

**THE COUNCIL**

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*Minutes of the Proceedings for the*

**STATED MEETING**

*of*

Wednesday, August 29, 2018, 1:42 p.m.

*The Majority Leader (Council Member Cumbo)*

*Acting President Pro Tempore and Presiding Officer*

Council Members

Corey D. Johnson, *Speaker*

Adrienne E. Adams	Mark Gjonaj	Helen K. Rosenthal
Alicia Ampry-Samuel	Barry S. Grodenchik	Rafael Salamanca, Jr
Diana Ayala	Robert F. Holden	Ritchie J. Torres
Inez D. Barron	Peter A. Koo	Mark Treyger
Joseph C. Borelli	Karen Koslowitz	Eric A. Ulrich
Justin L. Brannan	Rory I. Lancman	Paul A. Vallone
Fernando Cabrera	Mark D. Levine	James G. Van Bramer
Margaret S. Chin	Alan N. Maisel	Jumaane D. Williams
Andrew Cohen	Steven Matteo	Kalman Yeger
Robert E. Cornegy, Jr	Carlos Menchaca	
Laurie A. Cumbo	I. Daneek Miller	
Chaim M. Deutsch	Francisco P. Moya	
Ruben Diaz, Sr.	Bill Perkins	
Daniel Dromm	Keith Powers	
Rafael L. Espinal, Jr	Antonio Reynoso	
Mathieu Eugene	Donovan J. Richards	
Vanessa L. Gibson	Ydanis A. Rodriguez	

Absent: Council Member Constantinides, Kallos, King, Lander, Levin, Rivera and Rose.

The Majority Leader (Council Member Cumbo) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings. The Public Advocate (Ms. James) was not present at this meeting.

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

*There were 44 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.*

## INVOCATION

The Invocation was delivered by Monsignor Kevin Sullivan, Catholic Charities Archdiocese of New York, located at 1011 First Avenue, New York, NY 10022 and in Residence at the Roman Catholic Parish of Our Saviour, located at 59 Park Avenue, New York, NY 10016.

So, let's just... let's just bow her heads for a moment.

Almighty God as we gather this afternoon  
to take important action for the safety of our children  
let us remember that they are also your children made in your image  
and thus meriting the utmost protection and nurturing.  
We thank you for the creative ways that this Council,  
it's leadership and others in the city and state  
have been able to come together  
to resolve a threatening and unnecessary impasse.  
Almighty God allow us a moment to celebrate  
the small but important victory on behalf of the children of our city.  
We also ask your presence to continue to prod us  
toward tackling even more troubling and critical issues  
that impact the lives of New Yorkers  
especially the poorest and most vulnerable.  
Lord help us to be humble enough to recognize  
that our city and state are not immune  
from the alarming divisiveness that afflicts our nation  
but Lord help us to dare to be hopeful and confident enough  
that with your help the concern for the common good of all  
might overcome the pettiness that tempts each of us  
to assign too much blame and take too much credit.  
Lord I remind you that you are all powerful,  
so my prayer is a hope that you do your job.  
Almighty God as we focus today  
on the safety of our children in the zones outside our schools,  
we ask your grace and providence that as we begin a new school year  
they may be safe, nurtured and well educated inside our schools  
and on every street and in every neighborhood of this city  
may our young people also be safe from speeding bullets,  
thrashing knives and devastating drugs.  
And Lord I would be remiss today if I did not ask  
a special grace and blessing from you for those times for forgiveness,  
for those times that our institutions  
and in a particular way my Catholic Church  
has failed to protect children  
and inshameably mishandled and covered that up.  
And so, Lord while we pray for the grace of forgiveness  
it's even more necessary that we beg for the strength that you compel us  
to affirm purpose of amendment that does not merely speak hollow words  
but strong committed actions that shout never again.  
Almighty God we conclude again with a thank you  
for helping us to achieve today's step  
and we ask for your ongoing wisdom, guidance and prodding,  
God, please make our city a place

where your likeness and image is seen even more clearly  
 in those who are most vulnerable and most poor.  
 Almighty God we ask this not merely on this hot August afternoon,  
 not merely tomorrow but forever and ever,  
 Amen.

[applause]

The Speaker (Council Member Johnson) moved to spread the Invocation in full upon the record.

## **REPORT OF THE STANDING COMMITTEES**

### **Report of the Committee on Land Use**

Report for L.U. No. 157

**Report of the Committee on Land Use in favor of approving Application No. 20185529 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at 286 West 151st Street, Block 2036, Lot 53, Borough of Manhattan, Community District 10, Council District 9.**

The Committee on Land Use, to which the annexed Land Use item was referred on June 28, 2018 (Minutes, page 2621) and which same Land Use item was coupled with the resolution shown below, respectfully

### **REPORTS:**

#### **SUBJECT**

**MANHATTAN CB - 10**

**20185529 HAM**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2036, Lot 53, and termination of the prior exemption, Community District 10, Council District 9.

#### **INTENT**

To approve a new real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law and terminate the prior exemption for the Exemption Area which contains one multiple dwelling that provides homeownership housing for low income families.

#### **PUBLIC HEARING**

**DATE:** July 17, 2018

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** August 14, 2018

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.

**In Favor:**

Kallos, Deutsch, Diaz, Gibson.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** August 15, 2018

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Barron, Constantinides, Deutsch, Kallos, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Adams, Diaz, Moya, Rivera.

