shopping center, recreational facility or airport.”⁶

The Code requires commuter van services to gain approval from TLC in order to operate legally in the City.⁷ Before TLC can approve an application to

operate a commuter van service, the Department of Transportation (DOT) must determine that the service proposed “will be required by the present or future public convenience and necessity” and must “specify the geographic area where service is authorized and the number of commuter vans authorized to be used in providing such service.”⁸ DOT must notify all affected Council Members and community boards of the application for the purposes of obtaining their comment.⁹

TLC displays on its website a map of approved commuter van services and their authorized geographic service areas, updated as of August 2, 2010.¹⁰ It lists 42 approved commuter van services.¹¹ Proposed Int. No. 635-A would make this information more complete by requiring TLC’s website to be updated with any new commuter van service’s designated geographic service area and the approved number of commuter vans the service may use each time a new service is approved.

AMENDMENTS

Since the first hearing on Proposed Int. No. 635-A, several amendments to the bill have been made, including the removal of language that would have added affected community boards as recipients of determinations of approval of applications for authorization to operate a commuter van service from TLC, dropping the removal of language relating to the ability of the Council to “call up” such determinations for review, and the removal of language that would have required the Department of City Planning (DCP) to submit reports reflecting the results of any future commuter van service policy studies. Language was added that would require TLC to post on its website links to all City laws and rules governing the operation of commuter vans.

ANALYSIS

Section one of Proposed Int. No. 635-A would amend section 19-504.2 of the Administrative Code by adding a new subdivision l. New subdivision l would require TLC to post on its website links to all New York City laws and rules governing the operation of commuter vans. It would also require that, not more than three days after issuing an authorization to operate a commuter van service, TLC post on its website the geographic area where such service is authorized and the number of commuter vans authorized to be used in providing such service.

Section two of Proposed Int. No. 635-A states that the local law would take effect ninety days after its enactment.

¹ Remarks by Mayor Bloomberg at a Public Hearing on Local Laws, 10/9/2007 http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pagelD=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2007b%2Fpr360-07.html&cc=unused1978&rc=1194&ndi=1
² <http://blogs.wsj.com/metropolis/2012/10/29/with-mass-transit-missing-dollar-vans-fill-the-gap/> and http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pagelD=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2005b%2Fpr462-05.html&cc=unused1978&rc=1194&ndi=1
³ http://www.foresthillstimes.com/view/full_story/7167066/article-Commuter-van-industry-growing-in-Maspeth
⁴ *Id.*
⁵ Section 19-502 of the Administrative Code of the City of New York
⁶ *Id.*
⁷ Section 19-504.2 of the Administrative Code of the City of New York
⁸ *Id.*
⁹ *Id.*
¹⁰ http://www.nyc.gov/html/tlc/downloads/pdf/commuter_van_rt_0822010.pdf accessed on 10/25/2013
¹¹ http://www.nyc.gov/html/tlc/downloads/pdf/commuter_van_rt_legend.pdf accessed on 10/25/2013

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 635-A:)

Int. No. 635-A
By Council Members Crowley, Fidler, Gentile, James, Koppell, Koslowitz, Mealy, Rose, Rivera, Vallone, Gonzalez, Nelson, Mark-Viverito, Rodriguez, Van Bramer, Vacca, Dromm, Greenfield, Gennaro, Jackson and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to requiring online publication of commuter van information.

Be it enacted by the Council as follows:

Section 1. Section 19-504.2 of the administrative code of the city of New York is amended by adding a new subdivision l to read as follows:
l. The commission shall post on its website links to all New York city laws and rules governing the operation of commuter vans. Not more than three days after

issuing an authorization to operate a commuter van service, the commission shall post on its website the geographic area where such service is authorized and the number of commuter vans authorized to be used in providing such service.

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

JAMES VACCA, Chairperson; GALE A. BREWER, G. OLIVER KOPPELL, DARLENE MEALY, YDANIS A. RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, ERIC A. ULRICH,; Committee on Transportation, December 9, 2013.

Laid Over by the Council.

Report for Int. No. 844-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to an electric vehicle advisory committee.

The Committee on Transportation, to which the annexed amended proposed local law was referred on April 30, 2012 (Minutes, page 1398), respectfully

REPORTS:

INTRODUCTION

On December 9, 2013, the Committee on Transportation, chaired by Council Member James Vacca, will hold a hearing on Proposed Int. No. 844-A, a Local Law to amend the Administrative Code of the City of New York, in relation to an electric vehicle advisory committee. This will be the second hearing on this bill. The first hearing was held on November 12, 2013, and the Committee received written testimony from the Department of Transportation (“DOT”), and testimony from the Mayor’s Office of Long Term Planning and Sustainability as well as other interested stakeholders and community members. This bill has been amended since the first hearing.

BACKGROUND

Introduction

New York City has one of the largest transportation infrastructures in the world, and automobiles are a crucial component of that infrastructure. In addition to private automobiles, large government and industrial fleets support the City economy. As oil and gas prices have become more volatile in recent years, and environmental conservation has become more important, the City has moved to makes its transportation transit greener.¹ It is estimated that by 2030, 44 percent of all gas emissions in New York City will come from the transportation sector, up from 22 percent in 2010.²

It is expected that by 2015, up to 16 percent of all new vehicles purchased in New York City will be electric vehicles (“EV”).³ On July 12, 2011, Mayor Michael R. Bloomberg announced that the City would be increasing its fleet of electric vehicles by 70 cars.⁴ At the time of the July 12 announcement, New York City already had one of the largest fleets of hybrid and electric vehicles in the nation.⁵

However, the promise of less reliance on fossil fuels and better environmental outcomes also poses a number of challenges to EV adoption, including the high cost of vehicles and the lack of infrastructure to support the vehicle charging. A subset problem of a lack of charging infrastructure is range anxiety.

Sample Comparison of Electric Vehicles⁶

Model	Price \$ (MSRP)	Driving Range (miles)
2013 Tesla Model S	69,900	208
BMW i3	41,350	80-100
2013 Chevrolet Volt Plug-In Hybrid	39,145	38-380
2013 Nissan Leaf	28,800	75
Honda Fit	36,625	82
Smart ForTwo Electric	28,800	68

Electric Vehicles

Currently three types of electric vehicles exist on the market: hybrid electric vehicles (“HEV”), plug-in hybrid electric vehicles (“PHEV”), and battery electric vehicles (“BEV”). Hybrid electric vehicles operate on conventional fossil fuels, but can also charge an electric battery by converting fuel into electricity. Plug-in hybrid electric vehicles are a powered by a combination of fuel and electricity, and the battery is recharged through an external source (examples of PHEVs are the Toyota

Prius and Chevy Volt). Battery electric vehicles operate exclusively by a rechargeable electric pack (an example of a BEV is the Nissan Leaf).

PHEVs and BEVs each require that the vehicle has access to an external charging station, since these vehicles are either partly or exclusively charged by an electric battery. The first public charging station in New York City opened in July 2010.⁷ The charging station, located in a public parking lot near Port Authority, was made possible by a \$37 million grant from the federal government.⁸ There are currently 150 charging stations in New York City.⁹

Charging Infrastructure

Charging infrastructure is crucial to mass adoption of electric vehicles, especially by individual consumers. Some estimate that by 2030, there will be 123 million electric vehicles in the United States, and by 2040, up to 75 percent of all vehicles in the United States will be powered by electricity.¹⁰

Electric vehicles can be charged in a home garage using a conventional AC plug, or they can be charged at public charging stations. There are three levels of charging stations currently available, with each level corresponding to different speeds at which an EV can be charged. Level 1 charging is best for charging PHEVs, and uses 120 volt AC, but it can take up to 20 hours to recharge an electric vehicle battery.¹¹ Level 2 charging is typically necessary for BEVs, and uses a 240 volt AC, but allows a vehicle to be recharged in 6 to 8 hours.¹² Level 3 charging allows for the fastest recharging time, between 15 to 20 minutes, but uses a 300 or higher DC electricity.¹³

While Level 3 charging is the fastest, its prohibitive cost means that it is only available at public charging stations and public/private garages. Level 1 and Level 2 charging can be done in private homes; however, Level 2 charging requires an electric upgrade for which a Department of Building permit is necessary. In New York City, it is expected that much of the initial demand for electric vehicles will be concentrated in Manhattan and parts of Brooklyn and Queens; therefore, much of the charging infrastructure will need to be concentrated on street and in public and private garages.¹⁴ However, it expected that as electric vehicles become attractive to more consumers, charging infrastructure will expand to all five boroughs.¹⁵

If electric vehicles are to gain popularity in the consumer market, the issue of range anxiety must be addressed. This issue, however, can only be addressed with adequate charging infrastructure. However, it should be noted that among early adopters, density of charging infrastructure is less important, because instead early adopters are motivated by other considerations, such as improving the environment.¹⁶

Proposed Int. No. 844-A would require the establishment of an electric vehicle advisory committee. The new advisory committee would make recommendations on the best ways to promote electric vehicle adoption, and other issues related to charging stations, parking and regulatory matters.

ANALYSIS

Section one of Proposed Int. No. 844-A would amend subchapter 1 of chapter 19 of the Administrative Code of the City of New York by adding a new section 19-101.5. Subdivision a of such new section would establish an electric vehicle advisory committee. Committee members would include: the Commissioner of DOT, who shall serve ex officio and appoint a chairperson, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Buildings, and the Director of the Mayor’s Office of Long Term Planning and Sustainability, or the designee of each such Commissioner or Director; at least one representative from the electric vehicle industry appointed by the DOT Commissioner; the City Council Speaker or his or her designee; the five borough presidents or their designees; and transportation and environmental advocates appointed by the DOT Commissioner. The appointed members of the advisory committee shall serve without compensation.

The new section would require that the advisory committee meet at least twice per year. The advisory committee would make recommendations on or before February 1 annually, beginning in 2015, on ways to promote the usage of electric vehicles among the general public, which shall include consideration of methods to enhance the availability of electric vehicle charging methods and of parking, regulatory, technical and fiscal issues surrounding the increased use of electric vehicles in New York City.

Subdivision b of such new section would require that the recommendations of the new advisory committee be sent to the Mayor and the City Council Speaker, and be posted to the City’s website within 10 days of their release.

Subdivision c of such new section would require the appointment of committee members within 180 days after the enactment of this law. Subdivision c of such new section would also state that the new advisory committee will cease to exist 5 years following the date of the first meeting of the committee.

Section two of Proposed Int. No. 844-A **states that the** local law would take effect immediately upon its enactment into law.

¹ For discussion regarding oil consumption in the transportation sector, *see* Electrification Roadmap: Revolutionizing Transportation and Achieving Energy Security, November 2009, obtained at http://www.electrificationcoalition.org/sites/default/files/SAF_1213_EC-Roadmap_v12_Online.pdf.
² PlanNYC: Exploring electric vehicle adoption in New York City, January 2010, at 2. (“PlanNYC EV Study”)
³ *Id.* at 3.
⁴ Press Release. Mayor Bloomberg announces addition of 70 new electric vehicles to City’s fleet and launches new City efforts to inform the public about electric vehicles, July 12, 2012. Accessed

at <http://www1.nyc.gov/office-of-the-mayor/news/248-11/mayor-bloomberg-addition-70-new-electric-vehicles-city-s-fleet-launches-new> on December 6, 2013.

⁵ Id.

⁶ Information obtained at <http://www.businessinsider.com/electric-car-comparison-chart-2013-8>. Accessed on December 6, 2013.

⁷ Press Release. Mayor Bloomberg, HUD Secretary Donovan and Coulomb Technologies announce first public electric vehicle charging stations in New York City, July 14, 2010. Accessed at http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pagelD=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2010b%2Fpr313-10.html&cc=unused1978&rc=1194&ndi=1, on December 6, 2013.

⁸ Id.

⁹ Information provided by the Mayor’s Office of Long Term Planning and Sustainability.

¹⁰ Information obtained from presentation by Recharge Solutions, LLC, at slide 1.

¹¹ Lena Bensal et al. Enhancing the feasibility of electric vehicles in New York City, Columbia University, at 5. (“Columbia Study”)

¹² Id.

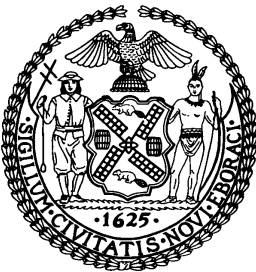
¹³ Id.

¹⁴ Columbia Study, at 7.

¹⁵ Id.

¹⁶ PlanNYC EV Study, at 14

(The following is the text of the Fiscal Impact Statement for Int. No. 844-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: 844-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to an electric vehicle advisory committee.

Sponsor: By Council Members Brewer, Dromm, James, Koppell, Koslowitz, Lander, Levin, Mendez, Palma, Recchia, Vann, Williams, Wills, Mark-Viverito, Halloran, Rose and Greenfield

SUMMARY OF LEGISLATION: This legislation would amend subchapter 1 of chapter 1 of title 19 of the Administrative Code of the city of New York to require the establishment of an electric vehicle advisory committee. The bill would require that the committee meet at least two times a year and make recommendations on or before February 1 annually, beginning in 2015, on ways to promote the usage of electric vehicles among the general public, including methods to enhance the availability of charging methods, as well as parking, regulatory, technical and fiscal issues relating to electric vehicles.

The committee’s members would include: Commissioner of the Department of Transportation (“DOT”), Commissioner of the Department of Environmental Protection, Commissioner of the Department of Buildings, Director of the Office of Long Term Planning, at least one member of the electric vehicle industry, the Speaker of the City Council, the five borough Presidents, and other transportation and environmental advocates. The non-governmental members would be appointed by the DOT Commissioner, who would also appoint the chairperson of the committee. The appointed members of the advisory committee would serve without compensation.

The Committee would be in existence until five years after its initial meeting.

EFFECTIVE DATE: This local law would take effect immediately upon enactment.

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 would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Department will use existing resources to implement this local law and the appointed committee members will not receive compensation, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Council Finance Division
Mayor’s Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Tanisha Edwards, Finance Counsel

HISTORY: Introduced as Intro. 844 by the Council on April 30, 2012 and referred to the Committee on Transportation. A joint hearing was held by the Committees on Transportation and Housing and Buildings on November 12, 2013 and the bill was laid over. The legislation has been amended, and the amended version, Proposed Intro. 844-A will be considered by the Committee on Transportation on December 9, 2013 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 844-A:)

Int. No. 844-A

By Council Members Brewer, Dromm, James, Koppell, Koslowitz, Lander, Levin, Mendez, Palma, Recchia, Vann, Williams, Wills, Mark-Viverito, Rodriguez, Vacca, Rose, Greenfield, Chin, Van Bramer, Gentile, Eugene, Gennaro, Jackson and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to an electric vehicle advisory committee.

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 19-101.5 to read as follows:

§19-101.5 Electric vehicle advisory committee. a. There shall be an advisory committee on electric vehicles in New York city. Committee members shall include the commissioner of the department, who shall serve ex officio and appoint a chairperson, the commissioner of the department of environmental protection, the commissioner of the department of buildings, and the director of the office of long term planning and sustainability, or the designee of each such commissioner or director, at least one representative from the electric vehicle industry appointed by the commissioner of the department, the speaker of the city council or his or her designee, the five borough presidents or their designees and transportation and environmental advocates appointed by the commissioner of the department. The appointed members of the advisory committee shall serve without compensation. The advisory committee shall meet at least twice per year and shall make recommendations on or before February 1 annually, commencing in 2015, on ways to promote the usage of electric vehicles among the general public, which shall include consideration of methods to enhance the availability of electric vehicle charging methods and of parking, regulatory, technical and fiscal issues surrounding the increased use of electric vehicles in New York City.

b. Recommendations of the advisory committee pursuant to subdivision a of this section shall be sent by the committee to the mayor and the speaker of the council and shall be made available on the city’s website within ten days of the release of any such recommendations.

c. Appointment of committee members shall occur within one hundred eighty days of the enactment of this section. The advisory committee shall cease to exist five years following the date of the first meeting of such committee.

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

JAMES VACCA, Chairperson; GALE A. BREWER, G. OLIVER KOPPELL, DARLENE MEALY, YDANIS A. RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, ERIC A. ULRICH,; Committee on Transportation, December 9, 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 Int. No. 930-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to reporting data regarding taxi and for hire vehicle inspections by the taxi and limousine commission.

The Committee on Transportation, to which the annexed amended proposed local law was referred on September 12, 2012 (Minutes, page 3493), respectfully

REPORTS:

INTRODUCTION

On, December 9, 2013, the Committee on Transportation, chaired by Council Member James Vacca, will hold a hearing on Proposed Int. No. 930-A. This legislation would amend Section 2302 of the New York City Charter by adding a new subdivision b. This bill would require the Taxi and Limousine Commission (“TLC”) to issue a quarterly report to the Council regarding the average wait time encountered by TLC-licensed drivers to secure a vehicle inspection at assigned inspection facilities as required under TLC rules. In particular, the report would disclose any instance when the wait for an inspection exceeds four weeks. This is the second hearing on this legislation. The first hearing on this legislation was held on November 26, 2012, and the Committee heard testimony from the representatives of Taxi and Limousine Commission, as well as interested stakeholders and community leaders. Amendments to this legislation have been made since the first hearing.

BACKGROUND

In accordance with Section 301 of the New York State Vehicle and Traffic Law (“VAT”), the New York State Department of Motor Vehicles (“DMV”) requires every motor vehicle registered in New York State to have an annual safety inspection regarding the vehicle brakes, steering mechanism, wheel alignment, lights, the readiness of the inflatable restraint system, the correct installation of an air contaminant emission system, and a vehicle emissions inspection in consultation with the New York State Department of Environmental Conservation (“DEC”) rules.¹

Before any licensed TLC taxicab can operate on the road it has to pass 1) a TLC inspection to verify compliance with the inspection items required by section 301 of the VAT, 2) a visual inspection of the interior and exterior of the taxicab to verify compliance with the rules of the TLC, for example, that the taxicab has the required TLC license plates, partitions, and decals, and 3) an inspection to verify compliance with any other applicable laws, rules and requirements.² If a taxicab fails any component of an inspection, it must be re-inspected until it passes all components of the inspection.³ A TLC licensed taxicab has to pass inspection every four months, i.e. three times per year, and at any other such time that the Commission deems necessary.⁴ These inspections take place at the TLC’s Woodside, Queens inspection facility.⁵

The inspection requirements for TLC licensed for-hire vehicles (“FHV”) are that the vehicle must pass 1) the vehicle inspection requirements set forth in section 301 of the VTL, 2) a visual inspection of the interior and exterior of the vehicle to verify compliance with TLC rules, for example to ensure that registration stickers and license plates are properly affixed and that the camera system is in working order, and 3) an inspection to verify compliance with any other applicable laws, rules and requirements.⁶ Inspections are required for new vehicles, when a license is transferred to a different vehicle, and every two years when the license is renewed.⁷ These inspections also take place at the Woodside facility.⁸

On March 1, 2012, the Transportation Committee held an oversight hearing on TLC inspections. At the hearing, TLC Chairman David Yassky testified that vehicles typically get an inspection within “three or four days” of the application for an inspection.⁹ However, the Livery Roundtable testified that drivers sometimes “go weeks without pay waiting for the TLC to schedule an inspection appointment at the Woodside facility.”¹⁰ The NYC Fleet Livery Owners Association testified that vehicle inspection appointments in “most cases” are not scheduled for “upwards of 3 weeks” after the application is submitted.¹¹

ANALYSIS

Section one of Proposed Int. No. 930-A would amend Section 2302 of the New York City charter by adding a new subdivision b. New subdivision b would require TLC to issue a quarterly report to the Council regarding the average wait time encountered by drivers to secure a vehicle inspection at assigned inspection facilities as required under TLC rules. The report to the Council would be made on or before the second Monday of March, June, September, and December of each year. Additionally, it would mandate that the report disclose the number of instances when the wait for an inspection exceeds four weeks, and direct that all information in the report be disaggregated by vehicle type.

Section two of Proposed Int. No. 930-A states that the local law would take effect immediately upon its enactment.

¹ TLC Rules § 58-29(c), information retrieved from http://www.nyc.gov/html/tlc/downloads/pdf/2011rulebook_ch58.pdf, last accessed on December 6, 2013.

² *Id.*

³ Information retrieved from http://www.nyc.gov/html/tlc/downloads/pdf/industry_notice_06_17b.pdf, last accessed on December 6, 2013.

⁴ *Id.*

⁵ TLC Rules §59A-04 (e)(6)(ii), information retrieved from http://www.nyc.gov/html/tlc/downloads/pdf/2011rulebook_ch59.pdf, last accessed on December 6, 2013.

⁶ NYC Taxi & Limousine Commission, “Guide to the 2009 For-Hire Vehicle Rule Changes: Advice on How to Follow the New Rules”, p. 5, June 2009, http://www.nyc.gov/html/tlc/downloads/pdf/guide_2k9_fhv_rule_change.pdf. Once licensed by the TLC, for-hire vehicles are required by TLC Rule §59A-26 to undergo “tri-annual” DMV inspections, i.e. three times per year. For vehicle models from 1996 or later the TLC inspection at Woodside counts as one of the “tri-annual” inspections, see §59A-04(e) (6) (ii) (b).

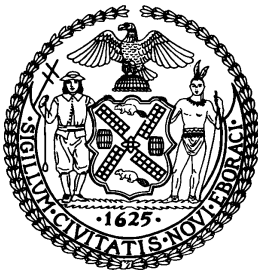
⁷ *Id.*

⁸ Hearing Transcript, 3/1/2012, page 18

¹ Hearing Testimony, 3/1/2012, page 3

¹⁰ *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 930-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: 930-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to reporting data regarding taxi and for hire vehicle inspections by the taxi and limousine commission.

Sponsor: By Council Members Vacca, Fidler, James, Koo, Lander, Rose, Halloran, Koppell and Greenfield

SUMMARY OF LEGISLATION: This legislation would amend section 2302 of the New York city charter to require the Taxi and Limousine Commission (“TLC”) to report to the City Council data regarding vehicle inspections disaggregated by vehicle type, including the average wait time to secure a vehicle inspection at TLC’s inspection facility, and any instances where the wait time was greater than four weeks. The report would be quarterly and submitted to the Council on or before the second Monday of March, June, September and December of each year, and would contain data for the immediately preceding quarter.

EFFECTIVE DATE: This local law would take effect immediately upon 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 would be no impact on revenues by the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Commission will use existing resources to implement this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: NYC Council Finance Division
Mayor’s Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director

Tanisha Edwards, Finance Counsel

HISTORY: Introduced as Intro. 930 by the Council on September 12, 2012 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on November 26, 2012. Intro. 930 has been amended, and the amended version, Proposed Int. 930-A, will be considered by the Committee on Transportation on December 9, 2013 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 930-A:)

Int. No. 930-A

By Council Members Vacca, Rodriguez, Fidler, James, Koo, Lander, Rose, Van Bramer, Dromm, Koppell, Greenfield, Gentile, Gennaro and Halloran.

A Local Law to amend the New York city charter, in relation to reporting data regarding taxi and for hire vehicle inspections by the taxi and limousine commission.

Be it enacted by the Council as follows:

Section 1. Section 2302 of the New York city charter is amended to read as follows:

§ 2302. Reports of commission. *a.* All proceedings of the commission and all documents and records in its possession shall be public records and the commission shall make an annual report to the city council on or before the second Monday of January in each year. Such annual report shall contain information regarding complaints received by the commission from the public, including, but not limited to, complaints of overcharging, as well as enforcement actions undertaken by the commission, whether the enforcement action was dismissed or settled, or if a penalty was imposed by the commission on the subject of the enforcement action. The information regarding enforcement actions shall include, but not be limited to, enforcement actions relating to illegal street hails, unlicensed vehicles, overcharging, and toll lane infractions. The complaint and enforcement action information shall be disaggregated by the type of license held by the person or entity who is the subject of the complaint or action and the month during which the complaint was received or enforcement action undertaken. Enforcement actions shall be further disaggregated by the subject matter of the action and geographic location. Complaint information shall be further disaggregated to the extent practicable by the subject matter of the complaint. In addition to inclusion in the commission's annual report, the disaggregated complaint and enforcement information shall be posted on the commission's website updated no less than monthly. Information shall be published in a manner that does not identify the individual parties involved in the actions reported upon in this section. The chairman of the city council committee on transportation may at any time direct the commission or the chairman of the commission to appear before the committee to give testimony pertaining thereto, and to furnish to the members of the council any reports deemed necessary.

b. The commission shall make a quarterly report to the city council on or before the second Monday of March, June, September and December in each year. Each such quarterly report shall contain information for the immediately preceding quarter regarding the average wait time to secure a vehicle inspection at the commission's assigned inspection facility as required under the rules of the commission. Such report shall also contain the number of instances when the wait for an inspection exceeds four weeks. All information shall be disaggregated by vehicle type.

§ 2. This local law shall take effect immediately.

JAMES VACCA, Chairperson; GALE A. BREWER, G. OLIVER KOPPELL, DARLENE MEALY, YDANIS A. RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, ERIC A. ULRICH,; Committee on Transportation, December 9, 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 Int. No. 1114-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a street design manual and to repeal subdivision d of section 19-180 of the administrative code of the city of New York as added by local law number 23 of 2008.

The Committee on Transportation, to which the annexed amended proposed local law was referred on July 24, 2013 (Minutes, page 3126), respectfully

REPORTS:

INTRODUCTION

On December 9, 2013, the Committee on Transportation, chaired by Council Member James Vacca, will hold a hearing on Proposed Int. No. 1114-A, a Local Law to amend the Administrative Code of the City of New York, in relation to a street design manual and to repeal subdivision d of section 19-180 of the administrative code of the city of New York as added by Local Law 23 of 2008. This will be the second hearing on this bill. The first hearing was held on December 4, 2013 at which the Committee heard testimony from the New York City Department of Transportation (DOT) as well as other interested stakeholders and community members.

BACKGROUND

Among other duties, DOT is responsible for maintaining the City’s roadways and sidewalks. In May 2009, the City, led by DOT, published its first-ever Street Design Manual.¹ The Manual is meant to serve as a “comprehensive resource on street design guidelines, policies, and processes” and to provide “information on treatments that are allowed and encouraged on New York City streets.”² The Manual is a supplement to existing federal and industry standards and guidelines, tailored to the unique characteristics of New York City.³ Its design

guidance includes options for “geometric, material, lighting, furnishing, and landscape treatments” of the City’s streets and sidewalks.⁴ The Manual is designed to reflect transportation best practices, particularly the recent shift from exclusively car-focused planning and design to a more holistic approach which supports “walking, bicycling, and public transit, as well as motor vehicle use,” with an eye towards the associated environmental, public health, and economic benefits such a renewed focus stands to yield.⁵ The Manual also helps to streamline DOT’s internal design-review processes, making project execution more efficient.⁶

The Manual “does not supersede any existing federal, state or city laws, rules, and regulations” but serves as a basis for DOT’s review of “all projects that significantly impact public and private streets” of the City, including “street reconstructions and resurfacings; operational and traffic control treatments; street work associated with new or renovated buildings; and other public or private construction projects that include roadways, sidewalks, and plazas.”⁷

The Manual was first updated in July 2010 and updated again in October 2013 with the publication of the Second Edition.⁸ Proposed Int. No. 1114-A would require DOT to publish a Street Design Manual and update it every four years. Proposed Int. No. 1114-A also makes other technical changes, including requiring the reports measuring performance indicators related to assessing and reducing the amount of traffic on transportation infrastructure and promoting high performance modes mandated by section 19-180, as well as the comprehensive traffic study and plans mandated by section 19-182, to be posted on DOT’s website.

ANALYSIS

Section one of Proposed Int. No. 1114-A would renumber section 19-180 of the Administrative Code, as added by Local Law 11 of 2008 and amended by Local Law 12 of 2011, as section 19-180.1.

Section two of Proposed Int. No. 1114-A would amend subdivision c of section 19-180 of the Administrative Code as added by Local Law 23 of 2008 by stating that the report measuring performance indicators related to assessing and reducing the amount of traffic on transportation infrastructure and promoting high performance modes that is mandated by subdivision c would have to be submitted to the Speaker of the Council and posted on DOT’s website.

Section three of Proposed Int. No. 1114-A would repeal subdivision d of section 19-180, as added by Local Law 23 of 2008.

Section four of Proposed Int. No. 1114-A would amend subdivision b of section 19-182 of the Administrative Code by stating that the comprehensive traffic study and plans mandated by section 19-182 would have to be submitted to the Speaker of the Council and posted on DOT’s website.

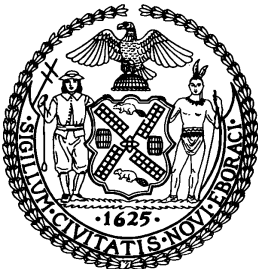
Section five of Proposed Int. No. 1114-A would amend subchapter 3 of chapter 1 of title 19 of the Administrative Code by adding a new section 19-182.1. Subdivision a of new section 19-182.1 would require DOT to publish a manual of policies and design guidelines for the improvement of roads and sidewalks in the City every four years. The manual would serve as a comprehensive resource for promoting higher quality street designs and more efficient project implementation. The manual would cover a variety of topics related to street design, including but not limited to complete street design features, materials, street lighting, street furniture and landscaping. “Complete design features” would be defined as roadway design features that accommodate and facilitate convenient access and mobility by all users, including current and projected users, particularly pedestrians, bicyclists and individuals of all ages and abilities, and may include, but need not be limited to: sidewalks, paved shoulders suitable for use by bicyclists, lane striping, bicycle lanes, share the road signage, crosswalks, road diets, pedestrian control signalization, bus pull outs, curb cuts, raised crosswalks, ramps and traffic calming measures.

Subdivision b of the new section would require that the first comprehensive guideline for the improvement of roads and sidewalks in the City be shared by e-mail with other mayoral agencies, community boards, the Speaker of the Council and other City elected officials and posted on the DOT’s website by November 30, 2015. Subsequent updates to the guidelines would have to be shared as indicated above and posted every four years thereafter by November 30th in every such year.

Section six of Proposed Int. No. 1114-A **states that the** local law would take effect immediately upon enactment.

¹ <http://www.nytimes.com/2009/05/20/nyregion/20streets.html>
² New York City Street Design Manual, 2013 Second Edition, p. 15, accessed via <http://www.nyc.gov/html/dot/html/pedestrians/streetdesignmanual.shtml>
³ *Id.*
⁴ *Id.* at p. 25
⁵ *Id.* at p. 17
⁶ *Id.*
⁷ *Id.* at p. 22
⁸ <http://www.nyc.gov/html/dot/html/pedestrians/streetdesignmanual.shtml>

(The following is the text of the Fiscal Impact Statement for Int. No. 1114-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: 1114-A
COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to a street design manual and to repeal subdivision d of section 19-180 of the administrative code of the city of New York as added by local law number 23 of 2008.

SPONSORS: Council Members Garodnick, James, Koo, Rose, Wills, Rodriguez, Vacca, Koppell, Brewer and Greenfield

SUMMARY OF LEGISLATION: The proposed legislation would require that every four years the New York City Department of Transportation (DOT) publish a manual of policies and design guidelines (“Manual”) for the improvement of roads and sidewalks in the city of New York commencing on or before November 30, 2015, and every four years thereafter. The manual shall serve as a comprehensive resource for promoting higher quality street designs and more efficient project implementation and cover a variety of topics related to street design, including but not limited to complete street design features, materials, street lighting, street furniture, and landscaping.

In addition, the proposed legislation would make other technical changes, including requiring currently mandated reports to be posted on DOT’s website, including the reports measuring performance indicators to assess and reduce the amount of traffic on transportation infrastructure as well as the comprehensive traffic study report.

EFFECTIVE DATE: This legislation would take effect immediately upon its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 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: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because DOT will use existing resources to implement this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: City Council Finance Division
Mayor’s Office of Legislative Affairs
NYC Department of Transportation

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Tanisha Edwards, Finance Counsel

HISTORY: Introduced as Intro. 1114 by the Council on July 24, 2013 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over on December 4, 2013 by the Committee. Intro. 1114 has been amended, and the amended version, Proposed Int. 1114-A, will be considered by the Committee on Transportation on December 9, 2013 and upon a successful vote, the bill would be submitted to the full Council for a vote.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1114-A:)

Int. No. 1114-A

By Council Members Garodnick, James, Koo, Rose, Wills, Rodriguez, Vacca, Van Bramer, Mark-Viverito, Brewer, Koppell, Greenfield, Gentile, Gennaro and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to a street design manual and to repeal subdivision d of section 19-180 of the administrative code of the city of New York as added by local law number 23 of 2008.

Be it enacted by the Council as follows:

Section 1. Section 19-180 of the administrative code of the city of New York, as added by local law 11 of 2008 and amended by local law 12 of 2011, is renumbered as section 19-180.1.

§ 2. Subdivision c of section 19-180 of the administrative code of the city of New York, as added by local law number 23 of 2008, is amended to read as follows:

c. The performance indicators developed pursuant to this section shall be measured and reported citywide and by borough by the department [and], submitted in a written report to the *speaker of the council* and the mayor *and posted on the department's official website* by November 1st of each following calendar year. Where such report provides information for a key corridor, such report shall provide performance indicators before and after construction or project implementation. Such report shall include information for each indicator from the prior calendar year and shall describe departmental assessments about the projects where appropriate.

§ 3. Subdivision d of section 19-180 of the administrative code of the city of New York, as added by local law number 23 of 2008, is hereby REPEALED.

§ 4. Subdivision b of section 19-182 of the administrative code of the city of New York, as amended by local law number 12 of 2011, is amended to read as follows:

b. The first comprehensive traffic study and plans, including a schedule for implementing strategies for improving pedestrian safety generated by such study, shall be submitted to the mayor and *speaker of the council and posted on the department's official website* by the thirtieth day of november, two thousand and fifteen. Subsequent studies and plans shall be submitted to the mayor and *speaker of the council and posted on the department's official website* every five years thereafter by the thirtieth of november in such years.

§ 5. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-182.1 to read as follows:

§ 19-182.1 *Comprehensive guidelines for the improvements of roads and sidewalks. a. Every four years, the department shall publish a manual of policies and design guidelines for the improvement of roads and sidewalks in the city of New York. The manual shall serve as a comprehensive resource for promoting higher quality street designs and more efficient project implementation. The manual shall cover a variety of topics related to street design, including but not limited to complete street design features, materials, street lighting, street furniture, and landscaping. For purposes of this section, “complete street design features” shall mean roadway design features that accommodate and facilitate convenient access and mobility by all users, including current and projected users, particularly pedestrians, bicyclists and individuals of all ages and abilities, and may include, but need not be limited to: sidewalks, paved shoulders suitable for use by bicyclists, lane striping, bicycle lanes, share the road signage, crosswalks, road diets, pedestrian control signalization, bus pull outs, curb cuts, raised crosswalks, ramps and traffic calming measures.*

b. The manual of policies and design guidelines and any updates thereto shall be disseminated by electronic mail to other mayoral agencies, community boards, the speaker of the council and other city elected officials and posted on the department's official website by the thirtieth day of november, two thousand fifteen and every four years thereafter.