**Against:**

None

**Abstain:**

None

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

Res. No. 508

**Resolution approving a new tax exemption pursuant to Article XI of the Private Housing Finance Law and termination of the prior tax exemption for property located at Block 2036, Lot 53, Community District 10, Borough of Manhattan, (L.U. No. 157; Non-ULURP No. 20185529 HAM).**

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By Council Members Salamanca and Kallos.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on June 25, 2018 its request dated June 18, 2018 that the Council approve a new real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") and termination of the prior exemption for property located at Block 2036, Lot 53, Community District No. 10, Borough of Manhattan, Council District No. 9 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Tax Exemption Request on July 17, 2018;

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

**RESOLVED:**

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

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Effective Date” shall mean January 1, 2008.
  - b. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2036, Lot 53 on the Tax Map of the City of New York.
  - c. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - d. “HDFC” shall mean 286 West 151<sup>st</sup> Street Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - e. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - f. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
  - g. “Owner” shall mean the HDFC.
  - h. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the New York City Council on May 21, 2002 (Resolution No. 291).
  - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption on or after the date such Regulatory Agreement is executed.
2. The Prior Exemption shall terminate upon the Effective Date.
3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Notwithstanding any provision hereof to the contrary:
  - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with

the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, DONOVAN J. RICHARDS, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, August 15, 2018.

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

Report for L.U. No. 164

**Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180148 ZMK (1601 DeKalb Avenue Rezoning) submitted by 1601 DeKalb Avenue Owner, 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 from an R6 District to an R6B District, changing from an M1-1 District to an R7A District, and establishing within the proposed R7A District a C2-4 District, for property located on p/o Block 3237, Borough of Brooklyn, Community District 4, Council District 37.**

The Committee on Land Use, to which the annexed Land Use item was referred on July 18, 2018 (Minutes, page 2899), respectfully

**REPORTS:**

**SUBJECT****BROOKLYN CB - 4****C 180148 ZMK**

City Planning Commission decision approving an application submitted by 1601 DeKalb Avenue Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

1. changing from an R6 district to an R6B district property bounded by Hart Street, a line 400 feet northeasterly of Irving Avenue, DeKalb Avenue, and a line 350 feet northeasterly of Irving Avenue;
2. changing from an M1-1 district to an R7A district property bounded by Hart Street, Wyckoff Avenue, DeKalb Avenue, and a line 400 feet northeasterly of Irving Avenue; and
3. establishing within the proposed R7A district a C2-4 district bounded by Hart Street, Wyckoff Avenue, DeKalb Avenue, and a line 100 feet southwesterly of Wyckoff Avenue;

as shown on a diagram (for illustrative purposes only) dated February 12, 2018, and subject to the conditions of CEQR Declaration E-465.

**INTENT**

To approve the amendment to the Zoning Map, Section No. 13b, to change M1-1 and R6 zoning districts to R7A, R7A/C2-4, and R6B zoning districts on a portion of a block fronting on Wyckoff Avenue, Hart Street, and DeKalb Avenue, along with other related action, in order to facilitate the development of two new nine-story residential buildings containing a total of approximately 122 residential units, including 27 permanently affordable units under MIH Option 1 on the applicant's site (development site) at 1601 DeKalb Avenue (Block 3237, Lots 23, 47, and 48).

**PUBLIC HEARING****DATE:** July 17, 2018**Witnesses in Favor:** Seven**Witnesses Against:** Twelve**SUBCOMMITTEE RECOMMENDATION****DATE:** August 14, 2018

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

**In Favor:**

Moya, Constantinides, Lancman, Levin, Reynoso, Richards, Torres.

**Against:**

None

**Abstain:**

Rivera

**COMMITTEE ACTION**

**DATE:** August 15, 2018

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Barron, Constantinides, Deutsch, Kallos, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Adams, Diaz, Moya.

**Against:**

None

**Abstain:**

Rivera

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, DONOVAN J. RICHARDS, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, Committee on Land Use, August 15, 2018.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 165

**Report of the Committee on Land Use in favor of approving, as modified, Application No. N 180149 ZRK (1601 DeKalb Avenue Rezoning) submitted by 1601 DeKalb Avenue Owner, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area on p/o Block 3237, Borough of Brooklyn, Community District 4, Council District 37.**

The Committee on Land Use, to which the annexed Land Use item was referred on July 18, 2018 (Minutes, page 2900), respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 4**

**N 180149 ZRK**

City Planning Commission decision approving an application submitted by 1601 DeKalb Avenue



Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

### **INTENT**

To approve the amendment to the text of the Zoning Resolution, concerning modification to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area on a portion of one block (Block 3237) fronting on Wyckoff Avenue, Hart Street, and DeKalb Avenue, along with other related action, in order to facilitate the development of two new nine-story residential buildings containing approximately 122 residential units, including 27 permanently affordable units, in the Bushwick neighborhood of Community District 4, Brooklyn.

### **PUBLIC HEARING**

**DATE:** July 17, 2018

**Witnesses in Favor:** Seven

**Witnesses Against:** Twelve

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** August 14, 2018

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

**In Favor:**

Moya, Constantinides, Lancman, Levin, Reynoso, Richards, Torres.

**Against:**

None

**Abstain:**

Rivera

### **COMMITTEE ACTION**

**DATE:** August 15, 2018

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Barron, Constantinides, Deutsch, Kallos, Koo, Lancman, Levin, Miller, Reynoso, Richards, Torres, Treyger, Adams, Diaz, Moya.

**Against:**

None

**Abstain:**

Rivera.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, DONOVAN J. RICHARDS, INEZ D. BARRON, COSTA G. CONSTANTINIDES, CHAIM M. DEUTSCH, BEN KALLOS, RORY I. LANCMAN, I. DANEEK MILLER, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, Committee on Land Use, August 15, 2018.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

### **Report of the Committee on Transportation**

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

Report for Int. No. 1089

#### **Report of the Committee on Transportation in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to imposing liability on vehicle owners for failure to comply with maximum speed limits in school speed zones.**

The Committee on Transportation to which the annexed preconsidered proposed local law was referred on August 29, 2018, respectfully

#### **REPORTS:**

#### **INTRODUCTION**

On August 28, 2018, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, held a hearing on Preconsidered Int. No. \_\_\_, a Local Law in relation to imposing liability on vehicle owners for failure to comply with maximum speed limits in school speed zones. The Committee heard testimony from representatives of the Department of Transportation (DOT), as well as other interested stakeholders and advocates.

#### **BACKGROUND**

In 2013, the state of New York passed a law that permitted New York City to install 20 photo speed violation monitoring systems (“speed cameras”) in school zones.<sup>1</sup> Speed cameras are devices that measure an oncoming vehicle’s speed. If the vehicle is traveling above the speed limit, the camera will photograph the vehicle at different points of the road, proving that the vehicle is moving too fast. The penalty for a speed camera violation was a \$50 fine to the owner of the vehicle.<sup>2</sup> In 2014, the state of New York passed a law amending this provision to permit 140 speed cameras, effective until July 25, 2018.<sup>3</sup>

These cameras have proven to be one of the most effective means of promoting pedestrian safety. The daily rate of violations issued for excessive speeding in school speed zones has declined by over 60 percent, from 104 during the first month the cameras were fully operational to 35 in the program’s 18<sup>th</sup> month.<sup>4</sup> There has been a

<sup>1</sup> L.2013, c. 189, § 10.

<sup>2</sup> Automated Speed Enforcement Program Report: 2014-2017, at 7. Department of Transportation, [www.nyc.gov/html/dot/downloads/pdf/speed-camera-report-june2018.pdf](http://www.nyc.gov/html/dot/downloads/pdf/speed-camera-report-june2018.pdf).

<sup>3</sup> L.2014, c. 43, § 11.

<sup>4</sup> Automated Speed Enforcement Program Report: 2014-2017, at 12. Department of Transportation, [www.nyc.gov/html/dot/downloads/pdf/speed-camera-report-june2018.pdf](http://www.nyc.gov/html/dot/downloads/pdf/speed-camera-report-june2018.pdf).

decline in crashes, injuries, and fatalities of motor vehicle occupants, pedestrians, and cyclists in areas where the speed cameras were used.<sup>5</sup> Most significantly, the number of pedestrian fatalities dropped 55%:<sup>6</sup>

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**BEFORE/AFTER CHANGE IN CRASHES AND INJURIES  
IN SCHOOL SPEED ZONES WITH SPEED CAMERAS**

(Before: an average of the 3 years prior to installation  
After: an average of the full years after installation until  
Dec 31, 2016)

	Before Period, Citywide	After Period, Citywide	Percent Change
<b>CRASHES</b>			
Total Crashes	2,870	2,442	-15%
Crashes w/ Injuries	2,182	1,873	-14%
<b>INJURIES</b>			
Motor Vehicle Occupant	2,610	2,165	-17%
Pedestrian	501	416	-17%
Cyclist	132	124	-7%
Total Injuries	3,244	2,704	-17%
<b>KILLED OR SEVERELY INJURED</b>			
Fatalities	18	8	-55%
Severe Injuries	162	134	-17%

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Despite the high efficacy and public support of the speed camera program, the New York State Legislature has not renewed New York City's authority to operate these speed cameras.<sup>7</sup> As per state law, the program that authorized 120 of the 140 cameras sunsetted on July 25, 2018. The program that authorized the remaining 20 cameras is set to sunset on August 30, 2018. Although the cameras are still fully operational and can capture images of vehicles speeding in school zones, there are no enforcement mechanisms behind the program because of the sunset provisions.

Under the New York State program,<sup>8</sup> the penalty for any violation is issued to the vehicle's owner, based on the license number of the vehicle that the camera captures. For a speed camera violation, the vehicle must have been traveling at least 10 miles per hour above the posted school speed limit.<sup>9</sup>

### **ANALYSIS**

Preconsidered Int. No. 1089 would establish a photo speed violation monitoring program that would operate in school speed zones. The program would utilize a system using vehicle sensors working in conjunction with a

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<sup>5</sup> *Id.* at 11.

<sup>6</sup> *Id.* at 11.

<sup>7</sup> Wang, Vivian. "A Screeching Stop for Speed Cameras in New York City School Zones." *The New York Times*, 25 July 2018, [www.nytimes.com/2018/07/25/nyregion/speed-cameras-nyc-schools.html](http://www.nytimes.com/2018/07/25/nyregion/speed-cameras-nyc-schools.html).

<sup>8</sup> N.Y. Veh. & Traf. Law § 1111-a(e); N.Y. Veh. & Traf. Law § 1180-b(e).