§ 6. This local law shall take effect immediately.

JAMES VACCA, Chairperson; GALE A. BREWER, G. OLIVER KOPPELL, DARLENE MEALY, YDANIS A. RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, ERIC A. ULRICH,; Committee on Transportation, December 9, 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).

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>
LaShawnda Sterling	721 White Plains Road #4F Bronx, N.Y. 10473	18
Jean-Paul Lozada	193-62 85 th Road Queens, N.Y. 11423	23
Edward Fajardo	13-06 34 th Avenue #4C Long Island City, N.Y. 11106	26
Grace Jackson	91-52 1117 th Street Queens, N.Y. 11418	29
Jasmine Estrada	13 Cornelia Street # Brooklyn, N.Y. 11221	34
Rhonda Livingston	521 St. Marks Avenue #2E Brooklyn, N.Y. 11238	25
Tiffany Dempsey	45 Albany Avenue #1 Brooklyn, N.Y. 11213	36
Blanca Mejia	135 Clarkson Avenue Brooklyn, N.Y. 11226	40
Ashley Helaudais	9430 Ridge Blvd #5F Brooklyn, N.Y. 11209	43
Johnny Tang	39 Bay 8 th Street Brooklyn, N.Y. 11228	43

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Luis Soler	336 East 4 th Street #4B New York, N.Y. 10009	2
Luis Castro	250 East 39 th Street New York, N.Y. 10016	4
Martin J. Barrett	440 East 57 th Street #6C New York, N.Y. 10022	5
Susan Perez	310 West 143 rd Street #12E New York, N.Y. 10030	7
Kristy Siu-Chong	314 West 112 th Street #2A New York, N.Y. 10026	9
Daisy DeJesus	3452 Corlear Avenue Bronx, N.Y. 10463	11
Denise Cruickshank	100 Debs Place #10D Bronx, N.Y. 10475	12
Bettie Haigler	753 East 224 th Street #3 Bronx, N.Y. 10466	12
Barbara J. Brennan CIO Cicero	1852 Tenbroeck Avenue Bronx, N.Y. 10461	13
Norma Cruz-Meletich	2580 Stedman Place Bronx, N.Y. 10469	13

Mildred Rodriguez	355 Bruckner Blvd #5G Bronx, N.Y. 10461	13
Jaclyn Souhrada	820 Astor Avenue #3B Bronx, N.Y. 10467	13
Laura M. Yangas	744 East Tremont Avenue #4 Bronx, N.Y. 10457	15
Iris Davis	1750 Sedgwick Avenue #9H Bronx, N.Y. 10453	16
Diana Kearney	775 Concourse Village East #3C Bronx, N.Y. 10451	16
Evelyn Perez	1311 Merriam Avenue #D1 Bronx, N.Y. 10452	16
Aida Cruel	747 St. Ann's Avenue #D Bronx, N.Y. 10456	17
Odessa T. Lawson	1530 Archer Road #3H Bronx, N.Y. 10462	18
Carolyn D. Parker	920 Metcalf Avenue #4G Bronx, N.Y. 10473	18
Lorraine A. Toto	14-07 116 th Street Queens, N.Y. 11356	19
Pilar Hernandez	18-33 26 th Avenue Queens, N.Y. 11102	22
Manuel F. Perez	31-39 56 th Street Queens, N.Y. 11377	22
Barbara S. Nigro	88-58 Sabre Street Bellerose Manor, N.Y. 11427	23
Judith Gail Greenstein	182-35 80 th Drive Jamaica, N.Y. 11432	24
Damaris Saunders	147-44 Village Road Queens, N.Y. 11435	24
Adalgisa Gomez-Lopez	97-11 Horace Harding Expressway #16C Queens, N.Y. 11368	25
Antowin T. Kenner	89-50 56 th Avenue #7B Queens, N.Y. 11373	25
Maylean Brown Thompson	108-07 Guy R. Brewer Blvd Queens, N.Y. 11433	27
Vivienne Grainger	105-41 172 nd Street Queens, N.Y. 11433	27
Vincent Raccuglia	63-00 Wetherole Street Queens, N.Y. 11374	29
Sherban M. Standish	90-02 63 rd Drive #2K Queens, N.Y. 11374	29
Lorraine Cruz	100-20 89 th Avenue Queens, N.Y. 11418	30
Ada Rodriguez	135-31 114 th Street South Ozone Park, N.Y. 11420	32
Lisa A, Ennis	215 Adams Street #16H Brooklyn, N.Y. 11201	33
Charlene S. Lamar	55 North Elliot Place #10G Brooklyn, N.Y. 11205	35
Carol M. Bell	135 Halsey Street Brooklyn, N.Y. 11216	36
Michelle Charles	1442 Pacific Street #1R Brooklyn, N.Y. 11216	36
Annell Hudson	374 Madison Street Brooklyn, N.Y. 11221	36
Mattie Rays or	750 Gates Avenue #1C Brooklyn, N.Y. 11221	36
Yluminada Corona	275 Hemlock Street Brooklyn, N.Y. 11208	37
Jose L. Gonzalez	1411 Gates Avenue #1H Brooklyn, N.Y. 11221	37
Paula Rodriguez	451 40 th Street #3L Brooklyn, N.Y. 11232	38
Carol P. Cennamo	40 Tehama Street #2C Brooklyn, N.Y. 11218	39
Heather McIntosh	279 Remsen Avenue Brooklyn, N.Y. 11212	41
Valerie Robbins	180 Powell Street #14B Brooklyn, N.Y. 11212	41
Barbara Jean Barnes	1325 Pennsylvania Avenue #17B Brooklyn, N.Y. 11239	42

Jennifer Headley	617 Hinsdale Street Brooklyn, N.Y. 11207	42	(6)	Int 804-A -	Requiring the Department of Correction to put its Hart’s Island visitation policy in writing, post it on its website.
Joy A. Barbagallo	1029 70 th Street Brooklyn, N.Y. 11228	43	(7)	Int 844-A –	An electric vehicle advisory committee.
Rita Smith	124 Bay 22 nd Street Brooklyn, N.Y. 11214	43	(8)	Int 925-A -	Requiring the department of education to provide data regarding the provision of arts instructional requirements.
Alicea L. Cox	1355 East 40 th Street Brooklyn, N.Y. 11234	45	(9)	Int 930-A -	Reporting data regarding taxi and for hire vehicle inspections by the taxi and limousine commission.
Rosa Fallon	2064 East 34 th Street Brooklyn, N.Y. 11234	46	(10)	Int 1009-A -	Annual report on preferred source contract awards.
Laura Longhofer	1609 Ocean Avenue #5B Brooklyn, N.Y. 11230	46	(11)	Int 1091-A -	Requiring the department of education to distribute information on college savings plans to all students.
Nicholas D. Lucas	1180 East 83 rd Street Brooklyn, N.Y. 11236	46	(12)	Int 1114-A -	Street design manual.
Nigina Lobasso	2265 Ocean Parkway #2F Brooklyn, N.Y. 11223	47	(13)	Int 1140-A -	Signs posted upon city-owned grassy areas adjacent to a street.
Anna Trufanova	2036 Cropsey Avenue #3I3 Brooklyn, N.Y. 11214	47	(14)	Int 1172-A -	Regulation of lobbying, relating to the monthly docket of statements of registration required to be compiled by the city clerk.
Shandelle Solny	2315 Avenue 0 Brooklyn, N.Y. 11210	48	(15)	Int 1176-A -	Electric vehicle charging stations in open parking lots and parking garages.
Eugene R. Bleimann	317 Taylor Street Staten Island, N.Y. 10310	49	(16)	Int 1188-A -	An Amended Local Law in relation to the naming of fifty-six thoroughfares and public places.
Vincent J. Bonadonna	37 Potter Avenue Staten Island, N.Y. 10314	49	(17)	Int 1191-A -	roviding business owners the ability to indicate a language preference for agency inspections.
Perry Lindsay	236 Hamilton Avenue Staten Island, N.Y. 10301	49	(18)	Int 1194-A -	Assessing food security.
Donna Ceglecki	302 Bay 11 th Street Brooklyn, N.Y. 11228	50	(19)	L.U. 951 & Res 2061 -	App. C 080322 ZMK submitted by Forest Lots, LLC Brooklyn, Community District 4, Council District 34.
Angelo J. D'Acunto	52 Amsterdam Place Staten Island, N.Y. 10314	50	(20)	L.U. 952 & Res 2062 -	App. N 110179 ZRK submitted by Forrest Lots, LLC Brooklyn, Community District 4, Council District 34.
Jack Elias	131 McKinley Avenue Staten Island, N.Y. 10306	50	(21)	L.U. 953 & Res 2063 -	App. C 070250 MMK submitted by Forrest Lots, LLC Brooklyn, Community District 4, Council District 34.
Peggy Lee Endress	227 Buel Avenue #3A Staten Island, N.Y. 10305	50	(22)	L.U. 964 & Res 2064 -	App. C 140035 ZSX submitted by KNIC Partners, LLC Bronx, Community District 7, Council District 14.
Holly Frascona	39 Furness Place Staten Island, N.Y. 10314	50	(23)	L.U. 965 & Res 2065 -	App. C 140033 ZMX submitted by KNIC Partners, LLC, Bronx, Community District 7, Council District 14.
Donna M. Saccone	206 Mill Road Staten Island, N.Y. 10306	50	(24)	L.U. 966 & Res 2066 -	App. N 140034 ZRX submitted by KNIC partners, LLC special permit in the Borough of the Bronx.
Elena Suazo	30 Grissom Avenue Staten Island, N.Y. 10314	50	(25)	L.U. 967 & Res 2067 -	App. C 140036 PPX Department of Citywide Administrative Services, Bronx, Community District 7, Council District 14.
Tara Braccia	166 Sprat Avenue Staten Island, N.Y. 10306	51	(26)	L.U. 971 & Res 2068 -	App. C 140019 HAK Brooklyn, and approval of the disposition of such properties, Community District 1, Council District 33.
Gina N. Diaz	1152 Arden Avenue Staten Island, N.Y. 10312	51	(27)	L.U. 972 & Res 2069 -	App. N 140028 ZRK Brooklyn, Community District 1, Council District 33.
Melanie J. Gallego	39 Lorain Avenue Staten Island, N.Y. 10312	51	(28)	L.U. 973 & Res 2070 -	App. N 140022 ZAK Brooklyn, Community District 1, Council District 33.
Linda Westgate	10 Yacht Club Cove Staten Island, N.Y. 10308	51	(29)	L.U. 974 & Res 2071 -	App. N 140020 ZAK Brooklyn, Community District 1, Council District 33.
			(30)	L.U. 975 & Res 2072 -	App. 20145095 TCM, Manhattan, Community District 2, Council District 3.
			(31)	L.U. 988 & Res 2073 -	App. C 140001 ZMM Manhattan,
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)	M 1305 & Res 2078 -	Christopher Collins as a member of the New York City Board of Standards and Appeals.	(26)	L.U. 971 & Res 2068 -	
(2)	M 1306 & Res 2079 -	Alfred C. Cerullo, III as a member of the New York City Planning Commission.	(27)	L.U. 972 & Res 2069 -	
(3)	M 1354 & Res 2080 -	Josephine Bolus as a member of the New York City Health and Hospitals Corporation.	(28)	L.U. 973 & Res 2070 -	
(4)	Int 143-A -	Reporting response times for firefighting units and ambulances to fire and medical emergencies.	(29)	L.U. 974 & Res 2071 -	
(5)	Int 803-A -	Requiring the Department of Correction to make its electronic database of people buried at Hart’s Island, since 1977, available on its website.	(30)	L.U. 975 & Res 2072 -	
			(31)	L.U. 988 & Res 2073 -	

- (32)

L.U. 990 & Res 2074 -

Community District 4, Council District 3.
App. **20145125 SCK** Brooklyn, Community District 1, Council District 33.
- (33)

L.U. 991 & Res 2075 -

App. **20145166 HAQ** Queens, Community District 5, Council District 34.
- (34)

L.U. 992 & Res 2076 -

App. **20145167 HAQ** Queens, Community District 12, Council District 28.
- (35)

L.U. 993 & Res 2077 -

App. **C 140079 ZMQ** Queens, Community Board Nos. 9 and 10, Council Districts 28 and 32.
- (36)

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, Fidler, Garodnick, Gennaro, Gentile, Gibson, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, 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 was 49-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 1188-A**:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Fidler, Garodnick, Gennaro, Gentile, Gibson, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Reyna, Richards, Rodriguez, Rose, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn). – **47**.

Abstention – Lappin and Vallone, Jr. – **2**.

The following was the vote recorded for **LU No. 951 & Res No. 2061, LU No. 952 & Res No. 2062, LU No. 953 & Res No. 2063, LU No. 964 & Res No. 2064, LU No. 965 & Res No. 2065, LU No. 966 & Res No. 2066, LU No. 967 & Res No. 2067, LU No. 971 & Res No. 2068, LU No. 972 & Res No. 2069, LU No. 973 & Res No. 2070; LU No. 974 & Res No. 2071, and LU No. 990 & Res No. 2074**:

Affirmative – Arroyo, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Fidler, Garodnick, Gennaro, Gentile, Gibson, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, 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). – **48**.

Negative – Barron – **1**.

The following was the vote recorded for **M-1305 & Res No. 2078**:

Affirmative – Arroyo, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Fidler, Garodnick, Gennaro, Gibson, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, 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) – **47**.

Abstention – Barron and Gentile – **2**.

The following was the vote recorded for **M-1306 & Res No. 2079 and M-1354 & Res No. 2080**:

Affirmative – Arroyo, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Fidler, Garodnick, Gennaro, Gentile, Gibson, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, 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) – **48**.

Abstention – Barron - **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos.143-A, 803-A, 804-A, 844-A, 925-A, 930-A, 1009-A, 1091-A, 1114-A, 1140-A, 1172-A, 1176-A, 1188-A, 1191-A, and 1194-A.

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

RESOLUTIONS

Presented for voice-vote

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

Report for voice-vote Res. No. 1394

Report of the Committee on Education in favor of approving a Resolution calling upon the New York State Education Department, the New York State Legislature, and the Governor to re-examine public school accountability systems and to develop a system based on multiple forms of assessment which do not require extensive standardized testing.

The Committee on Education, to which the annexed resolution was referred on June 28, 2012 (Minutes, page 2597), respectfully

REPORTS:

INTRODUCTION

On December 9, 2013, the Education Committee, chaired by Council Member Robert Jackson, will hold a hearing to consider Resolution No. 1394, a resolution calling upon the New York State Education Department, the New York State Legislature, and the Governor to re-examine public school accountability systems and to develop a system based on multiple forms of assessment which do not require extensive standardized testing. The Committee first held a hearing on this resolution on November 25, 2013 during which testimony from advocates was received and heard.

Background

The federal No Child Left Behind (NCLB) Act mandates states to develop and report on measures of student proficiency. The New York State Department of Education’s Office of State Assessment (OSA) is responsible for the coordination, development, and implementation of the New York State Testing Program (NYSTP). The results are one of the factors that schools use to decide whether to promote a student to the next grade, whether students’ can graduate and to evaluate teachers.

Resolution No. 1394

Resolution No. 1394 would note that the federal No Child Left Behind (NCLB) Act requires that states develop and report on measures of student proficiency in English language arts, math, and on a third indicator. The Resolution would state that in New York State (NYS), the third indicator is science at the elementary and middle school level, and graduation rate at the secondary level. Resolution No. 1394 would point out that performance on the standardized tests determine whether students can graduate, and are also used to grade schools and to evaluate teachers.

Resolution No. 1394 would state that many advocates say that high-stakes testing causes stress for students, parents, teachers, and school administrators. The Resolution would point out that the NYS school system has been spending growing amounts of time, money and energy on high-stakes standardized testing. The Resolution would note that the over-reliance on high-stakes standardized testing is

undermining educational quality and equity in public schools by hindering educators’ efforts to focus on the broad range of learning experiences that promote innovation, creativity, and problem solving.

The Resolution would point out that it is widely recognized that standardized testing is an inadequate and often unreliable measure of both student learning and educator effectiveness. Resolution No. 1394 would note that the over-emphasis on standardized testing has caused considerable collateral damage in too many schools, including the narrowing of the curriculum, teaching to the test, reducing the love of learning, pushing students out of school, driving excellent teachers out of the profession, and undermining school climate.

Resolution No. 1394 would state that according to the New York City Department of Education, under No Child Left Behind, states are working to close the achievement gap and to ensure all students achieve academic proficiency. The Resolution would note that a nine-year study by the National Research Council has recently confirmed that the past decade’s emphasis on testing has yielded little learning progress. The Resolution would further note that high-stakes standardized testing has negative effects for students from all backgrounds, and especially for low-income students, English language learners, children of color, and those with disabilities.

Resolution No. 1394 would indicate that according to the National Assessment of Education Progress (NAEP), there has been a failure to achieve a significant reduction in the achievement gap separating New York City’s white students from African American and Latino students since 2003. The Resolution would point out that research by NAEP shows that the negative effects of our high-stakes testing environment are perhaps most pronounced for English Language Learners for whom the tests were not designed, who cumulatively and consistently fail to achieve proficiency within the limited school time before they are required to take the exam in English.

The Resolution would note that the future well-being of our society relies on a high-quality public education system that prepares all students for college, careers, lifelong learning, and strengthens social as well as economic well-being. The Resolution would indicate that developing a system based on multiple forms of assessment which does not require extensive standardized testing, would more accurately reflect the broad range of student learning.