<sup>9</sup> N.Y. Veh. & Traf. Law § 1180-b(b).

speed measuring device that takes photographs of vehicles (“cameras”) to capture violations. The cameras would be located within 1,320 feet of a street passing a school building, entrance or exit of a school abutting on a street (“school speed zone”). The cameras would operate during the following times:

1. on school days during school hours and one hour before and one hour after the school day;
2. a period during student activities at the school and up to 30 minutes immediately before and up to 30 minutes immediately after such activities; and
3. any other time as determined by DOT, based on an analysis of speeding or crash data.

The cameras would only photograph vehicles exceeding the speed limit by more than 10 miles per hour.

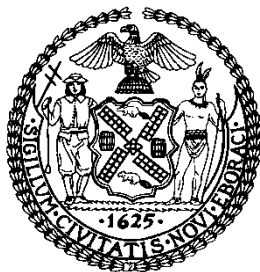
The proposed local law would not affect other speed limits set forth in State or local law, or the city’s ability to enforce those speed limits. However, owners of vehicles would not be liable for a penalty under the proposed local law if the operator of the vehicle was convicted of an underlying violation of a speed limit as set forth in State law or in the proposed local law.

Owners of vehicles would be liable for an operator of that vehicle exceeding the speed limit by more than 10 miles per hour in a school speed zone. Notices of liability would be sent by mail. Such vehicle owners would be liable for a \$50 penalty, recoverable before OATH. Failure to respond within 30 days would result in an additional \$25 penalty. An owner would not be liable if the vehicle was stolen, leased, or operated without consent at the time of the violation.

A camera could not be operated without passing a self-test of its functions each day of operation and undergoing an annual calibration check. Camera operators would be required to complete training and daily set-up logs. The City would be required to ensure, to the extent practicable, that photographs produced by cameras do not identify drivers, passengers, or contents of vehicles. Further, unless otherwise required by law, such photographs would be for the exclusive use of adjudicating liability under the proposed law and would be destroyed upon final resolution of liability.

The proposed local law would take effect immediately. In the event the State adopted A. 7798-C, a bill expanding the speed camera program, a substantially similar program, or a more expansive program, the proposed local law would sunset and repeal. A. 7798-C, sponsored by Assemblymember Deborah Glick, would expand the use of speed cameras to 290 school speed zones and define a "school speed zone" as being a radial distance not to exceed 1,320 feet from a school building, entrance, or exit.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1089:)**



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

**PRECONSIDERED INT. NO. 1089:**

**COMMITTEE: Transportation**

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to imposing liability on vehicle owners for failure to comply with maximum speed limits in school speed zones

**SPONSORS:** By The Speaker (Council Member Johnson), Council Members Rodriguez, Ampry-Samuel, Lander and Gjonaj

**SUMMARY OF LEGISLATION:** This Preconsidered Intro. would establish a speed camera program to detect vehicles exceeding the speed limit in school speed zones. Vehicle owners would be liable for an operator of that

vehicle exceeding the speed limit by more than 10 miles per hour in a school speed zone. Such vehicle owners would be liable for a \$50 penalty, recoverable before OATH.

**EFFECTIVE DATE:** This local law would take effect immediately, and shall expire and be deemed repealed upon the effective date of a chapter of the laws of New York enacted on or after the effective date of this local law that results in a photo speed violation monitoring program in the city of New York that is identical to, substantially similar to or more expansive in scope than the program that would result from the enactment of A. 7798-C, as passed by the New York state assembly on June 18, 2018.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2020

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY19</b>	<b>FY Succeeding Effective FY20</b>	<b>Full Fiscal Impact FY20</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues resulting from the enactment of this legislation. This is because full compliance with the legislation is anticipated and, to the extent that full compliance is not achieved, the legislation would only effectively extend the continued enforcement of the City's existing school speed zone camera law the projected revenues of which are already accounted for in the financial plan.

**IMPACT ON EXPENDITURES:** It is estimated that this legislation would have no impact on expenditures since existing resources would be used by the administering agency to comply with this local law. However, the Commissioner of the Department of Transportation testified during the Committee hearing on August 28, 2018, that the Department intends to develop a plan to expand the number of cameras in school zones. Should the Department ultimately expand the camera program beyond the current existing number of 140 school zones, there would be additional costs to purchase and install those cameras.

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

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

**ESTIMATE PREPARED BY:** Chima Obichere, Unit Head

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was considered at a hearing of the Committee on Transportation (Committee) as a Preconsidered Intro. on August 28, 2018, and the legislation was laid over. The legislation will be voted on by the Committee at a hearing on August 29, 2018. The Preconsidered Intro. will be introduced to the full Council on August 29, 2018 and, upon a successful vote by the Committee it will be submitted to the full Council for a vote on August 29, 2018.

**DATE PREPARED:** August 29, 2018.

*Accordingly, this Committee recommends its adoption.*

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

YDANIS A. RODRIGUEZ, *Chairperson*; FERNANDO CABRERA, PETER A. KOO, DONOVAN J. RICHARDS, CHAIM M. DEUTSCH, RAFAEL L. ESPINAL, Jr., MARK LEVINE, CARLOS MENCHACA, I. DANEEK MILLER, ANTONIO REYNOSO, RAFAEL SALAMANCA, Jr., RUBEN DIAZ, Sr.; Committee on Transportation, August 29, 2018. *Other Council Members Attending: Council Member Powers.*

**(The following is the text of a Message of Necessity from the Mayor for the Immediate Passage of Preconsidered Int. No. 1089:)**

THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N.Y. 10007

Pursuant to authority invested in me by section twenty of the Municipal Home Rule and by section thirty-six of the New York City Charter, I hereby certify to the necessity for the immediate passage of a local law; entitled:

**A LOCAL LAW**

To amend the administrative code of the city of New York, in relation to imposing liability on vehicle owners for failure to comply with maximum speed limits in school speed zones

Given under my hand and seal this 29th day of  
August, 2018 at City Hall in the City of New York.