Resolution No. 1394 would point out that the culture and structure of the educational systems in which students learn must change in order to foster an engaging school experience that promotes joy in learning, depth of thought, and breadth of knowledge for student. Finally, Resolution No. 1394 would state that the Council of the City of New York calls upon the New York State Education Department and the Governor to re-examine public school accountability systems and to develop a system based on multiple forms of assessment which do not require extensive standardized testing.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1394:)

Res. No. 1394

Resolution calling upon the New York State Education Department, the New York State Legislature, and the Governor to re-examine public school accountability systems and to develop a system based on multiple forms of assessment which do not require extensive standardized testing.

By Council Members Jackson, Brewer, Chin, Comrie, Dickens, Dromm, Fidler, Gonzalez, James, Lander, Mendez, Rose, Vann, Williams, Wills, Vacca, Levin, Van Bramer, Barron and Weprin.

Whereas, The federal No Child Left Behind (NCLB) Act requires that states develop and report on measures of student proficiency in English language arts, math, and on a third indicator; and

Whereas, In New York State (NYS), the third indicator is science at the elementary and middle school level, and graduation rate at the secondary level; and

Whereas, Performance on the standardized tests determine whether students can graduate, and are also used to grade schools and to evaluate teachers; and

Whereas, Many advocates say that high-stakes testing causes stress for students, parents, teachers, and school administrators; and

Whereas, The NYS school system has been spending growing amounts of time, money, and energy on high-stakes standardized testing; and

Whereas, The over-reliance on high-stakes standardized testing is undermining educational quality and equity in public schools by hindering educators’ efforts to focus on the broad range of learning experiences that promote innovation, creativity, and problem solving; and

Whereas, It is widely recognized that standardized testing is an inadequate and often unreliable measure of both student learning and educator effectiveness; and

Whereas, The over-emphasis on standardized testing has caused considerable collateral damage in too many schools, including the narrowing of the curriculum, teaching to the test, reducing the love of learning, pushing students out of school, driving excellent teachers out of the profession, and undermining school climate; and

Whereas, According to the New York City Department of Education, under No Child Left Behind, states are working to close the achievement gap and to ensure all students achieve academic proficiency; and

Whereas, A nine-year study by the National Research Council has recently confirmed that the past decade’s emphasis on testing has yielded little learning progress; and

Whereas, High-stakes standardized testing has negative effects for students from all backgrounds, and especially for low-income students, English language learners, children of color, and those with disabilities; and

Whereas, According to the National Assessment of Educational Progress (NAEP), there has been a failure to achieve a significant reduction in the achievement gap separating New York City’s white students from African American and Latino students since 2003; and

Whereas, Research by NAEP shows that the negative effects of our high-stakes testing environment are perhaps most pronounced for English Language Learners for whom the tests were not designed, who cumulatively and consistently fail to achieve proficiency within the limited school time before they are required to take the exam in English; and

Whereas, The future well-being of our society relies on a high-quality public education system that prepares all students for college, careers, lifelong learning, and strengthens social as well as economic well-being; and

Whereas, Developing a system based on multiple forms of assessment which does not require extensive standardized testing, would more accurately reflect the broad range of student learning; and

Whereas, The culture and structure of the educational systems in which students learn must change in order to foster an engaging school experience that promotes joy in learning, depth of thought, and breadth of knowledge for students; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Education Department, the New York State Legislature, and the Governor to reexamine public school accountability systems and to develop a system based on multiple forms of assessment which do not require extensive standardized testing.

ROBERT JACKSON, Chairperson; CHARLES BARRON, LEWIS A. FIDLER, G. OLIVER KOPPELL, DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, DANIEL DROMM, STEPHEN T. LEVIN, DEBORAH L. ROSE, MARK S. WEPRIN, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, ERIC A. ULRICH; Committee on Education, December 9, 2013.

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 1208

By Council Member Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of sick time earned by employees.

Be it enacted by the Council as follows:

Section 1. Subdivision g of section 20-912 of the administrative code of the city of New York is amended to read as follows:

g. “Employer” shall mean any “employer” as defined in section 190(3) of the labor law, but not including (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; *or* (iii) the city of New York or any local government, municipality or county or any entity governed by general municipal law section 92 or county law section 207[; or (iv) any employer that is a business establishment classified in section 31, 32 or 33 of the North American Industry Classification System]. In determining the number of employees performing work for an employer for compensation during a given week, all employees performing work for compensation on a full-time, part-time or temporary basis shall be counted, provided that where the number of employees who work for an employer for compensation per week fluctuates, business size may be determined for the current calendar year based upon the average number of employees who worked for compensation per week during the preceding calendar year, and provided further that in determining the number of employees performing work for an employer that is a chain business, the total number of employees in that group of establishments shall be counted.

§ 2. Subdivision a of section 20-913 of the administrative code of the city of New York is amended to read as follows:

- a. All employees have the right to sick time pursuant to this chapter.
 - 1. All employers that employ fifteen or more employees, *except for any*

employer that is a business establishment classified in section 31, 32 or 33 of the North American Industry Classification System, and all employers of one or more domestic workers shall provide paid sick time to their employees in accordance with the provisions of this chapter and the schedule set forth in section 7 of the local law which enacted this section.

2. All employees not entitled to paid sick time pursuant to this chapter shall be entitled to unpaid sick time in accordance with the provisions of this chapter and the schedule set forth in section 7 of the local law which enacted this section.

3. All employers that employ fifteen to nineteen employees, and all employers of one or more domestic workers, shall provide unpaid sick time in accordance with the provisions of this chapter and the schedule set forth in section 7 of the local law which enacted this section during any period in which, pursuant to the schedule set forth in section 7 of the local law which enacted this section, such employers are not required to provide paid sick time but employers that employ twenty or more employees, *except for any employer that is a business establishment classified in section 31, 32 or 33 of the North American Industry Classification System*, are required to provide paid sick time.

§ 3. Subdivision c of section 20-913 of the administrative code of the city of New York is amended to read as follows:

c. An employer required to provide paid sick time pursuant to this chapter who provides an employee, *other than a domestic worker*, with an amount of paid leave, including paid time off, paid vacation, *or* paid personal days [or paid days of rest required to be compensated pursuant to section 161(1) of the labor law,] sufficient to meet the requirements of this section and who allows such paid leave to be used for the same purposes and under the same conditions as sick time required pursuant to this chapter, is not required to provide additional paid sick time for such employee whether or not such employee chooses to use such leave for the purposes included in subdivision a of section 20-914 of this chapter. An employer required to provide unpaid sick time pursuant to this chapter who provides an employee, *other than a domestic worker*, with an amount of unpaid or paid leave, including unpaid or paid time off, unpaid or paid vacation, or unpaid or paid personal days sufficient to meet the requirements of this section and who allows such leave to be used for the same purposes and under the same conditions as sick time required pursuant to this chapter, is not required to provide additional unpaid sick time for such employee whether or not such employee chooses to use such leave for the purposes set forth in subdivision a of section 20-914 of this chapter.

§ 4. Paragraph 2 of subdivision d of section 20-913 of the administrative code of the city of New York is amended to read as follows:

2. In addition to the paid day or days of rest to which a domestic worker is entitled pursuant to section 161(1) of the labor law, such domestic worker shall also be entitled to two days of paid sick time, *in accordance with the provisions of this chapter and the schedule set forth in section 7 of the local law which enacted this section*, as of the date that such domestic worker is entitled to such paid day or days of rest and annually thereafter, provided that notwithstanding any provision of this chapter to the contrary, such two days of paid sick time shall be calculated in the same manner as the paid day or days of rest are calculated pursuant to the provisions of section 161(1) of the labor law.

§ 5. Subdivision h of section 20-913 of chapter 8 of title 20 of the administrative code of the city of New York is amended to read as follows:

h. Except for domestic workers, *up to forty hours of* unused sick time as provided pursuant to this chapter shall be carried over to the following calendar year; provided that no employer shall be required to (i) allow the use of more than forty hours of sick time in a calendar year or (ii) carry over unused paid sick time if the employee is paid for any unused sick time at the end of the calendar year in which such time is accrued and the employer provides the employee with an amount of paid sick time that meets or exceeds the requirements of this chapter for such employee for the immediately subsequent calendar year on the first day of [the immediately subsequent calendar] *such* year.

§ 6. Subdivision a of section 20-919 of the administrative code of the city of New York is amended to read as follows:

a. An employer shall provide an employee *either* at the commencement of employment *or within thirty days of the effective date of this local law, whichever is later*, with written notice of such employee’s right to sick time pursuant to this chapter, including the accrual and use of sick time, the calendar year of the employer, and the right to be free from retaliation and to bring a complaint to the department. Such notice shall be in English and the primary language spoken by that employee, provided that the department has made available a translation of such notice in such language pursuant to subdivision b of this section. Such notice [may] *shall* also be conspicuously posted at an employer’s place of business in an area accessible to employees.

§ 7. This local law shall take effect on the same date and in the same manner as local law 46 for the year 2013.

Referred to the Committee on Civil Service and Labor.

Int. No. 1209

By Council Members Dilan, Dickens, Koo, Koppell, Nelson and Rose (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to crane modernization.

Be it enacted by the Council as follows:

Section 1. Section BC 202 of chapter 2 of the New York city building code, as added by local law number 33 for the year 2007, and as amended by a local law of the city of New York for the year 2013 amending 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, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056, is amended by adding, in appropriate alphabetical order, a definition of “MANUFACTURE DATE (Crane)” to read as follows:

MANUFACTURE DATE (Crane). *See Section 3302.1.*

§2. Section 3302.1 of chapter 33 of the New York city building code, as added by local law number 33 for the year 2007, and as amended by local law number 46 for the year 2008, local law number 70 for the year 2011 and by a local law of the city of New York for the year 2013 amending 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, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056, is amended by adding, in appropriate alphabetical order, a definition of “MANUFACTURE DATE (Crane)” to read as follows:

MANUFACTURE DATE (Crane). *The date the crane was originally manufactured for its intended purpose, or the date the oldest individual component of a crane was originally manufactured, whichever is older.*

§3. Section BC 3319 of chapter 33 of the New York city building code, as added by local law number 33 for the year 2007, is amended by adding new sections 3319.11 and 3319.12 to read as follows:

3319.11 Age limitations for cranes. *The allowable age of any crane for use in New York City shall be no greater than 25 years from the manufacture date. Notwithstanding the provisions of Section 3319.5, the certificate of operation for a crane with an age greater than 25 years from the manufacture date shall be deemed to have expired.*

Exceptions:

1. *A crane with an age of 25 years or greater from the manufacture date that is (i) in use on a project on the effective date of this section, or (ii) not in use on the effective date of this section, but for which an application for a certificate of on-site inspection has been approved as of the effective date of this section, may continue to be used until completion of the project for which it is being used or the project for which such certificate of onsite inspection was issued.*
- 2. Where a crane with an age of less than 25 years from the manufacture date at the time the department approved the application for a certificate of on-site inspection is being used on a project and will reach an age of 25 years or greater from the manufacture date during such project, such crane may be used for the duration of that project or until it reaches 28 years of age, whichever is earlier.*
- 3. The commissioner may approve the use of a crane with an age of 25 years or greater from the manufacture date for up to a maximum of five years, not to exceed 30 years from the manufacture date, when load cycle counter logs and other records as required by rule are deemed sufficient by the commissioner to establish that such crane meets the manufacturer’s standards for use*

3319.12 Load cycle counters. *Each crane shall be equipped with a load cycle counter. The owner shall maintain accurate records of the cycles that the crane performs.*

3319.12.1 Retroactive requirement for existing cranes. *Cranes in existence on the effective date of this section shall be equipped with such load cycle counters and the owner shall maintain such records within 270 days after the effective date of this section.*

§4. This local law shall take effect on the same date as a local law of the city of New York for the year 2013 amending 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, relating to bringing such codes up to date with the 2009 editions of the international building, mechanical, fuel gas and plumbing codes, as proposed in Intro. 1056, takes effect.

Referred to the Committee on Housing and Buildings.

Res. No. 2057

Resolution calling upon the Secretary of the Department of Homeland Security to grant Temporary Protected Status designation of the Philippines and eligible Filipino nationals.

By Council Members Eugene, Dromm, Van Bramer, Chin, Koo, Koppell, Mendez, Richards, Rose, Rodriguez, Williams and Brewer.

Whereas, Temporary Protected Status (“TPS”) is a temporary immigration status granted to eligible nationals of designated countries; and

Whereas, Under section 244 of the Immigration and Nationality Act, the Secretary of the Department of Homeland Security (“DHS”) may grant TPS to immigrants in the United States who are momentarily unable to securely return to their home country due to: (i) ongoing armed conflict; (ii) the temporary effects of an environmental disaster; or (iii) other extraordinary and temporary conditions; and

Whereas, Such immigrants may not be removed from the United States during the period in which such status is in effect; and

Whereas, On November 8, 2013, the Philippines was struck by a Category 5 typhoon, which caused extensive damage to 36 provinces and surrounding areas; and

Whereas, The National Disaster Risk Reduction and Management Council estimates that in wake of the typhoon, more than 5,000 people lost their lives, 11 million people have been affected and nearly 700,000 displaced; and

Whereas, The U.N. Office for the Coordination of Humanitarian Affairs states that 11.3 million people in the Philippines are without basic necessities such as food and shelter, or a means of providing for their families; and

Whereas, Weather is normally responsible for five billion dollars in property damage annually in the Philippines; however, following Typhoon Haiyan, damage estimates have reached 14 billion dollars; and

Whereas, According to the Pacific Disaster Center’s initial reports, more than a million houses were damaged or destroyed in the Philippines by Typhoon Haiyan; and

Whereas, According to a November 13, 2013 BBC article, heightened security threats were becoming more prevalent as grocery stores and warehouses were being raided by looters searching for sources of food, with residents reporting a fear for their safety; and

Whereas, Hospitals, particularly within the hardest hit area such as the city of Tacloban, are out of critical medical supplies and are currently at capacity, unable to admit additional patients in desperate need of services; and

Whereas, Currently eight countries, El Salvador, Haiti, Honduras, Nicaragua, Somalia, Sudan, South Sudan, and Syria have been granted TPS; and

Whereas, An individual is only eligible for TPS benefits if he or she (i) establishes continuous physical presence and continuous residence in the United States; (ii) is not subject to one of the criminal, security-related, or other bars to TPS; and (iii) applies for TPS benefits in a timely manner; and

Whereas, An individual is not eligible for TPS if he or she (i) has been convicted of any felony or two or more misdemeanors committed in the United States; (ii) is a persecutor or subject to one of the bars to asylum; or (iii) is subject to criminal-related or terrorism-related grounds of inadmissibility for which a waiver is not available; and

Whereas, According to the U.S. Census Bureau, there are four million Filipinos living in the United States, many of whom reside in New York City; and

Whereas, Granting TPS to the Philippines would aid the estimated 270,000 undocumented Filipinos in the United States as well as another 300,000 on temporary visas according to the National Federation of Filipino American Associations; and

Whereas, In addition, it would allow such individuals to live and work in the United States for the duration of the designation since they are currently unable to safely return to their home country; and

Whereas, U.S. Senator Charles Schumer says it makes no sense to return Filipino immigrants residing in the U.S. back to a devastated country and the United States should grant TPS status until the Philippines is back on its feet; and

Whereas, The scope of the devastation caused by the earthquake will require a long-term rebuilding and redevelopment plan with support from the United States and the international community, and the magnitude of the typhoon’s devastation has yet to be fully realized; and

Whereas, In an effort to provide humanitarian relief to the Philippines, Filipinos should be allowed to remain in the United States for protection from unsanitary and dangerous conditions while the effects of the typhoon are dealt with; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Secretary of the Department of Homeland Security to grant Temporary Protected Status designation of the Philippines and eligible Filipino nationals.

Referred to the Committee on Immigration.

Res. No. 2058

Resolution pursuant to the New York State Environmental Quality Review Act setting forth findings of the Council concerning the environmental review conducted for Proposed Int. No. 1060-A.

By Council Member Fidler.

Whereas, The enactment of Proposed Int. No. 1060-A is an "action" as defined in section 617.2(b) of Title 6 of the Official Compilation of the Codes, Rules and Regulations of the State of New York; and

Whereas, An Environmental Assessment Statement for this bill was prepared on behalf of the Office of the Mayor and the Council, which are co-lead agencies pursuant to section 5-03(d) of the Rules of Procedure for City Environmental Quality Review, and Article 8 of the New York State Environmental Conservation Law, section 617.7 of Title 6 of the Official Compilation of the Codes, Rules and Regulations of the State of New York, and the Rules of Procedure for City Environmental Quality Review; and

Whereas, The Council, as a co-lead agency, has considered the relevant environmental issues as documented in the Environmental Assessment Statement attendant to such enactment and in making its findings and determinations under the Rules of Procedure for City Environmental Quality Review and the State Environmental Quality Review Act, the Council has relied on that Environmental Assessment Statement; and

Whereas, After such consideration and examination, the Council has determined that a Negative Declaration should be issued: and

Whereas, The Council has examined, considered and endorsed the Negative Declaration that was prepared; now, therefore, be it

Resolved, That the Council of the City of New York, having considered the Negative Declaration, hereby finds that:

(1) the requirements of The State Environmental Quality Review Act, Part 617 of Title 6 of the Official Compilation of the Codes, Rules and Regulations of the State of New York, and the Rules of Procedure for City Environmental Quality Review have been met; and

(2) as documented in the annexed Environmental Assessment Statement, the proposed action is one which will not result in any significant adverse environmental impacts; and

(3) the annexed Negative Declaration constitutes the written statement of facts and conclusions that form the basis of this determination.

Referred to the Committee on Sanitation and Solid Waste Management.

Preconsidered Int. No. 1210

By Council Members Gennaro, The Speaker (Council Member Quinn), Arroyo, Greenfield and Vacca.

A Local Law to amend the administrative code of the city of New York, in relation to the regulation of electronic cigarettes.

Be it enacted by the Council as follows:

Section 1. Legislative findings. Electronic cigarette devices have emerged as an alternative to smoking. Electronic cigarette devices have not been approved by the Food and Drug Administration (FDA) for smoking cessation and are currently unregulated by the FDA. Most devices contain nicotine, a highly addictive substance. Although the long-term effects of electronic cigarette devices require further study, the FDA has found that some devices contain toxins and carcinogens and has expressed concerns about their safety. Use of electronic cigarette devices, particularly use indoors, may interfere with smokers’ attempts to quit by making it easier for them to maintain their nicotine addiction. Children and youth who experiment with electronic cigarettes may become addicted to nicotine and then switch to smoking cigarettes.

The use of electronic cigarette devices is visually similar to the smoking of cigarettes, and has already been observed in locations where smoking is prohibited, creating concern and confusion, and threatening to interfere with enforcement of the Smoke-Free Air Act. The use of electronic cigarette devices in places where smoking is prohibited may increase the social acceptability and appeal of smoking, particularly for youth, potentially undermining the enormous progress that has been made over the years in discouraging smoking, and could send a message to adults and youth that these potentially harmful products are in fact safe.

The Council therefore finds that prohibiting the use of electronic cigarette devices in public places and places of employment will protect the health of the citizens of New York City, facilitate enforcement of the Smoke-Free Air Act and protect youth from observing behaviors that could encourage them to smoke.

§ 2. Section 17-502 of the administrative code of the city of New York is amended by adding new subdivisions qq and rr to read as follows:

qq. “Electronic cigarette” means an electronic device that delivers vapor for inhalation. Electronic cigarette shall include any refill, cartridge, and any other component of an electronic cigarette. Electronic cigarette shall not include any product approved by the food and drug administration for sale as a drug or medical

device.

rr. “Retail electronic cigarette store” means a retail store devoted primarily to the sale of electronic cigarettes, and in which the sale of other products is merely incidental. The sale of such other products shall be considered incidental if such sales generate less than fifty percent of the total annual gross sales.

§ 3. Section 17-503 of the administrative code of the city of New York, as amended by local law number 5 for the year 1995, the heading of section 17-503 as amended by local law number 47 for the year 2002, the opening paragraph of subdivision a and paragraphs 1, 4, 5, 6, 8, 10, 11, 14 and 15 of subdivision a as amended by local law 47 for the year 2002, paragraphs 12, 16 and 17 of subdivision a as added by local law number 5 for the year 1995, paragraphs 19, 20, 21 and 22 of subdivision a as added by local law number 47 for the year 2002, subdivision b as added by local law number 5 for the year 1995, subdivision c as added by local law number 5 for the year 1995, the opening paragraph of subdivision c and paragraph 1 of subdivision c as amended by local law number 47 for the year 2002, paragraph 6 of subdivision c as added by local law number 50 for the year 2009, paragraph 7 of subdivision c as added by local law number 11 for the year 2011, subdivision d as added by local law number 5 for the year 1995, and paragraph 3 of subdivision d as added by local law number 11 for the year 2011, is amended to read as follows:

§ 17-503 Prohibition of smoking and use of electronic cigarettes.

a. Smoking [is] and using electronic cigarettes are prohibited in all enclosed areas within public places except as otherwise restricted in accordance with the provisions below. Such public places include, but are not limited to, the following:

1. Public transportation facilities, including, but not limited to, ticketing, boarding and waiting areas of public transit depots.
2. Public means of mass transportation, including, but not limited to, subway cars and all underground areas of a subway station, buses, vans, taxicabs and all for-hire vehicles, including but not limited to limousines, required to be licensed or franchised by the city of New York.
3. Public restrooms.
4. Retail stores (other than retail tobacco stores).
5. Restaurants.
6. Business establishments (other than retail tobacco stores) including, but not limited to, banks and other financial institutions, catering halls, offices where trade or vocational activity occurs or professional or consumer services are rendered and non-profit entities, including religious institutions; provided however, that this paragraph shall not apply to membership associations.
7. Libraries, museums and galleries.
8. Motion picture theaters, concert halls, buildings or areas or rooms in buildings primarily used for or designed for the primary purpose of exhibiting movies or presenting performances, including, but not limited to, stage, musical recital, dance, lecture or other similar performances, except that smoking may be part of a theatrical production.
9. Auditoriums.
10. Convention halls.
11. Sports arenas and recreational areas.
12. Gymnasiums, health clubs and enclosed areas containing a swimming pool.
13. Places of meeting or public assembly during such time as a meeting open to the public is being conducted for educational, religious, recreational, or political purposes, but not including meetings conducted in private residences, unless such meetings are conducted in an area in a private residence where a child day care center or health care facility is operated during the times of operation or in an area which constitutes a common area of a multiple dwelling containing ten or more dwelling units.
14. Health care facilities including, but not limited to, hospitals, clinics, psychiatric facilities, residential health care facilities, physical therapy facilities, convalescent homes, and homes for the aged; provided however, that this paragraph shall not prohibit smoking or the use of electronic cigarettes by patients in separate enclosed rooms of residential health care facilities or facilities where day treatment programs are provided, which are designated as smoking rooms for patients of such facilities or programs, provided, however, that prior written approval is received from the fire commissioner pursuant to section [27-4276] 310.2 of the [fire] code.
15. All schools other than public and private pre-primary, primary, and secondary schools providing instruction for students at or below the twelfth-grade level, including, but not limited to, community colleges, technical training establishments, specialty schools, colleges and universities.
16. Children's institutions.
17. Zoos.
18. Elevators.
19. Public areas where bingo is played.
20. Bars; provided however, that smoking shall be permitted in:
(a)] tobacco bars; (b) owner operated bars; and].
21. Tobacco businesses, except that smoking shall be permitted in areas within a tobacco business designated by such business for the purpose of testing or development of tobacco or tobacco products; provided, however, that such areas must all be located on no more than two floors of the building where such business is located.
22. Membership associations; provided however, that smoking shall only be allowed in membership associations in which all of the duties with respect to the operation of such association, including, but not limited to, the preparation of food and beverages, the service of food and beverages, reception and secretarial work, and the security services of the membership association are performed by members of such membership association who do not receive compensation of any kind from the membership association or any other entity for the performance of such duties.

b. Smoking [is] and using electronic cigarettes are prohibited on any service line, waiting area, or portion thereof, whether located indoor or outdoor during the times in which the public is invited or permitted, notwithstanding the fact that the service line, waiting area, or portion thereof, is in an area otherwise designated for smoking and using electronic cigarettes pursuant to subdivision a of this section; provided, however, that this subdivision shall not be construed to prohibit smoking or using electronic cigarettes in any area where smoking [is] and using electronic cigarettes are permitted pursuant to section 17-505.

c. Smoking [is] and using electronic cigarettes are prohibited in the following outdoor areas of public places, except as otherwise restricted in accordance with the provisions below:

1. Outdoor dining areas of restaurants with no roof or other ceiling enclosure; provided, however, that smoking and using electronic cigarettes may be permitted in a contiguous outdoor area designated for smoking and using electronic cigarettes so long as such area: (i) constitutes no more than twenty-five percent of the outdoor seating capacity of such restaurant; (ii) is at least three feet away from the outdoor area of such restaurant not designated for smoking or using electronic cigarettes; and (iii) is clearly designated with written signage as a smoking area or an area for the use of electronic cigarettes.
2. Outdoor seating or viewing areas of open-air motion picture presentations or open-air concert, stage, dance, lecture or recital presentations or performances or other similar open-air presentations or performances, when seating or standing room is assigned by issuance of tickets.
3. Outdoor seating or viewing areas of sports arenas and recreational areas, when seating or standing room is assigned by issuance of tickets.
4. Outdoor areas of all children's institutions.
5. Playgrounds.
6. Hospital grounds, within fifteen feet of any hospital entrance or exit and within fifteen feet of the entrance to or exit from any hospital grounds.
7. Pedestrian plazas.

d. Smoking [is] and using electronic cigarettes are prohibited in all indoor and outdoor areas of the following public places at all times:

1. All public and private pre-primary, primary, and secondary schools providing instruction for students at or below the twelfth-grade level, and any vehicles owned, operated or leased by such schools which are used to transport such students or the personnel of such schools.
2. All child day care centers; provided, however, that with respect to child day care centers operated in private residences, this paragraph shall apply only to those areas of such private residences where the child day care centers are operated during the times of operation or during the time employees are working in such child day care centers.
3. Any park or other property under the jurisdiction of the department of parks and recreation; provided, however, that this paragraph shall not apply to: (a) the sidewalks immediately adjoining parks, squares and public places; (b) any pedestrian route through any park strip, median or mall that is adjacent to vehicular traffic; (c) parking lots; and (d) theatrical productions.

§ 4. Section 17-504 of the administrative code of the city of New York, as amended by local law number 5 for the year 1995, subdivisions a, c, d, e, and i as amended by local law number 47 for the year 2002, is amended to read as follows:

§ 17-504 Regulation of smoking and using electronic cigarettes in places of employment.

a. Smoking [is] and using electronic cigarettes are prohibited in those indoor areas of places of employment to which the general public does not generally have access. This section shall not prohibit smoking or using electronic cigarettes in any area where smoking or using electronic cigarettes is not regulated pursuant to section 17-505.

c. Smoking [is] and using electronic cigarettes are prohibited in company vehicles occupied by more than one person. Smoking [is] and using electronic cigarettes are prohibited in all vehicles owned by the city of New York.

d. No employer shall take any retaliatory adverse personnel action against any employee or applicant for employment on the basis of such person's exercise, or attempt to exercise, his or her rights under this chapter with respect to the place of employment. Such adverse personnel action includes, but is not limited to, dismissal, demotion, suspension, disciplinary action, negative performance evaluation, any action resulting in loss of staff, compensation or other benefit, failure to hire, failure to appoint, failure to promote, or transfer or assignment or failure to transfer or assign against the wishes of the affected employee. The employer shall establish a procedure to provide for the adequate redress of any such adverse personnel action taken against an employee in retaliation for that employee's attempt to exercise his or her rights under this chapter with respect to the place of employment.

e. By November 1, 1995, every employer subject to the provisions of this chapter shall adopt, implement, make known, maintain and update to reflect any changes, a written smoking and electronic cigarette use policy which shall contain at minimum, the following requirements:

1. The prohibition of smoking and using electronic cigarettes except in accordance with the provisions of this chapter and any rules promulgated pursuant thereto, and a description of the smoking restrictions and restrictions on the use of electronic cigarettes adopted or implemented.
2. As set forth in subdivision d of this section, the (A) protection from retaliatory adverse personnel action with respect to all employees or applicants for employment who exercise, or attempt to exercise, any rights granted under such subdivision; and (B) the establishment of a procedure to provide for the adequate redress of any such adverse personnel action taken against an employee in retaliation for that employee's attempt to exercise his or her rights under this chapter with respect to the place of employment.

f. Employers shall prominently post the smoking *and use of electronic cigarette* policy in the workplace, and shall, within three weeks of its adoption and any modification, disseminate the policy to all employees, and to new employees when hired.

g. Employers shall supply a written copy of the smoking *and use of electronic cigarette* policy upon request to any employee or prospective employee.

h. A copy of the smoking *and use of electronic cigarette* policy shall be provided to the department, the department of buildings, the department of consumer affairs, the department of environmental protection, the fire department and the department of sanitation upon request.

i. This section shall not be construed to permit smoking *and use of electronic cigarettes* in any area in which smoking [is] *and using electronic cigarettes* are prohibited or restricted pursuant to section 17-503. Where a place of employment is also a public place where smoking [is] *and using electronic cigarettes* are prohibited or restricted pursuant to section 17-503, and is not exempt from regulation under section 17-505, smoking *and using electronic cigarettes* shall be prohibited.

j. Nothing in this section shall be construed to impair, diminish, or otherwise affect any collectively bargained procedure or remedy available to an employee, existing as of February 1, 1995, with respect to disputes arising under the employer's smoking policy or with respect to the establishment of a procedure for redress of any adverse personnel action taken against an employee in retaliation for that employee's attempt to exercise his or her rights under this chapter with respect to the place of employment. Upon expiration of any such collectively bargained procedure or remedy, the provisions of this section shall take effect.

§ 5. Section 17-505 of the administrative code of the city of New York, as amended by local law number 5 for the year 1995, subdivision h as amended by local law number 47 for the year 2002, is amended to read as follows:

§ 17-505 Areas where smoking [is] *and using electronic cigarettes* are not regulated by this chapter.

The following areas shall not be subject to the smoking *and electronic cigarette* restrictions of this chapter; provided however, that nothing in this section shall be construed to permit smoking *or using electronic cigarettes* where smoking [is] *and using electronic cigarettes* are otherwise prohibited or restricted by any other law or rule:

b. Private residences, except any area of a private residence where a child day care center or health care facility is operated (i) during the times of operation or (ii) during the times when employees are working in such child day care center or health care facility areas; provided, however, that a common area of a multiple dwelling containing ten or more dwelling units shall be subject to smoking *and electronic cigarette* restrictions.

c. Hotel and motel rooms occupied by, or available for, occupancy by guests.

f. Private automobiles.

g. Retail tobacco stores.

h. Enclosed rooms in restaurants, bars, catering halls, convention halls, hotel and motel conference rooms, and other such similar facilities during the time these enclosed areas or rooms are being used exclusively for functions where the public is invited for the primary purpose of promoting and sampling tobacco products *or electronic cigarettes*, and the service of food and drink is incidental to such purpose, provided that the operator of such function shall have provided notice to the department of health and mental hygiene in a form satisfactory to such department at least two weeks before such a function begins, and such notice has identified the dates on which such function shall occur. No such facility may permit smoking *or using electronic cigarettes* under this subdivision for more than five days in any calendar year.

i. *Retail electronic cigarette stores; provided however, that such stores may only permit the use of electronic cigarettes.*

§ 6. Subdivisions a, b and c of section 17-506 of the administrative code of the city of New York, subdivision a as amended by local law number 5 for the year 1995, subdivision b as amended by local law number 47 for the year 2002, and subdivision c as added by local law number 5 for the year 1995, are amended to read as follows:

a. Except as may otherwise be provided by rules promulgated by the commissioner, "Smoking" or "No Smoking" signs, or the international symbols indicating the same, "*Electronic Cigarette Use Permitted*" or "*Electronic Cigarette Use Prohibited*" signs, and any other signs necessary to comply with the provisions of this chapter shall be prominently and conspicuously posted where smoking [is] *and using electronic cigarettes* are either prohibited, permitted or otherwise regulated by this chapter, by the owner, operator, manager or other person having control of such area. The size, style and location of such signs shall be determined in accordance with rules promulgated by the commissioner, but in promulgating such rules, the commissioner shall take into consideration the concerns of the various types of establishments regulated herein with respect to the style and design of such signs.

b. In addition to the posting of signs as provided in subdivision a, every owner, manager or operator of a theatre which exhibits motion pictures to the public shall show upon the screen for at least five seconds prior to the showing of each feature motion picture, information indicating that smoking [is] *and using electronic cigarettes* are prohibited within the premises.

c. The owner, operator or manager of a hotel or motel that chooses to develop and implement a smoking *and electronic cigarette use* policy for rooms rented to guests shall post a notice at the reception area of the establishment as to the availability, upon request, of smoke-free *and electronic cigarette-free* rooms.

§ 7. Subdivisions c, d and e of section 17-507 of the administrative code of the city of New York, subdivision c as amended, and subdivisions d and e as added, by local law number 5 for the year 1995, are amended to read as follows:

c. With respect to a public place or place of employment, the operator or employer shall inform, or shall designate an agent who shall be responsible for informing, individuals smoking *or using electronic cigarettes* in restricted areas that they are in violation of this local law; provided, however, that the obligations under this subdivision with respect to an operator of a multiple dwelling containing ten or more dwelling units shall be limited to (i) those multiple dwellings where an agent is on duty and (ii) designating such agent to be responsible for informing individuals smoking *or using electronic cigarettes* in restricted common indoor areas where such agent is on duty, during the times such agent is on duty, that such individuals are in violation of this local law.

d. Where an owner or building manager of a public place where smoking [is] *and using electronic cigarettes* are prohibited or restricted pursuant to section 17-503 is not the operator of such public place but has an agent on duty in such place, the owner or building manager shall designate such agent to inform individuals smoking *or using electronic cigarettes* in restricted common indoor areas (i) where such agent is on duty and (ii) during the times when such agent is on duty, that such individuals are in violation of this local law.

e. Where an owner or building manager of a building in which a place of employment is located where smoking *or using electronic cigarettes* is prohibited or restricted pursuant to section 17-504 is not the operator or employer of such place of employment but has an agent on duty in such place, the owner or building manager shall designate such agent to inform individuals smoking *or using electronic cigarettes* in restricted common indoor areas (i) where such agent is on duty and (ii) during the times when such agent is on duty, that such individuals are in violation of this local law. Such owner or building manager shall also mail a notice to tenants operating such place of employment, informing such tenants of their obligations under this chapter with respect to such restricted common indoor areas. A copy of the mailed notice shall be provided to the department upon request.