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Bill de Blasio  
Mayor

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

**GENERAL ORDER CALENDAR**

Report for Int. No. 720

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

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

**REPORTS:**

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

*Accordingly, this Committee recommends its adoption.*

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

Laid Over by the Council.

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

- |                                     |   |
|-------------------------------------|---|
| (1) <b>Int. 1089 -</b>              | Liability on vehicle owners for failure to comply with maximum speed limits in school speed zones.<br><b>(with Message of Necessity from the Mayor requiring an affirmative vote of at least two-thirds of the Council for passage)</b> |
| (2) <b>L.U. 157 &amp; Res 508 -</b> | Application No. <b>20185529 HAM</b> ,<br>286 West 151st Street, Block 2036,<br>Lot 53.  |

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

**Affirmative** – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Koo, Koslowitz, Lancman, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **44**.

**The General Order vote recorded for this Stated Meeting was 44-0-0 as shown above with the exception of the votes for the following legislative items:**

The following was the vote recorded for **Preconsidered Int. No. 1089**:

**Affirmative** – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Cohen, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Koo, Koslowitz, Lancman, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **41**.

**Negative** – Borelli, Yeger and the Minority Leader (Council Member Matteo) – **3**.

*The following Introduction was sent to the Mayor for his consideration and approval:  
Preconsidered Int No. 1089.*



## INTRODUCTION AND READING OF BILLS

Preconsidered Int. No. 1089

By The Speaker (Council Member Johnson), Council Members Rodriguez, Ampry-Samuel, Lander, Gjonaj, Rosenthal, Adams, Levin, Gibson and Ayala.

### **A Local Law to amend the administrative code of the city of New York, in relation to imposing liability on vehicle owners for failure to comply with maximum speed limits in school speed zones**

*Be it enacted by the Council as follows:*

Section 1. Title 19 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

#### *CHAPTER 9 PHOTO SPEED VIOLATION MONITORING PROGRAM*

*§ 19-901 Definitions. For the purposes of this chapter, the following terms have the following meanings:  
OATH. The term "OATH" means an administrative tribunal within the jurisdiction of the office of administrative trials and hearings, as established in chapter 45-a of the charter.*

*Owner. The term "owner" has the meaning provided in article 2-B of the vehicle and traffic law.*

*Photo speed violation monitoring system. The term "photo speed violation monitoring system" means a vehicle sensor installed to work in conjunction with a speed measuring device which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in a school speed zone in violation of section 19-902, in accordance with the provisions of this chapter.*

*School speed zone. The term "school speed zone" means a distance not to exceed 1320 feet on a street passing a school building, entrance or exit of a school abutting on the street.*

*Vehicle. The term "vehicle" has the meaning provided in section 159 of the vehicle and traffic law.*

*§ 19-902 Speeding in school speed zones prohibited. a. It shall be unlawful to exceed the posted maximum speed limit by more than 10 miles per hour in a school speed zone.*

*b. The prohibition set forth in this section shall not affect the speed limits in effect as provided in subdivisions (b), (c), (d), (f) or (g) of section 1180 of the vehicle and traffic law or section 19-177 of this code, or otherwise in effect pursuant to applicable law. Nothing in this chapter shall affect the city's ability to enforce such speed limits.*

*§ 19-903 Penalties. a. Notwithstanding any other provision of law, the owner of a vehicle shall be liable for the failure of an operator thereof to comply with section 19-902:*

*1. when a school speed limit is in effect as provided in paragraphs 1 and 2 of subdivision (c) of section 1180 of the vehicle and traffic law; or*

*2. when other speed limits are in effect as provided in subdivision (b), (d), (f) or (g) of section 1180 of the vehicle and traffic law during the following times:*

*(A) on school days during school hours and one hour before and one hour after the school day;*

*(B) a period during student activities at the school and up to 30 minutes immediately before and up to 30 minutes immediately after such student activities; and*

*(C) any other time as determined by the department of transportation, based on an analysis of speeding or crash data.*

*b. The owner of a vehicle shall be liable for a penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, express or implied, within a school speed zone in violation of section 19-902 during the times authorized pursuant to subdivision a; provided however that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of subdivision (b), (c), (d), (f) or (g) of section 1180 of the vehicle and traffic law or section 19-902.*

c. A certificate, sworn to or affirmed by a technician employed by the city, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a photo speed violation monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall include at least two date and time stamped images of the rear of the vehicle that include the same stationary object near the vehicle and shall be available for inspection reasonably in advance of and at any proceeding to adjudicate the liability for such violation pursuant to this section.

d. An owner liable for a violation of section 19-902 pursuant to this section shall be liable for a monetary penalty of \$50, recoverable in a proceeding before OATH. There shall be an additional penalty of \$25 for each violation for the failure to respond within 30 days to a notice of liability.

e. 1. A notice of liability shall be sent by first class mail to each person alleged to be liable as an owner for a violation of section 19-902 pursuant to this section, within 14 business days if such owner is a resident of this state and within 45 business days if such owner is a non-resident. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein.