§ 8. Subdivisions a, b, d, e and f of section 17-508 of the administrative code of the city of New York, subdivision a as amended by local law number 47 for the year 2002, subdivision b as amended by local law number 5 for the year 1995, subdivision d as added by local law number 2 for the year 1988, and subdivisions e and f as amended by local law number 11 for the year 2011, are amended to read as follows:

a. It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of premises in which smoking [is] *and using electronic cigarettes* are prohibited or restricted pursuant to this chapter, or the designated agent thereof, to (i) provide a room designated for smoking *or using electronic cigarettes* including, but not limited to, a separate smoking room, *room for using electronic cigarettes* or an enclosed room, which fails to comply with the provisions of this chapter; provided, however, that the obligations of an owner or building manager of a building (where such owner or building manager of a building in which a public place is located is not the operator or employer of such public place) with respect to such a room shall be limited to work authorized by any permits necessary to perform construction obtained by the owner or his or her agent; (ii) fail to post the signs required by section 17-506; (iii) fail to remove ashtrays as required by subdivision d of section 17-506; or (iv) fail to make a good faith effort to comply with subdivisions c, d and e of section 17-507. In actions brought for violations of this subdivision, the following shall be affirmative defenses: (i) that during the relevant time period actual control of the premises was not exercised by the respondent or a person under the control of the respondent, but rather by a lessee, sublessee or any other person; provided, however, that after receiving the notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that he or she has not exercised actual control during the relevant time period; (ii) that a person smoking *or using an electronic cigarette* in any area where smoking *and using an electronic cigarette* is prohibited pursuant to section 17-503 was informed by a person who owns, manages, operates or otherwise controls the use of such premises, or the designated agent thereof, that such person smoking *or using an electronic cigarette* is in violation of this local law and that such person who owns, manages, operates or otherwise controls the use of such premises has complied with all applicable provisions of this chapter during the relevant time period; provided, however, that after receiving notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that respondent informed the person smoking *or using an electronic cigarette* in any area where smoking [is] *and using electronic cigarettes* are prohibited pursuant to section 17-503 that such person was in violation of this local law and that respondent has complied with all applicable provisions of this chapter during the relevant time period; or (iii) that a person smoking *or using an electronic cigarette* in any restricted common indoor area where smoking [is] *and using electronic cigarettes* are prohibited pursuant to section 17-503 was not informed by the owner or building manager of the premises (where such owner or building manager of a building in which a public place or a place of employment is located is not the operator or employer of such public place or place of employment) or by the operator of a multiple dwelling containing ten or more dwelling units that such person smoking *or using an electronic cigarette* is in violation of this local law because such owner, building manager or operator did not have a designated agent on duty when such person was smoking *or using an electronic cigarette* and that such owner or building manager has, where applicable, complied with the mailing of a notice required pursuant to subdivision e of section 17-507; provided, however, that after receiving notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that a person smoking *or using an electronic cigarette* in any restricted common indoor area where smoking [is] *and using electronic cigarettes* are prohibited pursuant to section 17-503 was not informed by the respondent that such person smoking *or using an electronic cigarette* is in violation of this local law

because the respondent did not have a designated agent on duty when such person was smoking *or using an electronic cigarette* and that the respondent has, where applicable, mailed the notice required pursuant to subdivision e of section 17-507.

b. It shall be unlawful for an employer whose place of employment is subject to regulation under section 17-504 to fail to comply with the provisions of that section, including, but not limited to, those provisions requiring the adoption, implementation, dissemination and maintenance of a written smoking *and use of electronic cigarette* policy which conforms to the requirements of subdivision e of section 17-504, or to fail to make a good faith effort to comply with subdivision c of section 17-507. In actions brought for violations of this subdivision, it shall be an affirmative defense that the employer (i) has made good faith efforts to insure that employees comply with the provisions of such written smoking *and use of electronic cigarette* policy and (ii) has complied with all applicable provisions of this chapter.

d. It shall be unlawful for any person to smoke *or use an electronic cigarette* in any area where smoking [is] *and using electronic cigarettes* are prohibited under section 17-503 and section 17-504.

e. Every person who violates subdivisions a or b of this section shall, for a first violation thereof, be liable for a civil penalty of not less than two hundred dollars nor more than four hundred dollars; for a second violation, both of which were committed within a period of twelve months, be liable for a civil penalty of not less than five hundred dollars nor more than one thousand dollars; and for a third or subsequent violation, all of which were committed within a period of twelve months, be liable for a civil penalty of not less than one thousand dollars nor more than two thousand dollars. Every person who violates subdivision d of this section shall be liable for a civil penalty of one hundred dollars for each violation, except that every person who violates subdivision d of this section by smoking *or using an electronic cigarette* in a pedestrian plaza as prohibited by paragraph seven of subdivision c of section 17-503 or in a park or other property under the jurisdiction of the department of parks and recreation as prohibited by paragraph three of subdivision d of section 17-503 shall be liable for a civil penalty of fifty dollars for each violation.

f. A proceeding to recover any civil penalty authorized pursuant to the provisions of subdivision e of this section shall be commenced by the service of a notice of violation which shall be returnable to the administrative tribunal established by the board of health, except that a proceeding to recover a civil penalty authorized pursuant to subdivision e for violation of subdivision d by smoking *or using an electronic cigarette* in a pedestrian plaza or in a park or other property under the jurisdiction of the department of parks and recreation, as prohibited by paragraph seven of subdivision c and by paragraph three of subdivision d of section 17-503 respectively, shall be commenced by the service of a notice of violation which shall be returnable to the environmental control board. The board of health's administrative tribunal and the environmental control board shall have the power to impose the civil penalties prescribed by subdivision e of this section.

§ 9 Section 17-510 of the administrative code of the city of New York, as added by local law number 2 for the year1988, is amended to read as follows:

§ 17-510 Public education. The department shall engage in a continuing program to explain and clarify the provisions and purposes of this chapter and shall provide assistance to those persons who seek to comply, and to those who want to stop smoking *or using electronic cigarettes*.

§ 10. Subdivisions a, b and d of section 17-512 of the administrative code of the city of New York, subdivision a as added by local law number 2 for the year 1988, subdivision b as added by local law number 5 for the year 1995, and subdivision d as added by local law number 2 for the year 1988 and relettered by local law 5 for the year 1995, are amended to read as follows:

a. Nothing in this chapter shall be construed to permit smoking *or using electronic cigarettes* where [it is] *they are* otherwise prohibited by law or regulation.

b. Nothing in this chapter shall be construed to prohibit owners, operators, managers, employers or other persons having control of any establishment subject to this chapter from adopting a smoke-free *and electronic cigarette-free* policy which completely prohibits smoking *and using electronic cigarettes* on the premises of such establishment at all times.

d. Nothing in this chapter shall be construed to preclude owners, operators, managers, employers or other persons having control of any establishment covered by this act from prohibiting smoking *and using electronic cigarettes* in such establishment to a greater extent than is provided by this chapter, in accordance with applicable law.

§ 11. Section 17-513.2 of the administrative code of the city of New York, as added by local law number 47 for the year 2002, is amended to read as follows:

§17-513.2 Construction.

The provisions of this chapter shall not be interpreted or construed to permit smoking *and using electronic cigarettes* where [it is] *they are* prohibited or otherwise restricted by other applicable laws, rules or regulations.

§ 12. Chapter 5 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-513.3 to read as follows:

§17-513.3 Retail tobacco store and retail electronic cigarette store registration.

It shall be unlawful for any individual to operate a retail tobacco store or a retail electronic cigarette store without having registered with the department in accordance with the rules of the department.

§ 13. Chapter 5 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-513.4 to read as follows:

§17-513.4 Retail tobacco store and retail electronic cigarette store verification.

The department shall promulgate rules and regulations necessary to establish a system for review and verification of total annual gross sales of retail tobacco stores and retail electronic cigarette stores.

§ 14. Before the ninetieth day after this local law shall have become a law, every

employer shall make any changes necessary in their written smoking policy to bring them into compliance with the requirements of chapter 5 of title 17 of the administrative code of the city of New York.

§ 15. This local law shall take effect one hundred twenty days after it shall have become a law, except that subdivisions (a) and (b) of section 17-506, as amended by section six of this local law, shall take effect one hundred eighty days after this local law takes effect, provided however, that the commissioner shall take such actions, including the promulgations of rules, as are necessary for timely implementation of this local law.

Referred to the Committee on Health (preconsidered but laid over by the Committee on Health).

Int. No. 1211

By Council Members Gennaro, Brewer, Dickens, King and Rose.

A Local Law to amend the New York city charter, in relation to repealing a provision which precludes judgments entered for sanitation violations from being referred to city marshals for execution.

Be it enacted by the Council as follows:

Section 1. Subparagraph j of paragraph 1 of subdivision d of section 1049-a of the New York city charter is REPEALED.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1212

By Council Members Recchia, Fidler and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to the method by which the taxi and limousine commission collects the commercial motor vehicle tax imposed on certain other motor vehicles for the transportation of passengers.

Be it enacted by the Council as follows:

Section 1. Section 11-809.2 of the administrative code of the city of New York is amended to read as follows:

§11-809.2 Collection of tax by the taxi and limousine commission on behalf of the commissioner of finance.

a. Notwithstanding any provision of this chapter to the contrary, the tax imposed by this chapter on any medallion taxicab or other licensed vehicle, as defined in this subdivision, shall be collected by the taxi and limousine commission on behalf of the commissioner of finance. Except as otherwise provided by subdivision m of this section, the owner of each such medallion taxicab [or other licensed vehicle] shall pay the tax due thereon to the taxi and limousine commission on or before the date upon which such owner licenses or renews the license of such medallion taxicab [or other licensed vehicle] or is required to license or renew the license thereof pursuant to chapter five of title nineteen of the code. *The owner of other licensed vehicles shall pay one-fourth of the tax due thereon to the taxi and limousine commission on or before the fifteenth day following the last day of the third, sixth, ninth and twelve month of the year based on the number of its licensed vehicles within the city of New York. The owner of three (3) or more other licensed vehicles shall pay the tax in one consolidated tax statement and shall provide an affirmation or evidence of its number of licensed vehicles providing service within the city of New York in the prior three-month period of the calendar year.*

For purposes of this section, the term “other licensed vehicle” shall mean a motor vehicle for the transportation of passengers the tax on which is not collected by the commissioner of motor vehicles pursuant to section 11-809.1 of this chapter and which is licensed or required to be licensed by the taxi and limousine commission pursuant to any provision of chapter five of title nineteen of the code. *For purposes of this section, the owner of three (3) or more other licensed vehicles shall mean a “fleet owner” for purposes of the collection of a single consolidated, quarterly tax payment for all vehicles owned by the fleet owner. The tax payment for the fleet owner of other licensed vehicles shall reflect the payment of one-fourth of the tax multiplied by the number of vehicles owned by the fleet owner and licensed by the taxi and limousine commission for the prior three-month period of the calendar year. For those owners of other licensed vehicles and fleet owners of other licensed vehicles licensed for less than the full prior three-month period, the tax shall be calculated as the actual percentage of days of the prior three-month period for which the other licensed vehicle is licensed by the taxi and limousine commission multiplied by one-fourth of the tax.*

b. Notwithstanding any provision of chapter five of title nineteen of the code to the contrary, payment of the tax with respect to a medallion taxicab [or other licensed vehicle] shall be a condition precedent to the licensing or license renewal of such medallion taxicab or other licensed vehicle with the taxi and limousine commission, and no such license or renewal thereof shall be issued unless such tax has been paid. Except as provided in subdivisions f and m of this section, if the license period

applicable to any such medallion taxicab [or other licensed vehicle] is a period of more than one year, the tax required to be paid pursuant to this section shall be the annual tax specified in section 11-802 of this chapter multiplied by the number of years in the license period. The taxi and limousine commission, upon payment of the tax pursuant to this section or upon the application of any person exempt therefrom, shall furnish to each taxpayer paying the tax a receipt for such tax and to each other taxpayer or exempt person a statement, document or other form prescribed by the taxi and limousine commission, showing that such tax has been paid or is not due with respect to such medallion taxicab [or other licensed vehicle.]

c. For purposes of this section, the term “tax period” shall mean the license period applicable to the medallion taxicab [or other licensed vehicle] under chapter five of title nineteen of the code and, in the case of a license period of other than one year, shall mean the number of twelve-month periods and any period of less than twelve months within such license period. The term “tax period” shall also include any periods described in paragraph one and in subparagraphs (A) [and (B)] of paragraph two of subdivision m of this section.

d. Except as provided in subdivision m of this section, where the tax imposed by this chapter has been paid to the commissioner of finance with respect to a motor vehicle for a tax year described in subdivision fourteen of section 11-801 of this chapter, and subsequent thereto but within such tax year the same taxpayer pays a tax to the taxi and limousine commission with respect to such motor vehicle pursuant to this section, such taxpayer shall be entitled to a refund or credit from the commissioner of finance for the portion of the tax paid to the commissioner of finance that is attributable to the period beginning on the first day of the first tax period for which the tax is paid to the taxi and limousine commission and ending on the following May thirty-first, provided, however, that no such refund or credit shall be allowed if the amount thereof is less than five dollars. Any refund or credit to which a taxpayer is entitled pursuant to this subdivision shall be promptly refunded or credited, without interest, by the commissioner of finance, and the commissioner of finance may promulgate such rules as he or she deems necessary to carry out the provisions of this subdivision.

e. If the license for the medallion taxicab [or other licensed vehicle] is transferred, revoked, surrendered or otherwise terminated, and the applicable license period under chapter five of title nineteen of the code is for more than one year, and the tax paid to the taxi and limousine commission was for a tax period of more than twelve months, the taxi and limousine commission shall refund the tax paid for any twelve-month period commencing subsequent to the transfer, revocation, surrender or other termination of the license.

f. Except as provided in subdivision m of this section, for medallion taxicabs [and other licensed vehicles] whose license period is a two year period that begins and ends on the same dates, the tax payable to the taxi and limousine commission pursuant to this section with respect to a medallion taxicab [or other licensed vehicle] that is licensed or required to be licensed after the commencement of such license period shall be determined as follows:

1. If such medallion taxicab [or other licensed vehicle] is licensed or required to be licensed before the first day of the seventh month of such period, the tax shall be the amount determined under subdivision b of this section.

2. If such medallion taxicab [or other licensed vehicle] is licensed or required to be licensed on or after the first day of the seventh month of such period but before the first day of the thirteenth month of such period, the tax shall be three-fourths of the amount determined under subdivision b of this section.

3. If such medallion taxicab [or other licensed vehicle] is licensed or required to be licensed on or after the first day of the thirteenth month but before the first day of the nineteenth month of such period, the tax shall be one-half of the amount determined under subdivision b of this section.

4. If such medallion taxicab [or other licensed vehicle] is licensed or required to be licensed on or after the first day of the nineteenth month of such period, the tax shall be one-fourth of the amount determined under subdivision b of this section.

5. When the license period described in this section is for a period of less than two years, the commissioner of finance shall have the authority to provide by rule the amounts to be payable under this subdivision.

g. The provisions of subdivision b of section 11-808 of this chapter shall apply to this section with such modifications or adaptations as are necessary to carry out the purposes of this section and to ensure collection of the appropriate annual tax specified in subdivision a of section 11-802 of this chapter, and with due regard to the respective responsibilities of the commissioner of finance and the taxi and limousine commission under this section and to the definition of “tax year” contained in subdivision fourteen of section 11-801 of this chapter and to the definition of “tax period” contained in subdivision c of this section. The agreement between the commissioner of finance and the taxi and limousine commission authorized by subdivision k of this section [may] *shall* contain such provisions concerning the division of responsibility for collection of the taxes imposed by this chapter and the granting of refunds or credits as are consistent with this section and subdivision b of section 11-808 of this chapter, and the commissioner of finance and the taxi and limousine commission may also adopt such rules as they deem necessary for such purposes, *including the granting of refunds or credits for the owners of other vehicles or fleet owners of other vehicles that have paid the tax pursuant to section 11-809.2 of this chapter.*

h. Notwithstanding any provision of section 11-807 of this chapter to the contrary, at the time a tax is required to be paid to the taxi and limousine commission pursuant to this section, the person required to pay such tax shall file a return with the taxi and limousine commission in such form and containing such information as the taxi and limousine commission may prescribe. The taxpayer's application for a license or the renewal thereof shall constitute the return required under this subdivision unless the taxi and limousine commission shall otherwise provide by

rule. A return filed pursuant to this subdivision with respect to a medallion taxicab [or-other licensed vehicle] for a tax period or periods shall be in lieu of any return otherwise required to be filed with respect thereto pursuant to section 11-807 of this chapter. Unless the taxi and limousine commission otherwise requires, the filing of a return shall not be required for the tax periods described in paragraph one or subparagraph (B) of paragraph two of subdivision m of this section.

i. In any case in which the tax imposed by this chapter is required to be paid to the taxi and limousine commission but is not so paid, the commissioner of finance shall collect such tax and all of the provisions of this chapter relating to collection of taxes by the commissioner of finance shall apply with respect thereto.

j. Notwithstanding any provision of chapter five of title nineteen of the code to the contrary, in those cases in which the commissioner of finance is responsible for collecting the tax imposed by this chapter, the taxi and limousine commission shall not issue or renew a license for any medallion taxicab or other licensed vehicle subject to such tax with respect to which the commissioner of finance has notified the taxi and limousine commission that such tax has not been paid, unless the applicant for such license or renewal submits proof, in a form approved by the taxi and limousine commission, that such tax has been paid, or is not due, with respect to such medallion taxicab or other licensed vehicle.

k. The commissioner of finance is hereby authorized and empowered to enter into an agreement with the taxi and limousine commission to govern the collection of the taxes imposed by this chapter which are required to be paid to the taxi and limousine commission pursuant to this section. Such agreement shall provide for the exclusive method of collection, custody and remittal to the commissioner of finance of the proceeds of any such tax; for the payment by the commissioner of finance of reasonable expenses incurred by the taxi and limousine commission in connection with the collection of any such tax; for the commissioner of finance, or a duly designated representative, upon his or her request, not more frequently than once in each calendar year at a time agreed upon by the city comptroller, to audit the accuracy of the payments, distributions and remittances to the commissioner of finance; and for such other matters as may be necessary and proper to effectuate the purposes of such agreement.

l. The taxi and limousine commission shall promptly notify the corporation counsel of the city and the commissioner of finance of any litigation instituted against such commission which challenges the constitutionality or validity of any provision of this chapter, or which attempts to limit or question the application of this chapter, and such notification shall include copies of the papers served upon such commission.

m. Except as otherwise provided in the agreement between the taxi and limousine commission and the commissioner of finance authorized by subdivision k of this section, or with respect to the periods described in subparagraph (D) of paragraph two of this subdivision, the taxi and limousine commission shall begin to collect taxes in accordance with the provisions of this section on the first day of October in the year two thousand eleven as follows:

1. For the periods described in subparagraph[s] (A) [and (B)] below, the tax on medallion taxicabs due under this section and payable on or before the first day of December in the year two thousand eleven pursuant to subdivision c of section 11-808 of this chapter, shall be determined as follows:

(A) The tax due on a medallion taxicab whose license is due to expire on the thirty-first day of May in the year two thousand twelve, for the period between the first day of December in the year two thousand eleven and the thirty-first day of May in the year two thousand twelve, shall be one-half of the amount provided in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter.