2. A notice of liability shall contain (i) the name and address of the person alleged to be liable as an owner for a violation of section 19-902 pursuant to this section, (ii) the registration number of the vehicle involved in such violation, (iii) the location where such violation took place, (iv) the date and time of such violation, (v) the identification number of the camera which recorded the violation or other document locator number, (vi) at least two date and time stamped images of the rear of the vehicle that include the same stationary object near the vehicle, and (vii) the certificate charging the liability, which shall be a statement within the notice of liability that an owner violated this section and is liable for penalties in accordance with this section.

3. The notice of liability shall contain information advising the person charged of the manner and the time in which such person may contest the liability alleged in the notice. Such notice of liability shall also contain a prominent warning to advise the person charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default may be entered thereon.

4. The notice of liability shall be prepared and mailed by the city or by any other entity authorized by the city to prepare and mail such notice of liability.

f. If an owner receives a notice of liability pursuant to this section for any time period during which the vehicle or the number plate or plates of such vehicle was reported to the police department as having been stolen, it shall be a valid defense to an allegation of liability for a violation of section 19-902 pursuant to this section that the vehicle or the number plate or plates of such vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision, it shall be sufficient that a certified copy of the police report on the stolen vehicle or number plate or plates of such vehicle be sent by first class mail to OATH.

g. 1. An owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to this section shall not be liable for the violation of section 19-902 pursuant to this section, provided that:

(i) prior to the violation, the lessor has filed in accordance with the provisions of section 239 of vehicle and traffic law; and

(ii) within 37 days after receiving notice from the city of the date and time of a violation, together with the other information contained in the original notice of liability, the lessor submits to the city the correct name and address of the lessee of the vehicle identified in the notice of liability at the time of such violation.

2. Failure to comply with subparagraph (ii) of paragraph 1 of this subdivision shall render the owner liable for the penalty prescribed in this section.

3. Where the lessor complies with the provisions of paragraph 1 of this subdivision, the lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for such violation pursuant to this section and shall be sent a notice of liability pursuant to this section.

h. 1. If the owner liable for a violation of section 19-902 pursuant to this section was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

2. Notwithstanding any other provision of this section, no owner of a vehicle shall be subject to a monetary penalty imposed pursuant to this section if the operator of such vehicle was operating such vehicle without the consent of the owner at the time such operator operated such vehicle in violation of section 19-902. For purposes

*of this section there shall be a presumption that the operator of such vehicle was operating such vehicle with the consent of the owner at the time such operator operated such vehicle in violation of section 19-902.*

*i. It shall be a defense to any proceeding for a violation of section 19-902 pursuant to this section that such photo speed violation monitoring system was malfunctioning at the time of the alleged violation.*

*§ 19-904 System maintenance and operation. a. No photo speed violation monitoring system shall be used in a school speed zone unless:*

- 1. on the day it is to be used it has successfully passed a self-test of its functions; and*
- 2. it has undergone an annual calibration check performed pursuant to subdivision d of this section.*

*b. Operators of photo speed violation monitoring systems shall have completed training in the procedures for setting up, testing, and operating such systems. For each such system operated, each such operator shall complete and sign a daily set-up log that:*

- 1. states the date and time when, and the location where, the system was set up that day, and*
- 2. states that such operator successfully performed, and the system passed, the self-tests of such system before producing a recorded image that day.*

*c. The city shall retain each such daily log until the later of the date on which the photo speed violation monitoring system to which it applies has been permanently removed from use or the final resolution of all cases involving notices of liability issued based on photographs, microphotographs, video or other recorded images produced by such system.*

*d. Each photo speed violation monitoring system shall undergo an annual calibration check performed by an independent calibration laboratory which shall issue a signed certificate of calibration. The city shall keep each such annual certificate of calibration on file until the final resolution of all cases involving a notice of liability issued during such year which were based on photographs, microphotographs, videotape or other recorded images produced by such photo speed violation monitoring system.*

*e. 1. The city shall utilize necessary technologies to ensure, to the extent practicable, that photographs, microphotographs, videotape or other recorded images produced by such photo speed violation monitoring systems do not include images that identify the driver, the passengers, or the contents of the vehicle. Provided, however, that except as required by state or federal law, no notice of liability issued pursuant to section 19-903 shall be dismissed solely because such a photograph, microphotograph, videotape or other recorded image allows for the identification of the driver, the passengers, or the contents of vehicles where the city shows that it made reasonable efforts to comply with the provisions of this paragraph in such case.*

*2. Photographs, microphotographs, videotape or any other recorded image from a photo speed violation monitoring system shall be for the exclusive use of the city for the purpose of the adjudication of liability imposed pursuant to section 19-903 and of the owner receiving a notice of liability pursuant to such section, and shall be destroyed by the city upon the final resolution of the notice of liability to which such photographs, microphotographs, videotape or other recorded images relate, or one year following the date of issuance of such notice of liability, whichever is later. Photographs, microphotographs, videotape or any other recorded image from a photo speed violation monitoring system shall not be open to the public, nor subject to civil or criminal process or discovery, nor used by any court or administrative or adjudicatory body in any action or proceeding therein except that which is necessary for the adjudication of a notice of liability issued pursuant to such section, and no public entity or employee, officer or agent thereof shall disclose such information, except that such photographs, microphotographs, videotape or any other recorded images from such systems:*

*(A) shall be available as required pursuant to state or federal law; and*

*(B) shall be available for inspection and copying and use by the vehicle owner and operator for so long as such photographs, microphotographs, videotape or other recorded images are required to be maintained or are maintained by such public entity, employee, officer or agent.*

*§ 19-905 Implementation. The mayor may designate any city agency or office thereof or employees of any city agency to implement and enforce the provisions of this chapter.*

*§ 2. This local law takes effect immediately, and*

*(i) shall expire and be deemed repealed upon the effective date of a chapter of the laws of New York enacted on or after the effective date of this local law that results in a photo speed violation monitoring program in the city of New York that is identical to, substantially similar to or more expansive in scope than the program that would result from the enactment of A. 7798-C, as passed by the New York state assembly on June 18, 2018; provided that the corporation counsel shall notify the New York state legislative bill drafting commission upon*

the enactment of such a chapter in order that the commission may maintain an accurate and timely effective database of the official text of the New York administrative code in furtherance of effectuating the provisions of section 70-b of the public officers law, and notify relevant publishers in furtherance of effectuating the provisions of section 7-111 of the administrative code; and provided further that failure to provide the notifications described in this section shall not affect the expiration and repeal of this local law; and

(ii) all actions and proceedings, civil or administrative, commenced under or by virtue of any provision of this local law, and pending immediately prior to the taking effect of the expiration and repeal of this local law, may be continued and defended to final effect in the same manner as they might be if such provisions were not repealed.

Adopted by the Council (preconsidered and approved by the Committee on Transportation; passed by the Council under a Message of Necessity from the Mayor).

Int. No. 1090

By Council Members Dromm, Rivera and Lander.

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

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 9-140 of the administrative code of the city of New York, as added by local law number 85 for the year 2015, is amended to read as follows:

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

Borough jail facility. The term “borough jail facility” means any department facility in which inmates are housed by the department and that is located outside Rikers Island.

City Jail. The term “city jail” means any department facility in which inmates are housed by the department.

Professional. The term “professional” means a person who is properly identified as providing services or assistance to inmates, including lawyers, doctors, religious advisors, public officials, therapists, counselors, and media representatives.

*Sexual Abuse. The term “sexual abuse” has the same meaning set forth in section 115.6 of title 38 of the code of federal regulations, or any successor regulation.*

*Staff. The term “staff” means anyone, other than an inmate, working at a facility operated by the department.*

Visitor. The term “visitor” means any person who enters a city jail with the stated intention of visiting an inmate at any city jail, or any person who is screened by the department for visitation purposes, including but not limited to professionals and any person who registers to visit an inmate in the department’s visitor tracking system.

§ 2. *Subdivision b of section 9-140 of the administrative code of the city of New York is amended by adding new paragraph 7 and 8 to read as follows:*

*7. The total number of complaints made to the department regarding sexual abuse of visitors by staff at city jails, the number of such complaints made regarding visitors at borough facilities, and the number of such complaints regarding visitors at Rikers Island. This information shall be reported in total and disaggregated by the gender of such visitor.*

*8. The number of hours of training conducted for staff who regularly interact with visitors regarding the search of visitors. Notwithstanding any other provision of this section, the information in this paragraph shall be reported on a yearly basis.*

§ 3. This local law takes effect immediately, provided that the first report required by paragraph 8 of subdivision b of the administrative code of the city of New York, as added by section 2 of this local law, shall be submitted no later than February 1, 2019.

Referred to the Committee on Criminal Justice.

Int. No. 1091

By Council Member Koo.

**A Local Law to amend the administrative code of the city of New York, in relation to the posting of machine readable executive orders***Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 7 of the administrative code of the city of New York is amended to add a new section 7-115, to read as follows:

§ 7-115 *Online publication of executive orders.* a. *The corporation counsel and the department of records and information services shall make available through the city's website a true and complete compilation of all executive orders issued from 1974 to present. Such compilation shall be in a searchable, machine-readable format or formats that are capable of being downloaded in bulk, and which are chosen for the purpose of making such compilations available to the greatest number of users and for the greatest number of applications. Such compilation shall indicate any executive order that has been explicitly superseded or amended by a later executive order by annotating the superseded or amended executive order.*

b. *The corporation counsel and the department of records and information services, in their discretion, may also make executive orders available in formats that are not searchable or machine-readable, such as an image file or other fixed layout format, but the availability of executive orders in such formats shall not satisfy the requirements of this section.*

§ 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 1092

By Council Members Menchaca, Williams, Rivera, Levin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting New York city from contracting with entities engaged in immigration enforcement***Be it enacted by the Council as follows:*

Section 1. Chapter 1 of Title 6 of the administrative code of the city of New York is amended by adding a new section 6-143 to read as follows:

§6-143 *City contracts with entities engaged in immigration enforcement. The city shall not provide a good or goods, or perform a service or services, in return for a fee or an in kind payment, to entities engaged in immigration enforcement, as defined in section 10-178.*

§2. This local law takes effect 60 days after it becomes law and applies to existing and future contracts.

Referred to the Committee on Immigration.