(B) The tax due on a medallion taxicab whose license is due to expire on the thirty-first day of May in the year two thousand thirteen, for the period between the first day of December in the year two thousand eleven and the thirty-first day of May in the year two thousand thirteen, shall be one and one-half times the amount provided in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter.

2. The tax due on an other licensed vehicle, the license for which expires on or after the first day of December in the year two thousand eleven and before the first day of December in the year two thousand thirteen, shall be determined as follows:

[(A) For an other licensed vehicle whose license expires on or after the first day of December in the year two thousand eleven and before the first day of June in the year two thousand twelve, the amount of tax due and payable on the date of such renewal shall be, for the tax period between the first day of June in the year two thousand twelve and the date the license shall expire for such other licensed vehicle pursuant to chapter five of title nineteen of the code, the sum of (i) the annual tax specified in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter for any twelve-month period within such tax period, and (ii) the amount determined under subparagraph (C) of this paragraph for any period of less than twelve months within such tax period.

(B) For an other licensed vehicle whose license expires on or after the first day of June in the year two thousand twelve and before the first day of December in the year two thousand thirteen, the amount of tax for the tax period between the first day of June in the year two thousand twelve and the date the license shall expire for such other licensed vehicle pursuant to chapter five of title nineteen of the code shall be the sum of (i) the annual tax specified in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter for any twelve-month period within such tax period, and (ii) the amount determined under subparagraph (C) of this paragraph for any period of less than twelve months within such tax period. The amount of tax so determined shall be payable on or before the first day of June in the year two thousand twelve. In the event the amount of tax due and payable under this subparagraph shall not have been paid within thirty days of the first day of June in the year two thousand twelve, the taxi and limousine commission shall suspend the

license for such other licensed vehicle, and the license for any such other licensed vehicle which has expired shall not be renewed until such time as such tax is paid.

(C)](A) For purposes of subparagraph[s] (A) [or (B)] of this paragraph, the amount of tax for a period of less than twelve months shall be determined as follows: (i) if such period is nine months or more, the amount for such period shall be the full amount of annual tax provided in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter; (ii) if such period is more than six months but less than nine months, the amount for such period shall be three-fourths of the amount of annual tax provided in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter; (iii) if such period is more than three months but less than six months, the amount for such period shall be one-half of the amount of annual tax provided in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter; and (iv) if such period is less than three months, the amount for such period shall be one-fourth of the amount of annual tax provided in subparagraph (C) of paragraph two of subdivision a of section 11-802 of this chapter.

[(D)](B) Upon the date for payment and renewal set forth in subparagraph (A) of this paragraph [or the date for payment set forth in subparagraph (B) of this paragraph], as applicable, the taxi and limousine commission shall require the taxpayer to provide a receipt or similar proof of payment of the tax to the commissioner of finance for the period beginning on the first day of June in the year two thousand eleven and ending on the thirty-first day of May in the year two thousand twelve or any part of such period for which the taxpayer was subject to the tax. In the event the taxpayer has not paid such tax to the commissioner of finance: (i) the license for any other licensed vehicle described in subparagraph (A) [or (B)] of this paragraph shall not be renewed until such time as such tax, together with any applicable interest or penalties, has been paid to the commissioner of finance [and (ii) if such tax remains unpaid as of the end of the thirty-day period set forth in subparagraph (B) of this paragraph, the license for any other licensed vehicle described in subparagraph (B) of this paragraph shall be suspended until such time as such tax, together with any applicable interest or penalties, is paid to the commissioner of finance].

n. In addition to any other powers granted to the taxi and limousine commission in this chapter or any other law, the taxi and limousine commission is hereby authorized and empowered:

1. to adopt and amend rules appropriate to the carrying out its responsibilities under this chapter;
2. to request information concerning motor vehicles and persons subject to the provisions of this chapter from the commissioner of motor vehicles, the department of motor vehicles of any other state, the treasury department of the United States or the appropriate officials of any city or county of the state of New York; and to afford such information to such department of motor vehicles, treasury department or officials of such city or county, any provision of this chapter to the contrary notwithstanding;
3. to delegate its functions under this section to any commissioner or employee of such commission;
4. to require all persons owning medallion taxicabs or other licensed vehicles to keep such records as it prescribes and to furnish such information upon its request; and
5. to extend, for cause shown, the time for filing any return required to be filed with the taxi and limousine commission for a period not exceeding sixty days.
 - o. To the extent that any provision of this section is in conflict with any other provision of this chapter, the provisions of this section shall be controlling, but in all other respects such other provisions of this chapter shall remain fully applicable with respect to the imposition, administration and collection of the taxes imposed by this chapter.

§2. This act shall take effect immediately.

Referred to the Committee on Finance.

Int. No. 1213

By Council Member Reyna.

A Local Law to amend the administrative code of the city of New York, in relation to replacing certain fines with warnings or opportunities to cure.

Be it enacted by the Council as follows:

Section 1. Paragraph one of subdivision a of section 16-324 of the administrative code of the city of New York is amended to read as follows:

1. For residential buildings containing fewer than nine dwelling units, the *first violation shall result in a written warning. For subsequent violations, the* civil penalty shall be in an amount of [twenty-five dollars for the first violation,] fifty dollars for the second violation committed on a different day within a period of twelve months, and one hundred dollars for the third and each subsequent violation committed on a different day within a period of twelve months[, provided that the court before which such civil action is brought or such board may waive the penalty for the first violation upon a showing of good cause].
- §2. Notwithstanding any other provision of law, the department of consumer affairs shall remit the penalty for an individual’s first-time failure to comply with a covered provision of the code, or any rule promulgated pursuant to a covered provision of the code, or a covered signage mandate, and such failure to comply shall

not be a violation, if such non-compliant individual proves to the satisfaction of the department or the administrative tribunal of the department that he or she has come into compliance with the applicable covered provision of the charter, code, rule or regulation. The option of presenting proof of compliance shall be offered as part of any settlement offer given by the department to such a non-compliant individual with respect to a first-time failure to comply with a covered provision of the code or covered signage mandate. The department shall permit such proof to be submitted to the department electronically or in person. For the purposes of this local law, “covered provision of the code” shall mean the following code provisions: subdivisions a and b of section 20-237, section 20-270, section 20-271, subdivision b of section 20-324, section 20-727, subdivision a of section 20-740, section 20-746, subdivision c of section 20-750, section 20-773, subdivision a of section 20-774, section 20-809, and such other provisions of title 20 of the code or the rules of the department as the department shall determine. For the purposes of this local law, “covered signage mandate” shall mean any provision of the charter and administrative code, and any rule or regulation, which is enforced by the department of consumer affairs, and which 1) requires the posting of refund policies; 2) requires the posting of a sign stating that individuals may complain to the department of consumer affairs about a business licensed by such department; 3) disallows signs stating that a business is not liable for such business’s negligence if such a statement is invalid under law; 4) requires that parking lots and garages post a sign stating that such lot or garage is at full capacity for car or bicycle parking, post a sign stating the licensed capacity, minimum number of bicycle parking spaces, and business hours of such lot or garage, have separate entrances and exits, with the main entrance and exit clearly designated with illuminated signs marked “entrance” and “exit”, ensure that all required signage is illuminated, clearly visible, and readable, and, for those lots and garages with waivers under section 20-327.1 of the code, post a sign with respect to bike parking; 5) requires that auxiliary signs of parking lots and garages contain equally sized letters and numbers; 6) requires that businesses that accept credit cards post a list of limitations that such business puts on credit card usage at or near the entrance of each such business, and in all advertising indicating that credit cards are accepted; 7) requires that electronic or home appliance service dealers include a notice in the department or area where electronic and home appliances are accepted for repair stating that customers are entitled to written estimates for repairs and other customer rights, and requiring a notice in such area stating that the regulations of the department of consumer affairs relating to television, radio and audio servicing are available for review from the service dealer upon request; 8) requires tax preparers to display a sign identifying him or herself, including his or her address, telephone number, and qualifications, and to display a sign stating that both the preparer and taxpayer must sign every tax return, and to display a sign stating how his or her fees are calculated, and to display a sign stating that he or she or his or her agency will not represent the taxpayer in an audit, if true, and to display a sign stating that he or she is not licensed by the state board of public accounting or the New York state bar, or both, if true; 9) requires dealers of products for the disabled to post a sign summarizing any provisions of the New York city products for the disabled law; 10) requires any bus to include a posted sign on the windshield and near the entrance door of such bus that designates the departure time and destination of such bus; 11) requires all or certain laundries to distinguish in their advertising between services being offered at different prices, to post an out-of-order sign on non-functioning machines on such laundry’s premises, to post a notice that complaints and claims for refunds may be made to a certain person or persons, and to post any sign in both english and spanish; 12) requires sidewalk cafes to post a sign stating the maximum number of tables and chairs licensed for such sidewalk café, and prohibiting other signage at a sidewalk café except for signage meeting certain specifications; 13) requires motor vehicle rental businesses to post a notice of the department of consumer protection’s consumer protection law; 14) requires any labeling requirement declaration to be written in the english language; 15) requires that amusement arcades and gaming cafes post a sign describing age restrictions during certain hours of operation; 16) requires signage at businesses that sell beverages for off-premises consumption in beverage containers that are covered by title ten or article twenty-seven of the environmental conservation law of the state of New York to be placed within a certain distance of cash registers or to be visible to consumers from any specific vantage point; and 17) requires stores with weighing and measuring devices for customer use to post a sign informing customers that they may reweigh products using such weighing or measuring device or devices;

§3. Notwithstanding any other provision of law, the department of environmental protection shall remit the penalty, and there shall be no criminal liability, for an individual’s first-time failure to comply with a covered water meter provision, if such non-compliant individual proves to the satisfaction of the department or the environmental control board that he or she has come into compliance with the applicable covered water meter provision. The option of presenting proof of compliance shall be offered as part of any settlement offer given by the department to such a non-compliant individual with respect to a first-time failure to comply with a covered water meter provision. The department and environmental control board shall permit such proof to be submitted to the department or board electronically or in person. For the purposes of this local law, “covered water meter provision” shall mean any rule or regulation that is enforced by the department of environmental preservation, and which 1) requires the return of a water meter permit to the department, including certain information, within a set time period; or 2) requires that water meters be set in certain locations and in a certain manner.

§4. Section 24-178 of the administrative code of the city of New York is amended by adding a new subdivision (g) to read as follows:

(g) *Notwithstanding any civil penalty contained in subparagraph (i) of paragraph (5) of subdivision (b) of this section, the board may not impose a civil penalty for a first violation by a respondent of section 24-165 or 24-166 of this code,*

but may instead issue a written warning. The board may impose civil penalties as laid out in subparagraph (i) of paragraph (5) of subdivision (b) of this section for second and subsequent violations of these subdivisions by the same respondent.

§5. The row in table I following paragraph (5) of section 24-257 of the administrative code of the city of New York that begins 24-227 is amended to read as follows:

24-227	[875] 0	[275] 0	1,750	440	2.625	660
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§6. This local law shall take effect six months following the date of its enactment.

Referred to the Committee on Small Business.

Res. No. 2059

Resolution calling on the New York State Legislature to increase the criminal penalties for unscrupulous immigration service providers who violate state law.

By Council Members Vacca, Wills, Chin, Dickens, Fidler, King, Koo, Koppell, Nelson, Rose, Williams and Rodriguez.

Whereas, According to the most recent census, New York City is home to over three million immigrants, many of whom are currently seeking citizenship; and

Whereas, The pathway to citizenship in the United States can be complex and confusing; and

Whereas, For many immigrants it can take up to ten years to obtain citizenship and cost thousands of dollars in legal fees and application costs; and

Whereas, Therefore many immigrants turn to immigration service providers who are not attorneys for assistance; and

Whereas, Many immigrants fall victim to unscrupulous immigration service providers who misrepresent themselves as attorneys, fail to follow state law and take advantage of an individual’s lack of status; and

Whereas, Immigrants applying for citizenship, petitioning for permanent residency for loved ones, and pursuing employment-based visas rely on immigration service providers to guide them through a myriad of complicated issues; and

Whereas, Improperly filing immigration documents can have a negative impact on a person’s future status, for example, it may lead to detention or deportation; and

Whereas, More needs to be done to curb the abusive practices visited upon the immigrant community by unscrupulous service providers and to ensure that they are properly represented and those who are victimized receive justice; and

Whereas, The Deferred Action for Childhood Arrives (“DACA”) program was implemented in 2012; and

Whereas, DACA permits immigrant children who meet certain criteria to apply for deferred action, a temporary form of immigration relief, and apply for employment authorization; and

Whereas, Under DACA, approximately 90,000 immigrant children in New York State could benefit from this program; and

Whereas, Due to the large number of immigrants who will need assistance to navigate the DACA application process it is more important than ever that criminal penalties are enhanced for those who fail to follow State law in providing immigration services in New York City and State; and

Whereas, The provision of immigration services is governed by New York State General Business Law (“GBL”) Article 28-C, Section 460; and

Whereas, GBL Section 460-h allows an appropriate court to impose a civil penalty of not more than seven thousand five hundred dollars for each violation of Article 28-C; and

Whereas, GBL Section 460-I classifies violations of Article 28-C as Class A misdemeanors punishable by up to a year in prison and a fine not to exceed \$1,000; and

Whereas, Section 460-I also allows the court to impose restitution or reparations paid to the victim of the crime in an amount not to exceed ten thousand dollars; and

Whereas, However, the imposition of these criminal and civil penalties has not had the desired deterrent effect; and

Whereas, Individuals who fail to provide immigration services in accordance with the law take advantage of immigrants and jeopardize their status and future should be punished accordingly; and

Whereas, Therefore the criminal penalty for unscrupulous immigration service providers should be increased from a Class A misdemeanor to a felony to better deter and punish these bad actors and safeguard the immigrant community; now, therefore, be it

Resolved, That the Council of the City of New York urges the New York State Legislature to increase the criminal penalties for unscrupulous immigration service providers who violate state law.

Referred to the Committee on Immigration.

Res. No. 2060

Resolution calling upon the United States Congress to pass, and the President to sign, H.R.3393, the Student and Family Tax Simplification Act, an Act to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, and for other purposes.

By Council Members Williams, Chin, Eugene, Koo, Mendez and Wills.

Whereas, Education is key to the economic well-being of our citizens and our democracy; and

Whereas, However, tax credits that are allowed for educational purposes are often confusing and difficult to understand by educators and tax preparers, and therefore aren’t frequently used; and

Whereas, Streamlining the number of education provisions and retooling those provisions that are most effective would allow lawmakers to simplify the code and reduce some of the confusion that exists in the tax code today; and

Whereas, By doing so, students can spend less time figuring out how to finance the cost of a higher education and more time developing the skills they need to succeed in a knowledge-based economy; and

Whereas, It is necessary to pass legislation to make it easier and simpler for families to afford the costs of higher education by consolidating four separate tax provisions into one improved and more robust education tax benefit; and

Whereas, On October 30, 2013, Rep. Black (D-TN) and Rep. Davis (D-IL) introduced H.R.3393 to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, and for other purposes, otherwise known as the Student and Family Tax Simplification Act; and

Whereas, Generally, the Student and Family Tax Simplification Act amends the Internal Revenue Code to provide for an American Opportunity Tax Credit, in lieu of the current Hope Scholarship and Lifetime Learning tax credits and the tax deduction for qualified tuition and related expenses that provide for a credit of 100% of qualified tuition and related expenses (i.e., tuition, fees, and course materials) up to \$2,000, plus 25% of such expenses, but not more than \$4,000; and

Whereas, The first \$1,500 of the credit would be refundable, meaning that families could receive the benefit regardless of whether they have Federal income tax liability; and

Whereas, The credit would be available for up to four years of post-secondary education at qualifying four-year universities, community colleges, and trade and vocational schools.; and

Whereas, The Act also reduces the allowable amount of such credit based upon the taxpayer's modified adjusted gross income; and

Whereas, The credit would begin to phase out for families with incomes between \$86,000 and \$126,000 (half those amounts for single individuals), ensuring that the credit provides the greatest benefit and value to low- and middle-income families; now, therefore be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign, H.R.3393, the Student and Family Tax Simplification Act, an Act to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, and for other purposes.