Int. No. 1093

By Council Member Salamanca.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring water bottle-filling stations in city agency offices***Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-212 to read as follows:

*§ 4-212 Water bottle-filling stations for city agency offices. a. As used in this section:*

*Bottle-less water dispenser. The term “bottle-less water dispenser” means a device that is connected to the tap water supply of a building and dispenses tap water and that is not attached to a wall, including such a device that is a component of a refrigerator.*

*City agency office. The term “city agency office” means an area of an office building, as defined in section FC 402.1 of the New York city fire code, that is owned or maintained by the department and is occupied by a city agency.*

*Department. The term “department” means the department of citywide administrative services.*

*Water bottle fountain. The term “water bottle fountain” means a wall-mounted plumbing fixture that is connected to the tap water supply of a building and is designed for filling a container that is 10 inches in height or more, except that such term does not include a sink.*

*Water bottle-filling station. The term “water bottle-filling station” means a water bottle fountain or a bottle-less water dispenser.*

*b. The department shall install water bottle-filling stations so that:*

- 1. there is at least one water bottle-filling station per 100 occupants in every city agency office; and*
- 2. there is at least one water bottle-filling station on every floor of a city agency office.*

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

Referred to the Committee on Governmental Operations.

NEW YORK CITY COUNCIL

**A N N O U N C E M E N T S**

**Wednesday, September 5, 2018**

Subcommittee on Zoning & Franchises Francisco Moya, Chairperson  
**See Land Use Calendar**  
Committee Room – City Hall .....9:30 a.m.

Subcommittee on Landmarks, Public Siting & Maritime Uses Adrienne Adams, Chairperson  
**See Land Use Calendar**  
Committee Room – City Hall.....12:00 p.m.

Subcommittee on Planning, Dispositions & Concessions Ben Kallos, Chairperson  
**See Land Use Calendar**  
Committee Room – City Hall.....2:00 p.m.

**Thursday, September 6, 2018**

Committee on Criminal Justice jointly with the Keith Powers, Chairperson  
Committee on Justice System and the Rory Lancman, Chairperson  
Committee on Women Helen Rosenthal, Chairperson

**Oversight** - Sexual Abuse and Harassment in City Jails.  
**Proposed Int. No. 933-A** – By Council Members Cumbo and Ampry-Samuel – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on sexual abuse.  
**Int 1090** - By Council Member Dromm – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on the sexual abuse of visitors.  
Council Chambers – City Hall.....10:00 a.m.

Committee on Land Use Rafael Salamanca, Jr., Chairperson  
**All items reported out of the Subcommittees**  
**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**  
Committee Room – City Hall.....11:00 a.m.

Committee on Immigration Carlos Menchaca, Chairperson  
**Oversight** – Abolish ICE.  
**Int 1092** – By Council Member Menchaca – **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting New York city from contracting with entities engaged in immigration enforcement.  
**Preconsidered Res\_\_\_\_\_** - By Council Members Rosenthal, Rivera, and Menchaca - **Resolution** calling upon the U.S. Congress to pass, and the President to sign, the Establishing a Humane Immigration Enforcement System Act (H.R. 6361), legislation that would abolish the U.S. Immigration and Customs Enforcement.  
Council Chambers – City Hall.....1:00 p.m.

**Wednesday, September 12, 2018**

Stated Council Meeting..... *Ceremonial Tributes – 1:00 p.m.*  
..... *Agenda – 1:30 p.m.*

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) acknowledged that Xiaomin Zhao of the Community Engagement Division was leaving the Council for a position in the Senior Community Affairs Unit. He thanked Mr. Zhao for his service with the Council as those assembled in the Chambers applauded.

Also, during the Communication from the Speaker segment, the Speaker (Council Member Johnson) noted that this Stated Meeting was scheduled in order to pass a bill creating a school speed camera program (Preconsidered Int. No. 1089). He thanked many individuals for their work on the bill and also thanked the leaders and families of the organization Families for Street Streets. The Speaker (Council Member Johnson) acknowledged several Families for Safe Streets members who were present in the balcony of the Chambers including: Mary Beth Kelly, who lost her husband Carl Henry nearly twelve years ago; Lizi Rahman, who lost her son, Asif; Jane Martin-Lavaud, who lost her daughter, Lenora; Debbie Kahn, whose husband was present, who lost her son, Seth; Joan Dean and Amy Cohen, grandmother and mother to their lost loved one Sammy; and another family who had lost their son. He also thanked two more individuals who were not present at that time: Sofia Russo, who lost her daughter, Ariel; and Rita Barravecchio who lost her niece, Maddie.

Whereupon on motion of the Speaker (Council Member Johnson), the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, September 12, 2018.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Local Law Note: Int. Nos. 144-B, 634-B, 838-C, 890-B, 958-A, all adopted by the Council at the August 8, 2018 Stated Meeting, were signed into law by the Mayor on August 14, 2018 as, respectively, Local Law Nos. 147, 148, 149, 150, and 151 of 2018.*

*Editor's Local Law Note: Int. No. 157-C, , adopted by the Council at the July 18, 2018 Stated Meeting, was signed into law by the Mayor on August 16, 2018 as Local Law No. 152 of 2018.*

*Editor's Local Law Note: Preconsidered Int. Nos. 1021, 1022, 1025, 1033, 1034, 1039, and 1040, all adopted at the July 18, 2018 Stated Meeting, were returned unsigned by the Mayor on August 21, 2018. These items had become law on August 18, 2018 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 153, 154, 155, 156, 157, 158, and 159 of 2018, respectively.*