Referred to the Committee on Finance.

Int. No. 1214

By Council Members Wills, Koppell, Richards and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to illegal dumping.

Be it enacted by the Council as follows:

Section 1. Subdivisions b and c of section 16-119 of title 16 of the administrative code of the city of New York is amended to read as follows:

b. Any person who violates the provisions of this section shall be liable to arrest and upon conviction thereof shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than [one] *two* thousand five hundred dollars nor more than ten thousand dollars or by imprisonment not to exceed [ninety] *sixty* days or by both such fine and imprisonment.

c. (1) Any person who violates the provisions of subdivision a of this section shall also be liable for a civil penalty of not less than one thousand [five] *seven* hundred *fifty* dollars nor more than [ten] *four* thousand *five hundred* dollars for the first offense, and not less than [five] *three* thousand dollars nor more than [twenty] *ten* thousand dollars *and the forfeiture penalties set forth in paragraph 2 of subdivision e of this section* for each subsequent offense. In addition, every owner of a dump truck or other vehicle shall be liable for a civil penalty of not less than one

thousand [five] *seven* hundred *fifty* dollars nor more than [ten] *four* thousand *five hundred* dollars for the first offense and not less than [five] *three* thousand dollars nor more than [twenty] *ten* thousand dollars *and the forfeiture penalties set forth in paragraph 2 of subdivision e of this section* for each subsequent offense of unlawful dumping described in subdivision a of this section by any person using or operating the same, in the business of such owner or otherwise, with the permission, express or implied, of such owner.

(2) Any owner, owner-operator or operator who is found in violation of this section in a proceeding before the environmental control board and who shall fail to pay the civil penalty imposed by such environmental control board shall be subject to the suspension of his or her driver's license, privilege to operate or vehicle registration or renewal thereof imposed pursuant to section twelve hundred twenty-a of the vehicle and traffic law, in addition to any other civil and criminal fines and penalties set forth in this section.

§ 2. Paragraph 2 of subdivision e of section 16-119 of the administrative code of the city of New York is amended to read as follows:

(2) In addition to any other penalties provided in this section, the interest of an owner as defined in subdivision c of this section in any vehicle impounded pursuant to paragraph (1) of this subdivision shall be subject to forfeiture upon notice and judicial determination thereof if such owner (i) has been convicted of or found liable for a violation of this section in a civil or criminal proceeding or in a proceeding before the environmental control board [three] *two* or more times, [all] *both* of which violations were committed within an eighteen month period or (ii) has been convicted of or found liable for a violation of this section in a civil or criminal proceeding or in a proceeding before the environmental control board if the material unlawfully dumped is a material identified as a hazardous waste or an acute hazardous waste in regulations promulgated pursuant to section 27-0903 of the environmental conservation law.

§ 3. This local law shall take effect within one hundred eighty days after its enactment.

Referred to the Committee on Sanitation and Solid Waste Management.

Preconsidered L.U. No. 993

By Council Member Comrie:

Application No. C 140079 ZMQ 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. 18a, 18b, 18c and 18d, to rezone all or portions of approximately 530 blocks in Ozone Park, Borough of Queens, Community Board Nos. 9 and 10, Council Districts 28 and 32.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

L.U. No. 994

By Council Member Comrie:

Application No. C 140063 ZSK submitted by Coney Island Holdings LLC and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 131-60 of the Zoning Resolution to allow an open-air auditorium with a maximum of 5,099 seats for a term no greater than ten (10) years, on property located at 3052-3078 West 21st Street (Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 226, 231, and p/o Lot 142, in the Borough of Brooklyn, Community District 13, Council District 47.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 995

By Council Member Comrie:

Application No. N 140064 ZRK submitted by Coney Island Holdings LLC and New York City Economic Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 113-00 (Special Coney Island District), 131-60 (Special Permit for Auditoriums), Appendix A (Coney Island District Plan) relating to the development of auditorium use, in the Borough of Brooklyn, Community District 13, Council District 47.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 996

By Council Member Comrie:

Application No. C 140065 ZMK submitted by Coney Island Holdings, LLC and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 28d, establishing a Special Coney Island District (CI) bounded by a line perpendicular to the easterly street line of West 23rd Street distant 245 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West 23rd Street and northerly boundary line of Riegelmann Boardwalk, a line 110 feet easterly of West 23rd Street, a line 150 feet northerly of former Highland View Avenue and its easterly prolongation, the easterly street line of former West 22nd Street, the northerly boundary line of Riegelmann Boardwalk, and West 23rd Street, in the Borough of Brooklyn, Community District 13, Council District 47.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 997

By Council Member Comrie:

Application No. C 140066 PPK submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition, by lease agreement, to the New York City Land Development Corporation (NYCLDC) of city-owned property located on Block 7071, Lots 27, 28, 30, 32, 34, 76, 130, 142 and 226, restricted to the conditions pursuant to NYC Zoning Resolution (ZR) Section 131-60 (Special Permit for Auditoriums), in the Borough of Brooklyn, Community District 13, Council District 47.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 998

By Council Member Comrie:

Application No. C 140067 PQK submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property generally bounded by West 21st Street, West 22nd Street and the Riegelmann Boardwalk (Block 7071, Lots 27, 28, 30, 32, 34, 76, 130, 226, and 231), in the Borough of Brooklyn, Community District 13, Council District 47.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 999

By Council Member Comrie:

Application No. M 090107(B) MMK submitted by the New York City Economic Development for a modification of the resolution adopted by the City Planning Commission on June 17, 2009 (Calendar No. 14) approving an application (C 090107 MMK) for an amendment to the City Map involving, inter alia, the elimination of streets within an area bounded by West 22nd Street, West 23rd Street, and Public Beach in accordance with Map Nos. X-2711 dated January 14, 2009, revised June 17, 2009 and August 16, 2013 and X-2739 dated August 16, 2013 and signed by the Borough President, in the Borough of Brooklyn, Community District 13, Council District 47. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 1000

By Council Member Comrie:

Application No. 20145224 HAM submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of a new exemption from real property taxation, the termination of the existing tax exemption and voluntary dissolution of the current owner for the property located on Block 247, Lot 1, in the Borough of the Manhattan, Community Board 3, Council District 1.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 1001

By Council Member Comrie:

Application No. 20145225 HAM submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of a tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL) for the property located on Block 1749, Lots 60 and 66; Block 1750, Lots 65 and 104; Block 1751, Lots 14, 57, 63 and 156; Block 1752, Lots 10 and 70; Block 1755, Lot 22; and Block 1756, Lot 8, in the Borough of the Manhattan, Community Board 11, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 1002

By Council Member Comrie:

Application no. 20145155 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Cherry Lane, Inc. d/b/a The Randolph at Broome, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 349 Broome Street, in the Borough of Manhattan, Community District 2, Council District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning Zoning and Franchises.

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

ANNOUNCEMENTS:

Wednesday, December 11, 2013

★ Deferred
Committee on **HEALTH**.....**10:00 A.M.**
Agenda to be announced
Committee Room – City Hall.....Maria del Carmen Arroyo, Chairperson

★ Note Topic Update
Committee on **COMMUNITY DEVELOPMENT**.....**10:00 A.M.**
Proposed Int. 891-A - By Council Members Lander, Vann, Brewer, Chin, Dromm, Fidler, James, Mark-Viverito, Mendez, Rose, Van Bramer, Williams, Wills, Gonzalez, Rodriguez, Ferreras, Barron, Jackson and Halloran – A Local Law to amend the New York city charter, in relation to requiring the mayor to submit an annual report on poverty.
Committee Room – City Hall.....Albert Vann, Chairperson

★ Addition
Committee on **HOUSING AND BUILDINGS****10:00 A.M.**
Int 475 - By Council Members Barron, Dromm, Jackson, James, Mark-Viverito, Mealy, Palma, Recchia, Rose, Vann, Williams, Lander, Van Bramer, Levin, Dickens, Ferreras, Arroyo, Rodriguez, Brewer, Nelson, Vacca, Reyna and Wills - A Local Law to amend the administrative code of the city of New York, in relation to evictions of elderly tenants.

Hearing Room – 250 Broadway, 16th FloorErik Martin-Dilan, Chairperson

★ Note Committee Addition
Committee on **LOWER MANHATTAN REDEVELOPMENT** jointly with the
★ Committee on **TRANSPORTATION**.....**10:00 A.M.**
Oversight - Update on the Status of the MTA Fulton Center
Committee Room – 250 Broadway, 16th Floor Margaret Chin, Chairperson
★ James Vacca, Chairperson

★ Note Topic Update
Committee on **EDUCATION**..... **1:00 P.M.**
Oversight – DOE’s Admissions and Transfer policies
Committee Room – City Hall..... Robert Jackson, Chairperson

★ Deferred
~~Committee on **SANITATION AND SOLID WASTE MANAGEMENT**..... **1:00 P.M.**~~
~~Agenda to be announced~~
~~Committee Room – 250 Broadway, 16^h Floor Letitia James, Chairperson~~

Thursday, December 12, 2013

Committee on **HIGHER EDUCATION****10:00 A.M.**
Oversight - CUNY Service Corps
Committee Room – City HallYdanis Rodriguez, Chairperson

Committee on **WATERFRONTS****10:00 A.M.**
Oversight - The Clean Waterfront Management Plan
Committee Room – 250 Broadway, 16^h Floor Peter Koo, Chairperson

★ Note Topic Addition
Committee on **YOUTH SERVICES**.....**10:00 A.M.**
Oversight - How do the Human Trafficking Intervention Courts address the needs of New York City’s Runaway and Homeless Youth Population?
★ Res 1649 - By Council Members Koppell, Chin, Ferreras, Gennaro, James, Koo, Rose, Wills and Rodriguez - Resolution recognizing October 11 as the “Day of the Girl Child” in New York City.
Council Chambers – City Hall Lewis Fidler, Chairperson

★ Addition
Committee on **GOVERNMENTAL OPERATIONS** jointly with the
Committee on **SMALL BUSINESS**.....**10:00 A.M.**
Int 1213 - By Council Member Reyna - A LOCAL LAW - To amend the administrative code of the city of New York, in relation to replacing certain fines with warnings or opportunities to cure.
Hearing Room – 250 Broadway, 16^h Floor Gale Brewer, Chairperson
.....Diana Reyna, Chairperson

★ Note Topic Update
Committee on **CIVIL SERVICE AND LABOR** **1:00 P.M.**
Proposed Int 852-A - By Council Member Mark-Viverito, Brewer, Chin, Dromm, Ferreras, James, Koppell, Koslowitz, Lander, Lappin, Levin, Recchia, Van Bramer, Williams, Barron, Rodriguez, Nelson, Garodnick, Rose, Jackson, Arroyo, Eugene, Crowley, Vann, Palma, Mendez, Koo, Cabrera, King and Gonzalez - A LOCAL LAW - To amend the administrative code of the city of New York, in relation to licensing car washes.
Int 1208 - By Council Member Brewer - A LOCAL LAW - To amend the administrative code of the city of New York, in relation to the provision of sick time earned by employees.
Committee Room – 250 Broadway, 16^h Floor Michael Nelson, Chairperson

★ Note Topic Update
Committee on **CIVIL RIGHTS** **1:00 P.M.**
Int 863 - By Council Members Brewer, Dromm, Gentile, Gonzalez, Jackson, James, Koppell, Lander, Mendez, Palma, Rose, Vann, Williams, Wills, Rodriguez, Nelson, Levin, Barron, Mark-Viverito and Chin - A LOCAL LAW - To amend the administrative code of the city of New York, in relation to prohibiting employment discrimination based on an individual’s actual or perceived status as a caregiver.
Committee Room – City Hall Deborah Rose, Chairperson

Friday, December 13, 2013

★ Note Topic Update
Committee on **FIRE AND CRIMINAL JUSTICE SERVICES..... 10:00 A.M.**
Oversight – Examining Ways to Increase the Number of FDNY Female Firefighters
Committee Room – 250 Broadway, 16th Floor
..... Elizabeth Crowley, Chairperson

★ Addition
Committee on **CULTURAL AFFAIRS, LIBRARIES
& INTERNATIONAL INTERGROUP RELATIONS.1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor
..... James Van Bramer, Chairperson

Monday, December 16, 2013

★ Deferred
~~Subcommittee on **ZONING & FRANCHISES.....9:30 A.M.**
See Land Use Calendar Available Wednesday, December 11, 2013
Committee Room— 250 Broadway, 16th FloorMark Weprin, Chairperson~~

★ Addition
Committee on **PUBLIC SAFETY1:00 P.M.**
Agenda to be announced
Committee Room – City Hall..... Peter Vallone, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING
& MARITIME USES11:00 A.M.**
See Land Use Calendar Available Wednesday, December 11, 2013
Committee Room– 250 Broadway, 16th Floor Brad Lander, Chairperson

Subcommittee on
PLANNING, DISPOSITIONS & CONCESSIONS 1:00 P.M.
See Land Use Calendar Available Wednesday, December 11, 2013
Committee Room – 250 Broadway, 16th Floor Stephen Levin, Chairperson

★ Note Topic Update & Committee Addition
Committee on **WOMEN’S ISSUES** jointly with the
★ Committee on **AGING..... 1:00 P.M.**
Oversight - Women Aging Into Poverty
Committee Room – City HallJulissa Ferreras, Chairperson
..... Jessica Lappin, Chairperson

Tuesday, December 17, 2013

★ Addition
Subcommittee on **ZONING & FRANCHISES.....9:30 A.M.**
See Land Use Calendar Available Wednesday, December 11, 2013
Committee Room – 250 Broadway, 16th FloorMark Weprin, Chairperson

★ Deferred
~~Committee on **LAND USE.....10:00 A.M.**
All items reported out of the subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room— 250 Broadway, 16th FloorLeroy Comrie, Chairperson~~

★ Deferred
Committee on **GENERAL WELFARE1:00 P.M.**
Agenda to be announced
Committee Room— City Hall Annabel Palma, Chairperson

★ Note Topic Update
Committee on **IMMIGRATION 1:00 P.M.**
Res 1515 - By Council Members Dromm, Brewer, Chin, Ferreras, James, Koppell, Koslowitz, Lander, Mendez, Rose, Williams, Palma, Lappin and Rodriguez -

Resolution calling upon the United States Congress to pass and the President to sign S.1336, also known as the "Immigration Fraud Prevention Act of 2011," which would impose criminal penalties on any person who falsely represents himself or herself as an immigration attorney or as an accredited immigration representative.
Res 2057 - By Council Members Eugene and Dromm - Resolution calling upon the Secretary of the Department of Homeland Security to grant Temporary Protected Status designation of the Philippines and eligible Filipino nationals.
Res 2059 - By Council Member Vacca - Resolution calling on the New York State Legislature to increase the criminal penalties for unscrupulous immigration service providers who violate state law.
Committee Room – 250 Broadway, 16th FloorDaniel Dromm, Chairperson

Wednesday, December 18, 2013

★ Note Topic Addition
Committee on **TECHNOLOGY** jointly with the
Committee on **GOVERNMENTAL OPERATIONS..... 10:00 A.M.**
Oversight – The Promises and Perils of Internet Voting
Res 1954 - By Council Members Brewer, Cabrera, Comrie, Jackson, James, Koo, Levin, Richards, Rose, Williams and Rodriguez - Resolution calling upon the Port Authority of New York and New Jersey to amend its contract with Boingo Wireless, Inc. in order to provide free Internet access at its three major airports.
★ Proposed Res 1988-A - By The Speaker (Council Member Quinn) and Council Members Brewer, Chin, Koo, Koslowitz, and Halloran (in conjunction with the Mayor) - Resolution calling on the New York State Assembly and New York State Senate to introduce and pass, and the Governor to sign, legislation requiring the Joint Committee on Public Ethics (JCOPE) to accept filings pursuant to the City’s lobbyist registration laws from lobbyists who are required to file by the State Lobbying Act with JCOPE solely due to their lobbying of New York City officials.
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – 250 Broadway, 16th Floor
..... Fernando Cabrera, Chairperson
..... Gale Brewer, Chairperson

Committee on **CONSUMER AFFAIRS.....10:00 A.M.**
Agenda to be announced
Hearing Room – 250 Broadway, 16th Floor Daniel Garodnick, Chairperson

★ Addition
Committee on **LAND USE.....10:00 A.M.**
All items reported out of the subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – City Hall..... Leroy Comrie, Chairperson

★ Note Topic Update
Committee on **PUBLIC HOUSING 1:00 P.M.**
Oversight – Council Member-Funded Capital Projects at NYCHA
Committee Room – City HallRosie Mendez, Chairperson

★ Deferred
~~Committee on **AGING..... 1:00 P.M.**
Agenda to be announced
Committee Room— 250 Broadway, 16th Floor Jessica Lappin, Chairperson~~

Thursday, December 19, 2013

★ Addition
Committee on **FINANCE.....10:00 A.M.**
Int 1186 - By Council Members Recchia and Koo (by request of the Mayor) - A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the Hudson Yards business improvement district.
Preconsidered L.U. __ - Building 1A Compass Residence, Bronx, Block 3013, Lot 29, Council District No. 17
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
Committee Room – City HallDomenic M. Recchia, Chairperson

Stated Council MeetingCeremonial 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 December 19, 2013.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor’s Local Law Note: Int Nos.132-A, 234-A, 904-A, 1011, 1047-A, 1092-A, 1093-A, 1094-A, 1101-A, 1111-A, and 1155-A, all adopted by the Council at the November 14, 2013 Stated Meeting, were signed into law by the Mayor on December 2, 2013 as, respectively, Local Laws Nos. 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113 of 2013.

